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Glossary

Aitanga	Productive/generative relationships
Aroaro	Sphere of sense perception/awareness
Aroha	Love, unconditional concern
Hapū	Sub-tribe
He whakaaro Māori	Some Māori thoughts/offerings
Hui	Meeting/s
Iwi	Tribe
Kai	Food
Kaiako	Teacher
Kaitiakitanga	Environmental guardianship
Kanohi ki te kanohi	Face to face
Karakia	Prayer/s, affirmation/s
Karanga	Ritual call of welcome
Kaupapa Māori	Māori principles, values and knowledge
Kaupapa	First principles, philosophy, plan, programme
Kawanatanga	Governorship, government
Koha	Gift
Kōhanga Reo	Māori medium pre-schools governed by the Kōhanga Reo National Trust
Kōrero	Talk, speech
Kupu	Word/s
Kura	School
Mana	Unique force/power
Manaakitanga	Hospitality, care of others
Manuhiri	Guest/s
Māori	Indigenous people of Aotearoa–Zealand
Māramatanga	Wisdom, understanding
Matariki	Māori new year
Mātau	Skills, abilities
Mātauranga	Knowledge, education
Mātauranga Māori	Body of Māori knowledge
Mita	Tribal idiomatic speech
Pākehā	The Māori language term for white settlers to New Zealand

Pōwhiri	Ceremony of welcome/encounter
Rōpu	Group
Taha Māori	The Māori world/side
Tamariki	Children
Tangata Whenua	Literally 'people of the land'. Local tribal group and/or Māori as Indigenous to Aotearoa–New Zealand
Taonga	Treasure/s
Tauiwi	Later immigrant groups (than Pākehā)
Te Awahou	The bicultural/bilingual unit established in 2005 at Newton Central School
Te Reo	Māori language, voice
Te Reo me ona tikanga	The Māori language and its customs
Te Tiriti o Waitangi	The Māori version of The Treaty of Waitangi
Te Uru Karaka	The total immersion unit established in 1997 at Newton Central School
Te Whao Urutaki	The Māori governance partner at Newton Central School
Tika	Right, ethical
Tikanga	Cultural practice, rule, plan, method, custom
(Tino) Rangatiratanga	Self determination, unqualified exercise of authority, chiefly authority
Tohu	Symbol, sign
Tuku mana	Hand over mana to others
Waiata	Song/s
Wānanga	Learning seminar/s or gathering/s, ancestral knowledge, wisdom, lore, instructor, wise person
Whaikōrero	Ritual speeches of welcome
Whakaaro	Thought/s
Whakama	Embarrassment, shame
Whakapapa	Genealogies
Whakarongo Rua	The bilingual unit established in 1993 at Newton Central School
Whānau	Extended family, king group, a collective
Whānaungatanga	Kinship, relatedness, an inclination of care and responsibility to others

Chapter One

Introduction

My concern in this thesis is to consider possibilities for non-dominating and relational forms of authority/justice between settler and indigene in the social and educational context of Aotearoa–New Zealand. I present a case study of a co-governance structure in a small inner city Auckland school as a powerful example of relational authority/justice and positively productive relationships across difference.

The almost pathological preoccupation of Western philosophic and political traditions has been with the self-sufficient autonomy of the individual linked with an assumption of the inclusive universality of political forms. Intersubjective and political relations with (in this case) Indigenous others has involved their reduction to, and inclusion within, this project. In the face of the pervasiveness of this "autonomy orthodoxy" (Critchley, 2007, p. 93) a key task of this thesis is to offer, through Indigenous Māori thought, and the philosophy of Emmanuel Levinas (1969; 1998b), an alternative characterisation for intersubjective and therefore also political relations. Foregrounding the intersubjective relation is an unexpected development for this thesis, but I view this often overlooked dimension of sociality as critical to the possibility of *ethical* and relational political practice.

Levinas offers an account of the subject in which, prior to or beyond being an autonomous ego, I am bound to the other. In being constituted heteronomously, I am, before any sense of self-preservation, infinitely responsible to the other. The other of Levinas's ethical relation is another human subject. While we encounter others through social identities and locations, Levinas is pointing to another encounter. The encounter with the Other[1] is experienced outside of social context and ontological difference, as a radical alterity. The Other experienced this way is unknowable, she is not another self, but what I am not.

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[1] Following Sharon Todd's (2003, p.147) convention I will use *Other* to signify "a specific, embodied individual" who signifies an absolute alterity; I will use *"Other"* in double quotation marks to signify the other of "more sociologically driven definitions". Finally I will use *other* as a general descriptor for other persons.

We can regard the unknowable difference of, and our infinite responsibility for, the Other as a conscious inversion that Levinas employs to break with the Western preoccupation with autonomy and sameness. In this inversion, others are not knowable alter egos but are irreducible to comprehension. Rather than viewing others (at best) as social and political equals through recognition of sameness, one's ethical obligation to the Other is infinitely and impossibly demanding.

I argue that contrary to Western traditions, Indigenous and Māori philosophy is underpinned by the logic of difference and relationality. Every Māori account of the world is told through whakapapa (genealogies) in terms of a relation, encounter or struggle between differences. All is produced through engagement, and we are always already inside or *as* relationships. Others are not observed in an objectifying gaze from outside relationships, hence the idea that others are fully knowable or containable is not entertained. In such a view responsibility for others is implicit in, indeed demanded by, the structure of human subjectivity.

In Māori thinking no One is autonomous, and no authority is superordinate and inclusive. Such an orientation centers kanohi ki te kanohi (face to face) relationships as the basis of sociality. In face-to-face relationships I am opened to my responsibility to others and cannot evoke abstract laws in place of that responsibility. Indigenous Māori law is practiced in and through day-to-day social behaviour and can be seen to represent direct and dynamic forms of democracy. Māori political aggregations operate as a plurality of contingent and relational authorities and are valued as such. The idea that a universal and inclusive authority could represent or provide justice for all was antithetical to Indigenous thinking and this thesis suggests much can be learnt from this approach for ethical political practice today.

For Levinas the ethical face-to-face relation opens onto the political, which is the sphere of comparison, decision and rationalities necessary for social life. The ethical and political spheres have an internal reference to one another (Perpich, 2008) because when we face others, we face an ethical and cultural/political manifold (Critchley, 2007). The relation of infinite responsibility for the singular Other is also situated in the social world, and here the social and cultural identities and locations of others require access to justice. The ethical relation is seen both as the inspiration for, and as exceeding, ontological forms of justice.

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The ethical relation, however, does not direct (or provide a formula for) political rationalities, because the ethical for Levinas is not something that can be predicted or applied as a set of principles. The relationship between ethics and politics is therefore undetermined. For Levinas, politics can be operated as a limitation of the infinite responsibility of the ethical relationship, or as in Hobbes's formulation, a limitation of war. If decisions taken in the political sphere first pass through an experience of *undecidability* (Derrida, 1992) in the face of infinite responsibility, then political decisions *can* be responsible for others and the totalising movement of the political deferred.

Deferring or holding open the political recognises the impossibility of a fully unified and inclusive political space, and asserts an openness to that which is outside or excluded by our political decisions and rationalities (Mouffe, 2005). Where politics is invested with critique and contestation, it is opened to the demands of others and, therefore, to opportunities for ethical responses and decisions.

Together Levinasian and Māori conceptions provide this thesis with rich philosophical resources for a consideration of relational forms of authority and justice that are critically underpinned by an orientation to kanohi ki te kanohi relationships, and the ethical possibilities that arise therein.

In the context of Aotearoa-New Zealand, the Treaty of Waitangi[2] can signify the possibility for such relational forms of justice. The Treaty opens liberal political uniformity to contestation and might further signify the possibility for ongoing engagement and struggle, through which contingent agreements are made for the differential constitution of shared social and political spaces in the local and lived contexts of peoples' lives. Practised in this way, politics is located less in abstract rules and more in face-to-face engagement that can in turn give rise to ethical political decisions for others.

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[2] *The Treaty of Waitangi* is an agreement signed in 1840 between Māori tribes (hapū) and the British Crown. There is an English and a Māori language text of the Treaty. The Māori text is called *Te Tiriti o Waitangi* and is the text signed by the overwhelming majority of Māori leaders and Captain Hobson (on behalf of the British Crown). There are significant textual differences between the two versions of the Treaty. For the New Zealand Crown, the Treaty represents the transfer of Māori sovereignty to the British Crown in 1840 and the eventual establishment of New Zealand as a nation state. See Walker (2004) reference this thesis. For Māori the Treaty is generally seen to signify the *beginning* of political and cultural relationships where two forms of authority are acknowledged. See E. T. Durie (1996, 1998) references this thesis.

A Case in Point

The ethical and political direction of this thesis arose from concrete practice in a local mainstream[3] primary school called Newton Central. This school has a Māori-medium pathway[4] to which I have been committed for the past 13 years. About ten years ago a surprising development occurred in the school with the establishment of a Treaty-based co-governance relationship between the Māori school community and the school Board of Trustees[5]. A conflict in the school catalysed a face-to-face encounter between Māori and the Board, in which the Board opened to the demands of their Māori others. The Board learnt from, and were altered by, this encounter such that they took a decision to accept the Māori proposal for a co-governance relationship at the school. I theorise this development as having resulted from an experience of ethical responsibility, which led, in a situation of injustice, to a decision in the service of others.

For the last ten years, the co-governance relationship has provided an already active Māori community the scope to continue to develop and strengthen Māori medium education in the school—to constitute educational space in accordance with their own practices and priorities. From a place of authority, and within a Treaty frame, this authority is exercised relationally such that the Māori whānau[6] have come to see themselves as co-educators in a learning community with their children.

An overwhelming theme emerging from the case study is the participants' experience of relationships: seen as valued and respectful of difference at all levels of the school. The governance relationship is understood as representing an ongoing model and reminder of relationality and difference. I suggest that in establishing a form of relational justice

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[3] *Mainstream* schooling is a term commonly used to describe the general or dominant state schooling environment. Mainstream schools in New Zealand are English medium but may, like the case study school, have some classes where teaching and learning is occuring through the medium of the Māori language.

[4] As indicated in footnote (3) above, *Māori-medium* pathways refer to schooling occurring in the medium of the Māori language. Māori-medium pathways may be operating as classes or units within mainstream English-medium schools, or in Māori-medium schools.

[5] *Boards of Trustees* are Crown entities responsible for the governance and control of the management of New Zealand schools. Boards of Trustees are elected by parents and caregivers.

[6] *Whānau* literally denotes an extended family or kin group. In the contemporary context whānau is also used to describe a cluster of non-related people operating as a collective around a particular activity. In Māori educational settings, for example, whānau are the parents and families of the children attending the school or unit, who usually meet regularly and are engaged in various management and support activities associated with the school.

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across difference, an attentiveness to relationships with difference has been encouraged with positively productive effects for the whole school.

On the surface this relationality may appear very cosy, but in Levinas's view, because relations with others are unknowable, they are *uncontainable*. Being open to that uncertainty and unpredictability involves being open also to contestation and the idea that social and political stabilisations are contingent. The approach that has developed at Newton Central School is not, I would argue, a recipe for a cosy predictable togetherness, even as relationships are experienced positively and described as committed. Rather, in having ruptured the unity of the school governance (through the establishment of two forms of authority), and in asserting an openness to working respectfully with difference, uncertainty inhabits this context. Uncertainty, contestation, and critique are the conditions through which justice can arise.

Hence the case study focus is, perhaps somewhat surprisingly in the contemporary education research environment, *not* about Māori student (under)achievement, though academic success is important to the whānau and school leadership. The case study is about a unique set of ethical, cultural and political practices that have been productive for non-dominating relationships framed by the Treaty of Waitangi in the context of a New Zealand school. In this case study, student achievement is nested within, and progressed through, broader aspirations for Māori self-determination, cultural revitalisation, and an ethical and relational politics.

Thesis Outline

The thesis is presented in two main parts. The first part includes Chapters Two, Three and Four. These three chapters lay out the theoretical and philosophical basis of the thesis. The second part of the thesis is the case study: it includes Chapter Five, which is the case study methodology, with Chapters Six and Seven representing the body of the case study. Chapter Eight serves as a conclusion for the case study, and to the thesis as a whole.

Part One

Part One positions the thesis in a set of theoretical ideas that develop in different ways across the thesis as a whole. I start in Chapter **Two** by introducing Levinas's critique of

Western metaphysics's preoccupation with totality. I lay out Levinas's "big idea" about the intersubjective or face-to-face ethical relation (Critchley, 2002). An analysis of the ethical relation is undertaken in discussion with my reading of Indigenous Māori thought. This chapter is essential to an understanding of the approach to political engagement proposed in the thesis.

Chapter **Three** crosses the complex bridge from the ethics of the face-to-face relation to the sphere of the political. The political is necessary because we live in a social world of many, not simply the exclusive world of the face-to-face relation. But the political for Levinas is the sphere of ontology, and therefore holds the potential for totality. There is no political prescription derived from Levinas's ethics, something to be regarded positively, precisely because it is a guard against totality. This chapter works at the intersection of ethics and politics to argue that, concretising the ethical in the political, is the task of politics, and begins with an experience of infinite responsibility to the other.

Chapter **Three** also introduces the theme of cultural difference and explores what Levinas's ethics of alterity might contribute to a discussion of this theme. Culture for Levinas is ontological, and cultural differences are relative compared to the radical, unknowable alterity of the Other. I argue that attempts to *know* and reduce/assimilate the cultural differences of others also risks the alterity of the Other. Hence an orientation of respect for cultural difference can be preserving of both ontological difference and ethical alterity. At the same time I suggest the radical alterity of the Other shows up some of the limits of cultural identity politics. The Other is always more than a 'Pākehā[7] woman', a 'Māori man'. If our identity politics reject ethical responsibility to others on the basis of relative identities, then the basis of social ethicality is compromised as is the cultural difference we may champion.

I conclude Chapter Three by suggesting that cultures remember, preserve and practice ethicality, and that these diverse expressions may be critical to expanded possibilities for social ethicality and non-dominating human relations. This would require, however, that cultural groups possess the conditions and capacity to share with and offer to others such ethicality.

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[7] *Pākehā* is the Māori language term for white settlers to New Zealand, descendants of the first wave of settlers from Britian in particular, after the Treaty of Waitangi was signed in 1840.

In Chapter **Four**, I contrast the preceding discussion of the undetermined and contextual relationship between ethics and politics with a critique of liberalism, communitarianism and the politics of recognition/difference. I argue that at best, these political forms can *include* Indigenous demands within dominant constitutional traditions, but their unifying rationalities escape interrogation. I then build an Indigenous and Levinasian-inspired approach to politics drawing from the non-foundational political philosophy of Chantal Mouffe (2005) and James Tully (1995).

A non-foundational approach regards the assumption of the possibility of an all-inclusive consensus as masking of relations of power, and as refusing responsibility for political decisions by recourse to universal principles. Rather than seeking a founding social consensus, a non-foundational approach sees contestation not as something to be avoided but as crucial to, indeed the *condition* of, the possibility for democratic justice. A certain consensus is required for a non-foundational approach, however, because social difference can never be completely contained; consensus is necessarily conflictual and contingent. Further, consensus is constituted not through the identification of a set of principles accommodating of all, but through the availability of different ways of organising social and political space connected to different forms of cultural and social life. I also argue that such an approach is consistent with traditional Indigenous and Māori orientations to political and social constitution. In the context of Aotearoa-New Zealand, I argue the Treaty of Waitangi can positively symbolise contestation and the rupturing of the monological political tradition. The Treaty—as a Treaty between two authorities—indicates at least two main cultural logics and ways of organising social/political space (Martin, 1998).

In concluding Chapter Four I address Māori political struggle to encourage an orientation to politics beyond a demand for entry into the liberal economy of recognition. I suggest that, beyond what Indigenous approaches bring to a non-foundational politics, remembering Māori modes of subjectivity marked by responsibility can reinvest Māori struggle (even in the face of marginalisation) with an ethical force critical for politics as the work of justice.

Part Two

The first chapter of Section Two (Chapter **Five**) is the case study methodology and precedes the two case study chapters. Whilst I understand Part One as contributing the

theory through which an analysis of the case can be made, the methodology more specifically defines a set of interconnected methodological approaches together with a description of the case study method of inquiry. In very broad terms I have cast this thesis within a qualitative and post-positivist paradigm (Lather, 1992). Within this frame the study is influenced by critical and postmodern/post-structural methodologies (Lather, 1991, 2007); Indigenous and Māori theorisation including Kaupapa Māori methodologies and Matauranga Māori (Bishop, 2005; Royal, 2004, 2008; G. H. Smith, 1997; L. T. Smith, 1999); and finally by a methodological evoking of Levinasian theory.

The case study was an easy choice of inquiry method because case studies express an interest in a recognisably unique case with relatively clear parameters. Case study inquiry fitted the purpose of the research: to produce an account of the effects of the governance partnership at Newton Central School. The participants saw significant value in sharing their experiences—via this thesis—with other schools, communities, educators, policy makers, those involved in Treaty and governance work and so on. There is also a theory building intention underpinning the study, which is shared by both the case participants and myself, but which I have had the privilege of pursuing in these pages.

The first chapter of the case study (Chapter **Six**) tells the history and development of Māori education at Newton Central School, and includes the politics and particulars of the governance structure as well as certain political and social contexts. Chapter **Seven** foregrounds the participants' reflections on the effects of the governance partnership for school culture and practice, and the relational qualities that imbue and exceed the governance partnership. I have presented the case study chapters in a relatively straightforward way, choosing to foreground the important analysis of the case study by the participants themselves. In Chapter **Eight** of the thesis I draw together the case study and theoretical themes to conclude the case study and thesis as a whole.

A note about Māori language

Translations for Māori words and phrases are provided in footnotes or in the flow of the text. A glossary is also included at the beginning of the thesis to enable quick reference and to aid clarification.

Chapter Two

Ethics: Kanohi ki te kanohi

Introduction

In its very simplest sense, *kanohi ki te kanohi* means *face to face*. In every social setting, from welcoming, to meetings, to fighting, to political alliances, a face-to-face encounter is considered supremely important. The relationship of kanohi ki te kanohi, meeting the other person face to face, is the basis of human relationships. To face one another is to enter into an engagement–or intersubjectivity.

This chapter is about intersubjective engagement. It is a critique of Western philosophy's idea of the subject and the intersubjective relationship, which I see as based on a particular way of representing engagement, the subject–object or self–other relation. I bring together key ideas from Emmanuel Levinas and Māori philosophy to provide an alternative characterisation of the intersubjective relation. While these philosophies come from very different cultural antecedents, they are usefully read together to illuminate as well as question each other's insights about intersubjectivity.

A guiding theme in this thesis is that the intersubjective relation is significant to an ethical politics and yet is a relation that is often overlooked, even discounted, in political struggle. Levinasian and Māori philosophies are critical lenses through which I mount a critique of the dominant, Western philosophical tradition in which the Other (any other) is made an object of the self. Premised on a reduction of the Other to the Same[8], the dominant ideal of the intersubjective relation is underpinned by a desire for coherence and authority. This philosophy and these desires have been at the basis of Western colonising approaches to Indigenous peoples, as the Indigenous "Other" is brought into Western understanding through processes of assimilation and negation.

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[8] The *Same* is the term Levinas uses to indicate the ego, the self. The domain of the Same maintains a relation to otherness, but it is a relation in which the ego or consciousness reduces the distance between the same and the other such that their opposition fades through the assimilation and/or negation of the Other. See Levinas (1969, p. 26); also see Critchley and Bernasconi (2002) references this thesis.

Such processes are 'unifying' – and Levinas indicates that unity masks a totalising imperative.

I give an account of Levinas's critique of the Western metaphysical tradition of intersubjectivity, and explain his alternative account of ethical (non-totalising, non-reductive) engagement. Levinas allows me to foreground the intersubjective relationship as critical to ethical political relationships. In most accounts of the politics between Indigenous and colonising peoples, the intersubjective relationship is forgotten, or sidelined. I suggest that a re-thinking of the face-to-face relation in Levinasian and Māori terms centres this relation as crucial to expanded possibilities for just political engagement between Māori and Pākehā (I focus on the political in Chapter Four).

In a similar, but different, way to Levinas, Māori thinking always centres the face-to-face relationship. That is, every Māori account of the world is always told through whakapapa, that is, in terms of a relation/encounter/struggle between two elements/ideas/people/things. All is produced through encounter—and the encounter is only positively productive when the mana (unique power/force) of the Other is maintained. Therefore, the acknowledgement of the other's alterity is *necessary* to all ethical sociality (including the political).

Levinas's Critique

For Levinas, ethics *is* the face-to-face relation with the unknowable Other. Often described as *ethics as first philosophy*, the face-to-face relation *as* ethics should not be understood as contributing to the traditional idea of ethics as a branch of philosophy and an attempt to elaborate a normative moral ethics. Rather, ethics is regarded as *antecedent* to traditional philosophy and metaphysics. Levinas sees this tradition and the sphere of politics as belonging to the sphere of 'ontology' and preoccupied with the logic of sameness. A preoccupation with sameness has required a relation to the Other based on comprehension and understanding, which requires the Other to be assimilated into our categories of thought. It is to this totalising ontological movement that Levinas addresses his ethics of alterity. According to this ethics, the relation with the other person is described as irreducible to comprehension. The Other is never fully knowable; that is, cannot be made into an object of the self (Levinas, 1969; see also Critchley & Bernasconi, 2002; Peperzak, 1996).

For Levinas, 'Being' is the subject that has dominated modern philosophy and ontology. Being, in Levinas's view is an arche (foundation) that has become the origin and guiding principle of reality. As the foundation of reality, Being is necessarily self-originating and self-legislating. The dominant characterisation of Being as a self-positing unity has become, in Critchley's (2007) words, the "autonomy orthodoxy" (p. 93) that pervades Western metaphysics.

Being has cognitive powers (consciousness) that seek epistemological unity and synthesis in the maintenance of autonomy. Through drawing external otherness into our categories of understanding, difference is seen and experienced as an extension of being/ourselves. Being is the knowing ego that assimilates and suppresses forms of otherness by transmuting them to the self, to sameness, through a grasping movement of possession and comprehension. That which is in excess of the Same is excluded or negated. The process of reduction and assimilation is the means by which the knowing subject, the 'I', continuously constitutes and recovers its identity and constitutes the external world. In Levinas's (1969) view this process is totalising and totality is *the* characteristic structure of Western metaphysics.

Totality assumes a panoptic, universalising view from outside relations. At a distance, in the third person perspective, the ego views the world and the inter-subjective relationship as fully comprehensible. It is thereby possible to reduce relations to unities (Critchley, 1999a, 1999b, 2002; Peperzak, 1993). Conceiving of the relation to the Other from an imagined point outside enables the relation to appear as that between equals, as if the Other is essentially the same. Hence for Levinas, all relations to the Other conceived in terms of equality, understanding, correlation, symmetry, reciprocity, and recognition presume knowledge of the Other, and a conceptualisation of the Other as the Same. Western thought for Levinas is then pathologically concerned with the possibility of reducing relations to totalities, and with the development of an objective, certain, knowledge of this totality.

Against this movement of closure, Levinas is concerned to find an opening in, or an exterior to, ontology functioning as a totality. To achieve this, Levinas asserts a dimension of separateness, interiority and difference of the Other. He maintains that the crucial relation with the Other is experienced beyond knowing in the face-to-face

encounter. The ethical relation cannot be made evident from a third person or impersonal perspective and therefore cannot be fully reduced to a totality.

Levinas posits a relation to the Other which is pre-ontological. Comprehension and thematisation of the Other is refused because the Other is not *firstly* or *only* understood in epistemological terms as an object for reflection and intentionality. This pre-reflective relation to the Other, the face-to-face relation, is not new Levinas proposes, but rather has been overlooked or forgotten in Western philosophy. The primordial condition is not then the sovereign knowing ego, but the ethical *relation* with the Other. The relation with the Other is therefore *prior* to ontology and Being, and is the relation through which the subject arises (Levinas, 1969).

He Whakaaro Māori[9]

While, as Levinas argues, Western ontology is preoccupied with the logic of sameness, I claim that Indigenous and Māori ontologies have been preoccupied with the logic of difference. Rather than an autonomy orthodoxy, a *relational orthodoxy* is discernible. The founding principles that guide reality in both an Indigenous and Māori world orientation are diversity and relatedness without centre (Marsden, 1988, 1992). Such principles give rise to an imperative to sustain social and biotic diversity rather than striving for unity.

Within this view, humans are not understood as self-positing and autonomous but, from the start, arise or are constituted *in relation* to others and the environment. As an ontological framework whakapapa locates people (as all other entities) within a familial web, and as junior siblings to other beings. Māori ontological approaches posit an open, porous and dynamic world view. According to Marsden and Henare (1992) whakapapa relationships connect beings, things and elements to other world dimensions, that Māori people could discern yet never fully grasp. The important idea here is of a primary ontological orientation to openess and relationship that contrasts with an ontology (in the Western tradition) that closes upon, and reduces relations to, totalites.

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[9] *He whakaaro Māori*: Some Māori thoughts/offerings

An Indigenous ontological orientation to relationships means that approaches to others are always already from *inside* or *as* relations, whether that be the face-to-face relationship of two people or of two groups. Relationships are not therefore observed and comprehended from a third person and abstract position outside relations. Understanding subjectivity relationally suggests that the drive to comprehension and unity, which for the Western tradition is achieved through maintaining a panoptic overview of relations, is not prioritised in Māori and Indigenous traditions. From inside relations, the other is not seen as the Same, as another me. I argue that this relational orientation opens kanohi ki te kanohi— face-to-face relations—to an experience beyond knowing.

Levinas's Phenomenological Antecedents

Husserl

Levinas comes to the primacy of the face-to-face relation through the phenomenolgical method[10], but also through a critique of the phenomenology of both Husserl and Heidegger. The capacity of the subject to maintain an objectifying relation to the world in Husserlian terms is "intentional consciousness". Husserl's notion of intentional consciousness sought to break with the epistemological tradition which in his view posited a dogmatic and unnecessary separation between cognition and its objects. Traditional epistemology had been concerned with the problems of how the subject (characterised as inhabiting an isolated subjective sphere) transcends[11] its own world of mental phenomena to access the world of real (extra-mental) objects; and whether consciousness falsifies its objects in re/presenting them (Husserl, 1970, 1999).

For Husserl cognition of transcendent (external) objects is clearly possible and he argued that rather than seeking a *solution* to the problem of transcendence, a *therapy* is needed that breaks the hold of the problem on the way we think. Husserl (1970) proposes a bracketing, or a removing from play, of the question of transcendence. Once the view of an isolated unworlded subject is held at bay, we can understand the subject as *not* in need of a bridge to reach objects. Rather a picture of the subject as

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[10] *Phenomenology* is the analysis of shared features of our every day experience and the description of things (phenomena) that we all know, that are 'common sense' as they are concretely experienced by us. See Critchley (1999a) reference this thesis.

[11] For phenomenology *transcendence* is not theological or other-worldly transcendence, but concerns the question of how the subject accesses the external world of objects.

intentionally structured *in and of itself* emerges. Consciousness is seen then to have an innate tendency not only to objectify external objects but to do so in relation to itself. According to Levinas (1969), for Husserl thought always gives itself the object as a unity of meaning. This is why Levinas (1969) suggests that the crucial movement of objectifying intentionality is one where the exterior object is delivered over to a knowing subject "who encounters it as though it had been entirely determined by him" (p. 123). All exteriors are drawn or fall into consciousness implying a "total adequation of the thinker with what is thought, in which the object's resistance as an exterior being vanishes. This mastery is accomplished at the giving of meaning" (Levinas, 1969, p. 124). So thought is forever *adequate* to its object. Levinas describes this movement of objectifying consciousness as 'the Same' because it reduces multiplicity and strangeness to the familiar, to the identity of the I. The ego determines the Other without being determined in return (Levinas, 1995).

In Levinas's (1995) reading of Husserl, an all-embracing intentional consciousness means consciousness possesses an absolute freedom that can never be revoked. Such a freedom is seen to enable a theory of knowledge about cognition to proceed, centred on the description of lived conscious experience to the level of a scientific and transcendent overview of the universe (also see Peperzak, 1993; Perpich, 2008). Intentionality of consciousness is, for Levinas therefore, a kind of violence, a conquering of the world through objectifying it. Husserl's phenomenology is regarded by Levinas as ontological because the intentionality thesis assumes a correlation between an intentional act and the object of that intention—a relation of comprehension. Hence, for Levinas (1995), Husserl remained faithful to the modern striving for autonomy (also see Critchley, 1999a; Peperzak, 1993).

For Levinas, the ethical relation cannot be regarded as phenomenological in Husserlian terms because the Other is not given as a matter for thought and reflection. While for Husserl the 'I' *can* constitute another person cognitively as an alter ego (the same as me), for Levinas there is always an element in the Other that is strange and defies objectification.

Heidegger

Husserl's idea that the phenomenological approach to philosophy might achieve the validity of science through a detached intentional analysis of consciousness was

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regarded by Levinas as excessive intellectualism. Heidegger's phenomenology, on the other hand, offered a more concrete, worldly approach to existence.

Heidegger (1982) agrees with Husserl that the subject is intentionally structured to transcend to and objectify external objects in relation to itself. Yet, for Heidegger, this discovery is limited primarily to cognition and epistemological questions concerning the relation between the knower and the known. For Heidegger, transcendence to objects is too narrow a focus and should not be an end point of inquiry. Rather for Heidegger, Husserl's work is preparatory for a more thorough going inquiry into the question of transcendence that points to the modes of being of the subject, of Dasein itself. Dasein (the subject) is the central problem not for the purpose of explaining knowledge, but for clarifying Dasein and its existence *as such* through asking what sort of beings we are, and how our being is bound up with the intelligibility of the world (Heidegger, 1984). In *Being and Time* (Heidegger, 1996) such questions about existence are approached through Dasein's rich intentional daily life. Our practical, affective and lived experience of, and engagement with, the world.

As noted, transcendence for Heidegger builds on Husserl's idea of intentionality as intrinsic to Dasein. However, transcendence for Heidegger is not a form of intentionality expressed as one of many forms of crossing over or relating to entities in the world. Rather transcendence means *originally* to transcend or cross over. Dasein itself is the passage across, and therefore transcendence is existence. Transcendence for Heidegger then means to understand that we are immersed in a surrounding world and are from that world. Dasein is characterised by an openness and transcendence toward the source or space from which all beings come into being, and owe their phenomonological 'truth' and interconnection (Heidegger, 1982; also see Levinas, 1998a; Peperzak, 1993).

The advantage of Heideggerian ontology for Levinas is that it is more attuned to the facticity of human experience in everyday life, and our being immersed or thrown into a world of meanings not of our making. For Levinas however, Heidegger ultimately remains true to the structure of cognition as conceived in the Western tradition. Heidegger emphasises the possiblity of taking up our immersed being in an authentic self-understanding. Dasein's existence is identical with its transcendence and its understanding itself and entities from the world. For Levinas (2003), Heidegger's

emphasis on self-understanding of our own being, and unity between us and the world, reflects the preoccupation of the Western ego with preserving itself in its freedom through comprehension.

In identifying an all-embracing source or horizon uniting being with the universe of beings, a totality is created. In this formulation the other human being becomes just one of many on the horizon of being, a co-constituting moment of Dasein. Levinas (2003) argues that in such a formula the singularity of the unique and irreplaceable 'I' in Heidegger is reduced to the generality of the concept of Being. Being then becomes the ultimate, therefore totalising universal, and Heidegger rejoins the Western tradition in subordinating the singular to the generality of Being.

For Levinas then, there is nothing in Heidegger that suggests the other is absolutely Other. While exceeding the intellectualism of Husserl's phenomenology, Heidegger's inability to acknowledge the non-comprehensible relation means that Heidegger's *Being and Time* (1996) advances a view characteristic of the Western tradition rather than critical of it. For Levinas, Heidegger fails to take account of that which exceeds reflection, that which is not mediated by knowledge or understanding, and hence approaches the Other through the abstraction of generality (Levinas, 2003; also see Perpich, 2008). Ultimately for Heidegger, Being is inseparable from the comprehension of Being. In the end ontology is totality, without exterior (Critchley, 1999b; 2002; Levinas, 1998a; Peperzak, 1993).

In responding to Heidegger and Husserl, Levinas suggests the important question is not the question of Being, but the more concrete question of the human being and the ethical relation to the Other. Levinas's formulation of the problem of transcendence concerns how the two terms in the relation can be *in relation* without absorbing or determining the meaning of the Other, or being assimilated one to the other. There is something about the other person, a dimension of separateness and interiority, that escapes my comprehension, that exceeds the bounds of my knowledge and demands acknowledgement. Levinas comes to describe this transcendent dimension of the Other (which for Levinas is not an other-worldly transcendence) through the term *infinity*—a movement I will engage with shortly. Suffice to say at this point, that for Levinas the subject matter of first philosophy (ethics) is the ethical relation to the other human being, not the totality of Being. Levinas's point is that unless social interactions are

underpinned by the primacy of the ethical face-to-face relation, it is possible to fail to acknowledge the other as Other.

He Whakaaro Māori

In Māori accounts, the subject is not understood as the origin of knowledge and meaning. Hence there exists an entirely different orientation to the relationship between knowledge, people and the world. As knowledge does not primarily originate in the knowing subject, the subject is not caught up in a constant striving to maintain its autonomy or freedom through reducing what is external to itself. Māori thought has made a prior acknowledgment that the subject arises or is produced in relationship, and in so doing has forgone any imperative to self-unity of the kind described by the Western tradition.

Māori philosopher Te Ahukaramū Charles Royal has undertaken a discussion of traditional Māori understandings pertaining to comprehension and the production of knowledge, some of which I relate here. *Aro* is the base word for whakaaro, which is internal thought, intention and understanding (H. W. Williams, 1997). Aro is also the base word for aroaro, the external sphere of human sense perception and conscious awareness. Thought is an internal experience that brings things into an internal aroaro (sphere of awareness), and the external aroaro is our sensuous embodied exposure to the world (Royal, 2002). There is in Māori philosophy a direct relationship between these internal and external aroaro. As humans we go about in sensible and embodied exploration and exposure to the world. Through this process of encountering the world—"ka hiri te mahara"—internal memory/conscious awareness is ignited or arises; and,—"ka tupu te whakaaro"—thought grows and blooms (Royal, 2008, p. 27). Royal (2002) suggests that Indigenous and oral cultures like Māori are predicated on a view that humans are offspring of the land, and that the land continues to bequeath its gifts to us in the form of thought. As the physical body arises from and is nourished from the land, so too does thought arise within the person. Royal (2002) describes this phenomenon as an organic arising of human cognition bequeathed by and through the environment.

While the subject has an intentional role in the production of knowledge, the human being is not the sole originator of that knowledge. For Māori, the world 'speaks' into

consciousness, cognition arises and is only then externalised as kōrero/kupu (talk, words), and as knowing through the expression of skills and abilities (mātau). Royal suggests one of the closest ideas Māori had of externalised knowledge is held in the phrase "te kaimanga o ngā tūpuna" (the masticated food of the ancestors). Here knowledge is regarded as a food (kai) that can be fed by one person to another (Royal, 2002, 2008). Mātauranga, which is now the most common term for knowledge is a term that was rarely used, and does not appear at all in the Williams *Dictionary of the Māori Language* (1997). In the late 19th Century the term gained prominence in connection to Western style schooling and literacy, and to biblical knowledge. The rise of the term mātauranga correlates with Māori increasingly encountering the outside world, and other ways of knowing and forms of knowledge. In considering the spectrum then of Māori thinking about knowledge and knowing, mātauranga at one end now represents external and codified knowledge (alongside mātau, kai and kōrero). At the other end of the spectrum are a range of terms and concepts that represent internalised knowing and knowledge. While externalised knowledge is a significant taonga or gift, it is nonetheless regarded as only the beginning of a internal journey of knowing, the goal of which, is the manifestation of māramatanga (wisdom) and aroha (love) (Royal, 2008).

In Māori thinking it *is* possible to simply produce thinking and knowledge, which is intellectual but bereft of aroha and māramatanga. Royal (2008) suggests, however, that Māori philosophy remembers an orientation to intellectual activity that acknowledges and seeks to manifest those dimensions (like aroha) that are beyond and unmediated by the intellect. This idea connects with Levinas's view that there is always a dimension that escapes intentional consciousness; and that in acknowledging this unknowabilty (for Levinas of the Other), ethicality can arise.

In Māori accounts, being *in relation* is the primordial condition and gives rise to an imperative to preserve rather than assimilate difference. In addition to this imperative, it is acknowledged that all beings are connected or have access to a unique, non-ordinary force, known as mana, sourced in the world beyond everyday experience but manifest in beings, places and events (Marsden, 2003). Mana is not an essential core of others nor does it pertain to an other-worldly religious force (at least in the Western sense). There is no ultimate source of mana, rather many sources (Royal, 2006). There is much to be said about mana. However, for our current purposes I maintain the

existence of mana was prohibitive of totality in the Levinasian sense. Other people and beings could never be entirely constituted or reduced to human consciousness, because mana is a force that cannot be fully known or contained. This is not to suggest that there was no defilement of, or attempts to contain, the mana of others. Yet the preservation of mana was/is of critical importance, and the mana of others makes ethical demands on us to respect and preserve that mana. It is in the kanohi ki te kanohi encounter that mana is manifested or animated, and such encounters can only be positively productive if the mana of the other is maintained.

Levinas's Phenomenology

I return now to Levinas's phenomenological approach that stands in contrast to Husserl and Heidegger's. Levinas points to levels of (phenomenological) experience not described by either of these predecessors. Levinas's self has a structure other than the one presupposed by the Western philosophical tradition. In *Totality and Infinity,* Levinas (1969) introduces a level prior to or beyond intentionality. Anterior to comprehension and representation is a forgotten sensibility of enjoyment and sustenance upon which intentional consciousness is conditioned: "enjoyment is…the very pulsation of the 'I', which, however, is not yet the level of reflection" (Levinas, 1969, p. 113). The elements of life condition the subject, not firstly or only as mediated representations of the world. As Levinas (1969) writes: "we live from 'good soup', air, light, spectacles, work, ideas, sleep, etc… These are not objects of representations" (p. 110). Critchley (2002) argues that what Levinas's work offers here is a "material phenomenology of subjective life, where the conscious ego of representation is reduced to the sentient self of enjoyment" (p. 20).

Levinas's phenomenological claim is that the deep structure of subjective experience is not the operation of gathering sense data for understanding, nor intentional and sovereign action. The sensible self, rather than the subject of intentionality, is the one that can have a relation with alterity. This is the self capable of being claimed, of having its freedom and spontaneity called into question by the Other. According to Levinas (1998b) ethics is this *calling into question* of myself that can only take place at the level of pre-conscious embodied sensibility (also see Critchley, 2002). Through sustenance and enjoyment, through exposure, the subjective experience becomes structured in a relation of responsibility and responsivity to the Other. Levinas (1998b)

writes: "only a being that eats can be for the other" (p. 74). It is because the self is sensible—vulnerable, passive, susceptible to the pangs of real hunger—that ethical responsibility arises.

Subjectivity and Responsibility

But what is meant by a relation to the Other in which ethical responsibility arises? And how does Levinas conceive of this responsibility? Diane Perpich (2008) in her book *The Ethics of Emmanuel Levinas,* offers an insightful discussion contrasting standard accounts of responsibility with the very different, and impossibly demanding, sense of responsiblity to the Other offered by Levinas.

According to Perpich, most accounts in moral philosophy support the view that responsibility is limited in scope, is restricted to voluntary action, and applies to everyone in more or less similar ways. In terms of the limits on our responsibility, we are generally held responsible to do something only if it is possible for us to do it. This idea is expressed in the dictum "ought implies can". If I *ought* to do something, this presupposses I am able to do it. Our responsibility is also limited to our own actions and the fairly immediate and expected consequences of those actions. I cannot be held accountable for something I have not done, or a state of affairs I have had no part in bringing about. Further, the limit of my responsibility is generally determined by the proximity of my actions to the matter in question, and the more distant one's actions are, the more socially acceptable the favouring of one's own interests becomes (Perpich, 2008). Likewise, things we do voluntarily are the only actions we can be held accountable for, and we can only be held accountable for our actions if we could have done otherwise. Responsibilty by standard accounts is also both universal and reciprocal in that it applies to everyone in more or less the same way. The reasons that justify my responsibility for some action in a particular set of circumstances will hold for all relevantly similar agents, actions and circumstances.

Responsibility according to Levinas is beyond such accounts. In fact, Perpich (2008) argues that Levinas, in both *Totality and Infinity* and *Otherwise than Being,* effects a knowing inversion of these standard accounts of responsibility. Through inversion, Levinas's account takes on a rhetorical force that pushes responsibility to the extreme in ways that make everyday notions of responsibilty vulnerable, and permits a new meaning and orientation to be glimpsed.

Levinas claims that responsibility is beyond what is possible to do, beyond my actions and their consequences, and beyond the distinction between voluntary and involuntary. Rather, responsibility to the Other is unlimited or infinite, and it is not universal or reciprocal for all, but only applies to me. Perpich (2008) argues that, for Levinas, responsibility in the Greek sense of the term requires an apology. In this sense responsibility means to give a defense of oneself, to justify oneself to another person. To be called to justify one's life before the Other is not to live a life of abstract peity, but to justify one's life before an embodied other who is vulnerable to hunger, thirst, pain and misery. Levinas's responsibility is one that cannot be declined, discharged or filled. It is an impossible demand and yet Levinas also insists that this responsibility involves concrete action. Perpich reminds, that for Levinas, keeping the impossible demand for ethical responsibility in the human world in view is crucial, if that demand is not to be reduced to moral norms and codes of behaviour (also see Putnam, 2002).

In *Otherwise than Being* Levinas's responsibility is so extreme it exceeds the concept of the subject itself. Infinite responsibility sees not simply a separated ego who always has more responsibility than anyone, but a 'being' whose very subjectivity consists in its expiation for the Other. For Levinas (1998b) "only the relationship with the non-ego precedes any relationship of the ego with itself" (p. 119). In other words, before being a self, *or as a condition of becoming* a self, I am for the Other. Being-for-the-Other is the structure of subjectivity prior to the subject's self-awareness as an ego. Whereas the transcendental ego retains its freedom and spontaneity in relation to the objects or world that it thinks, the 'I' who encounters the Other loses its un-reflective enjoyment, and discovers itself bound by the Other in ethical responsibility.

The subject is from the start then, always already and before any initiative, oriented to the Other. My first orientation is not Descartes "ego cogito" (I am, I think), but rather "me voici" (here I am, or see me here)—not as an ego asserting itself—but as a response to the other's call, saying here I am at your service (Peperzak, 1993). This characterisation of coming to subjectivity confounds the primacy of the sovereign and unified subject by recognising that subjectivity is conditional upon an antecedent relation. Here again Levinas pushes the limits in an undoing of the ego, a breaking up of the *principle* of Being, and in this way affords a glimpse of a subjectivity constituted as being-for-the-Other.

The Other

But how are we to understand this Other for whom we are infinitely responsible and who at the same time is unknowable? The Other for Levinas (1969) is firstly the other human being (*Autrui*) I encounter. The alterity of the Other in Levinas's sense is distinguished from relative or specific forms of difference. Alterity is not the difference of living in different times and places and/or inhabiting different cultural milieux. Nor is this Other the sociological "Other" marginalised through binary and discriminatory relations. The Other is radical alterity independent of social forces and cultural context. The Other for Levinas is any other person, but not an alter ego or another self. The Other is what I am not.

As Levinas inverts familiar understandings of responsibility, so too does he invert standard accounts of the Other as comprehensible, as the same as me. Access to the face (a metaphorical term Levinas (1969) uses for the Other), is not achieved in any meaning-granting (mediated) act of representation directed at an object and grasping it as a formal unity. The face of the Other is unmediated. It is not an object of cognition, nor is it accessed in an act of perception or knowing. The ego's contact with the Other is real but incomprehensible. It cannot be expressed in an ontological framework. The face is not an image or form that can be seen or touched, rather the Other "destroys and overflows" its own "plastic image" (Levinas, 1969, p. 51). The face exists in its refusal to be thematised and signifies outside/beyond every context. The Other thereby transcends the limits of consciousness and its horizons, exceeding my capacity to reduce or assimilate her to my consciousness. The encounter with the face is thus an experience not of adequation, but of non-adequation—something that is explained through the idea of infinity.

The alterity of the Other connects with the idea of infinity in Levinas in a number of ways, and from the late 1950s onwards he describes the ethical relation to the Other in terms of infinity. For Levinas (1969), the idea of infinity in Descartes' *Third Metaphysical Meditation* represents a formal mechanism for inverting objectifying intentionality to the ethical relation to the Other. Levinas is interested in the claim that while it is possible that the 'I', as a finite being might be the cause of our ideas about other finite entities, the 'I' cannot account for, nor be the cause of the idea we have of infinity. For Descartes (1983), I cannot arrive at the idea of the infinite through a

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negation of the concept of my own finitude, because without some idea of a being more perfect than me (for Descartes that being is god), I would have no comparison through which to recognise my deficiencies. In other words, for Descartes, all human consciousness contains not just the idea of itself, but also the idea of the infinite.

Like all intentional acts, the idea of infinity is aiming at something—that is, infinity. But infinity breaks with the structures that produce the meaning of things or objects. In thinking infinity the consciousness thinks more than (or beyond) that which it can think. The idea of infinity is non-adequation, because it can never be filled up by the content or ideatum of infinity. The ideatum of infinity is a surplus or excess over and above every idea that could be had of it: "The idea of infinity is exceptional in that its ideatum surpasses its idea" (Levinas, 1969, p. 49). That is, here is a relation of the conscious subject to a reality that can neither be constituted nor grasped by the subject.

Although Descartes identifies the infinite with god, Levinas considers the formal structure (the idea of the infinite) to be concretised in the model of *my relation to the Other*, another human being. Infinity realises itself in the human Other and in the social relationship. In thinking the Other as more than I can think or contain, infinity is the feature that protects the Other against absorption by the order of the Same: "the way in which the other presents himself exceeding the idea of the other in me, we here name face" (Levinas, 1969, p. 50; also see Peperzak, 1996).

Infinity also provides Levinas with a structure of a relation between two that is based on height, inequality, non-reciprocity and asymmetry and Levinas evokes these ideas for ethical responsibility. Because the idea of the infinite thinks more than it thinks, the infinite shows its exteriority, transcendence and its radical highness. As I am not a spectator on the relation, but in the social world, the encounter with the Other interrupts my spontaneity and enjoyment and places an obligation on me that makes her higher than me. The needs of the Other take precedence before any possiblity of choice or decision, and without thought of reciprocity (Levinas, 1969).

Levinas's account of the Other however does not claim that we only encounter the Other, or the Other only manifests through the ethical modality/order of the face. We do certainly objectify others, reducing them to the order of ontology: "The manifestation of the other is, to be sure, produced from the first conformably with the

way every meaning is produced. Another is present in a cultural whole and is illuminated by this whole, as a text by its context" (Levinas, 1998a, p. 95). Levinas's point is that while we encounter others ordinarily through the other's social roles (occupation, social status, economic class, race, gender), context, and in power relations, this is not the *only* encounter. The extraordinary encounter with the face does not derive meaning from context; rather it is meaning all by itself. The human being can be known and represented, as can objects, but our relation to the Other is not exhausted by the structure of comprehension.

He Whakaaro Māori

Both Māori philosophy and Levinas appear in different yet similar ways to posit a view that in the beginning is the relation, that the original and primordial condition is not a self-originating, referential being, but a relation. This relation is not overlooked or forgotten in Māori ontological operations but, through whakapapa (genealogies), is central. The kanohi ki te kanohi relation at the foundation of human whakapapa in Māori accounts structures human subjectivity. In my heteronomous constitution in whakapapa, in my subjectivity conditioned upon an orientation, indeed my relatedness to others, I am responsible. I suggest that in Māori thought, via notions of both whakapapa and whānaungatanga (an inclination of care and responsibility to others), responsibility for others is implicit in, indeed demanded by, the structure of human subjectivity (Marsden, 2003).

A way of thinking about the intersubjective relation, the face-to-face relation in Māori thought is to look to Māori rituals of encounter and welcome. These, exemplified in the pōwhiri (welcome ceremony) involve a series of ways in which the uniqueness of manuhiri (visitors) is approached, respected and greeted. The face-to-face relation in Levinas's formulation is an orientation to the Other, that involves facing and speaking. Levinas's (1998b) point is that in our very orientation to the Other, we are preferring speech to war. In the traditional pōwhiri or ritual of encounter, there always existed a possibility that some people came for war, yet the rituals themselves are oriented to peace, to facing one another and to speaking. Through karanga[12] and whaikōrero[13],

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[12] *karanga* in this context is the ritual call of welcome performed by women of both the host and visiting groups that begins the pōwhiri (ceremony of welcome/encounter).

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through hospitality and generosity, this preference for facing and speaking is affirmed. The pōwhiri as encounter involves a careful, tentative drawing near from a distance, towards a relation of proximity. Through the process of welcome, an overcoming of oppositions that can be characteristic of relations is achieved. This is, however, not the reduction of the uniqueness of others to a unity of identity. The particularity of guests is acknowledged and respected, yet at the same time unconditional hospitality and care (manaakitanga) is extended to all visitors as visitors, as human others without regard for cultural identity or social status (Barlow, 1991; Marsden, 2003). While the pōwhiri relates to the welcoming of a group by another, the underpinnings of this encounter forms the basis of all Māori encounters including informal day to day encounters.

Expanding on the notion of aroha (love) introduced in the previous "he whakaaro Māori" section above, Cleve Barlow (1991) and Māori Marsden (2003) suggest aroha is an unconditional concern and responsibility for others that operates in excess of any knowledge of who (culturally, socially, economically) others might be or what they may have done. Advice given by Barlow's parents to him and his siblings as a child was to always welcome, greet and offer food to visitors, whoever they were and irrespective of your or their own means/needs. Aroha in this sense adds quality and meaning to life and, as Charles Royal (2008) notes, defies the intellectualism of knowing rationality. According to Cleve Barlow (1991) elders frequently remind: "Ehara te aroha i te kirimoko, engari ko ia tērā e pupū ake i te whatumanawa"—"Love is not like tatooed skin (skin deep) but is that which continually wells up from the seat of affection" [my translation]. This view points to the idea that aroha transcends what we think we know of others, and recognises its affective and sensible origins.

The Saying and Said

In *Totality and Infinity* the expression "the face" locates infinite exteriority. Here, though, Levinas expresses this exteriority in ontological language. This contradiciton was pointed out by Derrida (1978), who argues that Levinas uses Hegelian, Husserlian and Heideggerian categories in an attempt to exceed those categories. Levinas concurs with Derrida and in his second major work, *Otherwise than Being or Beyond Essence* (1998b) he attempts to avoid such language by introducing the distinction between the

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[13] *Whaikōrero* are the ritual speeches of welcome performed during the pōwhiri by members of both the host and visiting groups.

Saying and the *Said* (le dire et le dit). To begin with a crude definition, Critchley (2002) offers: "the saying is ethical and the said is ontological" (p. 17).

For Levinas the relation with the Other, the "original relation", is evoked in the concrete situation of speech. When I speak about something I *address someone* (who may or may not be the theme of the discourse). Should that person become my theme, comprehension can never get beneath or ahead of the moment of invocation (of address), or recuperate it all in cognition: "the word that bears on the Other as a theme seems to contain the Other. But already it is said to the Other who, as interlocuter, has quit the theme that encompassed him, and upsurges inevitably behind the said" (Levinas, 1969, p. 195). The Other can become the theme of my discourse, but cannot be reduced to being *only* a theme.

Here we see speech, the Saying, become a formal figure of transcendence. In speech the Other is represented, yet she is always more than represented since the representation is *addressed* to this very same being. Critchley (2002) writes that the Saying is a verbal ethical doing, a response or a "performative stating, proposing or expressive position of myself facing the other" (p. 18) that cannot be captured in a propositional description or essence. Levinas (1969) sees in this divergence between the Other as object of knowledge and the Other as interlocuter "the ethical inviolability of the Other" (p. 195) Because the ethical relation is evoked in the moment of address, ethics is not something prior that is then instantiated into relations. Rather, the ethical describes the actual event of being in relation to Other (Levinas, 1998b).

Thematisation and representation is the Said, it is the language of the Same that *knows* and reduces others to ontological categories. The Said is a statement, assertion or proposition that emphasises the content of communication and rests on the assumption of the identifiable, verifiable meaning of words. In a commonsense view, language originates with the intentional speaker who assigns meaning to objects and ideas, and formulates thoughts into words to then express them. In the Said, all becomes identified and viewable and the ego is pre-eminent (Critchley, 2002).

Ultimately, what is important for communication with each other is not the content (Said) of what is spoken but the orientation to the Other. As indicated above, the Saying connects to the idea that my words are being addressed to an interlocuter. Prior

to the speech act itself, the speaker must address the Other, and before the address is the approach of the Other, or proximity. As Levinas (1998b) writes, the Saying is "the proximity of one to the other, the commitment of an approach, the one for the other, the very signifyingness of signification" (p. 5). Hence before any speech or intention to speak, there is an exposure of the ego to the Other, which is more than the intention to address a message.

Much like the infinite unknowablity of the Other, the Saying cannot be represented, its surplus escapes comprehension and interrupts the ontological Said as the Other interrupts the self/Same (Horowitz, 2006). The capacity of the Saying to interrupt or desituate the ego is because Saying comes from before or beyond the ontological realm of the ego. Because the Saying always signifies beyond the Said, our communication is always doubled. The Said signifies being and proposes a world of meaning that may be shared. The Saying, signifies otherwise than being, it signifies the infinite alterity that escapes manifestation in the linguistic system.

How the Saying might be Said, in other words, how the ethical exposure to the Other is to be ontologically explained without a complete betrayal of the Saying is a question I address in subsequent chapters. How we might understand the relation between the Saying and the Said is one means of approaching the question of the relation between ethics and the sphere of ontology, politics and culture. How, for example, can groups in a political relation like Māori and Pākehā in Aotearoa–New Zealand, approach one another in such a way that the Said does not simply reduce others to the economy of the Same? How can the Said represent the possibility for shared meaning, while also remaining open to the Saying, to the unknowability of others, and to an experience of ethical responsibility that can invest political relations?

Conclusion

In this chapter I have made a brief exploration of Levinas's critique of the autonomy orthodoxy of the Western philosphical tradition and Levinas's alternative characterisation of the intersubjective relation. I have also offered some thoughts on how ontology, knowing and the intersubjective relation might be thought through a reading of Māori philosophy. I see significant resonances between the narratives of Māori and Levinas's arguments about the ethical relation. Rather than having forgotten

or overlooked alterity, and the ethical relation in preference for sameness, as Levinas argues Westsern metaphysics has done, through whakapapa and the centrality of the kanohi ki te kanohi relation, Māori foreground heteronomous difference.

My purpose for such an exploration has been to begin a process of consciously giving priority to the kanohi ki te kanohi relation as a foundation of social ethicality. Without such a prioritisation, I argue, attempts to address injustice and to develop political and cultural relationships across difference in contexts such as Aotearoa-New Zealand will founder. Surprising myself, I have come to the view that the potential for our day-to-day intersubjective encounters to be attentive to the ethical relation in every encounter, is the substrate of social, political and cultural relations. As Levinas powerfully reminds, unless our relations are underpinned by ethical inter-subjective relations grounded in responsibility for, and respect for, the alterity of others, any politics (though never perfect), will not merely be impoverished but, as we shall see in Chapter Three, be founded on war. The violence of Being that forgets the ethical relation and reduces the Other to totality becomes the basis of, at best, the absence of actual war, but for Levinas, war nonetheless.

In positing a pre-reflective ethical relation free of comprehension and identification (ontology and culture), Levinas is not proposing some other kind of universal sameness, that 'under it all' we are all the same. On the contrary, the pre-ontological encounter is experienced or felt before and beyond consciousness and knowledge, and hence the Other represents a profound and unknowable otherness, the original alterity. Attentiveness to, and preservation of, this alterity is vital for broader sociality and, I argue, must serve as the basis for all other forms of cultural and social relationality and difference. It is through such an attentiveness to the other as Other, that we might respond ethically (without appeals to knowledge *about* the other) to social injustice and oppression. Respect for the alterity of the Other, and responsiblity for the Other, speak profoundly into possiblities for justice, even as a politics can not simply be derived or translated from Levinas's ethics.

Chapter Three

From Ethics to Politics

Introduction

In Chapter Two I introduced Levinas's critique of Western metaphysics and laid out the central themes of Levinas's ethics of the intersubjective, face-to-face relation. I also offered some thoughts on these themes through a particular reading of Māori philosophy to argue that, at the basis of Māori traditions, is a firm acknowledgement of heteronomous constitution and the responsibility that flows from that to relationships in the social world.

In this chapter I trace the relationship between Levinas's ethics (the dual relation) and the sphere of the social and political, termed by Levinas "the third party" or "the third". Even as Levinas's main project is the ethical relation, he is not unconcerned with the sphere of the political. Indeed as we have seen, he mounts a scathing critique of Western ontology and its totalising movements. Further, in his second major work, *Otherwise than Being,* Levinas increasingly shows that ethics and politics call for each other. As Diane Perpich (2008) reflects, they "bear an internal reference to one another" (p. 197). However, Levinas's writing on political themes is less developed, and in this chapter I draw on a range of significant secondary sources that have worked with and expanded on the political in Levinas.

The political for Levinas is the sphere of ontology and therefore holds the potential for totality. Yet the political is also necessary, because we live in a social world of many, not simply in the exclusive face-to face-relation. The sphere of the political is the sphere of comparison, decision and rationalities necessary for social life. Unsurprisingly, Levinas's ethics does not give rise to 'a politics'. It does not suggest a set of principles, codes or norms that would constitute a particular political rationality. Rather for Levinas (1969) the relation between ethics and politics is an undetermined space capable of war, and capable also of the "work of justice" (p. 78). As the condition of the sphere of the political, the ethical is *in* the political: it makes

appearances. Although we can never be completely indifferent to the demands of others, politics can also close against the ethical relation. Hence, even as there are no guarantees of ethical peace, what is important for Levinas in relating ethics to politics is the importance of a politics founded on a limitation (as it must be) of the responsibility to the Other, rather than a limitation of self-positing autonomy. Levinas's key concern for the political is that responsibility for the Other invests politics, and that, whatever political forms are pursued, they are in the service of justice for others.

Ethics disturbs and appears in the political. Our task, then, is to make space for the ethical in the political. Reducing the inevitable betrayal of the ethical in the socio-political is foregrounded in this chapter through a discussion of the concretisation of the ethical. Concretising the ethical in the political is achieved through conscience, through unforgetting, committing to, and developing a meaning not constituted by the ego—the ethical (Horowitz, 2006). The possibility for ethical politics therefore flows from the ethical experience of responsibility for the Other that can be seen as a binding factor of political practice.

This chapter also discusses culture and cultural difference and considers what Levinas's ethics of alterity might contribute to a preliminary discussion of these themes. Culture for Levinas is obviously ontological, and cultural differences are relative compared to the radical, unknowable alterity of the Other. Cultural diversity on Levinas's account emerges from the ethical relation. What cultural expressions arise from the Other is not my affair, and even as I can offer to share my meanings with the Other, I cannot expect reciprocity. In reciprocity and recognition, in seeking to 'know' the Other, a reductive violence to the original alterity of the Other is enacted. I therefore see an orientation of respect for the cultural difference of others as connected to the preservation of the absolute alterity of the Other.

I suggest Levinas's ethics has significance for the argument that social, cultural and political relations based only in knowing and understanding the other are deeply flawed, indeed dangerous. At the same time Levinas's idea of the radical alterity or singularity of the Other shows up some of the limits of cultural identity politics. The Other is always more than 'a Pākehā woman', 'a Māori man', and if our identity politics reject ethical responsibility to others on the basis of relative identities, then the basis of social ethicality is compromised as is the cultural difference we may champion.

The Third Party

One of the major ways in which Levinas attempts to bridge the political and the face-to-face relation is through the idea of the third party, *le tiers*. Levinas uses the notion of "the third" in ways that are not always clearly distinguished but together contribute to an understanding of the political in Levinas. Of importance to this chapter is the notion of the third as a third person, an observer whose position corresponds to universal reason, an objectifying gaze from outside the relation. Here, the political connects to Levinas's interpretation of ontology as the sphere of comprehension and rationality. The third party also represents the passage or movement to the political from the face-to-face relation. The third party is recognition that the relation of two is not alone in the world, and that there are other Others than my own. The third, therefore, represents the sphere of broader social relations and the necessity for political justice and rationality (Bernasconi, 1999).

Levinas often presents the arrival of the third party as taking place at a subsequent stage of the narrative that begins with the face-to-face relation. Yet on other occasions, he describes the third party as being already within the face of the Other; and hence, from the start, a dimension of the face-to-face relationship (Bernasconi, 1999). This thesis takes this latter view arguing that the third party, the dimension of the political, is implied from the outset in the face-to-face relation.

Because the third is already in the face of the Other, there is a measure in which the face of the Other, according to Levinas, relates me to the third: "It is not that there first would be the face and then the being it manifests or expresses would concern himself with justice; the epiphany of the face qua face opens humanity" (Levinas, 1969, p. 213). Ontology and politics are therefore presupposed, even demanded by/in the face-to-face relation. In other words, being-for-the-Other gives rise at the same time to the first form of being-with-one-another, togetherness and community.

Even as I am obligated from the start to both my Other, and to all others, Levinas insists the relation to the Other, and to others is separated. Levinas's (1969) claim is that the anarchic and sensible face-to-face relation operates in *excess* of the political, as well as a *condition* of its existence. Our very subjectivity, our being an ego in the world that can reflect, presupposes our constitution in responsibility to the Other. Our being

bound to the Other through vulnerable exposure is the condition of being an 'I' in the world of comprehension and politics.

Hence in understanding the third party as a dimension of the face-to-face relation from the start, the relationship between ethics and politics should not be collapsed, even as we simultaneously face an ethical and political/socio-cultural manifold (Critchley, 2007). The relation of ethical responsibility opens the world of reflection, and *if* there is to be 'justice' in the sphere of the political (in the Levinasian sense), it originates in the relation of responsibility. Politics is not simply derived from ethics as some kind of reduced modification of it, nor is the asymmetrical ethical obligation reduced or equalised by politics (Bernasconi, 1999).

The Relation of Totality and Infinity

How can we begin to conceptualise the relationship between politics and ethics, and the orientation and movement of these two terms? Starting with totality, there are a number of ways Levinas discusses the movement of totality. From *one* view, politics is seen by Levinas (1969) in *Totality and Infinity* as the striving for totalisation or mastery of the social. According to Howard Caygill (2002), the fact of national socialism and the emergence of totalitarian politics during the 20th century (including imperialism and colonialism, the Second World war, the cold war, and even capitalism) points, for Levinas, to the dominance of the category of totality in Western philosophy and practice. A totalising metaphysics is connected with political totality and therefore Being, ontology, politics and war become for Levinas fixed in the concept of totality.

This striving for mastery gives rise in a Levinasian critique to a vision of the "permanent possibility of war". Politics becomes the "art of foreseeing war and winning it by every means", an art which is "henceforth enjoined as the very exercise of reason" (Levinas, 1969, p. 21). Far from being a distant social pathology in the way liberalism might view it, war for Levinas is omnipresent and represents the destructive mobilisation of the order of totality.

Politics as war seeks to reduce all to the order of the Same, and is therefore dependent on another or an enemy. Yet, war is at the same time incapable of recognising or manifesting the Other, because exteriority/infinity/the face of the Other is never fully

knowable and always in excess of totality. Levinas (1969) argues, that rather than making exteriority present, politics as war in fact "destroys the identity of the same" (p. 21). In other words, war destroys the shared meanings (rationalities, norms) necessary for sociality beyond the face-to-face relation. As Levinas (1969) famously points out: "politics left to itself bears a tyranny within itself" (p. 300). Politics without ethics is war, and is destructive of the sphere (politics and action) that is necessary for the reproduction of social life.

In *Otherwise Than Being* Levinas (1998b) foregrounds the movement of totality (as politics), in a different way. Here the third party, the political, is understood from another perspective to also interrupt the face-to-face relation. The political is seen to correct the partiality of the face-to face-relation. The sphere of the political provides justice for the others that would otherwise be ignored by the ethical relation of the two. Without the third, the face-to-face dual relation is exclusive, even obsessive, and cannot alone provide justice for others. It is through the third that *comparability* emerges, something which is unavailable to the ethical relation of *infinite responsibility*. As Levinas (1998b) writes:

> …[t]here must be justice among incomparable ones. There must then be a comparison between incomparables and a synopsis, a togetherness and contemporaneousness; there must be thematisation, thought, history and inscription. But being must be understood on the basis of being's other. (p. 16)

The political is necessary and essential. Here we see the origin of a justice that accepts the necessity of ontology and the political. In order for there to be justice, ethics must have a relation with ontology, and ontology with ethics.

The relation to the Other, and the relation with other Others (the relation of ethics and ontology), can be understood according to Bernasconi (1999) as "conjoined in a single structure"; ethics and politics "co-exist in tension" (Bernasconi, 1999, p. 79). Adriaan Peperzak (1993) agrees, suggesting the spheres of ethics and politics are interwoven and inseparably intermingled, yet they are also distinct and incommensurably different. Both spheres are seen to have the capacity to question and challenge each other without leading to a reduction of the ethical to the political and/or vice versa. The Other serves to correct the socio-political order, even as the latter may be based on the rationality of

equality; and the presence of third in the face of the Other serves to correct the partiality of the face-to-face relation that alone can simply ignore the other Others (Bernasconi, 1999).

The relationship between politics and ethics, totality and infinity should not however be conceptualised as the dialectical movement of a binary relation. As Caygill (2002) points out, the relation between totality and infinity is more *disjunctive* than dialectic. Totality is dependent to a large extent on the relation to its opposite or contrary: infinity. Yet infinity/exteriority is not mis/recognised in the usual way a binary operates; rather it is radical unknowable alterity, and is always in excess of totality's attempts at reduction.

Caygill (2002) identifies two key movements in Levinas's pairing of totality and infinity. In totality's movement toward infinity, in its striving for a panoptic view of society, there is an attempt to make exteriority present to it, even risking its own destruction. This is the movement of ontology. On the other hand, the ethical movement toward/in totality destabilises, endlessly defers, and frustrates totality's movement to mastery. As Caygill (2002) expresses it, exteriority "…differentiates totality internally and anachronistically disrupts its identity. In this movement totality is dispersed into a pluralism or an anarchy" (p. 95). This is the movement of ethics. Exteriority/infinity always qualifies and destabilises totality, and totality's movement toward complete containment is always deferred by its encounter with infinity.

As noted above, politics for Levinas is allied to ontology and war. However, in *Totality and Infinity* (Levinas, 1969) politics can also operate as the "work of justice" (and is opposed to the "work of the state"). The work of justice is situated in the interval between war and peace—totality and infinity—and describes the space and movement between them. Politics (either as the work of justice, and/or as ontology and war) can therefore produce a range of political formations, for example, national socialism and/or a dispersal, displacement or postponement of totality by the encounter with the Other.

Hence, despite exteriority's deferral of totality (regardless of the fact that as a *condition* of politics ethics is *in* the political), the movement of totality *can* result in war, in closure against alterity. Levinas (1969) writes that the orientation of totality:

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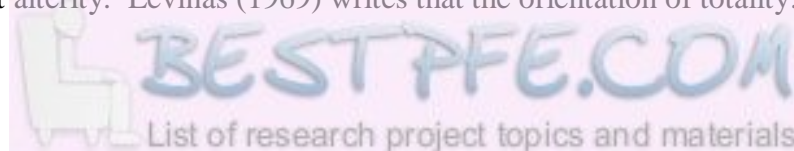
> …leaves room for a process of being deduced from itself [totality], that is, remains separated and capable of shutting itself up against the very appeal that has aroused it, but also capable of welcoming this face of infinity with all the resources of its egoism: economically. (p. 216)

It is important to recall, however, that even as I might dismiss an other's appeal, resulting in war, Levinas's point is that I can never fully claim the Other is nothing to me, I cannot be completely indifferent to their demands. For Levinas, our being capable of *choosing* to close against the Other is evidence of our prior constitution in responsibility to the Other (the relation to the Other is the condition of my achieving subjectivity). And therefore we are always already susceptible to the Other's demands. The susceptibility of the ego does not guarantee moral or ethical goodness in the traditional sense. Rather, the subject qua subject is equally the condition for irresponsibility (Levinas, 1998a).

Totality (politics) and infinity (ethics) are not then to be regarded as mutually exclusive, but rather are developments that contain each other. Politics as the work of justice is neither ontological nor ethical, nor is it the synthesis of the two. As Caygill (2002) confirms, the disjunctive interval between ethics and ontology registers the presence of both, and opens the space for a politics but leaves the character of that space undecided. For Levinas, the ethical relation that involves facing and speaking (rather than war) is clearly oriented to peace. Yet this is an orientation, a movement and an approach. Ethical peace is always in a process of arriving. It is not an *unequivocal result.* And the dangerous space between ontology and ethics, in which a politics of justice can emerge, is not free from the risk of war.

Levinas is not interested in synthesis or resolving the conflict between ethics and politics. As both Caygill (2002) and Bernasconi (1999) point out, it is important to view the relation of ethics and politics as dimensions of a disjunctive relation/structure, thereby enabling focus to rest on the intersection, the movement, the undetermined, un-decidable interval or space between, through which a politics of justice may emerge. The intersection of ethics and politics is not then a space where a particular politics or set of constitutional arrangements is indicated. Rather, when Levinas (1969) contrasts politics as the work of justice with the "work of the state", he is reminding us that the ethical summons us beyond the socio-political order (p. 300). Ethics cannot be

subsumed under the law of the state. Structural instantiations such as the 'state' are not the operation of ethics, even as ethics is the condition of the political. The ethical movement, as Asher Horowitz (2006) notes, is within the political but does not determine its ontological logic and form. The ethical movement inhabits and disperses political totality without directing or determining any political rationality.

Perpich (2008) agrees that Levinas's ethics does not provide for a moral theory and norms that would determine political questions and claims. Without such norms Levinasian responsibility is lived on uncertain ground, and therefore what justice consists of, must be taken case by case (an idea that is developed further later in this chapter). Hence, while Levinas's ethics does not give rise to norms, Perpich (2008) argues it does assert a "*normative force* [emphasis added]" (p. 126). The normativity of Levinas's ethics rests on the impossibility of indifference to the demands of the Other. Whatever the outcomes of my responses to the demands of others, I cannot *not* respond—because the Other is always already my affair.

Concretising the Ethical *in* the Political

Adriaan Peperzak (1993) argues that ethics is not simply said to be a condition of, or in the political, but must *concretise* itself there. Just as the human Other is the concretisation of the idea of infinity, the ethical relation, from the start, references the political (all others), and manifests itself in socio-political orders. As ontology is a necessary and integral element of the justice demanded by the face of the Other, ethics must question and challenge the political; and by so doing concretise itself in the political, even if such a process of manifestation is a *betrayal* of the infinite responsibility of the ethical relation (Horowitz, 2006).

Both Horowitz (2006) and Critchley (2002) foreground Levinas's (1969) assertion in *Totality and Infinity* that concretions of the "infinite in the finite" have already made appearances (p. 48). Looking to the Saying and Said[14] as a correlation between ethics and politics, Horowitz and Critchley remind that the Saying circulates in the Said, representing the presence and movement of the ethical in and against the political, even if such a movement is largely forgotten in the operation of ontology.

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[14] See Chapter Two, pp. 25-27 for a discussion of the Saying and the Said.

Horowitz (2006) points out that there is a betrayal of the Saying in the Said, in the sense that the subordination of the Saying to the linguistic system, to ontology, is the price that manifestation demands. Betrayal, Horowitz notes has a dual meaning of both disloyalty and revelation. The betrayal is the thematised demonstration of the Saying in the Said. However, a betrayal of Saying does not represent an absolute reduction of the Saying to the Said. Even as it might seem that the Saying is subordinated in the Said, inasmuch as Saying is an exposure that signifies prior to identification, Saying is already present in, and transcends the Said, so can never be fully subordinated. Saying, like the ethical, like exteriority, is therefore both limited and not limited by the Said (Horowitz, 2006).

For both Critchley and Horowitz what is important for the work of justice is the *reduction* of the betrayal of the Saying in the Said. For Horowitz (2006), reducing the betrayal of the ethical in the political requires the "un-forgetting of, development of, and commitment to a meaning that was never constituted by the ego"; and the most *"vital concreteness"* of ethics is politics as the work of justice, that is, politics making room for the ethical already within it (Horowitz, 2006, p. 39). For Critchley (2002), committing to a meaning not constituted by the ego for the sake of the political requires the *translation* of the Saying into the Said:

> …how is my ethical exposure to the Other to be given a philosophical exposition that does not utterly betray this saying? How can the Said be unsaid or reduced thereby letting the Saying circulate as a residue or interruption within the Said? (p. 18)

Perpich (2008) suggests that one way the Saying (the ethical) is translated or enacted in the Said (the political) is through our sceptical questioning of the ethical— of whether I am actually obligated to value the Other and on what grounds. Perpich (2008) notes that for Levinas, such a question "always comes too late" (p. 134). As we have seen, the Other already concerns me, and it is because I am already bound to the Other, that I can even pose the question about my obligation to the Other's demand. In continuing to ask for proof that the Other already concerns me, the sceptic is using a practice granted to it by the ethical relation. Asking the question about my obligation is a moment of ethical Saying within the Said, because it shows that the subject, as subject, has already registered the Other's claim (even as I then move to demand a justification of it). As

Perpich points out, the ego remains hounded by an ethical recognition enacted in its own discourse. In posing the question of my obligation I am "un-forgetting" (Horowitz, 2006) and making room for the ethical already in the political. This opens engagement in the ethical relation and by extension, a form of ethical life.

Small Goodnesses

In both *Totality and Infinity* and *Otherwise than Being,* Levinas understands ethics to found politics. Our already being bonded, or as Levinas (1998b) says, "hostage" to the Other, is the condition of the concrete everyday events and activities in the world that we recognise as ethical: "it is through the condition of being hostage that there can be in the world pity, compassion, pardon and proximity—even the little there is, even the simple 'After you, sir' " (p. 117). Levinas points to "small goodnesses" between people in our day-to-day encounters as expressions of ethical responsibility. Indeed, reinforcing the quotation above, Levinas commonly asserts that his entire philosophy can be articulated in those simple words: *Après vous, monsieur* (after you, sir). Hence, while the ethical demand is impossibly demanding and utopian, as Levinas (1986) says:

> … it's being utopian does not prevent it from investing our everyday actions of generosity or goodwill towards the other: even the smallest and most commonplace gestures, such as saying "after you" as we sit at the dinner table or walk through a door bear witness to the ethical. (p. 32)

The "moral grammar of everyday life" as Critchley (2002) puts it (p. 27), must be impossibly demanding because, if it were not, we would be morally un-obligated, and ethics would be reduced to universalised moral norms grounded solely in the preservation of being. It is such acts or small goodnesses to which Levinas attributes the adjective *ethical*. Small goodnesses are not to be understood as moral norms to live by, but rather represent moments when the ethical appears or concretises in the world.

Such acts are reminders that *I* am the one who is responsible, and that ethical responsibility is *my* concern not someone else's (Burggraeve, 2002; Critchley, 2002). The face-to-face ethical structure of responsibility is therefore, for Levinas, the core of a demand for a just polity. As Critchley (2002) has noted, ethics is ethical for the *sake* of politics, for the sake of a more just society. The necessity, indeed the inevitability, of political rationalities is recognised in Levinas's thought. But as Levinas often points

out, the state bureaucrat cannot see, nor respond to the tears of my neighbour: that is my affair. Small goodnesses emerging from ethical responsibility invest and challenge politics—they are part of the possibility of a non-totalising politics.

Rights as the Concretisation of the Ethical

Levinas addresses the question of human rights in his published works during the 1980s. Given that responsibility for the Other is the core of Levinas's ethical sociality, it is not surprising that in approaching the question of human rights, such rights are derived from his ethics of alterity: "… the right of man, absolutely and originally, takes on meaning only in the Other, as the right of the other man" (Levinas, 1999, p. 127). Formulated as responsibility for the rights of others, human rights become particular expressions of goodness. Rather than ontological acts of entitlement and the preservation of the self-sufficiency of being, rights based on ethical alterity are acts of dispossession before the Other. In Levinas's (1994) terms such rights respect the "uniqueness and irreducibility of human persons" and can thereby contribute to "the diminishing of the violence to which they are exposed in the order, or disorder, of the determination of the real" (p. 121).

In contrast to Levinas's formulation of rights, the ontological premise of rights in Western culture is approached according to a responsibility defined in terms of individual freedom and private interest. There is a firm conviction that freedom precedes responsibility—that to be responsible, to take up obligations for others—one must first be autonomous. Autonomy is the guarantee of one's own project of existence and is seen as the absolute condition for the possibility of responsibility. According to Burggraeve (2002), it is this freedom as responsibility that the traditional vision of human rights has always accorded the greatest respect and protection, and is founded on the self-same sovereign ego, the order of the Same. Prevailing political theory, Levinas (1969) argues, "derives justice from the undiscussed value of spontaneity, its problem is to ensure, by way of knowledge of the world, the most complete exercise of spontaneity by reconciling my freedom with the freedom of the Other" (p. 83). Justice in this view is derived in achieving a balance between one's exercise of freedom and the freedom of others, for the overall maximisation of freedom, and thus justice. Welcoming the Other, on the other hand, entails experience of the injustice of our freedom. It requires, as Perpich (2008) highlights, responsibility figured as an apology, as giving a defence of

oneself to an embodied vulnerable other. Here I am not called to responsibility in the political by a great force, but by the frail and weak authority of the Other (Caygill, 2002).

Levinas believes that rights rooted in, or established on, ontological premises cannot qualify the actions of institutions in the application of law. If reformulated in responsibility, the original right of the Other may serve as a corrective to the actions of political institutions, and be extended into a system of diverse 'objective' rights (Levinas, 1994). Levinas catalogues an impressive list of such rights. Behind the rights to life, equality, freedom of thought, education and participation in political power, there are a range of other rights that extend and make these concretely possible, such as the right to health, happiness, work, rest, dwelling, freedom of movement and so on:

> But also beyond all that, the right to oppose exploitation by capital (the right to unionise) and even the right to social advancement; the right (utopian or messianic) to the refinement of the human condition, the right to ideology as well as the right to fight for the full rights of man, and the right to ensure the necessary political conditions for that struggle. (Levinas, 1994, p. 120)

The risk of embodying such rights in political institutions is that, if they are protected only by principle and law, the original right remains repressed. This risk must be taken account of in the work of justice. Hence, codifying such rights never replaces my concrete responsibility to the Other, but rather extends or expands that responsibility to other Others.

Politics as Dis-incarnation

As we have seen, the movement of ethics in ontology opens undetermined spaces, where the exercise of responsibility for the Other, and the expansion of responsibility, can occur. We have also seen the need for the ontological supplementation of the ethical, in the form of political rationalities providing justice for others. Together these two movements may permit the emergence of justice. For Levinas, while both are important to justice, the ethical must be the inspiration of socio-political orders. It is always important to know whether, or the extent to which, political institutions arise from a limitation of responsibility, or a limitation of violence. The difference between

institutions arising from violence (having closed against the ethical), or responsibility, according to Levinas, is that one can revolt against institutions in the very name of that which is a condition of them, the ethical. "Prophetic politics" (a term introduced alongside the "work of justice" in *Otherwise than Being*) provides the possibility of both giving birth to institutions, and of rebelling against them in the name of their origin, which is neither freedom nor security, but ethical responsibility (Levinas, 1998b).

Here we glimpse a way of thinking about political institutions that sees the possibility of an institutional life, which is open and responsive to the ethical. Enrique Dussel (2006) works with this idea in considering what he sees is the inevitable ossification of institutions and the making anew of a political hegemony emerging from the Other. Following Levinas, Dussel (2006) reminds that the origin of political institutions is also the possibility of "self-referential totalisation" (p. 91). Totality can close against, overlook, or forget infinity, and herein is the ambiguity of politics. For Dussel, even as ethics is the condition of the political, political institutions always, over time, become totalised. This ambiguity of politics does not, however, divest politics of its necessity as service to the Other. Revolting against institutions in Levinas's sense involves for Dussel the construction of a 'new' political hegemony, one inspired by the Other, but one that will necessarily become the 'old' hegemony or totality. Dussel argues, that it is the ambiguous moment of creation of new institutions, in which for a short time justice based in ethical morality shines, and where new dominations are not yet visible. It is these emancipatory moments of transformation, where the state of war transforms itself into ethical peace, that Dussel identifies as a basis for a critical politics.

Dussel sees that such moments awaken an ethical critique that, in Levinas's (1998b) words, is the "interruption of the Infinite being fixed in structures, community and totality" (p. 160). A "positive politics" for Dussel is one that is alert to the Other for, as Levinas (1998b) points out, "it is because newness comes from the other that there is in newness, transcendence and signification" (p. 182). Such a politics, being alert to newness, is also attentive to the institutional entropy and the movement of totalisation that is politics, and can undertake transformation in the service of the Other.

Dussel seeks a positive politics because he sees in Levinas only a negative politics concerned with a critique of totality. For Dussel, there is in Levinas no how to feed the

hungry, or how to do justice to the widow. While for Dussel, Levinas does not provide for the *how* of politics in any normative sense, this lack of prescription I consider as a strength of Levinas's work in that it guards against totality and keeps our political decisions unfinished.

Working with Derrida's (1997) thinking in *Adieu*, Simon Critchley (2004) agrees that Levinas does not deduce a politics from ethics, or in Dussel's terms, posit a positive politics. For Derrida, there is a "hiatus" between ethics and politics, where the ethical imperative does not clearly lead to determinable political content. This is a position similar to that articulated by Bernasconi (1999) and Caygill (2002). Following Derrida, Critchley sees this hiatus as *welcome* rather than as cause for political paralysis. What this hiatus, gap or space points to, is that the political is defined as an indeterminate, risky space where decisions are taken without any ethical guarantees.

The dangerous sphere of politics, therefore, calls for what Derrida (1997), citing Levinas, terms "political inventions" or decisions, taken in the name of, or service of, the Other (p. 144). For Derrida, the indeterminable space or passage between the ethical and the political, points to the idea that the taking of political decisions must be in response to the singularity of a particular context, rather than in accordance with any set of principles. The ethical demand arises as a response to a singular context, and in this way calls forth a singular political invention/decision. Politics is not therefore 'founded', in that it would limit the freedom of decision. But nor is it arbitrary, as this would be derived from a conception of the political decision that pre-supposes the free sovereign subject.

As Perpich (2008) highlights, Levinas's ethics is non-arbitrary in that although it does not give rise to norms, it has a *normative force* that is our incapacity to be completely indifferent to the demands and needs of the Other. Derrida connects to this idea in claiming that there is a necessary link or relation between ethics and politics, and captures this link through the idea of the *other's decision in me*. Echoing Perpich, Critchley (2004) interprets the other's decision in me as "a decision that is taken, but with regard to which I am passive" (p. 179), it comes from the Other. Political decisions are taken in relation to an ethical demand for response that I cannot ignore. For Critchley, the other's decision in me is an experience of *conscience* of the others

demand, to which I am responsible, and which reminds me to act in a particular situation.

Here, politics is an ongoing invention in the uncertain terrain between ethics and politics. Each decision is necessarily different. A new rule or norm is invented for every decision that is singular in relation to the demand of the Other, and the context in which the demand is made. In other words, while the ethical demand is universal or normative in the sense that I cannot be completely indifferent to the Other, the context of the demand is particular and finite, and it is here that judgement and decision are called for. Critchley (2004) argues such an approach means politics is a kind of "dis-incarnation", rather than an incarnation of a particular political or institutional content or structure. For Critchley, politics is a kind of anarchical movement in which totality is constantly dispersed by the ethical demand. The anarchy of the ethical relation, in Critchley's view, introduces a "meta-political" (not pre-or non-political) moment into politics. Ethics is the meta-political disturbance of politics for the sake of a politics that does not close over itself becoming a totality.

In more recent work, Critchley (2007) extends his focus on the anarchical, ethical movement in a discussion of what he sees is the current climate of political disappointment, nihilism and de-motivation arising in the context of global neo-liberalism. Critchley reminds us again of Levinas's critique of Western metaphysics as being an arche, or foundation, that posits a self-legislating, autonomous subject. Levinas's big idea is that the self is always-already bound to the Other, is constituted heteronomously or, in Critchley's terms "hetero affectively", prior to "auto-affection" (p. 40) or autonomous being. Anarchy is therefore constitutive and ethical. Our heteronomous constitution means we are never, to begin, sovereign. The subject is always under an obligation to the Other, called to provide a defence of itself, before any act of will.

Politically, anarchy in Levinas's sense is not based as it is classically on libertarian freedom, but is reconceived as responsibility that arises in a situation of injustice. Political action flows from a meta-political moment that is the ethical experience of infinite responsibility, and ethics is therefore seen as a binding factor of political practice. As a factor of political practice, Critchley affirms his earlier argument, that ethics is *conscience* of vulnerability to the other's demand. This meta-political moment

moves us to face a wrong in a situation of injustice. Anarchy in the Levinasian sense is not to be conceived as a mirror opposite of archic sovereignty, establishing itself as a new hegemonic principle; rather it remains a negation of totality. Again, ethics does not affirm a new totality or political rationality; ethical anarchy is a radical disturbance of the socio-political order.

Critchley (2007) introduces a useful notion of politics as operating at an "interstitial" distance from the state, but within the state. Critchley's (2007) argument is that we cannot hope in contemporary times for a "complete withering away of the state" (pp. 111-112), particularly at a time when state controls are invading daily social life. Resistance in this context, and in the context of the de-motivating effects of liberal institutions, will not be effected through a class revolution but through alliances of plural, dispersed and situated groups. The significance of such political alliances is that they represent politics taken up at a distance from the state through new political subjectivities and aggregations in specific localities and situations. Such groups (Indigenous political subjectivities and aggregations are a key example for Critchley) are engaged in direct democratic action, forms of dissensus that work within the state against the state, to open a space of political opposition. Resistance begins by occupying and controlling the spaces upon which one stands, lives, works, acts and thinks. Politics at a distance from the state within the state is praxis, or 'government', by subaltern groups that involves a continual questioning and dis-incarnation from below of attempts at the total incarnation of the universal.

Ethics, Politics and Cultural Difference

In the remaining sections of this chapter I consider Levinas's ideas about culture and make some connections between ethics, culture and politics. I am interested to begin here a discussion of culture and cultural difference in connection to the ethical–political relation. Such a discussion will act as a precursor to Chapter Four's rethinking of the politics of cultural difference and Treaty relationships in the context of Aotearoa–New Zealand. In broad terms, I suggest Levinas's ethics offers us the opportunity to think about the current politics of cultural difference in ways that may show up some of the limitations of such a politics, while also recognising that respect for the ethical alterity of the Other is connected to respect for the cultural difference of others.

There is a tendency in social theory to use Levinas's language of alterity as if consonant with anthropological and sociological discourse, that is, to give alterity an immediate cultural meaning (Bernasconi, 2006). The "Other" of social theory is constructed and marginalised through discriminatory and oppressive relations and defined through social categories of (negatively constructed) difference and identity, usually against a dominant Western narrative of the Same. Levinas insists his Other should not be understood in this way. The Other instead references an alterity independent of social and political forces and categories. The Other is first and foremost the other human person. The other, as Other, is for Levinas always other than culture, bare of cultural expressions, even as in facing the Other, we are clearly facing an ethical and cultural manifold. The primordial encounter is always anterior to and beyond history and culture, reflecting a limit to comprehension, and a level of meaning stripped of everything but the presence of the absolutely unknowable Other, a meaning that escapes ego and cultural determinancy (Levinas, 1998a).

For Levinas, it is the radical alterity of the Other felt in sensibility, rather than anything that I comprehend or recognise, that opens me to the Other. Yet it is also through this sensibility that the sharing of meaning originates. Through the sensible, ethical relation I am responsible for the Other, but I am also opened to the world of reflection. My orientation and response to the Other inaugurates and situates meaning, language and ontology, because my response is through speaking (Levinas, 1998a). It is our sensible orientation in responsibility to the Other that is the condition of sociality, and therefore of culture. My cultural expression would not arise at all, Levinas (1998a) writes, without this orientation toward the absolute otherness of the Other "whose presence is already required for my cultural gesture of expression to be produced" (p. 95). Sociality, cultural works and expressions of difference then, could not emerge without an ethical orientation to alterity, without exposure to the Other.

Even as the response to ethical alterity gives rise to expressions of my cultural gesture and difference, for Levinas I cannot know what cultural gesture of difference arises for/in the Other. The alterity of the Other does not show itself to me; I cannot manifest exteriority: "The Other (*Autrui*) who faces me is not included in the totality of being expressed. He arises behind every assembling of being as he to whom I express what I express" (Levinas, 1998a, p. 95). It is *my* orientation, my being bound to the Other that initiates reflection and change in *me*. The sensible orientation to the Other is then both

asymmetric, and in a single direction as Bernasconi (1990, p.67) notes, a kind of "one way traffic". Rather than possessing the Other through knowledge of him/her, I give or share meaning with the Other without thought of reciprocity (Levinas, 1969; also see Diprose, 2006). Sharing of cultural meaning must therefore give to, rather than attempt to possess, the Other if sociality is to survive. Even as we can attempt to know others, and some knowledge of others is necessary, even desirable, for sociality, Levinas's guidance suggests an orientation to others, including cultural others, where our own meanings are offered/shared without a demand to know or understand the meanings of others. Rather than a sociality based on recognition and knowledge (dialogue, cultural awareness) of the Other, which is reductive and assimilating, Levinas offers an orientation that is protective of original alterity, and can therefore in turn be protective of the cultural differences that arise from that alterity.

In a 1983 paper entitled "Philosophical Determination of the Idea of Culture" (cited in Bernasconi, 1990), Levinas introduces the term *ethical culture*. Bernasconi (1990) argues that the introduction of this term works as an invitation by Levinas to think about the inevitable tension between ethics and culture, where the two terms are both separated and conjoined. Following Levinas's *Meaning and Sense* (1998a), one way to think about the relation between ethics and culture Bernasconi (1990) suggests, is if we understand the distinction between the Saying and the Said as a revised version of *Sense* (ethical orientation) and *Meaning* (signification, culture). We are familiar with the idea that every Saying has a Said and vice versa. Saying is the one-way address to the Other which is beyond history and culture; and the Said, that accompanies it, is within history and culture. The mutual accompaniment of the Saying and Said is not, as we have seen, as parallel separate spheres. As a condition of the Said, the Saying has already made an appearance, indeed circulates, in the Said. Ethics is both beyond culture, but also *in* culture.

In all human interactions, then, the ethical encounter is a surplus that occurs and is co-present with/in social and cultural encounters. In cultural and political interactions, the cultural identity of others accompanies the unknowable face of the Other. The unknowable Other is also, at the same time, a 'Māori woman', a 'Pākehā man'. In other words, there is no Said without a Saying, nor Saying without a Said. In the encounter between two people, two encounters are occurring, referencing a doubled dimension to all discourse. There is both the ethical relation evoked in the Saying—the concrete act

of speech addressed to an interlocuter who can never fully be the theme of my discourse—and the Said, the world and others represented in speech as a theme (also see Perpich, 2008). The response to the singularity of the Other's face opens at the same time, in the context of cultural and political engagement to a response to cultural identity categories such as Māori or Pākehā. Because there is no Said without the Saying, it is possible as Avril Bell (2004) suggests:

> to recuperate the ethical 'moment' of welcome to the other as *an-other human*, one who affects us as a being rather than a concept, 'accompanying', or as the excess of, the welcome to the particular social identity they bring to the political engagement. (p. 215)

The connection of the ethical and the political underlines the idea that ethics and culture call for each other (Bernasconi, 1990). In their "undetermined interdependence" (Bell, 2004, p. 209) lies the possibility for what Levinas has termed ethical culture, and I would add *ethical politics*. Between ethics and culture/politics lies the possibility for the work of justice in the politics of cultural difference.

Cultural Identity and Representation

In beginning to consider the possibility of Levinas's ethics for informing political relations across cultural group difference, I am aware there are many cautions and numerous critiques of identity politics that can be made from Levinasian (not to mention postmodern and constructivist) perspectives. In this short section, I begin to address some possible Levinasian cautions about cultural identity politics and consider ways in which the politics of cultural difference might be challenged and enriched by Levinasian thought. I do not "throw out" claims for cultural difference, because I see, in Indigenous and Māori traditions, cultural philosophies and practices of significant importance to those communities, and to social and political relations with others. If such knowledge is to survive given the usually marginal position that Indigenous communities inhabit, then political questions about power relations must be addressed. It is the *politics* of assertions of cultural difference connected to various rights claims, rather than the philosophy, traditions and ways of being in the world of Indigenous groups like Māori, that I critique here, even as these two dimensions (rights claims and philosophies) are clearly not unconnected.

In very broad terms, I argue that Levinas offers us a view of the social that supports a sociality where *we are different,* much more than *we are the same*. Cultural and social differences will inevitably have implications for political arrangements even in Levinasian terms (Eisenstadt, 2006). I also argue *against* the view that cultural and ethnic groups like Māori are *nothing more* than structural groups, who have developed social and political salience because of the way dominant structural and discursive practices work to create group boundaries, and to organise access to power and resources (Nagel, 1994; see in particular Jung, 2008). I accept that such groups are in a large part constituted through a series of exclusions and inclusions (race and class, for example) that have given rise to a range of political subjectivities and names (such as Māori, Indigenous or Iwi[15]). Further, oppositional identities such as the 'indigene', the 'colonised' and the 'Native Other', belong to binaries with the 'settler' and the 'coloniser', and are identities that are mutually, as well as self-constituting. However, as Linda Tuhiwai Smith (2005) points out "the native does have an existence outside and predating the settler/native identity" (p. 86). There are cultural continuities, preferences for certain values and practices, forms of social organization and other ways of being, distinct knowledges and philosophies, even if partial and transformed, and even if now not held by all members. Hence, while I do not argue for a view of cultural groups as internally coherent or possessing a singular identity, cultural difference and claims for cultural self-determination are not made simply as a lever for political authority in and of itself (even as they also serve this purpose), but for the capacity to preserve and develop as a culture. The capacity of groups to persist in their difference is, I argue, in principle ethical, even as, in the sphere of the political and social, persisting in difference can never mean unfettered autonomy. The survival of cultural groups in their difference, however, can offer the possibility of more than merely recognition and therefore inclusion within dominant state forms such as liberalism. Indigenous cultures, for example, may offer a much needed and fundamental critique of the state form, and contribute to alternative and more ethical ways of thinking about and enacting social relations, governance and decision-making.

To the extent that cultural and ethnic difference are sometimes asserted as being at least partially based in shared bloodlines and corporeal or physical characteristics, Levinas offers a critique of biological bonds as the basis for human or group kinship. The

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[15] *Iwi* are large Māori tribal groupings incorporating a number of *hapū* or smaller tribal groupings.

personal horror of the racism of national socialism has shadowed all Levinas's work, and although Levinas sees the possibility of such horror as linked to the ethical crisis of Western metaphysics (and therefore not necessarily shared by cultures that proceed differently from the West), the holocaust clearly warns against an idealisation of (phenotypically) similar bodies. For fascism the corporeal body represented a chaining to the *particularity* of one's people, and participation in their historical destiny. Levinas's (2006) interest was also in the body and he sought and found his ethics in corporeal sensibility, and in a command rooted in the body. However, for Levinas the idea of corporeal sensibility becomes the condition of infinite obligation, not to one's people, but to the unique, singular Other (Horowitz & Horowitz, 2006).

Bernasconi (1997) rightly asks what really is the applicability of the logic of Western metaphysics with its oppositions and hierarchies to cultures that proceed differently? In other words, and for my purposes, is Levinas's caution against a biological bond to the particularity of one's own, salient for cultural groups whose starting logic is other than that posited by Western metaphysics? Not entirely, but I do think where Levinas's caution does 'speak' to Indigenous and Māori groups is where contemporary politics of identity and difference have come to assert a bounded and fixed difference. As Mielle Chandler (2006) reflects, oppressed peoples are compelled to identify themselves, to frame their oppression, according to the Western criteria of *statement*—as self-positing/ authorising. And they have had to seek recognition for that identified delineation in order to enter the regime of mutual recognition of the liberal nation-state system. Asserting and defending a profound, autonomous difference strengthens one's rights claims and therefore entry into this regime.

I suggest our contemporary (Māori) assertions of a profound and fixed/bounded cultural difference can sometimes overlook, as Perpich (2008) points out, that *who* the Other is, is always in excess of *what* s/he is, however detailed an account of her might be made. Levinas reminds that our self/group representations of identity should not attempt to reduce ourselves, or others to *merely* or *only* a series of qualities or characteristics that at any given time constitute being Māori or the social 'Other' of Māori: Pākehā. Those who identify as Māori remain irreducible to a set of characteristics and categories, and if we overlook this, we do violence to the very others we seek justice for. Cultural and social identities do not capture the whole of *who* one is, and we never fully inhabit a given identity because identities are not static and self-contained, rather they are

multiple, and internally shifting (Hall, 1996). Neither is it the case that even if it were possible to capture the shifting assemblage of all our identities, that they would ever add up to the singularity of the Other.

Māori, as much as any oppressed group, are well aware that identity representations are never neutral. Those representations of Māori in the dominant social discourses of racism and imperialism, for example, have hugely impacted the concrete lived lives of those so identified. Any representations/ identities, even those produced by the oppressed themselves in opposition to dominant ones, are not identities that a group can ever fully control. Indeed such representations always run the risk of being the means by which Māori are *known*, contained and appropriated. Levinas's (1998b) injunction that the face cannot be represented is therefore an important ethical resistance against such misappropriations, and reminds of the limits and betrayals of representation.

Even as the singularity of the Other resists reduction to particular categories, as Perpich (2008) points out, characterisations that *do not* include my primary and meaningful cultural and social identities also miss who I am, and fail to explain important aspects of what it is to live *my* life. For Levinas, the Other's singularity is not some formal abstraction but refers to a material and lived life. Hence, even as the Other refuses representation, the face also demands representation; indeed the Other is done an ethical and political injustice without representation. As we have seen, alterity must be *Said* for there to be justice, even as it can never be fully Said. In other words, justice for the embodied Other requires representation. To effectively have access to justice, to levels of decision-making, those rendered invisible (marginalised, oppressed) must achieve representation, must thematise and categorise themselves even as such a process is not a guarantee of social justice. However, while the Other demands representation, as we have seen, representation involves a betrayal involving the possibility of appropriation and reduction. Perpich (2008), following Judith Butler's (2004) discussion in *Precarious Life*, suggests the only ethical representation possible would be "representation with a conscience", representation that is "marked by its own failures" (p. 195). As Butler writes:

> For Levinas then the human other is not *represented* by the face. Rather, the human is indirectly affirmed in that very disjunction that makes representation impossible, and this disjunction is conveyed in the impossible representation.

For representation to convey the human, then representation must not only fail, but it must show its failure. There is something unrepresentable [someone singular] that [who] we nevertheless seek to represent and that paradox must be retained in the representation we give. (Butler, 2004, p. 144 cited in Perpich, 2008, p. 195)

While the Other can never be fully contained nor accurately identified in representation, without representation the Other is erased, is unsecured in the cultural, which would also represent a situation of injustice. Representation must occur, but alone cannot succeed in providing justice for the Other. If representations and recognitions can mark their own failure, leaving a trace marking the disjunction between their 'success' and 'failure', it is here that justice for the Other is possible.

Enacting Cultural Ethicality

Taking into account Levinasian cautions against assertions and representations of the particular that overlook the ethical relation, and with a view of culture not as fixed and trans-historical, I return here to a discussion of appearances of the ethical in the cultural. As Levinas (1998a) argues in *Meaning and Sense* language assembles meaning and is creative of being and culture. Culture is assembled and expressed in diverse ways (also see Diprose, 2001). The richness and profusion of cultures, according to Levinas (1998a), are the effects of our sensible orientation to the Other. It is clear that the Other must maintain its priority over culture, and that radical alterity must inspire and motivate respect for relative forms of alterity (culture), and not the other way around. Yet the Other's immanence in culture—their cultural expression, richness and diversity—is testament to the anterior relation to alterity. Does not cultural diversity and heterogeneity in the social world suggest cultural expressions that have escaped reduction, even if in their formation reductions of singularity have also occurred? And are not assimilation, genocide and other forms of domination and totality suggestive of a closing against radical alterity and the cultural difference of others? Which is not to suggest that all cultural difference is necessarily 'good' or ethical. Yet, is it possible that one way we might be reminded of the irreducible difference of the Other present in our encounters across cultural difference, is through an orientation of respect for such differences?

The idea that cultural diversity, different ways of being, have emerged from the primordial response to the Other seems to suggest that different cultures will have preserved a diversity of ways in which they remember and enact the ethical relation in the cultural—these are appearances of the ethical in the cultural. As I argued in Chapter Two, for example, Māori 'traditions' have not (unlike Levinas's critique of the West) exhibited an "actively allergic reaction" (Perpich, 2008, p. 125) to the idea of subjectivity founded in heteronomy. Rather, Māori phenomenological accounts record the emergence of reflection and conscious awareness not 'first', but as conditioned on a prior orientation of openness and aroha (love). Māori scholar Te Ahukaramu Royal (2008) suggests that aroha defies and transcends the intellectualism of 'mind', and sees this transcendence as one of the great teachings of the Māori culture.

The process of *remembering* the ethical in the cultural might be observable in/through the presence of ethical principles, practices and even norms in different cultures. I suggest the diversity of expressions of social ethicality are critical sites for un-forgetting, for the development of, and commitment to, a meaning not constituted by the ego (Horowitz, 2006). Ethical edicts such as "aroha ki te tangata" (be loving and compassionate to people) or "utungia te kino ki te pai" (return/repay badness with goodness/kindness), for example, may become hollow words, or we may question or even reject them. But their being *Said* means the trace of the ethical *Saying* continues to circulate within them, and we are reminded therefore of the possibility of refreshing and reinvesting our relations to others with ethical responsibility. The multiplicity of unique ways in which different cultures un-forget and enact the ethical suggests, I argue, expanded possibilities for social ethicality in human society, and for ethical action and engagement across cultural and other differences.

While we may accept that *any* socio-cultural sphere inevitably leads to some closure against difference, it also maintains openness to difference. We are compelled to enact social ethicality, which as Horowitz (2006) points out is much less difficult to do than to *think* beyond being, in being. The infinite appears, indeed is fixed, in the finite, as Levinas reminds. I suggest that the day-to-day appearances of the ethical—Levinas's small goodnesses (in all their cultural forms), the struggles of groups and alliances for the Other in situations of injustice, the various enactments of ethical culture and politics—are vital concretisations of the ethical, and are a tangible means of our un-

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forgetting. It is in the concretions at the intersection of the ethical and the political–cultural that we bear witness to beyond being, in being.

In raising culture and cultural difference, my aim is to begin (in Chapter Four) a consideration of the way Levinas's ethics can work to caution against an approach to knowing and learning *about* the cultural other (through dialogue, cultural competence and so on) as central to aspirations for social justice. It is not that any knowledge of others is 'wrong', but rather (and this is a salient point I suggest for the Western tradition in particular) that attempting to know or possess the cultural meanings of the other effects a violence, a reduction of the Other to *my* systems of meaning, and in so doing engenders a forgetting of the primordial ethical relation. If relations across cultural difference are respectful of that difference, if I can share my cultural meaning, but do not seek reciprocity, such an orientation is preserving of, and makes space for, the ethical relation that is the condition of culture.

Conclusion

In this chapter I have traced the relationship between ethics and politics. Although ethics and politics initially appear to be mutually exclusive, they are shown to "bear an internal reference to one another" (Perpich, 2008, p. 197), to call each other. Politics as the work of justice is not a social contract, or codified set of principles, but arises when concern for the many (justice for all) does not forget the incomparable singularity of the one.

The undetermined space, gap, or hiatus between ethics and politics, exteriority and totality, is where the work of justice may be produced—without guarantees but also without indifference. As the condition of politics, ethics is in politics. Appearances of the ethical in the ontological sphere are observed in small goodnesses, in everyday acts of responsibility that are part of the deferral of totality. Even as we find support in Levinas for human and political rights (where they are invested in responsibility for the Other), he is clearly not advocating a particular political order. There are no guarantees of ethical peace, no universal moral code or recipe for political justice. The lack of political prescription is seen positively precisely because it is a guard against totality. Levinas's preoccupation is the ethical and its anarchical, dis-incarnating movement in the political. Our task is firstly one of conscience, attentiveness to the ethical demand,

and to the newness coming from the Other. Ethical political practice is alert to the interruption of the infinite in the finite: it is critical attentiveness to institutional atrophy, and to epistemological thematisation. Ethical politics is the taking of singular political decisions, in particular contexts, in response to the ethical demand. Ethical politics is attentiveness to the meta-political moments that give rise to the ethical energy and motivation for political action in the face of injustice.

As with politics, culture for Levinas belongs to the sphere of ontology. Cultural expression emerges from the original heteronomous relation. Care for the ethical relation is also, I suggest, care for the cultural expressions that emerge from that relation. Even as cultural expressions have the capacity to close against alterity, they are also open to it. My suggestion is that cultures have remembered, preserved and practiced ethicality, and such diverse expressions of social ethicality are critical to the social world, and the possibility of non-dominating human relations. To remember and develop the ethical *riches* of cultures requires that cultural groups possess the conditions and capacity to share and offer such ethicality with others. One of the conditions required is an orientation of respect for cultural others, who are at the same time the Other. Sociality begins with an acknowledgement that there is always a dimension of others that overflows our comprehension, and such a view must take in both the radical alterity of the Other, and the concrete lived life of others. If the ethical relation is to be remembered, and if there is to be the possibility for non-dominating social relations, then relations with others must escape epistemological parameters. The cultivation of a willingness to be open to being unsettled by an Other and another cultural group, and the development of relationships where reciprocity is not demanded, is needed. I can share my cultural expressions with others, not as an autonomous assertion, but to and for the Other.

Chapter Four

An Ethical Politics

Introduction

This chapter builds on developments in the previous chapter. I understand possibilities for politics as a work of justice arising not from an all-inclusive fixed rationality but as processual and contextual, where singular decisions are taken in relation to the ethical demand in a situation of injustice. I draw on political theory to advocate a non-foundational approach to politics and constitutionalism that I regard as consistent with, and supportive for, Levinasian ethics, and for Indigenous social and political orientations and practices.

A non-foundational approach attempts to escape the dominant Western political traditions by eschewing a universal foundation and rationality as the basis for democracy. I argue that universal liberalism, communitarianism and even the politics of recognition/difference can only, at best, *include* Indigenous demands within dominant constitutional traditions while their unifying rationalities avoid question. A non-foundational approach to constitutionality regards as impossible the assumption of an all-inclusive consensus. Such a consensus masks relations of power, is depoliticising, and refuses responsibility for political decisions by recourse to universal principles.

Rather than seeking a founding social consensus, a non-foundational approach sees contestation not as something to be eradicated but as crucial to, indeed the *condition* of, the possibility for democratic justice. A certain consensus is required for a non-foundational approach. However, it is understood that social difference can never be completely contained; any consensus is necessarily conflictual and contingent. Further, such a consensus is constituted not through the identification of a set of principles accommodating of all, but through the availability of different ways of organising social and political space connected to different forms of cultural and social life.

Such an approach links strongly, I argue, to Indigenous forms where people are politically constituted in their existing forms of life and social practices, not by an overarching rationality or superordinate authority. Following Indigenous approaches to governance, multiple, contextual and local spaces are opened to contending forms of citizenship and their institutional expression. Social dissent, consent and forms of governance are negotiated, not through recourse to universal ideals, but through face-to-face encounters where responsibility for decisions, for inclusions and exclusions cannot so easily be passed off, nor difference so easily closed against. I argue that an orientation to difference and contestation, and to responsibility for political decisions, is central to making space for the ethical in the political. If political decisions are taken/invented in singular contexts upon an uncertain social terrain, attentiveness to ethical responsibility for the Other can be encouraged.

In the context of Aotearoa–New Zealand I argue that the Treaty of Waitangi[16] can positively symbolise contestation and the rupturing of the monological political tradition. The Treaty indicates at least two main cultural logics and ways of organising social/political space. Rather than representing either a cessation of sovereignty and therefore Māori inclusion, or two conflicting claims to authority at an impasse, the Treaty can represent a source of political and social engagement and dynamism productive for democracy.

I address Māori political struggle to encourage an orientation to politics beyond entry into the liberal economy of recognition. I suggest that beyond what Indigenous approaches bring to a non-foundational politics, remembering Māori modes of subjectivity marked by responsibility reinvests Māori struggle (even in the face of marginalisation) with an ethical force critical for politics as the work of justice.

In the first section of the chapter I critique liberalism, communitarianism and the politics of recognition as totalising, that is, as based on the assertion of universality, rationality or a regulative ideal. These constitutional traditions, I argue, cannot provide for Indigenous and Māori forms of citizenship without Māori conforming to the dominant traditions. Nor, can they make space for the ethical, based as they are on the assumption of knowledge of the Other.

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[16] See Chapter One, p. 3 footnote 2 for a brief explanation on The Treaty of Waitangi

In the second section I introduce a non-foundational approach to politics following mainly the work of Chantal Mouffe (2005), James Tully (1995) and their reading of Ludwig Wittgenstein (1967). I also show how such an approach is consistent with traditional Indigenous and Māori orientations to political and social constitution. In arguing for the constitutive un-totalisability of political structures, the non-foundational approach is understandably suspicious of ethics as representing a universal basis for politics. Following Critchley (1999b) and his reading of Derrida (1992), I argue that ethics as conceived by Levinas does not represent a founding principle of the kind eschewed by non-foundationalists, rather the ethical relation represents a normative force of non-indifference to the Other. Our inability to be completely indifferent to others does not give rise to a code of moral and political conduct, but arises in singular contexts requiring the invention of singular responses and decisions.

In the final section, I turn to a discussion of the Treaty of Waitangi and to the reinvestment of Māori struggle with modes of subjectivity marked by Māori forms of responsibility.

Section One

Liberalism

In his 1990 "prefatory note" to the 1934 essay on Hitlerism, Levinas (2006) writes that the philosophy of Hitlerism: "stems from the essential possibility of elemental evil…against which Western philosophy has not sufficiently insured itself….We must ask ourselves if liberalism is all we need to achieve an authentic dignity for the human subject" (p. 3). While fascism represents an "elemental evil", liberalism clearly does not escape implication in the possibility of evil. Levinas's (2006) critique of liberalism in this early text is that it represents an ontology of being concerned with rational freedom where the human is liberated as a free spirit "infinite with regard to any attachment" (p. 5). For Levinas, this is a freedom from any obligation that is always already rooted in the prior ethical relation (Horowitz & Horowitz, 2006).

Levinas also argues that fascism and liberalism are both forms of will to power/expansion operating through a commitment to the universalisation of a truth. In fascism this is expansion of the particular (the German people) through force, while in liberalism it is the non-coercive ideological expansion of a universality (also see

Horowitz & Horowitz, 2006). Rooted in Western metaphysics and Enlightenment philosophy, Western political rationality promises peace based on the universal truth of objective knowledge. However, for Levinas, because social rationality is achieved through the reduction of others to an order of the same, the best liberalism can deliver is rational peace, and has in fact brought forth new forms of violence, as Levinas (1996) relates in Peace and Proximity:

> This history of peace, freedom, and well-being promised on the basis of a light projected by a universal knowledge on the world and human society—and even on religious teachings that seek justification in the truths of knowledge—this history does not recognise itself in its millennia of fratricidal, political and bloody struggles, of imperialism, of human hatred and exploitation, up to our century of world wars, genocides, the Holocaust, and terrorism; of unemployment, the continuing poverty of the Third World; of the pitiless doctrines and cruelties of fascism and National Socialism, up to the supreme paradox where the defense of the human and its rights is inverted into Stalinism. (p. 163).

Levinas's critique of Western metaphysics as having forgotten the primordial relation to alterity is therefore mirrored in Western political philosophy and practice. The rational sovereign individual of liberalism is magnified as the sovereign, unified nation state that incorporates the rational participation of free wills. Just as the rational ego offers an objective third person perspective of the world, liberalism is seen as capable of discerning a universal and uniform constitutional order that transcends difference and suspends antagonism between particularities. In this way, not only does liberalism overlook the ethical obligation to, and alterity of, the Other in preference for sameness, but, I argue, its universalising compulsion denies and strives to assimilate ontological and cultural forms of difference.

Rosalyn Diprose (2006) argues that liberal individualism as a political form depends on the assumption that individuals have knowledge of one another—either of their differences or of their sameness. Yet as we have seen, in Levinas's (1969) formulation, sociality and cultural multiplicity depend on the preservation of the Other's alterity. As Disprose (2006) emphasises, community is only possible through a welcome, a non-subsumptive relation to the other who cannot be grasped. If others retain their secrecy,

then liberalism's sociality becomes impossible. Similarly, if the Other is conceived not through knowledge of their difference but as myself (an alter ego), and in this way drawn into sociality, then the Other's difference is also denied. In Levinas's account, cultural multiplicity could not then be maintained through a politics of liberal individualism that bases the sharing of meaning that is sociality, on knowledge of the Other's difference, or on recognition of the Other as the same.

Politically, liberalism represents the functioning together of enlightened and self-interested members who, on Hobbes's (1964) account, have voluntarily entered totality from the state of nature as previously asocial and sovereign individuals. Society is entered for security, as Marx (1963) puts it for "the assurance of his egoism" (p. 26). Despite the rather ridiculous assertion that, prior to society, we were disembedded social atoms or in a state of nature, liberalism has also been argued to transcend (through political unity) existing diverse social and cultural identities and communities, and the inevitable conflict that is seen to arise in mediating different ways of life. In a liberal society all are rendered politically homogenous, yet individuated and interchangeable citizens publicly separated out from identities that share language, culture and particular forms of life. The maintenance of 'culture' becomes the private affair of cultural groups, and the social, political and economic systems and institutions of Indigenous peoples, for example, are dismissed as backward forms of association (Dworkin, 1978; Tully, 1995).

It remains largely un-admitted that, far from being culturally transcendent, the uniform political order of liberalism is *itself* the universalisation of a cultural particularity: the Western philosophical and political tradition masquerading as a neutral and a-cultural 'good' (May, 1999). The idea that the liberal nation state is neutral and free from ethnic, cultural and religious particularity because it publicly and 'legally' treats everyone the *same* is the ideological expansion of liberalism par excellence. Ethnicity and culture as Stephen May (1999) points out have never been absent from the civic sphere. Rather in liberalism, the civic represents the particular and communal interests and values of dominant groups, as if those interests and values are held by all.

Progressive (and impressive) attempts by liberals such as Will Kymlicka (1995) to stretch the dominant liberal traditions and institutions to include Indigenous demands skip over, as Tully (1995) concludes, "the first step which is questioning the

sovereignty of the authoritative traditions and institutions they serve to legitimate" (p. 53). Whether rejected or incorporated by the liberal order, Indigenous peoples like Māori are forced to frame and pursue their cultural survival against the dominant constitutional language and the uniformity of liberalism; and within its parameters. Taking up the recognition, rights and sovereignty discourse of the liberal tradition seems the only possible route to cultural survival.

The preferred constitutional forms of Indigenous peoples are generally deemed unworkable, but where acknowledged, are taken up within (and subordinated to), the matrix of the liberal capitalist democracy. Recognition usually involves the incorporation of cultural rights *content* into the mainframe of the legal and political structures of liberalism, rather than recognition that Indigenous peoples were/are already constituted in various ways, and seek for cultural survival to retain and/or reclaim a variety of social and political institutions. The presumed sovereignty (and superiority) of liberal democracy means as Coates (1998) points out, that governments of states wherein indigenous peoples reside "rarely feel an obligation to operate within the legal or moral framework of the Indigenous peoples" (p. 46) which clearly sets the limits of indigenous authority and forms of citizenship within a country.

Communitarianism

Liberal individualism cannot protect the alterity of the Other, and therefore the difference of the cultural Other, without those others inhabiting a social space that conforms to the dominant conceptions and practices of citizenship. For different reasons but with the same outcome, I argue communitarian approaches do not afford such an inspiration either. Communitarians (notably Taylor (1994) and Walzer (1990)) are critical of liberalism's sovereign individual who, having voluntarily entered society, remains self-interested and retains the right to rupture social values or withdraw from social relationships. Liberal individualism means less stable relationships, social fragmentation and disconnection, because the individual's autonomy makes it impossible to establish a coherent moral culture, or to develop a public consensus on the nature of the good life, or criteria to govern our choices. Liberal sociality is seen therefore by communitarians to be lacking in coherence, connection and narrative capacity (Walzer, 1990).

Communitarian politics, on the other hand, understands community to be a unity built through dialogue, common tradition and meaning, and mutual recognition (knowledge) of the Other as a means to sustaining and strengthening community. From a Levinasian view, Diprose (2006) argues that a communitarian view suggests community exists as a unified entity prior to and after the ethical relation. As an already existing entity, community would then grasp, know and assimilate the Other in community, or exclude and deny their difference. There would be little acceptance of Levinas's view that what gives rise to sociality—its sharing of meaning and indeed different cultural expressions—is a relation to alterity; and this alterity would be destroyed if unity and mutual recognition ever become totalised. Further, communitarianism seems not to understand that in the sharing of meaning, others' expressions of meaning are ambiguous, open, unfinished and exceeding my cognitive powers. Hence, any unity gained is always disincarnating from within (Diprose, 2006).

In conservative strands of communitarianism, the striving for commonality through a public consensus on the nature of the good life, would mean demands for Indigenous constitutional forms would likely be regarded as incompatible with, or a threat to, a shared conception of community. Where such demands are deemed justifiable, they are, as with liberalism, only accepted as such within the authoritative traditions of Western communitarian political theory (Tully, 1995). Hence, although communitarianism recognises that from the beginning we are entangled in social relationships, indeed we are constituted through them, communitarian politics in a different but similar way also strives for moral and cultural unity and coherence. Even as communitarianism may foreground relationships and greater social responsibility, both communitarianism and liberalism privilege forms of social uniformity.

Politics of Difference/Recognition

The politics of difference, recognition and multiculturalism are linked to more tolerant strands of communitarianism that emerged in political philosophy in the 1980s and 1990s, and represent a positive desire to promote cultural plurality and tolerance of difference, and to recognise such differences in the political sphere (Diprose, 2006). On first appearances, the politics of difference appears to provide respect for ontological forms of cultural difference in ways that liberalism (and communitarianism), on the whole, does not. Yet on Levinas's account, the politics of recognition would, like

liberalism and communitarianism, also tend toward the opposite. Avril Bell (2008) contrasts Levinasian ethics with the politics of recognition for the "practice of non-dominating modes of interaction" (p. 850) in the context of Indigenous and settler relations in Aotearoa–New Zealand. Bell argues that the politics of difference/recognition (as articulated by Charles Taylor (1994) remains within the economy of comprehension of Western metaphysics and fails, for the New Zealand context to "de-centre" settler dominance.

Bell regards Taylor's formulation of recognition of cultural difference by the liberal Western polity as a demand for recognition of equal worth by the demanding culture. Granting recognition, according to Taylor, cannot be based on ethical principles such as respect, but must involve a close study of the demanding culture and their contribution to society. A dialogic encounter between both cultures involving the potential for two-way learning and mutual transformation towards a "fused horizon of standards" (Taylor, 1994, p. 70) is desired, assuming the possibility of reaching a rational consensus shared by all.

Scrutiny of the demanding culture would appear to reduce the relation to comprehension through assuming the possibility of knowing a culture, and determining their cultural worth from an objective perspective outside the relationship. There is a further assumption at work here suggesting that the claimant group is a cultural whole coming from outside and meeting the liberal polity for the first time. In the Aotearoa–New Zealand setting, settler–indigene relations have been long in play. Māori are not a discrete cultural whole, but rather represent individual and group subjectivities that are unfinished, overlapping, multiple and constituted relationally (Bell, 2008).

Finally, the seemingly 'outsider' and 'demanding' status of the claimant group also points to a power differential between the two and makes the assumed possibility of reciprocal transformation questionable. As Bell (2008) argues, this inequality is unlikely to result in any fundamental challenge to the liberal Western subject or polity—the only transformations likely to occur for liberalism are those it chooses to make. Ultimately, on such a formulation, the best demanding cultures can expect remains inclusion within more progressive/tolerant constitutional norms. Even as such norms see recognition and protection of culture as a condition of some of the primary

goods that liberals and communitarians seek to realize, any rights granted must conform to a uniform legal and political order (Tully, 1995).

Political relations with others will always involve thematisation, judgement, and some sharing of knowledge. But Levinas reminds that sociality begins with an acknowledgement that there is always a dimension of others that overflows our comprehension. Hence political unity is only ever contingent and contains an anarchical disincarnating movement that is alterity and ethical responsibility. While Taylor (1994) (as Bell (2008) points out) eschews an ethical approach in favour of knowledge of the Other and therefore political certainty, for Levinas, if the political is to remain open to the ethical, it involves embodied welcome and responsibility for others that puts self and political certainty in question.

Section Two

Non-Foundational Politics

I have argued that politics represents the sphere where decisions are required for the functioning of sociality, of human co-existence. Politics always entails relations of inclusion and exclusion, and in Levinasian thought it is always a matter of the least harmful decision. Working further into the sphere of politics, I remain concerned to articulate an approach to politics that makes space for the ethical, but does not accept the totalising foundation I have found implicit in liberalism and the other authoritative traditions I have canvassed so far. I am interested in a non-foundational approach to politics, where the forms of agreement that constitute such a politics are arrived at not through the imposition of an a priori and universal notion of the good life, but through the contestation and negotiation of cultural practices, preferences and forms of life that exist in social life. I argue that such an approach has the best chance of providing for political justice, and is an approach akin to Indigenous and Māori multiform and dynamic constitutionality. Importantly, a non-foundational approach open to contestation and cultural diversity holds the best possibility of remaining open to ethical responsibility.

In Chapter Three, I developed the argument that the relation between ethics and politics is disjunctive, yet these spheres have internal references to each other. The hiatus, gap or space between ethics and politics means a universal politics cannot be simply

deduced from ethics, but rather the movement of ethics and politics gives rise to undetermined political articulations. I have also argued that, though Levinas's work does not indicate a determinate political form or content, politics is not merely arbitrary—ethics is not foundational for politics, but nor is it arbitrary. Levinas's ethics holds a normative force for the political, a non-indifference to the demands of the others (Perpich, 2008). The implications of the ethical for the political as articulated by Levinas, Derrida and Critchley havw been read by some non-foundational political theorists (such as Rorty (1998) and Laclau (1990) as grounding political decisions on a universality, rule or regulative ideal that is ultimately depoliticising. Following Critchley (1999b) and his reading of Derrida (1992), I argue *against* such a reading to suggest that the non-arbitrary and normative force of ethics does not instruct political forms as a universal principle, but rather interrupts and defers political totality, and opens the *possibility* for political decisions to be responsible.

My task in this section is to sketch a version of a non-foundational approach to political practice, leaning on some lines of inquiry in the political theory of Chantal Mouffe (2005) and related work of Ernesto Laclau and Mouffe (1985), and James Tully (1995), who utilize the work of Ludwig Wittgenstein (1967). I find much here that supports, in Tully's (1995) words, a "post imperial" approach to political and constitutional questions (p.17).

In *The Democratic Paradox* Mouffe (2005) argues that political theory needs to give up attempting to reconcile the tension that exists between liberalism's freedom and liberty, and democracy's equality and collective sovereignty of the people. Mouffe argues that liberalism posits a discourse of abstract universal humanity as an overarching and inclusive rationality, while democracy posits a "frontier" that constitutes "the people" and inscribes rights and equality into practices thereby involving exclusions (who is and who is not the people/a citizen). The tension between the logics of liberalism and democracy (what Mouffe terms the "democratic paradox"), rather than representing an impasse, provides an essential point of contestation and antagonism in politics. Far from being the undoing or 'problem' with liberal democracies, this tension is in fact its strength. For Mouffe, the liberal logic of human rights, liberty and freedom allow society to challenge the exclusions and inclusions necessary for the practice of democracy. Contestation between these two logics is seen as the very stuff of a dynamic democracy and the possibility for it must be maintained. What interests me

most here is not upholding the particular logic of liberalism (even as human rights and autonomy are important for the political), rather the idea of holding politics open to contestation—and the possibility for democratic justice to arise through such contestation.

Mouffe (2005) posits her politics of contestation against deliberative democratic approaches such as those proposed by Habermas (1992, 1996) and Benhabib (1994, 1996) that represent attempts to invigorate politics through more meaningful, participatory processes. Mouffe sees in deliberative approaches the continuation of a project that seeks to reconcile or integrate the liberal–democratic tension. In the deliberative model, differing positions, interests and groups can work toward consensus through collective deliberation conducted rationally and fairly among free and equal individuals (Benhabib, 1994). Here the tensions between freedom and equality can be reconciled in the interests of a substantive idea of the common good or good life, determined by all. Mouffe's (2005) critique of this formulation is that the legitimacy of democratic institutions then dangerously rests on the presumption that decisions are impartial, and can be in the interests of all. Contestation is evacuated and replaced by uncritical complacency.

Agonistic Pluralism/Relational Justice

Mouffe (2005) presents her own approach to democracy as "agonistic pluralism", which is the "agonistic confrontation" between conflicting interpretations of constitutive liberal democratic values (p. 103). Agonistic pluralism turns on the idea that all political unities create an 'us' and 'them'. This is a constitutive feature of politics and the opposition cannot be overcome, but can be conceived differently. *Agonism* as opposed to *antagonism* perceives the 'them' not as an enemy to be destroyed, but as an adversary. An adversary is a friendly/legitimate enemy, someone with whom social space is shared but who wants to organise social space in a different way. Agonistic pluralism sees conflict as the *condition* of democracy, and attempts to move antagonism toward agonism where passion, contestation and disagreement do not disappear from the public sphere but are worked towards democratic ends.

Interestingly, this idea of friendly enemies bears a close resemblance to the Māori term for enemy. An enemy is always a *hoa riri*—literally an angry friend, someone with whom I fight but whose mana in defending their position is respected. Mouffe's

agonism captures something of the conflictual but relational approach characteristic of Māori socio-political relations. Barclay (2005) has characterised Māori orientations to the political as upholding a "relational autonomy" (p. 131). Here, agreements and alliances recognise the mana and autonomy of the group *and* also the need to share social space.

Following such an approach, pluralism in Mouffe's (2005) formulation recognises that politics requires a certain consensus. Such a consensus, however, is arrived at not through allegiance to abstract foundational principles, but through many different and conflicting social practices—what Mouffe (2005) terms a "conflictual consensus" (p. 103). Diverse conceptions of citizenships and forms of life propose their own common good, and allegiance to any consensus requires the availability of contending forms of democratic citizenship and accompanying forms of life. In the contemporary context of Aotearoa–New Zealand (even my writing these two names indicates two ideas and practices of the common good), Māori conceptions of citizenship, for example, include forms of life that flow from hapū and iwi (sub-tribe and tribe respectively), and from more generalised Māori social preferences and practices.

In Mouffe's (2005) formulation, adversaries share an allegiance to the liberal democratic principles of liberty and equality but defend different interpretations of what this should mean, and to which kind of social relations and institutions these should apply. As I have argued, the authoritative traditions of Western liberal democracy are problematic for both ethics and for Indigenous and Māori orientations. However, I do agree with Tully (1995) that the tension between *freedom* (agency, autonomy, rights) and *belonging* is undoubtedly a tension for all forms of sociality, and hence would feature in any allegiance in the context of Aotearoa–New Zealand. Therefore, interpretations of any allegiance in the context of Aotearoa–New Zealand should not assume an allegiance to liberalism as if it were the only viable conception for upholding the value of human agency.

Through the Treaty of Waitangi, Māori have agreed to share social space and to the idea of reaching forms of consensus in the interests of co-existence (J. Williams, 1998). Given ongoing Māori struggle for forms of self-determination, their agreement to share social space has never meant accepting an imposed and monological allegiance to liberalism and a singular version of institutional legitimacy (Walker, 2004). Rather, in a

very similar way to that which Mouffe (2005) is proposing, I argue that, post the Treaty, Māori assumed that forms of political legitimacy would be established through ongoing re/negotiation and contestation of their own social and political practices and institutions with those of the settlers.

Deconstruction

Mouffe (2005) finds important support for her notion of agonistic pluralism in Derrida's well-known concept of *deconstruction* and his related notions of *undecidability* and *constitutive outside*. For my purposes, deconstruction refers to what Critchley (1999b) has neatly described as "the constitutive undecidability, radical incompletion or untotalisability of textual, institutional, cultural, social and economic structures" (p. 163). For Mouffe (2005), deconstruction lends support to the idea that an impartial, neutral or universal standpoint is made structurally impossible by the undecidability at work in the construction of any form of social objectivity or rationality. The undecidability in human relations indicates that no overarching political consensus or decision can be forever achieved, or be inclusive and just for all. Every decision and hegemonic stabilisation is always taken upon an undecidable terrain that cannot be overcome. Undecidability represents the deconstructive feature/movement, because it inhabits (indeed is constitutive of/in) political decisions; and so deconstructs from within any certainty of the justice of the decision (Derrida, 1992).

Deconstruction leaves a trace. In the taking of decisions, deconstruction shows that which is excluded. And that which is excluded is understood by Mouffe (2005) to represent a constitutive outside. The idea that there is always a constitutive outside to any objectivity or rationality helps emphasise that antagonism and difference are inherent in all unities. The constitutive outside is not to be understood as a dialectical opposition/negation but is incommensurable with the inside, and at the same time the condition of the emergence of the inside. The constitutive outside for politics is not simply suggesting that there is no 'us' without 'them'. The 'them', Mouffe argues, is not the constitutive opposite of a concrete 'us', but that which both exceeds and makes any 'us' both possible and impossible. Every unity is constituted by something other than itself, and hence every identity or stabilisation is always contingent. Irreducible difference, then, is the condition of the possibility of constituting any unity and at the same time provides its limits. The significance of these ideas for the political is that

social rationalities for Mouffe are always ultimately *political* (rather than natural or consensual), and must therefore show the traces of power and acts of exclusion that govern their constitution, their constitutive outside. Showing power and exclusion reminds that that there is no non-exclusive public sphere, but also protects democracy against closure and keeps the dynamics of the democratic process alive.

Māori have found it increasingly necessary to declare themselves even further outside the 'us' of a liberal democracy that has continued to represent assimilation and the usurpation and fragmentation of their constitutional forms. As local writer Kelly Barclay (2005) suggests, it has been the discourse of equality as consensual sameness within which the domination and dispossession of Māori both arose, and was obscured. The Māori identity politics of the past 40 years "were in fact enacted by Māori largely as a last resort in the face of the lived experience that 'equality' failed to deliver them justice" (Barclay, 2005, p. 123). If as Mouffe (2005) suggests, there is to be any 'us'— that shares democratic space, different forms of unity must be established among the components of 'us'–in this case Māori and settlers. Such commonalities are not a unified identity, but rather exist through multiple and competing forms of identification. Further, not all forms of identification must be inside the national project. Indeed, I suggest the monological reign of liberalism means that remaining at least partially outside is essential to the possibility of struggle. In affirming continuing Māori authority, the Treaty of Waitangi has provided a way of thinking about Māori as outside whatever unities are achieved, and simultaneously inside or participating in the constitution of any conflictual consensus in multiple sites.

Politics in Context -Wittgenstein

The non-foundational approach developed thus far links to a view of politics as contextual—constituted by the forms of life and subjectivities operating in any given context. For both James Tully and Chantal Mouffe, the later work of Wittgenstein (1967) supports a way of theorising about the political that breaks with the homogenising mode that has informed most liberal theory since Hobbes. Tully (1995) uses Wittgenstein to criticise a convention widely found in contemporary political thought: that our way of life is free and rational only if it is founded on some form of critical reflection. Rather than being constituted by the assemblage of social practices already in play, contemporary political thought sees the imposition of abstract and

universalised principles as the height of enlightened constitutional practice. Following Wittgenstein, Tully (1995) challenges this possibility by bringing to the fore the existence of a multiplicity of "language games" which for Wittgenstein constitute a diversity of practices and forms of life, none of which could pretend to be the foundation of political life. Tully has used such arguments to critique the imperial and monological form of reasoning that constitutes modern constitutionalism (and that has usurped Indigenous forms the world over), and to develop a post imperial philosophy and practice of constitutionalism.

In general terms, Wittgenstein has influenced non-foundational and contextualist political theory, which deny the possibility of a point of view situated outside the practices and institutions of cultural groups, and from where impartial judgments could be made. Instead liberal–democratic institutions must be seen as defining one possible political articulation, or language game, among others—highlighting the significance of the particular case or context for politics.

Tully's (1995) utilisation of Wittgenstein in *Strange Multiplicity* has been taken up in similar ways by Mouffe (2005) in *Democratic Paradox* to furnish a pluralistic, contextual and non-foundational approach to the political. I now detail a number of key points Wittgenstein makes in relation to the significance of language games and rules for the political approach developed here. In *Philosophical Investigations* Wittgenstein (1967) closely connects language with practice, or forms of life. Any language game is composed of rules, conventions, gestures and customs and a word's meaning will in many instances be definable by its role in the language game (also see Edgar & Sedgwick, 2002). Since speaking a language is always part of an activity, different language games can be understood as instantiating different forms of life. If in a particular language game, one speaks the same language as others, one is in effect sharing with others a common form of life (one could equally *not* share in language games).

Tully (1995) highlights the way in which Wittgenstein makes an analogy between language and an ancient city as illustrative for understanding the language one acquires. Like a city, language has grown up in a variety of forms through long use and practice, interacting and overlapping. There is no uniform constitution of language that has been imposed by a single law, although areas have been made regular over time. As noted,

there exist a multiplicity of language games, and the grammar of words are too multiform to be represented in a theory or comprehensive rule, just as no comprehensive view constitutes the ancient city. The significance of Wittgenstein's approach is that it effectively challenges the idea that the practice of philosophy or politics can be rooted in fundamental universal principles or truths, but rather arises in forms of life. It is these forms of life that constitute the basis upon which human activities are possible, and are therefore a precondition for any philosophy or politics.

The relevance of Wittgenstein's theory to politics and constitutionalism can be further highlighted around two central points. Firstly, understanding a *general term* is not a matter of grasping and applying a theory or rule in particular cases. Understanding is the practical activity of *using* a general term or rule, an activity that occurs in endless ways. A rule therefore cannot determine meaning, if exercised in a multiplicity of ways. Further, according to Wittgenstein (1967), obeying and going against rules in actual cases is a practice, and consists in the mastery of practical normative abilities acquired through use and practice.

Secondly, the understanding exhibited in obeying or going against a rule in actual cases cannot be accounted for in terms of any argument that would suggest we are actually following general rules *implicit* in practice. Rather, the multiplicity of uses of general rules is too various, tangled, contested and creative to be governed by rules. For Wittgenstein there is essentially *no* rule, and, instead of trying to reduce all language games to what they have in common, we will, in observing language games, see instead a whole series or complicated network of overlapping and criss-crossing differences, similarities and relationships. Further, rather than reduction to commonality (and thereby the production of a rule), concepts are understood through examples, dis/analogies and precedents more than they are by rules. The giving of examples is not to assert that they should be taken up in 'my way', but to allow others to employ them in their own particular ways. Any general rule is therefore assembled with others who see and enact things differently. Tully (1995) suggests this approach provides a way of understanding others that does not entail comprehending what they say within one's own language of re-description. A philosophical account is furnished of the way that understanding occurs, and views are exchanged in the 'real' world of overlapping, interacting and negotiated diversity and intercultural engagement.

For Mouffe (2005) Wittgenstein's insights suggest we should appreciate the diversity of ways in which the democratic game can be played, instead of trying to reduce diversity to a uniform model of citizenship. There cannot be one best and most rational way to obey rules, and it is precisely such a recognition that can constitute a pluralist democracy. Mouffe (2005) argues that because rules are for Wittgenstein simply 'abridgements of practices' (p. 68) we can foster a plurality of forms of being a democratic citizen, and create institutions that would make it possible to assemble and follow the democratic rules in a plurality of ways. The emphasis is not on rational argumentation toward inclusive consensus, but on types of practices and forms of life. Approaching democracy from Wittgenstein's perspective shows that allegiance to democracy does not need a theory of truth, but the political space for a manifold of forms of life, through which contingent and non-foundational consensus is possible in any given context.

Wittgenstein's approach, and that taken by Mouffe and Tully, align in significant ways with Indigenous constitutional practice. For Indigenous peoples like Māori, forms of political organisation and regulation represent the ways in which the people are/were already constituted by their assemblage of practices and institutions. Laws or rules were traditionally generated through social practice and the authority of such forms was/is recognition of long use and practice representing the agreement of the people. Eddie Durie (1994; 1996) suggests that because the *political* for Indigenous peoples like Māori is grounded in customary ways of behaving and associating, a close connection between people and authority is thereby established. Such forms of justice are recognised as *lived*, performed or enacted by the people in the immediacy of day-to-day life. In a similar way to that suggested by Wittgenstein, laws for Māori are thought less of as a thing, less as rules, and more as acts and processes that constitute agreements and rules (Frame & Meredith, 2004; Hibbitts, 1992).

For Māori, a plurality of local and autonomous groups operated interdependently with others in a way not dissimilar to the post imperial agonistic pluralism suggested by Mouffe and Tully. For Indigenous peoples the continuation and maintenance of local autonomy in relation to others was/is prized and not considered a 'stage' in the evolution toward the imposition of a unity such as a founding constitution of a unified nation state (Walker, 1986). Because authority is not alienated to a super-ordinate authority, Indigenous government can be regarded as forms of direct democracy (Tully,

1995) and despite, multiple and autonomous tribal groupings, an allegiance (in Mouffe's terms) to a "conflictual consensus" can be observed in the regularity of responses to a range of social contexts and cases across Aotearoa–New Zealand (E. T. Durie, 1994).

In positing a political approach that valorises a plurality of forms of life, it is not suggested that such forms of life represent whole, homogenous cultures. It is not to claim that Māori forms of life, for example, are uniform in every sphere, and constitute in the contemporary context a full set of distinct social practices and institutions. Language games as forms of life represent a vast number of possible social practices, not a singular cultural form or way of life. There would therefore be many similarities in practice in the context of Aotearoa–New Zealand particularly given the high levels of interaction and not withstanding ongoing processes of Māori reclamation of socio-cultural practices—that might see the privileging of distinct social and political forms. As Maaka and Fleras (2005) have pointed out, political spaces for interlocking, overlapping and separate spheres of authority represent the broad vision for Māori self-determination and for relations with the state and others. This would mean in certain situations a single institution could provide for a number of forms of social practice, while in other circumstances separate institutions would be required, a measure of which can already be observed in the sphere of Māori education where Māori "centered", "added" and "collaborative" pathways operate (M. Durie, 2003). The usefulness of such an approach is that no grand and abstract rationality (even for example, the 'Māori nation') is imposed, but rather social spaces are constituted in accordance with social and cultural practices—both existing and aspirational.

Power

This vision of a contextual, plural and non-foundational politics sounds all very well, yet achieving it is quite another thing. If we agree with Laclau and Mouffe (1985) in *Hegemony and Socialist Strategy,* that politics is social objectivity constituted through acts of power, and therefore the expression of a particular hegemony (pattern of power relations), how are minorities with limited access to power able to co-constitute the political? Laclau and Mouffe (1985) suggest that if any power has been able to impose itself, it is because it is recognised as legitimate in some quarters, rather than being based on an aprioristic ground. One of the ways we might see a movement towards the

non-foundational politics suggested by Mouffe is understanding, as noted above, that politics requires a certain amount of consensus and allegiance to democratic values. Such an allegiance can only properly exist through many different and conflicting interpretations, a process that occurs through the confrontation of diverse conceptions of citizenship corresponding to different ethical and political principles. Each conception proposes its own interpretation of the organisation of social space and attempts to establish a different form of hegemony. If such diverse conceptions are not available or continually denied, then any consensus is necessarily at risk. Hence the availability of forms of citizenship is a key means of attaining some consensus, and without which consensus unravels.

Establishing any hegemonic legitimacy (through support from a range of quarters) in such a scenario would still appear difficult for Indigenous populations who are numeric minorities. Yet we have witnessed the significant and global success of Indigeneity as a political discourse, subjectivity and category with particular and legitimate claims to self-determination (Neizen, 2003). In the context of Aotearoa–New Zealand evoking the Treaty of Waitangi and conceptions of citizenship such as *Māori*, *indigene*, *iwi member* and *bicultural citizen*—has seen such conceptions gain discursive legitimacy in judicial, government, economic and some social quarters. Further, gaining hegemonic legitimacy is for Mouffe (2005) not achieved through rational persuasion or achieving consensus, but rather through a process of *conversion*. An adversary can accept the view of another adversary and undergo a change in political identity. Such conversions are part and parcel of attempts to establish particular hegemonies in a non-foundational approach.

Responsibility

What of ethics, responsibility and justice for others in this non-foundational and contextual formulation? What about those who have been left out of the process of contestation? Bringing the process of contestation of diverse conceptions of citizens to a close, even temporarily, for Mouffe (2005) represents a political decision, and therefore inevitable exclusions. Deprivation of a voice or visibility in the conversation of justice can also be the work of moral consensus itself. Wittgenstein's argument is that we should never refuse bearing responsibility for our decisions by invoking the commands of general rules or principles. Mouffe (2005) suggests, following

Wittgenstein, that her agonistic pluralist approach has a better chance of taking responsibility for decisions, because it does not have recourse to universal principles. Rather, it subverts the temptation to disguise forms of exclusion under totalising principles. Wittgenstein's political approach might then be seen as more of a quest for responsibility than for certainty. In entering a claim, in making an assertion that may lead to forms of exclusion, we are responsible—and that responsibility is visible in decisions; it has left a trace. By precluding the possibility of a complete re-absorption of difference into oneness and harmony, the conversation on justice remains open and establishes the basis for a politics that takes greater responsibility for others.

In evoking Derrida's deconstructive approach, Mouffe comes close to, but does not consider the relation of the ethical and the political. Critchley (1999b) argues that Derrida's notion of deconstruction in fact has an ethical *foundation* and one that he owes to Levinas. Following Critchley, I want to pursue the ethical in Derrida (1992) in order to introduce *ethical responsibility* (developed in Chapter Three) to the non-foundational political approach outlined in the sections above.

Critchley (1999b) argues that ethics as conceived by Levinas, and taken up by Derrida in his formulation of deconstruction, is seen by pragmatic non-foundationalists like Rorty (1989) and Laclau (1996)—and probably by Mouffe though she does not explicitly indicate this—as foundational and ultimately depoliticising. As we have seen in Mouffe's account—and a similar account is made by Laclau (1996)—deconstruction has been taken up in the argument against the possibility of political foundations to indicate the structural undecidability of political categories and regimes; hence the socio-political does not attain closure. Used in this way, a theory of decisions taken on undecidable terrain is made possible. And because all structures are incapable of closure, political decisions cannot ultimately be grounded on anything external to themselves such as a universality, rule or regulative ideal.

There is, however, a Levinasian ethical moment in Derrida's formulation of deconstruction. According to Critchley (1999b), Derrida (1992) argues that justice is *not* deconstructable, but is that in virtue of which deconstruction takes place. Here Derrida is evoking Levinas's early use of the term 'justice' which he later comes to term 'ethics'. In other words, justice (ethics) is the condition of deconstruction. The ethical, as we have seen, describes the infinite, asymmetric relation of responsibility to

the Other. The undecidability at the basis of deconstruction arises precisely because of the ethical experience of infinite responsibility. It is because responsibility is infinite that, in taking decisions, there is first undecidability. Any decision will limit infinite responsibility to the Other and entail a certain violence to others. To be *just* (ethical) is to recognise one's infinite responsibility before the singular Other as something over which one cannot ultimately decide, and as exceeding my cognitive powers. Derrida (1996) writes:

> I would say for Levinas and for myself, that if you give up the infinitude of responsibility, there is no responsibility. It is because we act and we live in infinitude that the responsibility with regard to the other is irreducible. If responsibility was not infinite, if every time that I have to take an ethical or political decision with regard to the other, this was not infinite, then I would not be able to engage myself in an infinite debt with regard to each singularity. I owe myself infinitely to each and every singularity. If responsibility was not infinite you could not have moral and political problems. There are only moral and political problems, and everything that follows from this, from the moment when responsibility is not limitable. (p. 86)

For Derrida, as for Levinas, if the infinite responsibility in deconstruction is given up, then responsibility for political decisions cannot be initiated. It is infinite responsibility that invests politics with its undecidability, its inability for closure, its constitutive contestability, and therefore its remaining open to moral and political problems and questions. The ethical moment of deconstruction is the experience of undecidability, in the face of infinite responsibility that must be passed through, to open the possibility for judgments and decisions to be responsible (Critchley, 1999b).

Justice (ethics) for Derrida, as the experience of the undecidable, always arises in relation to the singularity of the Other. Ethical responsibility arises in the singular context of the face-to-face encounter in the event of a concrete speech act. Here the relation with alterity evokes our prior heteronomous constitution, and that which takes place in the speech act is a relation to another, and the experience of infinite indebtedness (Critchley, 1999b). As we have seen in the final section of Chapter Two, the ethical relation is evoked in the Saying—the concrete act of speech addressed to an interlocuter who can never fully be the theme of my discourse. The Saying

accompanies the Said, which is the thematic representation of others and the world (also see Perpich, 2008). According to Critchley (1999b) for Levinas, as for Derrida, the experience of the ethical relation is that dimension of our linguistic activity that belongs to, or accompanies, all language and is therefore *universal*. In this way, deconstruction cannot be reduced solely to contextual non-foundationalism, because the context itself is motivated by an unconditional obligation.

Hence, the ethical moment is not itself a norm, but provokes us into context-specific inventions of political norms. The ethical moment of deconstruction is not foundational, yet nor is it arbitrary (Critchley, 2004). Because the ethical demand arises as a response to a singular context, for Derrida it provokes a singular political invention/decision. Politics is not therefore *founded*, in that it would limit the freedom of decision, but nor is it arbitrary—because ethical responsibility propels us into moral and political questions and demands to which we cannot be indifferent (Critchley, 2004; Perpich, 2008). The connection between ethics and politics is captured for Derrida through the idea of the *other's decision in me*. Critchley (2004) interprets the other's decision in me as "a decision that is taken, but with regard to which I am passive" (p. 179): it comes from the Other. Political decisions are taken in relation to an ethical demand for response that I cannot ignore. For Critchley, the other's decision in me is an experience of *conscience* of the other's demand to which I am responsible, and which reminds me to act in a particular situation. Here politics is an ongoing invention in the uncertain terrain between ethics and politics. Each decision is necessarily different, a new rule or norm is invented for every decision that is singular in relation to the demand of the Other, and the context in which the demand is made. In other words, while the ethical demand is universal or normative in the sense that I cannot be completely indifferent to the Other, the context of the demand is particular and finite, and it is here that judgment and decision is called for.

Section Three

Treaty Politics

The Treaty of Waitangi[17] was undoubtedly understood by the British as a mechanism to achieve British sovereignty, however reluctantly that was sought (Belich, 1996).

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[17] The Treaty of Waitangi will hereafter be referred to as *the Treaty*.

Although many Māori were open to establishing relationships, there is no evidence to suggest they sought, or intentionally agreed, to cede their authority to the British Crown through the Treaty (Orange, 2004; Walker, 2004). The Treaty, however, has led to the establishment of a nation state (legitimate or otherwise) and ongoing patterns of engagement and interaction amongst settlers and Māori communities.

I suggest Māori groups and individuals chose a relationship with the new, risking much to engage productively and creatively with the new world and in particular, with Britain. I suspect Māori expected that adding these new relational dimensions to their world would result in both their cultural alteration, but also their continued independence. However, relationships before and after the Treaty brought external and internal pressures, and rapid change, to bear on traditional Māori systems. Although Māori saw ways to manipulate and transform modernity in the service of broader cultural agendas and imperatives, they were also forced to produce non-traditional rationales for change out of political necessity (Head, 2001).

While some cultural alteration was expected, even welcome, much was also forced, reflecting the colonising ethos—the certainty of Western cultural and political superiority. This ethos is represented in recent historical scholarship centred on the first educational encounters between Māori and missionary teachers in the early 1800s and serves to illuminate indigene–settler relations that persist to this day. Jones and Jenkins (2008a) suggest that having invited the establishment of Western-styled schooling at Rangihoua in the northern Bay of Islands, Māori interactions continued to show they were open to learning *from*, and prepared to be altered in these relationships. The missionary teachers on the other hand refused to have their self and cultural identity ruptured, and seemed only interested in learning and collecting knowledge *about* Māori to the extent required to alter, break-up or assimilate Māori. Unfortunately, these early Māori–Settler relationships indicated the pattern for ongoing cultural and political interactions post the signing of the Treaty in 1840.

As a response to this pattern, the relational orientation of Māori has, in the face of ongoing marginalisation and assimilation, shifted to more oppositional politics and bounded assertions of cultural identity, often ciphered through the identity politics of difference and recognition (Barclay, 2005; Niezen, 2003). If groups like Māori do not defend their cultural distinctiveness, it is seen that they let go of, or weaken, their claims

to collective political rights (Levine, 2005). To 'prove' the right to cultural recognition in political and constitutional terms, Māori have been forced to show their cultural difference requires such recognition (May, 1999; Perrett, 1992). One of the effects of foregrounding cultural difference as the basis for rights claims is that it does not generally result in ethical respect for such difference, but *knowledge* and judgment of the cultural group. As Levine (2005) points out for the New Zealand context, the effects of such a process have been that courts and institutions have come to define and arbitrate 'correct' views of Māori culture for Māori.

Working with Levinasian thought for the political, Mielle Chandler (2006) points out that the violence of recognition is embedded in real political struggles. Oppressed peoples like Māori continue to be compelled to identify themselves, to frame their oppression according to the criteria of *statement* (sovereign self-assertion), and to seek recognition in order to enter the regime of mutual recognition. According to Chandler, it is the sovereign individual who *states* himself and is re-stated through linguistic processes of reciprocal recognition. This sovereign individual does not admit to being born of and through another. Rather, Being is *stated* being. Chandler argues that this Hegelian formulation is the dominant schema in Western political thought today, turning on a process of reciprocal recognition where the two parties recognise each other's sovereignty, and the claims to ownership that substantiate these sovereignties.

When marginalised groups like Māori move toward the centre and engage in political struggles against oppression, this fight for autonomy and rights, "in good conscience, consecrates war", and results in "ontologically saming the liberated according to these virtues" (Chandler, 2006, p. 107). I do not suggest here that struggle at the political level is always a futile reproduction of a striving for totality through recognition. My point is, and I am here addressing Indigenous and Māori politics, that it is necessary to distinguish between countering oppression through gaining political voice/visibility— including the ground and resources needed to substantiate these voices—and unravelling the system of oppression itself. It is not that autonomy has no place: as we have seen, the Other's immanence needs to be secured in the cultural and the political. Rather, unravelling the Hegelian system of recognition requires investing struggle with the responsibility of one for the other.

Yet the relationship cemented by the Treaty can also symbolise the possibility for different relational patterns, as much recent scholarship has attempted to suggest (Coates, 1998; Consedine & Consedine, 2005; E. T. Durie, 1996; M. Durie, 2005). With its two versions in two different languages, the Treaty defies a simple reading; it does not sit down flat. As Barclay (2005) points out, it troubles constitutional uniformity and "confounds singular perspectives of the law and liberal democracy" (p. 113). Martin (1998) agrees, suggesting despite British intentions "…the terms of the Treaty are in excess of Western logic–the logic of one sovereign that it has been assumed constitutionally" (p. 387). The Treaty can then be seen to interrupt and rupture the certainty of the unified nation state. It questions and challenges the rightness of cultural and constitutional homogeneity deeply ingrained in Western societies including New Zealand (see Brash, 2004). Exceeding the monocultural logic of one authority, the Treaty indicates the possibility for an openness towards different cultural logics, ethics and therefore to political spaces that escape the myth of inclusion (Martin, 1998). An understanding that sociality is never unified, transparent or knowable means multiple, dynamic and contingent local cultural practices can be imagined and democratic justice expanded.

In affirming Māori and British constitutional forms, the Treaty can teach that more than one order of sociality is possible, and constitutes an opportunity, as Avril Bell (2008) puts it, to unravel the "enlightenment dream" of a universal rationality. The affirmation of *rangatiratanga* in Article Two of the Māori language version of the Treaty concerns the continuation of Māori authority. Rangatiratanga, however, does not only indicate a kind of top-down political authority but, as we have seen, is an authority constituted by the social practice of the people. It must be assumed that continuing Māori authority includes continuing forms of life—social and political association, institutions and practices. Citizenship for Māori would likely always include membership in communities (whānau, hapū, and other communities and groupings) and involve ways of living and interacting constituted as/through Māori custom and law (Jackson, 1992; Roughan, 2005).

Because Māori law was local, contextual, responsive and flexible, it has been resistant to uniformity and the centralisation of a singular authority or rationality. Had the relationship established by the Treaty developed differently, the possibility existed from the start for localised responses, agreements, protocols and structures to be established

that provided for the negotiation and accommodation of differences and similarities in social practice between Māori and settlers. I suggest such an approach remains possible, and is advocated by the political orientation drawn above.

A contextual and non-foundational approach to political decisions and practices provides in local contexts the possibility for different forms of life to contest and negotiate the sharing of social space, and is disincarnating of political totality. Practised locally where communities and groups can be more engaged in their own governance further opens the possibility for relations of responsibility for others. Because responsibility is less de-personalised, or thought of as alienated to a super-ordinate authority or rationality, there are more opportunities to be reminded of our ethical responsibility, and to respond to others in situations of injustice.

Critchley's (2007) idea about conceiving politics as operating at an interstitial distance from the state within the state is instructive for local and contextual political practice, for "working independently of the state, working in a situation" (p. 113). Such political spaces are internal distances from the state, opened from the inside, and lend support to a dissenting and disincarnating politics. In these interstitial spaces people do government in Laclau's (1990) terms as *hegemony*, which is understood as the cultivation of forms of common sense among allied groups. Forms of common sense become politically instituted, and it is through such processes that people and groups can govern certain local social spaces. This idea of the cultivation of common sense among political aggregations of those who dissent, links to Mouffe's (2005) idea of attaining a contingent conflictual consensus, but operating in multiple social spaces at a distance from the state.

It perhaps goes without saying that even as the Treaty disrupts liberal political uniformity, any salience it might achieve will never be a fully inclusive and rational consensus. Were it to attain some naturalised, unquestionable status, were it to become a founding rationality in the way Western political traditions would have it, there is no guarantee that as such it would deliver the ongoing legitimacy of Māori forms of life, and bicultural and intercultural relationships desired. Further, as Dussel (2006) reminds, like any discourse, the Treaty holds the possibility of self-referential totalisation, and hence there remains a need for ethical critique, for attentiveness to corruption, to the entropy of any hegemonic stabilisation. If we understand

constitutions as processual, rather than foundational, we can envisage the Treaty as continuing to speak, as an ongoing contesting language game, the constitution of which offers the possibility for forms of democratic justice.

Rather than a commitment solely to codifying the Treaty (even as codification represents necessary points of stabilisation), I argue that a commitment to the relationships that the Treaty establishes with all their tensions, struggles and indeterminacy, is required (Jones, 2007). Committing to such relationships is not the commitment of a cosy togetherness, the comfort of a knowing relationship with the cultural "Other" that reaches an ideal. It is a commitment to *remain engaged* even as that engagement involves ongoing antagonism. It is only through engagement that relationships can shift from those between enemies to those between adversaries in Mouffe's (2005) terms. Here contestation is not eradicated. Instead the mana of the Other, and their right to struggle over the organisation of social space, is respected. Such a shift requires some commitment to the Other without expectation of ever fully knowing the Other. It requires an acknowledgment that no consensus can ever fully contain/include social difference, and that the other as both Other and cultural "Other" always exceeds my cognitive capacity, is always exterior. The commitment then is not to some shared ideal of citizenship. It is a commitment to a learning relationship where others can express their cultural works and their forms of life not as acts of will and self-assertion but to and for the other. As Sharon Todd (2003) suggests a learning/teaching relationship opens us to communicative ambiguity, to being altered— to rupturing self, cultural and constitutional certainty. And such an orientation is part of the undoing of the conditions of totality and war (Horowitz, 2006).

Jones (1999, 2001) and Bell (2008) insist that interrupting settler dominance is particularly important for relational possibilities beyond domination. These writers argue for a self-aware settler stance of *ignorance,* not as prejudice and bigotry, but as productively working with the idea that there is no being clear, no point of arrival. Jones with Jenkins (2008b) also argue that learning from the Other in cross-cultural engagement is actually learning about difference in a way that resists closure over and against the Other. Self-conscious ignorance, rather than comprehension of the Other, can come to be seen as an act of responsibility for others, rather than powerlessness and irresponsibility.

Māori Responsibility

If Māori struggles are to offer ethical possibilities for sociality, rather than simply strive for recognition and equality, such struggles must go beyond the economy of recognition. If Māori struggles are to aspire to more than the social and economic equality of liberalism, or even the post imperial intercultural politics advocated by Tully for example, they must, I argue, remember ethical responsibility: the ethical qualities and acts of responsibility and care for others embodied in Māori sociality.

Māori initiated a dangerous and risky relationship with the cultural Other, risking cultural alteration for such a relationship. I argue that it is ethically and politically important to maintain such an openness, even as such an orientation has at times been devastating. The Māori cultural orientation to relationality, to taking risks and being prepared to be altered, is a powerful ethical dimension that Māori have brought to politics as the work of justice. Even as this orientation has been met with violence, and even as Māori have responded by reifying themselves and closing against the coloniser, remembering this orientation to relationality continues to speak to the possibility of ethical social relations.

Eisenstadt (2006) reminds that the only prescription Levinas leaves us, is to un-forget the description of the ethical as we function in the real of totality. Un-forgetting the ethical means remembering those old elements in our cultures that reflect ethical encounters. Re-committing to and developing Māori modes of subjectivity marked by responsibility is critical to a politics that can glimpse beyond the rhetoric of sovereignty, rights, and claims to ownership, to an antecedent heteronomy that precedes the politics of 'my people' in the struggle for recognition.

For example, in response to Chandler's (2006) earlier characterisation of "statement" as an economy of recognition based on assertions of sovereignty, Māori can draw, not from a discourse of sovereignty but from acknowledgement of mana, which is an ethical description of relationality that escapes the logic of statement. As Eddie Durie (2000) points out, respecting the mana of others is practiced everyday, and is also the "foundation for peace and good relationships between distinctive groups" (p. 94). Rather than a denial of being born of, and through, another in Chandler's (2006) terms, mana directly references antecedent relationships and the responsibilities that flow from those, which centrally include acknowledging the mana of others.

The presence of respect for the mana of others, and of aroha as unconditional kindness and generosity is a well-known feature of Māori social practice. As Eddie Durie (2000) notes, the failure of Pākehā to acknowledge mana, has led some Māori today to fail to recognise the mana, or extend aroha to Pākehā and non-Māori others. Many of my own generation (myself included) have felt that the expression of aroha in the face of domination is somewhat misguided and naïve. Yet I have come to agree with Eddie Durie (2000), that even as mana Māori has not been respected "it does not follow that the answer is to try to swing the pendulum the other way" (p. 95). Recognition of mana and the extension of aroha, for Māori, is tika—it is right and ethical behaviour—and does not depend on being returned or acknowledged. Aroha, as a deep appreciation and respect for the unique and different view of others, is as Durie (2000) points out, difficult to enact and yet Māori see aroha as a prerequisite, as preceding the possibility for any political or other alliance.

Māori status as tangata whenua[18] can remind us in multiple ways of responsibility for others. Being tangata whenua has involved the welcome and hospitality to manuhiri—cultural others in Aotearoa–Zealand (Martin, 2000). The tikanga (ethical practices) associated with being tangata whenua requires responsibility and care for others irrespective of social status. As Cleve Barlow (1991) recalls reflecting on his childhood, the injunction to offer hospitality to others, whoever they might be, and irrespective of means, was fundamental to Māori communities. I argue that in Māori terms, such responsibilities do not disappear because of our colonised status and limited access to power. Being marginalised and engaged in struggle does not cancel out responsibility for others in Māori or in Levinasian terms. Seeking autonomy as a pre-condition for the exercise of ethical responsibility forgets that the ethical demand precedes autonomy, and is not therefore conditional on independence.

Conclusion

In this chapter I have argued for a non-foundational and contextual approach to politics that understands that social difference is not containable, and hence political decisions are always taken on uncertain ground and involve relations of inclusion and exclusion. I see in such an orientation to politics resonances with Indigenous approaches to social

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[18] *Tangata whenua* literally means "people of the land". It is a term used to denote the local tribal group of an area, but can also refer more generally to all Māori as Indigenous to Aotearoa–New Zealand.

and political constitution, and possibilities for breaking with the authoritative constitutional traditions grounded as they are on the assumption that a political totality is possible and desirable. I have argued that ethical responsibility is the condition of the undecidability of political decisions and deconstructive movement at work in any stabilisation. Without the infinite responsibility evoked in the face-to-face relation, we would not be faced in the political with moral problems and questions, which keep the political open to contestation and uncertainty. The experience of undecidability, in the face of infinite responsibility is the ethical moment of deconstruction that must be passed through, to open the possibility for judgments and decisions to be responsible (Critchley, 1999b).

Both the ethical and the political approach developed here are compelling for the work of justice (ethical politics) in the context of Treaty relations in Aotearoa–New Zealand. The Treaty can be regarded as rupturing the monological political space of liberalism and as suggesting at least two forms of life as socially and politically constitutive. Further, the Treaty is instructive for a reconsideration of intercultural relations based not on knowledge of the Other but as a *learning relation* that teaches not about the Other but about difference itself. I have argued that Levinas's description of the ethical, which is discernible in cultural forms of social ethicality, is critical for Māori political struggles that go beyond assertions of sovereignty. Responsibility for others is primary, even as we are marginalised and oppressed. Being reminded of responsibility, opens Māori struggles to potent forms of cultural ethicality for others that represents a movement against totality.

In the following methodology chapter I introduce the case study of Newton Central School that has been the inspiration for this thesis. My long-term involvement with the development of Māori education and the governance structure at Newton Central School has driven the direction of this thesis, and the philosophical path it has trodden thus far. The theoretical discussion about ethics and politics elaborated in the preceding chapters has had the experience of this singular context in mind throughout.

Chapter Five

Methodological Influences and Research Practice

Introduction

The previous three theoretical chapters have been researched and written with the empirical study, which informs this part of the thesis, firmly in view. The study came first, well before the thought of a doctoral thesis based on it. The study represents a site and set of activities with which I have been intimately involved over the past 13 years. In deciding to undertake doctoral work focused on this personal involvement, I went in search of theoretical and methodological resources that strongly connected with and illuminated my own experiences and reflections, and those of the research participants. The theoretical journey, however, did not simply map onto those reflections, but also served to shift and enrich the interpretive focus of the study.

My task in this chapter is to outline the methodological orientations and interconnections that have come to frame the study, and also the research strategy and data collection methods employed. The theoretical themes developed in the preceding chapters are connected to a number of research methodologies and I make those connections explicit in this chapter. I also introduce the *case study* as the chosen strategy of inquiry, outline key themes and indicate how I will approach the presentation and analysis of the case study.

Background to Case Study

The case study presented in the following two chapters examines a unique Treaty-based governance relationship operating in a central Auckland, mainstream primary school in the North Island of Aotearoa–New Zealand. The school Board of Trustees and a representative Māori community group, Te Whao Urutaki, together govern Newton Central School. The governance structure is based on an agreed interpretation that the Treaty of Waitangi affirmed ongoing Māori authority. In the context of the school, this means authority over Māori education and a shared responsibility for governance of the

whole school. Newton Central's governance relationship is unique in that it exceeds any Treaty-based governance arrangements in a New Zealand school.

The study pays particular attention to the relational qualities that underpin the governance arrangements and relations between the school and the Māori community at all levels of the school. The active participation, initiative, and leadership shown by the Māori school community in all aspects of Māori education at the school, is a central theme of the study. Highlighted also are the commitment and leadership demonstrated by the school principal and other key school members.

Māori children are progressing well at Newton Central School, and educational excellence and achievement are vitally important to the school. However, the case study's emphasis is not on achievement per se. Rather, the governance developments at the school are regarded as both valuable for broader social justice and cultural revitalisation aspirations, *and* as representing many of the conditions ideal for Māori student achievement.

I came to Newton Central School in 1997 when my eldest daughter was seven years old to join the newly established Māori immersion class, Te Uru Karaka. From that time I have been an active member of the school community involved in both whānau, school activities and governance in the school. Hence I have been in the thick of the activities that form the focus of the case study. I am currently (2010) Co-chair of the governance structure. My involvement at the school is situated in the context of an active commitment (alongside many others) to language and cultural revitalisation for the past 20 years in Kōhanga Reo (Māori medium pre-schools), community-based education and compulsory schooling. My involvement has also been guided by Treaty politics and Māori struggles for self-determination generally. The case study, therefore, represents a significant and concrete site of praxis both informed by, and informing, Māori cultural and political aspirations.

An extended period of successful practice at Newton Central School highlighted to many involved in the case study, the value of producing a thorough account of the developments undertaken at the school. After completing a Masters degree in 2001 and beginning academic positions, I turned my attention to considering a direction for doctoral study. It did not me take long to realise that Newton Central represented a

significant, creative and unique set of developments, and was a story that needed to be told, both as an account for the school and for broader audiences.

The idea of focusing my doctoral study in a community setting in which I was deeply embedded, and where there was already an identified desire to produce such an account, was particularly appealing. As Linda Smith (1999) points out, schools are over-researched sites, and research funding is increasingly restructured around government priorities and policies. Even for Māori researchers working with Kaupapa Māori[19] approaches these limitations exist, and there may be little connection between the researched and the research/researcher (L. T. Smith, 1999).

My close connection to the school community represented an ideal research scenario particularly from an Indigenous research orientation, where relationships are critical, where research ideally emerges from the context, needs and aspirations of the community, and where "relational accountability" (Wilson, 2008, p. 97) to communities exists.

My personal location and an existing mandate meant I would not be 'taking' from the case study solely for my own research interests and purposes. The research would also not place significant additional demands upon, or require a shift in focus for those people contributing to it. Many of the participants "live and breathe" it. Thus an opportunity to reflect on more than a decade's work and to contribute to producing an account of that work, was more welcome than burdensome. The project was accommodated with relative ease, and seemed to weave into and represent one part of our ongoing collective work at the school. Fortunately, the observations, data gathering and continuous reflection required of a case study had already been occurring for over 12 years, so my main research activity concentrated on a series of focus group and individual interviews.

The case study was not expected to deliver any particular transformative outcomes for the school community. Indeed, they are achieving those on their own. Nor does the case foreground a particular problem, even though ongoing questions and problems are raised in the course of telling the story of the case. The study is rather regarded as a

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[19] See pp. 90 – 93 in this chapter for further discussion on *Kaupapa Māori* theory and research approaches. In broad terms Kaupapa Māori refers to Māori principles, values and knowledge. See http://www.kaupapaMāori.com/theory/6/ for further definitions.

valuable and reflective record contributing to both the aspirations of the participants, and to the day-to-day practice of those aspirations. The people of Newton Central have certainly continued their journey across the time of my writing this thesis, and I have continued to participate in that journey.

Case study–Thesis Interconnection

The preceding theoretical chapters represent a conceptual and analytical framework for the case study. The ideas in Chapters Two, Three and Four offer an understanding of the ethics and politics of the intersubjective, cross-cultural and political relations at the heart of this case study. The theory chapters can be, and I hope will be, read as intimately linked to the case study, and indeed as an analysis of the case. Consequently I do not explicitly apply the theory in the case study chapters. Instead analytical threads are drawn together in Chapter Eight, the concluding chapter to the whole thesis. I regard the work in the previous chapters as representing my own theoretical and philosophical journey, and that as such it should stand in a somewhat discrete relation to the case study account itself. Standing alone, the case study remains an important record and point of learning and reflection for the people whose case it is, and for those people whose case it will become. There are endless other readings that can be made of the case study, and the path I have taken is only one possible interpretation. By presenting the case study in a relatively straightforward way I hope it will *travel*—that is, be accessible, of interest and use to a broad number of readers from school leaders, to Māori school communities, to teachers, to teacher educators, policy makers and those involved in governance and Treaty work.

The theoretical work does, however, influence the structure, organisation and thematic emphasis of the case study. The case study chapters turn broadly on the interconnection of ethical/relational and political themes as do the preceding chapters. The influence of theory is evident in my foregrounding of the relational qualities I observe at work in the case. I had initially thought the case study would mostly highlight and reflect upon the unique governance structure as a model for Treaty governance and sharing authority. Although I acknowledged the largely positive relationships at work at the school, I had not thought the intersubjective relations would come to represent for me one of the most significant insights of the thesis.

Methodological Orientations

A case study is not produced in a paradigmatic or methodological vacuum. Here I identify, in no particular order, three methodological guides or frames underpinning this study. These frames are discernible in the preceding chapters, although I highlight them here for providing methodological context for the case study account. In very broad terms, I cast this thesis within a qualitative and post-positivist paradigm (Lather, 1992). Within such a broad approach the study is influenced by critical and postmodern/poststructural methodologies (Lather, 1991, 2007); Indigenous and Māori theorisation including Kaupapa Māori methodologies and Mātauranga Māori[20] (Bishop, 2005; Royal, 2004, 2008; G. H. Smith, 1997; L. T. Smith, 1999); and, finally, a methodological evoking of Levinasian ethics (Levinas, 1969, 1998a, 1998b).

The case study exhibits a clear agenda for social justice that rests on a number of concepts underpinning the critical paradigm, such as power relations and transformation. Here I follow Lather (1991) in seeking a methodology that retains the critical and political, but is also wary of the Enlightenment legacy evident in Critical theory. Connected to Critical theory, though not named directly in the preceding chapters, Indigenous and Kaupapa Māori theorisation has shaped my own political thinking and practice, and that of many of those in the case. The presence of Indigenous theory as a growing body of scholarship has enabled my legitimate evoking of Indigenous and Māori philosophy as instructive for challenging dominant Western philosophical and research traditions, and for affirming Indigenous forms of thought and practice as offering much to ethical and political relations.

In turn I have connected Indigenous and Māori philosophies to Levinasian ethics (Levinas, 1969, 1998b) in framing the case study in order to pay particular attention to relational qualities. Whilst the research participants are unfamiliar with Levinas's work, their practice is characterised by respectful relations and a concern to uphold difference. Furthermore, Levinas's work has encouraged an awareness that we cannot subsume ethical responsibility under institutional rules, even though structures and institutions (including the Treaty) may preserve more just relations (Todd, 2003).

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[20] See pp. 90 - 93 this chapter for a short discussion on *Mātauranga Māori*.

Methodological Interconnections

Indigenous–Critical

Denzin and Lincoln (2008) have unsurprisingly connected Critical and Indigenous methodologies and understand this connection as comprising "indigenous epistemologies, as well as theories of decolonisation, and the post-colonial, with emancipatory discourses, with critical theory and with critical pedagogy" (p. ix). These connections have certainly been made in the context of Aotearoa–New Zealand where the development of Kaupapa Māori theory and research approaches over the past 20 years directly links Critical theory (in particular the Frankfurt school) with Indigenous/Māori theorisation and struggle (Pihama, 2001; G. H. Smith, 1997; L. T. Smith, 1999). Kaupapa Māori incorporates "decolonizing methodologies" (Smith, 1999; also see Lee, 2008) where research is taken up as an important strategy for intervening in and transforming postcolonial relations. Kaupapa Māori methodologies also advance the use of Māori epistemological and ontological frameworks for a range of research projects undertaken for, by and with Indigenous and Māori peoples (Lee, 2008).

Although diverse, Critical methodologies generally share an emancipatory agenda. They are concerned with the critique of inequality and the hegemonic formations and ideologies that constitute injustices (Denzin & Lincoln, 2008; Lather, 1991; Sarantakos, 2005). The imperatives of Critical research paradigms centre, therefore, on the production of research that reveals power relations and their effects. Connected to the illumination of patterns of power is also an explicit transformative purpose for inquiry. Research can support, if not result in social justice and political transformation.

The transformative agenda of the Critical emancipatory paradigm has been compelling not just for Indigenous scholars and researchers but has been central to much grassroots Indigenous analysis and practice. Many of those involved in the case study (myself included) have theorised their educational activities from a Critical paradigm that includes Kaupapa Māori theory, the work of Paulo Friere (1972, 1988), and many of the underpinning tenets of Critical theory (Gibson, 1986). These related paradigms have made their way into the popular discourse of much Indigenous and Māori struggle. Hence the case study itself can tell a story of Māori struggles for self-determination in

schooling and the (at least partial) achievement of a set of transformative goals (G. H. Smith, 1999).

I am wary of some of the underpinnings of the Critical emancipatory project in its theorising of power and transformation, and its influence on Indigenous theorisation. There is a discernible Enlightenment legacy in Critical theory's striving for a utopian endpoint to struggle, its belief in a unity achieved through rational dialogue, and its binary (dominant/subordinate) and structuralist analyses of power (Lather, 1991). Further, the stress on human agency in the Critical paradigm often rests on humanist ideas about the self-actualising and knowing subject, a subject of which I have been critical for its will to mastery.

I prefer an analysis that remains critical and political, but takes up insights from both Indigenous/Māori and postmodern/poststructuralist approaches. Such approaches acknowledge the both/and world of ambiguity and complexity; and emphasise open-endedness and uncertainty as a feature of struggle (Lather, 1991, 2007). In this view, unity represents forms of assimilation with contestation regarded as positive rather than negative for the possibility of justice. Further, human subjectivity is understood as contingent and constituted relationally rather than sovereign and self-positing, providing the possibilities and the limits of human agency (Lather, 2007).

The explicit transformative agenda of the Critical paradigm is part of its attraction for Indigenous theorisation. Although I support such an agenda, I have argued that, in contradistinction to Critical theory, Indigenous and Māori orientations offer a more dynamic analysis of social relations, an appreciation for social difference and plurality, and a view of the subject as constituted relationally. My concern for Indigenous theorisation is that such insights are not overlooked in taking up the Critical paradigm (Hoskins, 2001).

Frustrated with the explanations provided by Critical theory for her doctoral study, Kaupapa Māori theorist Kuni Jenkins (2000) developed the Māori relational concept of "Aitanga". Aitanga refers to notions of productive and committed relationships that have informed and shaped Māori engagements with Pākehā. Jenkins found that her reliance on Critical theory assumptions became restrictive in helping her explain the links Māori made with non-Māori in early Māori–Missionary educational relationships.

Binary notions of 'dominant' and 'subordinate' proved insufficient explanations for a much more complex set of relationships, interpretations and motivations. Although drawing on an Indigenous rather than a postmodern paradigm, Jenkins's work shows up some of the limitations of the Critical paradigm. Her argument points to the usefulness of other theoretical resources that, should they retain a critical and political agenda, might also connect with Indigenous and Kaupapa Māori methodologies.

The Newton Central School case study might be read as achieving the emancipatory promise of Critical theory in a particular context, but it might also be read as illustrative of the non-foundational approach to political praxis developed in this thesis. Even as most participants in the case study (myself included) regard the governance and school relationships as both successful and positive, this need not only be interpreted as a happy unity where Māori are positively included in schooling and governance. Instead, the governance relationship might also be understood as illustrating possibilities for a different kind of political relationality. This political relationality is not a cosy togetherness built through rational dialogue, but rather in Mouffe's (2005) terms a "conflictual consensus", or, in Barclay's (2005) terms a dynamic form of "relational justice" where difference, contestation and ambiguity are regarded positively as constituting features of the relationship and as the condition for any justice.

Although Kaupapa Māori theorisation has thus far lent on Critical theory to furnish its political and critical theorisation, Kaupapa Māori and Mātauranga Māori are also critically concerned with the reformulation of Māori knowledges, philosophies, and approaches to research (Bishop, 1994; G. H. Smith, 1997; L. T. Smith, 1999). The work of Kaupapa Māori and Mātauranga Māori has asserted that Indigenous and Māori philosophies and orientations represent a different world conception through which research can be conceptualized, conducted and analysed and 'solutions' generated (Bishop 1994; Royal, 2002; L. T. Smith, 1999).

Māori scholar Te Ahukaramu Charles Royal (2004) foregrounds this re/generative dimension, arguing that Indigenous philosophy and knowledge can provide for the fashioning of "a life-centered philosophy beyond the ideological contests concerning indigeneity…within the milieu of decolonisation" (p. 1). For Royal (2004), formal Indigenous cultures are those that are conscious in their relationships with natural world environments, and of the articulation of natural world in the sociality and creativity of

the people. Royal (2005) uses the term *Mātauranga Māori* (rather than Kaupapa Māori) understanding this body of knowledge as transformed through encounters with the outside world, but as existing sufficiently to catalyse new interest, and as retaining significant philosophic and creative potential.

A central thrust of this thesis has been to acknowledge the richness of Indigenous and Māori philosophy and its potential to inform political and ethical relationships. I am also interested to look beyond critique to imagine and expand possibilities for democratic justice, and to support Māori aspirations and projects that creatively evoke and apply Indigenous ways of thinking and forms of life.

The productive dimension of Kaupapa Māori and Mātauranga Māori is already evident in the context of education and schooling. Kaupapa Māori developed as an educational discourse distinguishing Māori educational approaches and preferences from the mainstream as part of a broader critique of the outcomes of Māori cultural assimilation and underachievement (G. H. Smith, 1997). Kura Kaupapa Māori (Māori primary schools) were developed by Māori communities initially outside of the State schooling system. Kaupapa Māori has grown from and retained a strong community praxis. Within the broader context of cultural revitalisation and political activism, communities are utilising Māori values and knowledge in fashioning creative and Indigenous responses to a range of problems, and in a range of contexts. Alongside such activities, the growth of Kaupapa Māori scholarship has contributed to the legitimacy of Kaupapa Māori approaches in a range of state domains such as housing and justice (G. H. Smith, 1997).

When I was a student during the 1990s, and a member of the Māori academic group, Te Aratiatia, of the School of Education at the University of Auckland, I witnessed Kaupapa Māori burgeoning as an approach to theorisation and inquiry led by Linda and Graham Smith, Leonie Pihama, Kuni Jenkins, Margie Hohepa, Trish Johnston and others. Kaupapa Māori became a central thread in my theoretical orientation and fed directly into my political and cultural practice and analyses, and that of many others. Kaupapa Māori was a key discourse for our grassroots community activities, and supported our creative engagement with tikanga Māori, with curriculum development, classroom practice and management, and with a range of other activities and initiatives. Our work at Newton Central School, and the subsequent case study, can be seen as the

creative and confident application of this theory work in response to a range of critical questions and problems in ways hoped for by Mātauranga Māori and Kaupapa Māori.

Indigenous–Levinasian

Levinas's injunction against totality addresses what he sees as the Western imperative to mastery through knowledge. It could quite easily be argued that the dominant Western research tradition is firmly located in this will to mastery over the social and environmental world. As discussed in Chapter Two, Levinas stresses instead the uncontainability and unknowability of others and by extension the uncertainty of all our attempts to stabilise and to finally *know*. Indeed Levinas's point is that ethicality arises precisely at the limits of comprehension. Thus a significant caution and limitation for research processes and expectations is indicated; and one that provokes an orientation to inquiry that accepts not only the limits of knowing; but sees a particular ethical significance in not knowing (Christians, 2005).

In his 2008 book *Research Is Ceremony*, Opaskwayak Cree researcher Shawn Wilson asserts that relationality is at the centre of Indigenous ontologies to the extent that Indigenous peoples see themselves *as* relationships, and one cannot ever possibly know all the relationships that others are. Our ideas, Wilson argues, are created through relationships with others, and because I can never know another (and their relational web), my judgements and analysis are necessarily limited. These ideas highlight the importance both of established and ongoing relationships that are central to the context of this research *and* acknowledge the limits of knowing and of representation.

There are two approaches to inquiry indicated here: the limits of knowing and therefore representation; and also, in representing others, a deep regard and awareness of the relationships they are—their relational context.

In exploring the limits of knowing a little further, Alison Jones (1999) discusses the ethical significance of not knowing as a "productive ignorance of the other " (p. 315). Such ignorance is acceptance of the limits of cognition, and following Sharon Todd (2003) encouraging of a relation of learning *from*, rather than *about* the other. Rather than an attempt to *grasp* the other's meaning, Jones with Jenkins (2008b) suggest a research relation for cross-cultural collaboration and inquiry that becomes accustomed to "working the hyphen", the spaces between marked by difference, interchange,
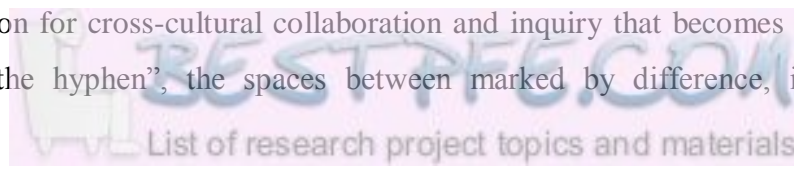
relations of power and unknowability (p. 473). Jones with Jenkins (2008b) advocate research relations based on the productive tension of difference, and learning from that difference, rather than seeking its erasure.

In considering the representation of others through research, we are reminded, following Levinas, that although others refuse representation, representation is also *demanded*. Others are done ethical and political injustices without representation. Māori law expert Eddie Durie (2000) points out the importance of deepening one's appreciation for the particular position of others. This appreciation is not the grasping movement of comprehension, but rather a respectful acknowledgement of others' difference and the *responsibility* for the careful and respectful explanation of what it is to live a particular life. The role of those who represent others is therefore to protect the alterity of the Other, while also assisting others to achieve visibility, and access to justice and decision-making. Research as representation for social justice is representation with a conscience of the irreducible difference of others, hence representation marked by its own failures (Perpich, 2008).

Linda Smith has developed a number of principles or ethical reminders for Kaupapa Māori research that offers an approach to research that acknowledges relationships, appreciates and takes responsibility for the representation of others, and is alert to the limits of representation. Although warning against the reduction of ethical principles to a set of fixed criteria, Linda Smith (1999) suggests these principles represent the qualities of a "good" person and "good" conduct in Māori terms:

- *Aroha ki te tangata*: respect, care and compassion for others
- *Kanohi kitea*: the seen face, the importance of face-to-face relationships
- *Titiro, whakarongo…kōrero*: listening and observing, without necessarily speaking
- *Manaaki ki te tangata*: welcome and generosity to others, acknowledging/uplifting the mana (authority) of others.
- *Kia tūpato*: cautiousness towards and conscience for others
- *Kaua e takahi te mana o te tangata*: do not trample the mana of others
- *Kaua e māhaki*: do not flaunt or presume knowledge. (p. 120)

I see these principles as ethically and philosophically demanding, which I suggest they must be, if the ethical is not to be reduced to a checklist of research practices. These reminders suggest an orientation to research relationships with others where the political responsibility of representing others is required, and at the same time, the ethical responsibility of protecting others' difference is demanded.

Together the methodological orientations outlined above have guided my approach to the thesis and to the organisation and emphasis of the case study. Many of the methodological principles discussed are shared by case study participants and have shaped their own practice and analysis of the case. The other ideas discussed in this chapter represent the methodological and theoretical contributions I have brought to the case study and my hope is that the case participants, and broader audiences, might take something from these contributions.

The Case Study: A Strategy of Inquiry

Kaupapa Māori does not attempt to distinguish a set of specific methods and strategies that define Kaupapa Māori research. Whilst qualitative approaches have dominated research design thus far (Barnes, 2000), what is regarded as more important is that Indigenous purposes direct the research, and Indigenous cultural and ethical orientations and practices are prioritised. Within such parameters, a mix of existing research methods can combine with Indigenous practices in ways that are responsive to the research context and aspirations. Multiple methodologies therefore arise from a range of research projects and contexts (Lee, 2008). For my particular project, the case study emerged as the most useful framework for my research inquiry.

The case study most closely aligns with the purpose of the research, which is to produce an account of the governance and community relations at Newton Central School. As Robert Stake (2005) points out, case study "is not a methodological choice, but a choice of what is to be studied" (p. 433). In other words, case study does not define a method of inquiry/analysis but suggests an interest in an individual case, and is, therefore, a choice taken in relation to what is to be studied, rather than any methodological or theoretical orientation.

What differentiates the case study then from other qualitative strategies is an interest in an individual case and its context. The case must be recognisably unique with relatively clear parameters (Merriam, 1998). What is to be explored in this case study meets this definition in that the study concerns a specific and unique set of relationships and activities emphasising a number of central features of the "functioning body" that is Newton Central School (Stake, 2000, p. 444).

The case study research strategy values small scale, in-depth studies of particular people, relationships and activities in natural settings, and recognises complexity and context (Punch, 2005; Stake, 2005). These features align well with Indigenous preferences. Attempting to represent people and phenomena on their own terms and within their contexts, webs of relationships, and ways of knowing, acknowledges Indigenous and Māori preferences for plurality and particularity over generalisability and uniformity (E. T. Durie, 2000; Wilson, 2008).

Interest in a case for a better understanding of the case itself, is termed by Stake (2005) an "intrinsic" study. An intrinsic case study is "first and last" (Stake, 2005, p. 444) interested in the particular case, not because it illustrates other cases or particular features and problems. Here the stories of those living the case are drawn out for themselves rather than as a means to illuminate abstract or generic phenomenon. An "instrumental" case study, on the other hand, is concerned with just this. A case is examined mainly to provide insight into a particular problem or question. The case plays a supporting role in building theory and generalisation.

As Stake (2005) points out, there is no clear demarcation distinguishing the intrinsic and instrumental approaches, just "a zone of combined purpose" (p. 445). I regard the case study of Newton Central School as primarily intrinsic, but also see its value for illuminating certain theoretical and general themes. In this thesis I have developed political and intersubjective theory *from* the case, which is not the same as presenting the case in support of a prior theoretical direction.

The intrinsic case study is deeply concerned to value the particular. To this end I have have resisted the temptation to overly analyse the case. Instead, as Wilson (2008) suggests, I see my role in presenting the case study as one of sharing information and description, and pointing to connecting ideas via the organisation of the case. This

leaves space for other people's interpretation of the case through their own relationships and contexts of meaning.

Resisting making conclusions or presenting answers also connects to traditional Māori pedagogical practices. Pieces of information without answers were/are offered to learners, the significance of which can take many years to emerge and only then emerge in the relational knowledge contexts of the learner (Metge, 1984). Stake (2005) agrees, that learning from a case is better achieved not didactically through the researcher telling the reader what they have learned, but learning through discovery, where the researcher provides descriptions and accounts from which readers may learn themselves, and in relation to their own contexts.

However, the instrumental approach also has merits in that external or more abstract interests can be highlighted through an internal inquiry of a particular case (Stake, 2005). Case studies can be valuable for refining theory, illuminating social relations and increasing understanding in areas where knowledge is "shallow, fragmentary or incomplete" (Punch, 2005, p. 147). My long-standing engagement with the politics of intercultural and political relationships, the Treaty, and Māori cultural revitalisation and self-determination can be viewed as external or generic concerns that the case study serves in some respects to substantiate. I *do* think the case study offers much of interest to such concerns and aspirations, and to the building of theory. Yet, such broad aspirations are not merely external and abstract to the case. They are also held by and inform the practice of many of those people involved in the case itself, and are integral to ongoing cycles of praxis.

Ultimately, the intentions of the case study are threefold and interconnected. The case participants are first of all interested in the production of an account of the school's activities regarding the governance partnership and related themes. Secondly, they see significant value in sharing their journey with other schools, communities, educators, policy makers and those involved in Treaty and governance work, and so on. Thirdly there is a theory building intention here, which is shared by the case participants and myself, but which I have had the privilege of pursuing.

Collecting the Data

As noted earlier in this chapter, my long-term involvement in the case means I have accumulated years of observational and experiential knowledge, and have documented information relating to the case study. This experience includes first-hand participation in whānau development and practice, cultural and curriculum initiatives and the establishment of the co-governance relationship. My positioning affords me some insight about what issues, relationships, contexts and interpretations are important to the case "in its own world" (Stake, 2005, p. 455). Stake (2005) argues that where a researcher can "embrace" the case in a personal way "… that researcher can come to understand the case in the most expected and respected ways" (p. 455).

Although in general terms I support Stake's view, I do not think he had in mind the level of commitment and participation my embrace of the case represents. It has therefore been important to me not to rely too heavily on my own experiential knowledge, interpretations and *assumptions,* but to canvass those of a range of groups and individuals important to the case, and to ensure they are central to telling the story of the case. Focus group and individual interviews, therefore, comprise the bulk of the case study data alongside a range of other documented materials. The interviews provided an essential means of checking and challenging my own knowledge and interpretations in order ensure to my reporting "stay[ed] within some limits of correspondence" (Stake, 2005, p. 453).

Interviews

Interviews were conducted over approximately a six week period during August and September, 2008. Interview times were set up through the school principal Hoana Pearson for staff, and through personal contact in the case of the Board of Trustees, Te Whao Urutaki and individual interviews. Interviews followed a semi-structured and open-ended style in both the focus group and individual interviews evoking a relatively informal and conversational interview process. Focus group interviews provided the opportunity for distinct groups, (for example, Board members) to engage and respond to one another's contributions in a way that deepened their reflections. Individual interviews were conducted with case participants who hold pivotal positions in relation to the inquiry themes, such as the Principal and the co-chair of the Board of Trustees. All those interviewed were briefed personally about the purpose and parameters of the

study, and verbal consent was sought at that time. Participants received the interview schedule, participant information sheets and consent forms ahead of the interviews taking place (refer appendices A, B and C respectively). Interviews lasted on average one and a half hours, however, a number took up to two hours. Interview transcripts were sent electronically to participants, and an extended period of time was made available for them to make amendments.

It was important to me that the case study and participants were not anonymous, but that their important and courageous work and reflections on this work were attributed to them. The work undertaken at Newton Central School is regarded by its members (staff and community) with a certain measure of pride. They are regularly asked to talk publicly to agencies and communities about the governance relationship and Māori participation, and so there already exists a certain level of visibility. These factors coupled with my trusted insider status meant all participants readily agreed to their being named in the research.

I have also been in the fortunate position to have access to interview transcripts related to a research project undertaken by the school principal Hoana Pearson in 2007. Hoana conducted a series of focus group and individual interviews about the governance partnership and related themes as part of a research grant[21] she was awarded. Hoana conducted interviews with members of the then current Board together with earlier Board members. Interviews were also conducted with past and then current Te Whao Urutaki members, myself included, and other staff members. These interviews were all conducted in accordance with standard research practice including information and consent processes. Hoana very kindly and readily agreed to my utilising the data that represented discussion with people, who have long-standing experiential knowledge of the governance and Māori education developments in the school. Accessing these transcripts meant I did not inconvenience people, some of whom had left the school, by asking to re-interview them. I instead sought additional verbal and written consent from those interviewed in 2007, using the information and consent forms generated for my case study work, and re-sent their transcripts for them to check, add or delete any information. All the people I was able to contact readily agreed to participate, and I did

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[21] Hoana Pearson was the inaugural recipient in 2007 of a joint research grant from *Multiserve* (an Education Trust providing school support systems); *The New Zealand Principals' Federation*; and *Te Akatea Māori Principals Association*.

not include data from any participant I was unable to contact. Accessing the transcripts from Hoana's 2007 interviews also yielded the unexpected and legitimate opportunity to include excerpts of my own reflections from that time.

As a long-standing figure in the case, I think the inclusion of my own reflections alongside other participants provides for a more comprehensive and honest case study account.

My approach to interviewing was to ask both similar and different questions of the various groups and individuals contributing to the case study depending on their particular positioning in, and experience of, the case. A case study is typically organised around a range of issues and themes that form the research questions and conceptual structure of the study (Stake, 2005). The generic and specific questions asked were only guides and attempted to cover more abstract reflections and participants' concrete observations and practices. Many other questions and points of discussion arose. This broad approach meant I was able to capture a substantial amount of material, and thereby allow the conceptual structure of the case study to continue to develop across the course of the thesis writing process.

For all groups and individuals I asked about their views on the place of the Treaty for education and schooling; the kinds of relationships the Treaty might suggest for education and schooling and at what levels; their experiential knowledge of the Treaty Governance structure at Newton Central; their observations of how it functions; their particular participation in the governance relationship; their observations of relationships at different levels between the Māori school community and the school; the relationship qualities they regard as important to the partnership; the elements of success of the relationship; and any problems or barriers to the relationship.

Specific questions were asked of teachers and senior management members; Board of Trustees members (non-Māori); Te Whao Urutaki/whānau members (Māori); the principal, Hoana Pearson (Māori); and the Co-Chair of the Board, Christine Herzog (non-Māori). For a full schedule of the specific interview questions refer to Appendix A.

Case Study Foci and Themes

I had a broad mandate to focus the study on the Treaty governance relationship. This focus quickly and organically connected to a range of historical, community, social, political and cultural contexts and influences, that have shaped the school governance development. Further, the governance partnership is built on, indeed embodies a significant range of relationships, capacities, activities and qualities. In other words, the governance structure itself is only a small part of the study and is symbolic for, or indicative of, a range of constitutive practices and relationships. The following bullet points represent the main interconnected foci that the case study embodies:

- Focusing on the co-governance partnership necessitated the tracing of the history of Māori education in the school that led to its establishment. That history was marked by an important transition from bilingual education to Māori immersion education through the establishment of Te Uru Karaka (the total immersion Māori medium unit/s).

- Te Uru Karaka represented new energy and activism for Māori education in the school, and it was this grouping who proposed the co-governance relationship. Te Uru Karaka was organised and developed with a strong sense of purpose and desire for high levels of self-determination and participation. The Te Uru Karaka whānau model can be seen as an important example of successful whānau practice in the context of mainstream schooling.

- The Treaty Governance partnership could not have come into being, however, without the agreement and commitment of the then Board of Trustees, and of subsequent boards. The way in which the Board of Trustees responded to the Māori school community is regarded as uncommonly courageous, and both challenges and suggests possibilities for other Boards of Trustees.

- The Māori education and governance developments have been championed by long time school principal, Hoana Pearson. As educational leader, Hoana's role is regarded as critical for the success of these developments. Hoana's particular relational skills, her bicultural competence, her commitment to Māori education and her facilitative and gutsy leadership approach have combined to support ongoing Māori education and school-wide developments. Hoana's contribution to the case study offers much to school leaders' practice for and with Māori communities.

- As principal, Hoana's role is seen as pivotal for communicating to and engaging staff in considering what the governance relationship might mean for their practice and the place of Māori language and culture generally. The case study therefore has taken an interest in the interpretations and practices of teachers and senior management related to these elements. Teachers interviewed bring surprising and important experiential knowledge, and analysis, to a discussion of the Treaty, and to the acknowledgement of cultural and other forms of difference as positive for school life.

- Working with teachers experiential knowledge, the case study has also reflected on the effects on the Māori community, Te Whao Urutaki's role in governance, and the influence of successful Māori schooling initiatives on the day-to-day culture and activities of the school. In particular, teachers highlight the organic ways in which the mainstream school has learned and borrowed from Māori practice.

- Teachers, Te Whao Urutaki members and the principal also considered the benefits of the governance relationship and high levels of Māori participation for students generally, and for Māori student outcomes including achievement.

These related foci tell much of Newton Central School's story. This story is told in such a way as to also highlight the particular relational qualities exhibited and reflected upon, by those living the case. I have termed such qualities and behaviours as ethical, and in many instances they exceed any obligation or political commitment to Treaty governance policy and structure. Hence, although I foreground the governance structure in Chapter Six, and focus more on relationality in Chapter Seven, these relational qualities characterise the whole case study.

Contexts

The case study is located in a milieu and embedded in a number of contexts. As Stake (2005) argues, contexts go a long way toward making relationships understandable. The Newton Central case study weaves in historical, cultural and political influences and contexts into its narrative. At certain points, where important contextual influences are indicated and call for explication, I introduce short 'asides' or sections that describe and expand on certain contexts, influences and related examples through which to recognise, compare and highlight the compelling uniqueness of the case.

Working with the Data

Case study practice is observational and reflective. Recollections, policy statements and documents, school and whānau records, checking others' observations, memories, interpretations and records comprise the case study process (refer to Appendix D for a full list of people interviewed and other data sources used). Such processes are important in my concern to present thick descriptions of the case's concerns, interpretations and contexts. Qualitative research is at ease with ambiguity and multiple perspectives, yet also retains a concern for accuracy, confirmation and trustworthiness.

My utilisation of the interview material was influenced by a concern that those who live the case would be at the fore of telling the story of the case. Consequently, I fully reviewed all the interview material to ensure the many nuances and variations of interpretations around particular themes were captured. Triangulation is a common term in qualitative studies to indicate a process of using multiple perceptions to clarify meaning, or illuminate a particular question, theme, or phenomenon (Stake, 2005). The process is seen to verify the repeatability of an observation or interpretation, and in this sense is an important tool for identifying what is commonly particular about a case. While interested to show what is uncommon about the case through commonality, the case is also interested in diversity of perception.

My process involved reading transcripts both individually for what they were saying about specific case foci, and reading across transcripts for patterns around more general case foci. I developed provisional headings under which to group related sections of transcripts, while also keeping in mind a chronological narrative arc of the study, and the broader themes of ethics and politics.

Structure

The first chapter of the case study (Chapter Six) tells the history and development of Māori education at Newton Central School, and relates the politics and particulars of the governance structure and certain political and social contexts.

Chapter Seven highlights school members' reflections on the effects of the governance partnership on school culture and practice, and the relational qualities that imbue and exceed the governance partnership.

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Chapter Six

Case Study: Governance

Introduction

This chapter of the thesis foregrounds political, structural and policy themes arising from the case study. The co-governance arrangements at Newton Central School emerged from a conflict that occurred between the Māori community and school management. Rather than leading to an impasse, the conflict catalysed the development of new Treaty-based governance arrangements, and quickly led to productive engagement between the Māori community and the school.

The political focus of the chapter is nested within an introduction to Newton Central School, and through tracing the development of Māori education including the development of bilingual, and then total immersion Māori medium options in the school. These developments provide much of the context needed for introducing the Treaty-based structure and policy. Both the development of the governance structure, and its operation over the past ten years are related through the experiences and interpretations of case study participants.

The historical and developmental narrative is accompanied by a comparative and contextual discussion about broader patterns of Māori representation and participation in schooling. These themes arose through the interviews with case study participants, many of whom have extensive experience in Māori education settings, and their views on these themes frame the discussions. The comparative aside (as I have termed it) concerns school policy patterns related to Māori participation and representation, drawing on 25 school Treaty/Māori policies from across the Auckland region. These policies provide a snapshot of the ways New Zealand schools have been interpreting and responding to national educational requirements relating to Māori[22]. This focus is expanded into a discussion about how Māori participation in schooling might be encouraged, drawing on a 2006 case study of an Auckland Intermediate school,

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[22] The New Zealand National Educational Guidelines relating to Māori are outlined on p. 121, footnote 39 this chapter.

interspersed with reflections of Newton Central participants. It is hoped this comparative and contextual aside may be constructive for improved school policy and better thinking about how Māori parents and communities might participate in schooling, and how such participation might be grown into meaningful representation and relationships. The discussion also provides a means by which the distinctiveness of the Newton Central case study can be recognised. Direct quotations from the participants are italicised in this and subsequent chapters.

Setting the Scene

According to young Ngāti Whātua[23] leader and Newton Central teacher Anaru Martin, the ridge just above the Newton Central School, and along which the start of Great North Road runs, is named Te Rae o Kawharu (the forehead of their famous ancestor Kawharu[24]). Anaru recounts that Ngāti Whātua's survival and expansion across the Kaipara harbour and the Auckland isthmus are directly linked to one of Kawharu's major deeds. When Haumoewarangi, a prominent Ngāti Whātua ancestor, was slain by Ngaiwi of the Kaipara, his wife Waihekeao sent for Kawharu. Kawharu arrived and led Ngāti Whātua warriors against Ngaiwi in revenge for Haumoewarangi's death. This battle is known as Te Raupatu Tihore and directly contributed to Ngāti Whātua settlement and expansion in the area[25]. I have been unable to establish whether Ngāti Whātua ever lived on or around the site of Newton Central School, however, the area was included in the 3,000 acres Ngāti Whātua gifted for the settlement of Auckland after the signing of the Treaty of Waitangi in 1840.

The name Te Uru Karaka is also associated with the area and recalls a grove of karaka trees that grew across the gully in the location that is also now known as Basque Park. Karaka groves (in particular their berries) are/were an important food source for Māori

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[23] Ngāti Whātua are one of the main local iwi (tribes) in the Auckland and Kaipara regions.
[24] Other places in the region named after Kawharu include: Te Rite a Kawharu, a pa site (fortified place/village) near Waitoki; Te Tomokanga a Kawharu on Moturemu Island in the Kaipara; and Te Hurihanga a Kawharu now also known as the Brynderwyn Hills. Anaru Martin relates that the deeds of Kawharu are famously and often recounted by Ngāti Whātua today, and he is remembered in talk alongside the most famous Ngāti Whātua ancestors including Haumoewarangi, Pokopoko, Murupaenga, and Tumutumuwhenua. Kawharu lived during the 1600s at Kawhia and is described as a 4 metre tall giant who frequently crossed the Kaipara harbour on foot. (A. Martin, personal communication, September 12, 2009).
[25] After Te Raupatu Tihore, Kawharu did not return to Kawhia but instead stayed in the Kaipara, and eventually was killed by Te Huhunu of Ngāti Tahinga, who were staying in the Kaipara at that time (A. Martin, personal communication, September 12, 2009).

and were often planted around settlements or on particular travel routes. The immersion unit at Newton Central School is named Te Uru Karaka to recall this place name and in acknowledgement of tangata whenua (people of the land). Te Uru Karaka students worked on a research project that has also identified two streams linked to the Newton area. Wai-a-te-ao (Motions Creek) starts at Te Uru Karaka, and flows west under the motorway, behind the Museum of Transport and Technology and connects with Ngā Puna o Waiorea (Western Springs). From Western Springs, Wai-a-te-ao flows out to sea at Te Tokaroa (Meola reef). The other stream is Waihorotiu (known later as Ligars Canal). Waihorotui originally started at Meyers Park then entered a swamp at what is now Aotea Square. It then emerged again at Wellesley Street and descended into a small waterfall at the Victoria Street intersection, flowing from here into the Waitematā harbour (Te Uru Karaka Immersion Unit, Newton Central School, n.d.).

Newton Central School

Newton Central School was formally opened in 1924. From 1882 it was considered necessary to have an additional school in the area besides the already established Newton East and Newton West schools, which by that time were already run down and overcrowded. Newton East was located on the old Levene's shop site just below the Mercury Theatre and above the Southern motorway. Newton West was located on the site of the Army building /car sale yard on Great North Road. In 1919 the Education Board had acquired the authority to build a new school on Mennie's Reserve, a remaining portion of Mennie's farm, to replace over time Newton East and West schools. By the end of 1922 the first wing of Newton central was ready to receive the first infant classes and during 1923 the school filled up with pupils from Newton East and West. The transitions from Newton East were completed by 1927 and the school then closed, and Newton West finally closed in 1943 (Younie, 1974).

The communities of these schools were initially working class Pākehā. According to James Mills, the principal at the time of the 1974 school reunion, during the late 1950s and early 1960s the arrival of Pasifika[26] immigrant communities started to occur. By 1974 Newton Central School had the highest percentage of Pasifika pupils of any school in New Zealand at 96 percent. James Mills notes that from the beginning of the

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[26] *Pasifika* is a commonly used and generic term (used in New Zealand) to describe various Pacific Islands peoples/nations.

1970s, with the help of the then Education Department, the school developed innovative responses to the learning needs of Pasifika students arriving directly from their island homes.

It is unclear what the Māori population was in the school through the 1950s and 1960s, however, significant Māori urban migration to inner city Auckland occurred through this time. According to a past and long-time Board member, Tim Mahon, who was raised in the local community, and whose grandfather attended Newton East School, by the end of the 1980s (when he brought his two children to the school) Newton Central remained a Pasifika school. Tim jokes that the school *was 98 percent Māori and Pacific and only two percent Pākehā, and that was my two kids. There were two or three families and that was it*. Through the 1980s and early 1990s Pasifika communities were hugely influential in shaping the school culture and filled the majority of governance positions, including the Chair on the School Committee and later on the Board of Trustees.[27]

As the surrounding communities of Arch Hill, Kingsland and Eden Terrace gentrified through the 1990s, local Pasifika and Māori communities moved South and West. Although the Pākehā population has grown significantly, Newton Central School retains an ethnically diverse population including Pasifika communities, some of whom are catered for in the school's Fanau Pasifika class. The Māori community at Newton Central School has grown significantly through the presence of the Māori medium options that currently include three full immersion classes, two bicultural/bilingual classes, and a full immersion Year 7 and 8 class. Ninety-percent of Māori in the Māori medium units, however, live outside of the school zone and travel significant distances to attend the school.

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[27] The New Zealand education reforms of 1989 resulted in schools became self-governing. School Committees were replaced by Boards of Trustees and Boards have statutory responsibility for the financial and educational management of schools.

Currently (2009/10) Newton Central is a Decile[28] '7' school and the ethnic composition of Newton Central School is as follows:

Table 1
Ethnic Composition of Newton Central School

Ethnicity	%
Māori	45.4
Pākehā/NZ European	31.5
Samoan	7.3
Tongan	4.0
Cook Islands Māori	2.6
Niuean	2.0
British/Irish	2.0
Indian	1.3
Japanese	0.7
Dutch	0.7
Australian	0.7
Chinese	0.3
Italian	0.3
Other European	1.0
Other Pasifika groups	0.3

The Beginnings of Māori Medium Education

Tim Heath was the principal from 1988 to 1997 and oversaw the beginnings of Māori medium education at Newton Central. In a letter to the Te Uru Karaka whānau on the occasion of the unit's 10th birthday in February 2007, Tim reflected on the development of Māori language education at Newton. Having always wanted the school to be able to offer opportunities for children to *learn something of Te Reo Māori*[29] Tim had in the early days been frustrated by both the lack of staff, but also *resistance at School*

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[28] A school's *decile* indicates the extent to which it draws its students from low socio-economic communities. Decile 1 schools are the 10% of schools with the highest proportion of students from low socio-economic communities. Decile 10 schools are the 10% of schools with the lowest proportion of these students. Deciles are used to provide funding to state and state-integrated schools. The lower the school's decile, the more funding they receive. A school's decile is based on the specific, small areas where the students live, not on the general area in which the school is situated (Ministry of Education, 2009a).
[29] *Te Reo Māori* is the Māori language.

Committee and community level. By 1989, however, an increasing amount of Māori language was being included in classroom programmes, and assistance was received from time-to-time by then Tūhoe[30] parent and native speaker Charlie Sam.

At the same time Tim Heath gained support from the School Committee to umbrella the establishment of the Kura Kaupapa Māori[31] o Waipereira, a role that was declined by other schools in the West Auckland area. Tim notes that aside from the *trauma* that the introduction of Tomorrow's Schools[32] caused in 1989, the reforms enabled schools to *select staff according to their needs and philosophies*, and thereby support bilingual education. Tim believes these shifts together with *an increasingly enlightened Board of Trustees made the ambition to see the further development of Māori language in the school come closer.* Two major elements remained lacking in Tim's view, at that time: a request from the community for a Māori language unit, and a teacher to run it.

According to Māori parent Pine Campbell, who had joined the school in 1991, a meeting of Māori parents was held that year with a view to co-opting a Māori representative onto the Board of Trustees. Pine himself was co-opted and a Māori whānau group formed at this time. Tim recalls that the first formal request for Māori bilingual education came from Turi Te Hira and Lili Tuioti when they enrolled their children at Newton Central in 1993. Several factors made it possible to act on their request including the presence of a teacher willing to run a bilingual unit, and the influence of the Chair of the Board, the late Finau Kolo. Finau Kolo was a Tongan scholar and local political figure. According to Tim, Finau was a visionary who saw bilingual education as vital to the education of all students: *While holding the needs of Pacific students close to his heart, he freely acknowledged the prior claims of tangata whenua.* Pine Campbell recalls it was Finau and the Pasifika whānau, who extended support to him in his role on the Board, and encouraged him to stay on in the position (P. Campbell, personal communication, May 19, 2009).

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[30] *Tūhoe* are an iwi (tribal group) located in the Te Urewera region.
[31] *Kura Kaupapa Māori* is the term for Māori language medium schools that operate under the Te Aho Matua philosophy.
[32] The New Zealand Educational reforms of the late 1980s are known as *Tomorrow's Schools:* The reform of Educational Administration in New Zealand (Department of Education, 1988)

Whakarongo Rua–Bilingual Education

The bilingual unit was established at the beginning of 1993 then quickly stalled when the unit's Māori teacher, Marlene Pene, left the position after two terms. It was about this time that Tim Heath met Hoana Pearson, the current principal at Newton Central School. Tim recalls sensing that their meeting would be significant in terms of the future of the school, and quickly realised they were on the *same educational wavelength and that she had the strengths we needed if we were to re-establish the bilingual unit*. According to Tim, Hoana was *poached* from nearby Grey Lynn Primary and joined Newton Central School as the senior Māori teacher to lead the bilingual unit Whakarongo Rua (named by parent and Ngāti Whātua member, Taura Eruera) at the beginning of 1994. At the time the bilingual unit was established, the whole of Newton Central School was structured in family (vertical) groupings with Year 1 to 6 students in every class. The family grouping structure had been implemented throughout the school by Tim Heath, and Tim reflects that this structure was a great advantage for the establishment of the bilingual class in their *not having to soldier on as the only room in the school that operated with children of all ages*.

During the first term of 1993, a local Kingsland person raised the idea of planting a native forest on the steeper slopes of the school overlooking the North-Western motorway. The Board supported the idea and the Māori whānau became engaged in organising a ceremony to karakia (bless) both the land and the bilingual unit prior to planting the forest. Pine Campbell recalls phoning tribal representatives Joe Hawke (of Ngāti Whātua) and Te Wārena Taua (of Waikato/Te Waiohua/Te Kawerau-a-Maki[33]) who both affirmed their respective tribal links to the area. Pine then contacted Ngāti Whātua elder Takutai (Doc) Wikiriwhi, and discussed with him the School's proposal. Doc supported the plans and also contacted a Tainui elder to organise Tainui representation for the blessing.

The night before the karakia, Doc notified the whānau he could not attend the blessing, but confirmed a Ngāti Whātua contingent would attend. On the day of the blessing the children and whānau were preparing for the pōwhiri (ceremony of welcome) that they

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[33] *Waikato* is one of the four iwi of the *Tainui* confederation of tribes (also Hauraki, Ngāti Maniapoto and Ngāti Raukawa) in the Hauraki-Waikato region. Waitako iwi is also often referred to as Tainui or *Waikato-Tainui. Te Waiohua* and *Te Kawerau-a-maki* are old tribes from the Auckland Isthmus and Waitakere regions.

had agreed with Ngāti Whātua would take place. Ngāti Whātua and Tainui (Waikato) elders gathered outside to discuss the preparations, and it emerged that under Tainui tikanga (protocol) the land is blessed first, ahead of any pōwhiri (welcome ceremony). Ngāti Whātua elders explained to the Tainui contingent that the children had made preparations for the pōwhiri. Tainui deliberated and then performed a karakia (blessing) *tuku mana* which passed the mana of the occasion to the children to continue with their plans. According to Pine Campbell, the whole event was extremely successful and the elders enjoyed being serenaded by whānau members with old war-time French and Italian songs.

During the ceremony a vine was planted near the swimming pool to mark the occasion. According to principal Hoana Pearson, the vine is a native of the Poor Knights Islands. Later that night a storm split the vine in two, and from that time it has grown with two main branches. The significance drawn by the community is that the two branches represent both the Ngāti Whātua and Waikato/Te Waiohua tribal groups who share connections to the land and together participated in blessing both the land, and the beginnings of Māori education in the school.

The native forest was established from original seed stock sourced from the Newton Gully. In addition, the local Rotary Club supported the project and provided a large shaded germination system, in which the children and community germinated the seeds that eventually became the native forest that grows on the site today.

Te Uru Karaka–Total Immersion Education

By the end of 1994 numbers had grown in the Whakarongo Rua bilingual unit to 25 Year 1–6 students. By 1995 the bilingual unit had expanded to two classes with 46 Year 1–6 children. According to principal Hoana Pearson, by 1996 one of the two classes was operating a full immersion pedagogy in an attempt to cater to children with a Kōhanga Reo[34] background, and the desire for a full immersion class was growing (Pearson, n.d.). Tim Heath agreed, stating that:

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[34] *Kōhanga Reo* are Māori medium pre-schools which are governed by the Kōhanga Reo National Trust. The Trust was established in 1982 and formalised as a charitable trust in 1983.

while the strength and rationale of Whakarongo Rua were both healthy, there was an inescapable belief that real depth of language learning could only come through total immersion education.

In 1996 parents Tamsin Hanly and Leonie Pihama[35] approached Tim Heath with a formal request that the school investigate establishing an immersion unit. According to Tamsin Hanly, their request came after finding that within six weeks of their twin sons leaving Kōhanga Reo and entering bilingual education, the children's Māori language use and knowledge had diminished significantly. Tim recalls:

the case they presented was elegant and unarguable! In my years working as a principal I had many approaches from many parents and many groups. I feel compelled to say that the approaches made at Newton in connection with Māori language learning were the strongest, best-researched and most courteously presented of any I encountered.

Hoana Pearson agreed to lead the full immersion unit, Te Uru Karaka, which opened at the start of 1997 with a ceremony led by Ngāti Whātua elder, Takutai (Doc) Wikiriwhi. The class was established with students from the bilingual unit seeking full immersion, and a number of whānau (families), including my own, who left other Māori medium units to join the first year of Te Uru Karaka. The Te Uru Karaka whānau that established in that first year represented new energy and radicalism in Māori education within the school.

Desires for immersion education and the Kura Kaupapa Māori movement indicate a serious commitment to cultural and linguistic retention and regeneration, through full immersion in te reo Māori, and a curriculum privileging Māori knowledge and culture. Mason Durie (2003) has described this aspiration as a desire for education that enables Māori "to live as Māori", that is, as active participants in the Māori world, rather than merely possessing some familiarity with, or knowledge of, that world. The desire to live as Māori is usually embedded within a broader politics of Māori self-determination,

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[35] Tamsin Hanly is an experienced Pākehā teacher and activist with long-term experience teaching in mainstream and Māori medium contexts. Leonie Pihama was in 1996 an academic at Auckland University in Te Aratiatia, part of the School of Education, researching and writing in the field of Kaupapa Māori theory.

and such a politics was certainly present in the Te Uru Karaka whānau. Tamsin Hanly reflects on the founding whānau:

It was a highly skilled, highly intelligent and highly articulate group of Māori people. There were other people there who weren't necessarily intellectuals or academics, but who were real risk-takers, and who were prepared to be different and be radical. There was a really high expectation about education and their involvement in their children's education, a strong desire to be in control of our own education—in the classroom as well as in our whānau, as well as in the school-wide structures.

By 1998 there was pressure to grow the immersion unit to two classes, and at the same time numbers in the two Whakarongo Rua classes were decreasing. It was in 1998 also, that Hoana Pearson, who was by then deputy principal, stepped out of Te Uru Karaka to take up the acting principal's position, and was soon after appointed the first female and Māori principal of Newton Central School. A number of short-term relievers staffed Te Uru Karaka until experienced teacher Tamsin Hanly who had been teaching science in the unit was appointed as a full-time reliever. The roll in Te Uru Karaka continued to grow with 29 Year 1 to 6 students.

Due to increasing pressure to grow the full immersion pathway, and dwindling numbers in Whakarongo Rua, a decision was taken in 1999 to transition one of the bilingual classes to immersion, and to disband the second bilingual class. Students from the second bilingual class, who did not enter the immersion pathway, were placed in mainstream classes in the school. Although this decision was made to allocate resources where demand was indicating, it was not fully supported by the Whakarongo Rua whānau.

A Catalyst for Change

At the same time these transitions were occurring, a staff and management decision to not hold the pōwhiri for the end of year concert deeply offended the Te Uru Karaka whānau. For school management, the decision concerned process and communication issues, not a fundamental opposition to the pōwhiri. The whānau protested the decision however by withdrawing their children from participation in the concert and boycotting

the event. The position taken by Te Uru Karaka was not supported by the teachers and whānau of the transitioning immersion and ex-bilingual classes, and created a three-way conflict with school management and the Board.

For Te Uru Karaka the primary focus in the conflict, and the disruption that followed, remained the school management decision over the concert, and the questions it raised about Māori decision-making in the school. The concerns of the ex-bilingual whānau seemed to stem primarily from hurt experienced over the closure of the bilingual pathway, and the seemingly radical turn Māori education was taking in the school. One of the outcomes of the events surrounding the conflict was that a number of teachers and families, associated particularly with the bilingual pathway, left the school.

The conflict indicated that, despite good relations and support for Māori education, assumptions had been made by Te Uru Karaka about the scope of their authority over Māori matters in the school. For Te Uru Karaka, questions about their authority and participation in school governance pointed to the Treaty as the appropriate paradigm through which to orient discussions with the Board of Trustees. A series of community, management and Board meetings were held to discuss concerns, and to seek a process forward. Eventually the Māori Education Committee, which later became Te Whao Urutaki, was formed from Te Uru Karaka whānau members to work with the school management and governance on the concerns raised. This small group (myself included) took on the task of redrafting the school's Treaty policy.

In the interviews conducted by principal Hoana Pearson during 2007, Te Whao Urutaki members reflected on the impact of the conflict, including the loss of staff and whānau from the school, and the approach taken by Te Uru Karaka in developing a governance relationship with the Board of Trustees.

In relation to the loss of staff and whānau, Rihi Te Nana offered the view, that the teachers and parents expressing their dissatisfaction by leaving Newton Central, provided the space for change to occur without which *the ability to move forward would have been a real struggle.* Hoana Pearson also reflected that while painful for all concerned: *those that wouldn't or didn't want to go on this journey left, and in terms of the general health of the school that was quite good.*

In the 2007 interview Rihi Te Nana and I reflected also on the response to the conflict by Te Uru Karaka whānau:

> *I think we were all really shocked to find ourselves in that level of deep conflict. It was pretty painful all round. But I think there was enough of a core in the whānau to think "well, we are not going away, we just have to go through this process". And so while a whole lot of people at the fringes were shaken, I mean we were all shaken, people at the core just hunkered down and went on and were unwavering in that, because what we had built thus far was too good to put in jeopardy.* (Te Kawehau Hoskins)

> *It is not an uncommon thing that change occurs when conflict arises...I think the change and the political change that was wanted to be gained by Māori in particular was driven by Māori and so that in itself created a lot of uncertainty amongst non Māori, Board of Trustees people. But actually that is what had to happen because prior to that there was not enough conversation and assumptions were made about what level of participation Māori would have in this school.* (Rihi Te Nana)

The conflict might have represented a significant set back for a quality Māori education option in the school, yet a range of factors mitigated against this. The historical support shown for Māori education, and the positive relationships that existed in the school, were a factor. As already indicated, another factor was that staff and whānau, who were at odds with the changing face of Māori education, made a decision to leave the school. Their departure can be read as a 'failure' of Māori education, and certainly the pain experienced by those who left, requires acknowledgement. Yet their departure did also create a space to forward relationships between school management, the Board of Trustees, and Te Uru Karaka. The roll in Te Uru Karaka continued to grow after this time, leading in 2000 to the appointment of Ana Pipi (Ngāti Porou[36]) to teach a second immersion class alongside Tamsin Hanly.

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[36] *Ngāti Porou* are one of the main tribal groups of the East coast region of Aotearoa–New Zealand.

Productive Engagement

During the 2007 interviews, former Te Whao Urutaki and Board of Trustees members reflected on the various approaches and capacities both the Board and the Māori community brought to their engagement following the conflict. The then Board Chair Tim Mahon recalls:

> *I think the Board of Trustees showed some really good leadership at the time—we floundered a bit as people do, we are a community after all—but there was leadership shown, and there was some outstanding leadership shown from the Māori community as well. That's why it worked.*

Rihi Te Nana believes that the Board needed to, and did "surrender" some power *in order to move to a different space where they could find a new way of beginning a better relationship with the school's Māori community.* Rihi also acknowledges that, although challenged, the Board remained open to the proposals the Māori community were making:

> *What they didn't collectively do was shut it down and they could have because actually they were quite a dominant force and we were still a small group. I'm sure we would have experienced something different had we been in another school with a ringleader who would rally the troops. So I think there was something key about the make-up of the Board that enabled us to carry on with this work.*

Current Board Chair and Treaty educator Christine Herzog[37] also reflects on the willingness of the Board and their efforts to remain open to the process:

> *I have been in a lot of situations when this kind of a thing happens* [conflict, desire for change] *and people just decide 'this is too hard' and take the conventional route and 'this is how it is going to be' and they wouldn't have persevered through the effort it took to involve lots of people, listen and talk to others, take time over the decision.*

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[37] Christine Herzog provided Treaty training for the school community just after the new governance policy was adopted and agreed to join the Board in support of the Treaty partnership

The reflections of Te Whao Urutaki case study participants involved in the governance policy development work centre on the importance of the collective, the various skills and capabilities held by the whānau, and their commitment to progress the relationship:

> *There was a level of willingness in sharing skills that we had, certainly the whānau that came out of the unit at the time were not without skills. So we really drew on the best that we could out of ourselves, but also put our skills on the line. We weren't about to rant and rave and leave it at that, we were going to put up—we were ready to do the work.* (Rihi Te Nana)

> *We weren't solo operators, we knew about accountability back to the whānau and others in the context. There are a lot of Māori out there that don't because they have not been in any community settings and have been totally isolated.* (Alice Heather)

> *I think there was Māori community capacity that you don't often have in mainstream schools. We had that because we had an immersion unit that meant we had a whānau, a collective operating in the school. Our particular community capacity was significant in that people were educated, politicised, not too green to these sorts of politics, and able to bring common sense and a desire for a relationship rather than an adversarial, or isolationist approach.* (Te Kawehau Hoskins)

> *We had done significant work in whānau development around our own policy, whānau processes and decision-making. We were able to use the basis of those relationships, which are about accountability and process issues very clearly to work as a group.* (Te Kawehau Hoskins)

The combination of the capacity and commitment within Te Uru Karaka, and the openness and readiness of the Board to embrace such a development gave rise to a surprisingly trusting situation, in which the then Māori Education Committee were mandated to draft the Treaty policy proposal. As Rihi Te Nana recalls: *we actually wrote the policy for the Board in order for the Board to see what we wanted*.

Christine Herzog reflects on her sense of both the vision of the Māori community, and receptiveness of the Board to the policy development:

I sense that the leadership in the Māori rōpu [group] *was putting forward a very clear vision and my sense was that others [the Board] were embracing it. It didn't feel like there were two simultaneous groups with emerging visions about this, but that the others in the school once they got a glimmer of it thought "oh, that could be something, yeah, we hadn't thought about this but that's exciting".*

The Board was prepared to make a very political decision to adopt the Treaty policy presented by Te Whao Urutaki and were committed to enacting the governance relationship it gave rise to. It was agreed, that the many school meetings and hui preceding the policy being written, represented a Board mandate to agree upon a governance relationship with the Māori community. Rather than further school-wide consultation on the policy itself, it was decided a better course of action would be to follow the policy's adoption with a series of school and community Treaty education workshops. A Board member at the time, Suzie Strachan, recalls the Board's position on this:

There were forums and hui and ultimately it was the Board's decision. I would like to think that we took on board all the things that people had contributed and made a decision from that. It's the old saying you are never going to please everybody. I think we made the right decision. (2007 Interview)

The adoption of the policy formalised the governance role of Te Whao Urutaki. The Board then funded a programme of Treaty education workshops for themselves, for staff and various school communities. Former Board Chair Kerin Yates (who joined the Board after the policy was adopted and participated in the Treaty education) remembers the Treaty workshops as facilitative of the governance relationship:

I think your [Christine Herzog's] *sessions in terms of Treaty training were a great oil in the process. For me it was quite a revelation, the group of people who attended your training came out with a level of understanding that they never had before. I had previously done Treaty training that did not give me anywhere near the grasp of the issues that the one you ran did and that was a turning point for me in terms of understanding. It really was. Specifically for me that was an oil and that kind of smoothed the process and made it easy and obvious.* (2007 Interview)

The significant cultural, political and organisational capabilities of Te Uru Karaka members were/are embedded within a well-functioning whānau structure. These two factors meant Te Uru karaka possessed collective strength and cohesion, and were also able to transfer significant skills developed within and outside the school, to the development of the governance relationship. The whānau recognised that the realisation of their educational aspirations would best emerge from a positive and productive governance relationship. The activism of the whānau was accompanied by a confidence and maturity that was critical in guiding the development of the governance arrangement. The whānau was also supported throughout these developments by Tamsin Hanly, the Te Uru Karaka teacher. Tamsin's commitment to leading the unit through both the conflict and the governance developments were crucial to the survival of Te Uru Karaka during this time.

The Board's role was also significant in bringing the governance structure into being. The Board maintained an open and responsive orientation in the face of significant pressure and dissent. The Board not only did not close down the concerns and aspirations of the Māori community, they also mandated the Māori community to write the Treaty governance policy. Their ratification of a 'radical' policy suggests a courageous political decision that facilitated the rapid movement from opposition to relationship, furnishing the conditions for the development and growth of a quality Māori education option.

A Comparative Aside: Māori Representation and Participation in Schooling

Before introducing the detail of the Newton Central School governance policy and structure, I take the opportunity to reflect on Māori community participation and representation in governance in New Zealand schools in more general terms. My hope is to establish some comparisons through which the Newton model can be appreciated, and to indicate some of the problems and possibilities for Māori participation in schooling and governance. As part of the discussion, Te Whao Urutaki members and principal Hoana Pearson share long-term experiential knowledge of Māori participation in schools. Included also is a brief review of 25 Treaty of Waitangi/Māori education policies from Auckland primary schools. These policies provide a snapshot of school interpretations of national policy in relation to Māori participation. I also reflect on

particular findings from a case study concerning Māori community participation undertaken by me at Avondale Intermediate[38] School that was part of a larger research project on effective teaching in different cultural contexts (Hoskins, 2006). The 2006 case study explores a number of dominant discourses concerning Māori participation, and also offers some insights into possibilities for greater participation.

To provide some experiential context to Māori participation in governance in New Zealand schools, Newton Central principal Hoana Pearson offered the following reflections on the types of relationships schools generally have with their Māori communities:

> *They get a token Māori on the Board and so that one person becomes the mouthpiece for Māori. Most often they* [Māori Board members] *feel incredibly uncomfortable or incredibly disempowered. It's a totally inappropriate way of seeing Māori voice. I just got a letter from a Māori Board of Trustees member asking for my help and saying that there's this statement* [in her school] *that "We've gone to Māori, Māori don't want to know. They just want us to get on and do it". "They're not interested when we go to consult or ask them what they want". It's really interesting because it's a vicious circle. That legislation* [National Administration Guidelines 1 & 2][39] *was put in there because of the acknowledgement of Māori at risk, and instead it places individual Māori more at risk because you've got one Māori member of a community, maybe two, singled out as the Māori. You know some schools go out and get their cloak and their kaumatua and that's it. But it's actually who makes decisions and what real change happens.*

School Treaty/Māori Policies

Schools in New Zealand are not legally required to have a separate or stand alone "Māori" or "Treaty" policy. There are, however, a number of legal requirements of

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[38] In New Zealand, *Intermediate* schools cater for Year 7 and 8 Students.

[39] *The National Education Guidelines* incorporate the *National Education Goals* (NEGs) and *National Administration Guidelines* (NAGs). The National Education Guidelines are defined by section 60A of the 1989 Education Act. NAG 1v states: "Each Board through the principal and staff will: In consultation with the schools Māori community, develop and make known to the school's community policies, plans and targets for improving the achievement of Māori students". NAG 2 iii states: "Each Board with the principal and teaching staff is required to: report to students and their parents on achievement of individual students, and to the school's community on the achievement of students and of groups including the achievement of Māori students against plans and targets referred to above".

schools concerning the provision of Māori language and culture, and consulting and reporting requirements, which often end up clustered in a Treaty/Māori policy.

The majority of Treaty/Māori policies I sampled from Auckland schools generally make broad connections to *some* of the requirements of the National Education Guidelines concerning Māori language, culture and participation in education, but by no means reference *all* the requirements or indicate that they will be met. All of the policies make commitments to the provision of some Māori language and culture in the school, however, in the area of establishing and maintaining relationships with Māori the policies are weak.

None of the policies reviewed go beyond the national policy requirements in any area, and while over half the policies are titled "Treaty" policies none show any engagement with the provisions or articles of the Treaty itself.

Overwhelmingly, schools interpret the purpose or rationale of their Treaty policy as concerning an obligation to the Māori language and culture as the founding heritage culture of New Zealand. In line with this interpretation the central provision made by all policies is for the inclusion to varying degrees of te reo, tikanga (cultural practices), and Māori perspectives in the school curriculum for *all* students and the provision of some resourcing to support this.

Around nine of the 25 policies make some response to the national requirements that focus on Māori students in particular. Six of the nine policies indicated they would attempt to meet both National Education Goal (NEG) 9 concerning

> Increased participation and success by Māori through the advancement of Māori education initiatives, including education in Te Reo Māori, consistent with the principles of the Treaty of Waitangi (Ministry of Education, 2009b)

and the School Charter[40] requirement to ensure that all reasonable steps are taken to provide instruction in te reo and tikanga Māori for full-time students whose parents ask

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[40] The Education Act 1989 requires every school to have a *charter*. Charters must contain a strategic section that sets out, for the next three to five years, the board's aims, objectives, directions, and priorities for raising student achievement. A charter must also contain an annually updated section that sets out for the relevant year the board's aims, directions, objectives and priorities relating to raising student achievement, and sets targets for the key activities and achievement of objectives for the year. Charters are therefore also accountability instrument for the purposes of a school's funding.

for it (Ministry of Education, 2008b). However, the remaining three policies included a statement to the effect that parents seeking instruction in te reo for their children would be directed to other schools.

In reference to staff professional development to fulfill the intent of the policies, only two of the 25 policies included the Treaty as a focus for professional development, while 11 indicated staff professional development in te reo and tikanga would be provided as needed.

In terms of the provision for Māori participation in schools and in governance, the policies connected generally to the "consulting" and "reporting" requirements of the National Administration Guidelines (NAGs) and Charter requirements. Ten of the 25 policies make only loose reference to the NAG 1v requirement to:

> in consultation with the school's Māori community, develop and make known to the school's community policies, plans and targets for improving the achievement of Māori students. (Ministry of Education, 2010a)

Only four of the 25 policies make any reference to the NAG 2 iii requirement to "report" to the Māori community on the achievement of Māori students against those plans and targets. And only two of the 25 policies made reference to the planning and reporting requirement of Boards to:

> take all reasonable steps to discover and consider the views and concerns of Māori communities living in the geographical area the school serves, in the development of a school charter. (Ministry of Education, 2008b)

In terms of Māori representation on Boards of Trustees, which while encouraged, is not a legal requirement, only two schools had provision for a single Māori Board of Trustees position, and two other schools mentioned the existence of Māori advisors or committees.

The publicly available school policies I review here were collected by pre-service teachers as part of a practicum assignment required for one of their core courses. Three of the 25 policies collected, included anonymous notes and transcripts of three short interviews the pre-service teachers undertook with school management in relation to the schools' Treaty policies. I do not have permission to include excerpts of those

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transcripts, but present the general theme of responses provided by school leaders in relation to questions about Māori community participation and representation.

The three interviewees responded that their schools have significant problems consulting 'the Māori community' and offered a number of views on the reasons for this. Consulting the Māori community is regarded as problematic because schools believe they do not have a visible or evident Māori community with whom to consult. Because the Ministry of Education requires schools to consult with the Māori community, there appears to be an assumption on the part of the Ministry and schools, that there is, or should be, an identifiable Māori community waiting to be consulted by the school.

The latter assumption reflects significant social and historical ignorance of Māori social life particularly in large urban areas like Auckland. It is extremely unlikely that Māori, who happen to live in a particular geographical area, and therefore attend their local school will comprise any sort of recognisable school collective, particularly if the school has no Māori medium pathway or other reason for Māori to congregate. This is not to suggest that, in different contexts and around different activities, there are not a range of Māori community connections operable both within and across geographical areas of Auckland.

Another "problem" school management interviewees related in consulting the Māori community, is that the Māori community or families attending the school do not wish to, or choose to, come forward. The perception is that getting Māori parents together is almost impossible; that on the whole Māori do not want anything 'Māori' for their children; Māori parents are too busy or are not interested in being consulted; and simply want the school to get on with teaching their children.

Possibilities for Participation

In my Avondale Intermediate case study (Hoskins, 2006), resistance by the Board of Trustees to the requirement to consult, and cynicism over historically low response levels from the Māori community to formal consultation, was evident. A number of Board members and teachers at the time considered Māori families "apathetic" and suggested Māori either "can't be bothered", or are happy with the school. Implicit in such views is a disappointment and bewilderment by schools who, having been required

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to consult Māori, find them apparently unresponsive. It is not simply that Māori families appear disinterested, but neither do they seem to possess the capabilities to direct schools in relation to Māori culture, language and achievement—as national policy requires.

There seems little cognisance of the fact that a century of active state attempts to assimilate Māori might mean that many Māori in mainstream schools (without Māori medium pathways), are not culturally intact nor perhaps identify positively with being Māori. This lack of awareness of Māori realities contributes to a failure to see that the task of 'consulting' is complex. Consultation cannot assume cultural knowledge and community cohesion, but rather must provide opportunities and *reasons* for positive Māori identification and participation. Consultation processes need also to expand beyond "raising Māori achievement" (which targets Māori families and children as underachievers), to a consideration of the ways in which the school might dismantle barriers to Māori participation and facilitate relationships.

Despite their cynicism about Māori responses to *formal* consultation, teachers and Board members at Avondale Intermediate could nonetheless list many ways and occasions that Māori families did participate in and contribute to the school. The then (Māori) Principal Rota Carrington suggested that developing Māori participation in schools, including governance, often starts with the "little, small things" (Hoskins, 2006, p. 6). Meeting new whānau face to face when they start school and providing opportunities for whānau to safely participate in learning, sporting, fundraising and cultural activities are suggested. Making a point of connecting with whānau on such occasions can be catalysing for further and more organised participation.

Māori teachers at Avondale Intermediate school suggested that even Māori students' behavioural problems represented opportunities to make connections with Māori whānau either at school or at home. Staff involvement with students and their families outside of school was also noted as a common occurrence in the case study, and a powerful way in which relationships are grown. After-school activities and sports attracted Māori parents, and Rota noted parents coming in earlier to watch or help: *I mean there's your interaction, there's your welcome into the school, on their own terms* (Hoskins, 2006, p.57). Rota suggested that whatever initiatives and activities are put in place they need to be designed to be responsive to community realities, for example,

many Māori parents at Avondale Intermediate are employed in shift work. The recruitment of Māori teachers into the school also had positive effects and led to requests (from a seemingly otherwise unresponsive Māori community) by Māori families to have their children placed in these teachers' classes.

Te Whao Urutaki case study participants at Newton Central School agree with Rota pointing out there has to be a reason for Māori families to engage in the school:

> *They are not actually going to come together unless they have a class with all their kids in it together. If a unit was set up in the school that had a core group of parents leading it, and those other people came in, that is when their politicisation starts happening.* (Alice Heather)

> *It's that idea of critical mass. People who don't have anywhere to congregate don't have anywhere to stand. They need a reason or kaupapa to be together. You need to have something in the school even if it's a kapa haka* [cultural performance] *group. If that is the way Māori parents congregate that would be the starting point. It just has to be found. I think there is one for all schools but you need to figure it out.* (Rihi Te Nana)

The comparative and contextual 'aside' explored in the above section suggests that the lack of knowledge of, and connection to, Māori people and their realities gives rise to schools' naïve expectations about a culturally-intact and organised Māori community available for formal consultation in line with national requirements. When such fantasies are unfulfilled, schools may become cynical about Māori communities and do little to meaningfully progress their consultation obligations. Disappointment coupled with possible resistance to national policy obligations to Māori may well also be a barrier to schools thinking creatively about engaging Māori whānau. However, as the related observations from the Avondale Intermediate case study and Newton Central Te Whao Urutaki case study participants shows, there are possibilities for turning 'compliance' into meaningful relationships productive for Māori and school communities.

The Treaty Governance Policy/Structure

In this section the Treaty governance policy at Newton Central is presented alongside a discussion of its political rationale and significant operational features. Past and current members of the Board of Trustees and Te Whao Urutaki offer their interpretations and reflections on the politics and intentions of the policy.

As already noted, the Treaty policy was produced in 2000 by the then Te Uru Karaka whānau members to show the Board what the group considered to be an ideal governance structure. As Rihi Te Nana outlines, the group sought to shift the policy from the more standard accommodation of one or two Board positions for Māori, to an arrangement where Māori aspirations could not simply be outvoted by the majority:

> *Under the old model it was two representatives for Māori and the rest were non-Māori. So if we implemented anything it could get voted out the door every time. Therein lay the issue, if we were going to do something new, how could Māori representation be more significant and have a better process that was not going to see our stuff ignored.*

The Treaty policy was written to robustly interpret and apply the Treaty in a contemporary governance setting. New Zealand Crown and court-defined "principles" and "standard" school policies that avoid questions about authority and decision-making were eschewed as models. Rather, for those drafting Newton Central's policy, it was important to interpret and apply the provisions of the Treaty and not overlook the Māori language version of the Treaty, which the majority of hapū[41] leaders had signed (over 500 compared to 39 signatures on the English version). This in *our* view made the Māori version, where two forms of authority are acknowledged, the substantive text; and one that more accurately reflected a Māori desire for a relationship with Britain/the Crown. The standard story that asserts the Crown sought full sovereignty and therefore simply obtained it, overlooks Māori agency and desires. In our view the Crown's intentions did not simply trump or cancel out Māori intentions, rather the differing aspirations of Māori and the Crown point to a political relationship negotiated over time and in context. Although Te Whao Urutaki case participants maintain this political position, they agree that there is no *one* way to develop a Treaty policy, and were the

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[41] Hapū were historically the main polity, for example, the Treaty of Waitangi was made with hapū.

policy to be written at another time, and against a different set of circumstances, it would be a different policy.

The Māori language version of the Treaty cedes "kawanatanga" (governorship) to the Crown in Article One, while affirming in Article Two the "tino rangatiratanga" (unqualified authority) of hapū over all things valued by them. In our view, the Treaty acknowledged two authorities and the beginning of a unique relationship between them. Newton Central's Treaty of Waitangi policy (2000) sought to partner these two forms of authority, which arguably do not fit neatly together, within the state-sanctioned governance structure of a school. In many respects, the governance partnership at Newton Central is an attempt to effect the fullest expression of tino rangatiratanga possible, in a political context where kawanatanga has become the *only* authority. Establishing two governance partners that point to two concepts, forms and practices of authority (even as there are a set of legal requirements to be met) interrupts the commonsense assumption of singular and unified forms of authority. It acknowledges the Treaty as establishing a *relationship* rather than subsuming Māori entirely within the nation state (or Board of Trustees).

In 2007 I made the following reflection on the intent of the policy:

> *The basis of the policy was the recognition of Māori authority established through the Board of Trustees' Treaty policy in order that decision-making in the school, at the level of governance, is shared between the Board and the Māori community. Our policy talks about a 'partnering' of kawanatanga and rangatiratanga—that being the basis of the relationship. Rangatiratanga is not just about the relationship with the Board of Trustees. Rangatiratanga is internal to Māori also—how we decision-make ourselves, how we develop. So it's about both self-determination and the relationship emerging from the Treaty.* (Te Kawehau Hoskins)

The Treaty Governance partnership was established via Newton Central School's policy-making process. The policy in effect restructured the governance of Newton Central School into a partnership between the Board of Trustees and Te Whao Urutaki representing the Māori school community and iwi/hapū. Kawanatanga is recognised in the Board and its legal accountability to the state. Rangatiratanga is recognised in the

Māori community (represented by Te Whao Urutaki). Because all aspects of the school affect and are of value to Māori (rather than simply the Māori medium pathways), Te Whao Urutaki and the Board *together* govern all aspects of the school.
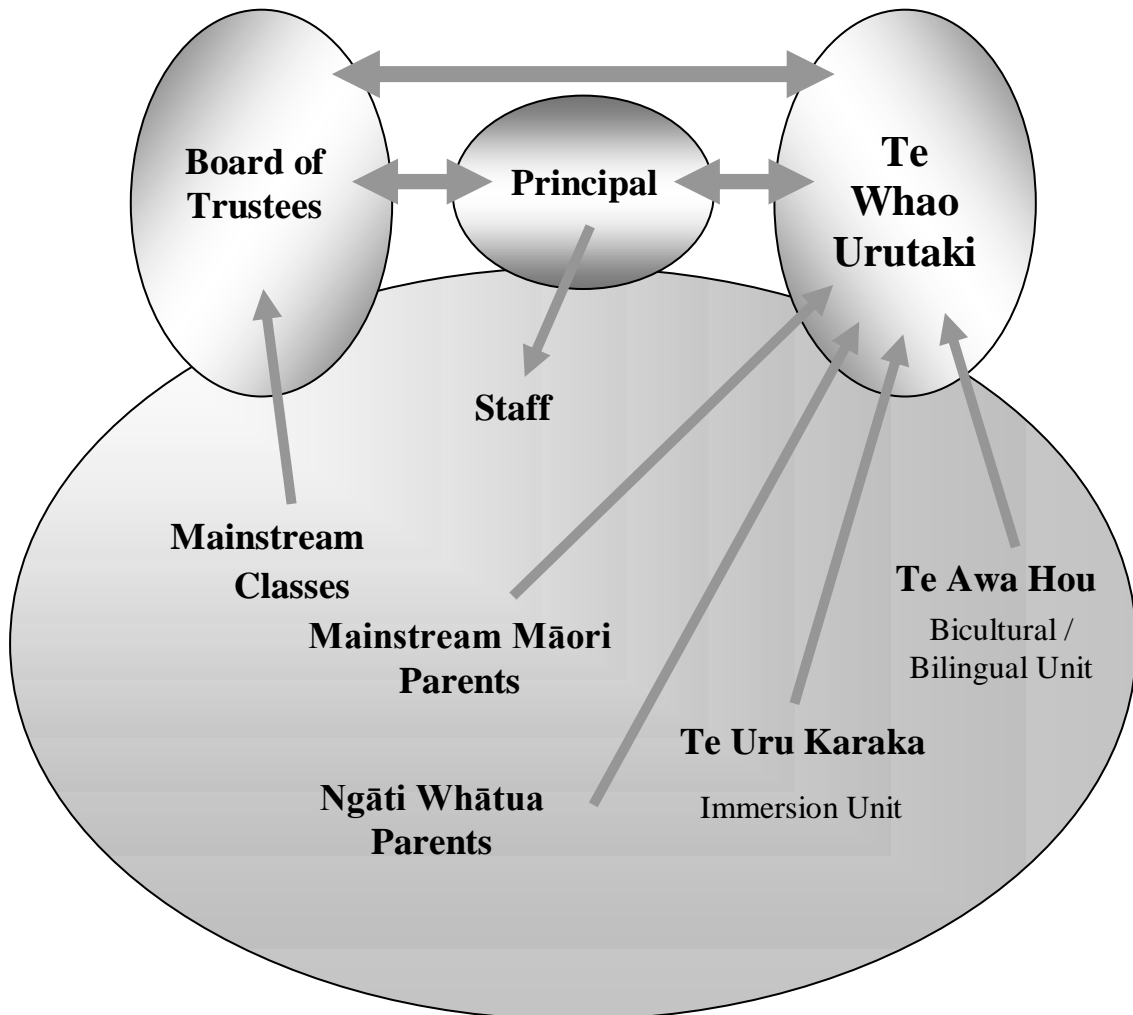
Figure 1. Treaty Governance Representation Model and School Composition.

The policy agrees that the Board will not enact its voting powers to outbid or outvote the Māori community where disagreement or conflict arises. Rather, a governance process is established that accepts contestation but is also committed to reaching consensus for the governance of the School. While being firm on issues of authority, the policy is relatively open in allowing for a processual approach to decision-making, and a working-out, over time of how these different forms of authority might relate and be given expression.

Because school Boards of Trustees are in effect Crown agencies with statutory functions and obligations, only elected and co-opted Board members can legally be privy to all Board business. To enable Te Whao Urutaki to effectively co-govern, it became necessary to use the Board's co-option function for the full co-option of all Te Whao Urutaki members. Co-option provides safety and legal legitimacy to the structure.

Because decision-making is not based on a voting majority, it is not imperative that there are equal numbers of Te Whao Urutaki members to Board members in the co-governance structure. This provision provides the partners the flexibility to use co-option to draw other expertise into school governance. Despite the necessity for co-option, Te Whao Urutaki meet separately, and regard themselves as an independent partner in the co-governance relationship.

In 2008 the Board and Te Whao Urutaki moved to establish Co-Chair positions of the governance partnership. These "chairs" are filled by the Board of Trustees Chair, and a mandated member of Te Whao Urutaki respectively.

The Treaty Policy below is a recently reformatted and updated version of the original policy ratified in 2000.

NEWTON CENTRAL SCHOOL

OVERARCHING POLICY STATEMENT

As an overarching policy, this statement applies to all other policies whether or not there is specific reference to it.

TREATY OF WAITANGI POLICY

PURPOSE – To recognise the significance of the Treaty of Waitangi by incorporating it into all aspects of the school including, but not limited to, governance, structure and practices

The Māori Text of the Treaty of Waitangi (Te Tiriti o Waitangi), being the version agreed to and signed by hapū and the Crown, is the version upon which Newton Central School policy is based. The English translations and interpretations of the Māori Text by I.H. Kawharu are considered authoritative. In an education context,

o *Article 1 gives the government the right to organise and administer an education system*

o *Article 2 guarantees to hapū 'tino rangatiratanga' or complete control and authority over all things valued by the hapū, which certainly includes education*

o *Article 3 guarantees to Māori the same rights and duties as the descendents of English people have*

o *Article 4 protects Māori culture.*

GENERAL

Policy Statement

The Treaty guides and informs any review or dispute over policy.

ARTICLE 1
Policy Statement

The Board of Trustees of Newton Central School recognises that the school is accountable to the government and complies with all laws and regulations.

ARTICLE 2
Policy Statements

1. The Māori school community (represented by Te Whao Urutaki) and the Board of Trustees together represent a partnering of Kawanatanga (governance) and (Tino) Rangatiratanga (complete authority over things Māori); together they will determine school-wide policy.

2. Article 2 will be reflected in school structure, policies and procedures because it is recognised that everything that happens at the school is of importance to the hapū of the children attending the school.

Policy Guidelines

1. The Board of Trustees and the Māori school community (represented by Te Whao Urutaki) will endeavour to reach consensus on all issues.

2. Where conflict arises The Board will not enact voting procedures to over- ride the Māori school community (represented by Te Whao Urutaki); other solutions will be sought.

3. The Māori school community (represented by Te Whao Urutaki) operates within 'tino rangatiratanga'. Newton Central School recognises the absolute right of Māori to determine their own educational development.

ARTICLE 3
Policy Statements

1. The Board and the Māori Community are obliged to address the educational disparities which exist between Māori and non-Māori

2. Māori will be an identified group in all policies and procedures relating to equity.

ARTICLE 4
Policy Statements

1. Te reo me ona tikanga will be incorporated into school life as part of renormalising Māori culture.

2. Te Whao Urutaki has authority over and responsibility for the enactment of tikanga Māori.

The Governance Partnership and Iwi/Hapū Representation

The partnership developed at Newton Central is between the Board of Trustees and the Māori school community—not local hapū per se. It was hapū that entered into the Treaty in 1840 as the then dominant Māori polity. It is therefore hapū and the government—in this case the school as an agency of government—who would *properly* partner in a governance structure. This did not occur at Newton, and I would like to suggest there is a level of political abstraction around the idea that Treaty governance relationships can *only* rightly be developed with hapū. This is particularly the case in the large urban environment of Auckland, which is also populated by significant numbers of Māori who are not members of local hapū.

The idea that school consultation must properly occur with the local marae or hapū often ends in disappointment. One Auckland school noted (in the policies examined above), that every year they send their school charter and strategic plan to the local marae, and never get any response. Aside from the fact that doing this shows significant ignorance of appropriate ways to consult Māori, it also points to the reality that hapū (or iwi) do not have the capacity (time, people, energy, resources) to be effective governance partners in every school in Auckland, and are themselves struggling to provide quality educational options for their own children. It does not therefore *always* make sense to pursue a governance relationship with local hapū as a *starting* point.

I suggest that the success of Newton's governance structure is that it developed in *context* and in *response* to a real situation and activity of a school community. The Māori school community led this development in response to real questions, tensions and challenges in the provision of Māori education for their children. In my view, developing the governance relationship from such a position has provided for robust, engaged and meaningful relationships, based in the concrete activity of schooling and the daily lives of whānau and children. This is not to dismiss hapū but to suggest that, where Māori communities are able to establish robust Treaty-based relationships, these can work in support of local hapū aspirations.

Newton Central School has over the past 10 years increasingly attracted local Ngāti Whātua hapū/iwi families from both Orakei and the Kaipara whose children have attended Kōhanga Reo and are looking for Māori medium primary schooling. Many have become active members in whānau and Te Whao Urutaki at Newton Central School. In 2007 the Board approached Ngāti Whātua members and requested their specific input as iwi into the School's strategic plan. The request precipitated a series of Ngāti Whātua whānau hui (gatherings), and the eventual presentation of their contribution to Te Whao Urutaki and the Board of Trustees.

The Ngāti Whātua group acknowledged and linked to the overarching goals of the Ngāti Whātua Education Strategy, *Heru Hapai*, and proposed the following:

- a school-wide compulsory curriculum focus based on Mana whenua[42] history
- professional development for staff and Board of Trustees at Orakei Marae on tikanga (cultural practices), te mita of Ngāti Whātua (idiomatic speech) and Te Tiriti o Waitangi training
- the ceremonial welcoming of all new children into their classes at Newton, as new whānau and children are currently welcomed into the Māori medium classes
- fostering relationships between the school and Ngāti Whātua o Orakei; and
- consistent and sustained Ngāti Whātua representation on Te Whao Urutaki.

The Ngāti Whātua whānau contribution to the strategic plan resulted in establishing themselves as a collective, and one that has developed organically and in the context of established relationships. Ngāti Whātua member Ruth Tamihana-Milne reflects:

The greatest thing for me around that partnership was that we've [Ngāti Whātua] *had an opportunity to come together and build our whānaungatanga, like our own real links with each other. We've come together and actually had conversations that I don't know whether we would have had. Conversations around mana whenua, around what is it to be Ngāti Whātua here, around what it is that we specifically do want for our children but for all of the children, and how can we contribute and support so it's been really empowering. I've thought*

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[42] *Mana whenua* is a term similar to *tangata whenua* which denotes the local people of a place. Using the term *mana* emphasises the tribal *authority* that the local people have over the area.

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a lot about the conversations we've had and wondered where and when we would have had those exact conversations and it's via this.

The achievement of the Treaty governance partnership and quality Māori education at Newton Central has been able to contribute real benefits to local hapū/iwi Ngāti Whātua in the education of their children, and provides an opportunity for meaningful engagement with one another, and in governance. In building their own capacity, Ngāti Whātua have in turn enriched and strengthened the governance partnership, school culture and curriculum.

Interpreting the Partnership

In this section senior staff, Board of Trustees, Te Whao Urutaki, and the principal relate their interpretations of the how the Treaty governance structure operates, and the considerable benefits they see it has brought to the task of governing the school.

When asked about their views on the significance of the Treaty for education and schooling in Aotearoa–New Zealand, case-study participants at Newton Central School unanimously (and perhaps unsurprisingly) agreed that the Treaty is vitally important, and is what makes our country unique. Principal Hoana Pearson, senior management members and Board members variously see the Treaty as a *symbol* of, and a *blueprint* for a relationship, and suggested the Treaty represents a model of power-sharing for all levels of New Zealand society. These participants also perceived that the relationship offered by the Treaty is one in which learning can occur: where *different world views attempt to get on the same page*; as suggestive for relating in *different* and *better* ways; and as providing a model for running schools.

The current (2008) Board chair, and other Board members, comment:

> *The Treaty was a statement of great hope about how we could relate to each other in different ways, from the ways that different peoples have traditionally related to each other. It scares me because I don't see a lot of evidence of it working anywhere. But that notion that some people felt that it was worth trying and they obviously felt it could be done. It sort of gives us a place to capture an idea and carry it with us, for an idea of a better way of relating to each other on a day-to-day basis in the classroom, or us with the government, or our*

government with other governments, or whatever level. (Board Chair, Christine Herzog)

I think it's important as a topic for schools, and is obviously a natural part of the curriculum but it goes beyond that. In terms of governance and organisation that's where to me the Treaty provides a lot more because it becomes a philosophical and an ideological kind of model that you can then use in terms of running the school, and understanding partnership as well as what happened within the history of Aotearoa. It's not just an historical document, it provides a blueprint for so much. (Board member, Phyllis Herda)

Rather than the Treaty being that big stick that people are kind of scared of or you think it's going to disrupt their life in some way, all of sudden they're going to be some sort of slaves or something. I don't know—what are people so frightened of? There's so much good that can come from it. (Board member, Jason Black)

Senior management team member, Tamsin Hanly, reflects:

For me the Treaty is like a tohu or a symbol of a relationship. It's about two people who have different world views trying to get on the same page about something, about living in the same place together. And in our side of education, and the school, the Treaty is a really good example for us. It sets criteria which is quite critical I think for a school of people and teachers, who are trying to educate about relationships, and how to get on and how to have different world views, and also be in the same classroom, or the same staffroom. And so the Treaty keeps us safe.

In the 2007 interviews, interpretations of the governance structure by longer term Board members strongly emphasised the commitment to *not* exercising the legal authority of the Board:

In practice the Board had committed regardless of the numbers of Māori in the school and the proportion of Māori elected on the Board, that the Board wouldn't override any decisions that Māori had made in the school with regard to it. That we would work until we came to consensus, that we wouldn't exercise

the legal power that we have as a Board to override that and that we wouldn't require Māori to come onto the Board just to have the numbers for the vote. We talked about what issues did this relate to, and I was personally really pleased that people said well everything in this school affects everybody. So it wasn't about a unit or a particular topic, but that everything in the school could be considered to be in this area of decision making. (Current (2008/9) Board Chair, Christine Herzog)

Our intention was at the time to look at self-governance and that the Board wouldn't impose their wishes upon Te Whao Urutaki. Te Whao Urutaki would be purely self-determining in terms of what they saw as priorities for the education of their children. Te Whao Urutaki have considered all Māori children in the school be it in mainstream or immersion unit and I have to commend them for doing an excellent job. But in terms of governance we would always work together in a partnership and always strive for consensus. That's my understanding and that is the practice that has been put in place. (Ex-Board Chair, Kerin Yates)

It's really the two systems, it's like having two bodies involved in governance working in parallel rather than one over-riding another. We are moving forward side by side and for this school it means we have got a whole focus on that area that is a real strength to the whole school its not something that we are trying to consult on and draw information on in terms of an overriding body, we are going hand-in-hand and so it is a strength. Basically the Board draws on all those areas of governance that Te Whao Urutaki oversees within their own part of the school, and then it is woven into what the Board is doing with the whole school. So it's a system in parallel really isn't it? It's a great strength really. (Ex-Board Chair, Jane Mathews)

Interviewed in 2007 long-term teacher Justin Barlow provided the following description of the governance partnership:

There is a very strong partnership where Māori influence the final decision-making that affects the wider school body through both groups working side by side. Tangata whenua is valid here and so decisions are made together. I've

never come across that before in my entire teaching career, which makes this school very unique. I've been in other schools where at the end of the day the Board of Trustees will make the decision regardless of the community or tangata whenua of that place.

Current Board members I interviewed in late 2008 tend to articulate less precise understandings of the governance structure, which may have to do with their distance from its initial development. However, these members highlight a governance arrangement that is strengthened by the existence of two, different partners:

It certainly goes beyond just being there for Māori voice and issues. I do see the Board [including Te Whao Urutaki], *working together as a whole Board. And I think that's really important. So everything gets complete full consideration, not just particular issues.* (Board member, Michelle Hesketh)

I see it working as a two-way street. Basically we've got two Boards and they meet and they communicate different ideas to each other. (Board member Jason Black)

Long-time Board member Siale Sipley, and Board member Phyllis Herda (in 2008) reflect on the consensus decision-making process as contributing to the experience of relationships in the partnership:

What I really like is that we don't vote, it is a consensus. We will just talk it through until we all agree. Even if we agree to disagree. That's one of the beauties of our governance partnership. (Siale Sipley)

The whole notion of working with consensus is a different place from a Western point of view. To work through consensus in terms of the way meetings are run and decisions are made. And you know that's good. It pushes us more in a direction of a partnership. (Phyllis Herda)

Current Te Whao Urutaki member Ruth Tamihana-Milne reflects on both the qualities of the partnership and the uniqueness of its power sharing arrangement:

When I talk about the governance relationship outside I focus on the structure that's been able to elicit the power sharing because there is power sharing here

and that's a step forward from the rest of my worlds outside of here. There are a lot of things that operate in the school that show that the power sharing is done with sincerity and a lot of goodwill and a high degree of trust and respect but we've also moved to that aspect of power sharing that I haven't seen duplicated.

Te Whao Urutaki member, Jaylene Wehipeihana, also focused on the power sharing provisions of the structure providing for active Māori decision-making rather than consultation after the fact:

I think similarly, it's around the power sharing. The partnership envisages that Māori are an interested party. That's at the beginning of all decisions as opposed to a party after the fact: this group [the Board] *has made a decision, now we're going to do some consultation, it affects this group so we'll talk to them. Rather decisions are made collectively and Māori are involved at the inception of a document, of a procedure or policy whether it affects us or not.*

Current (2008) Board Chair, Christine Herzog, notes that the policy and governance structure is *enabling* of the bicultural culture and relationships experienced in the school, but also that the culture has developed *because people are exercising the structure*. For Christine, policy alone is not the answer to change in schools, yet it has also been her experience as a Treaty educator, that requiring Māori input into charters, can be a catalyst for Māori communities' journeys into the Treaty in school governance:

While getting the Treaty statement into charters for conscientious parties was part of their journey of taking other stuff on, I don't think institutionalising stuff makes it happen….it is structured a lot around good will and interpersonal relationships which is the best way in the end because the law will never make things work.

Concluding Comments

Christine's reflections above offer an ideal transition point to the next chapter of the case study. The idea that institutionalising the Treaty is an end point for social justice (even as it may assist in more equitable relations) overlooks the view developed in this thesis, that ethical responsibility emerges from the interminable intersubjective relation.

This theme is more fully developed in the earlier theory chapters of the thesis, and is not pursued here in theoretical terms. However, a reminder of this theme now is useful for a reading of Chapter Seven that follows. The face-to-face relation reminds us of our founding possibility—that we are reflecting beings in the world because of our prior relational constitution, and are therefore ethically responsible for others. Relationality, as I use it here, is not a togetherness or unity arrived at through rational dialogue, but rather evokes responsibility and the preservation of the alterity of others. Where others are not reducible to an economy of recognition, a dynamic of uncertainty and contestation is accepted. What is important about relationality is not a vision of an idyllic unity, but rather a commitment to the ethical relation, which is not closing against others, but remaining engaged without any guarantees. It seems to me, there exists such a commitment operating at Newton Central School, a commitment to intersubjective, cultural and political engagement in the face of uncertainty and risk. This commitment has given rise to a surprising social ethicality and relational qualities unique in my experience of intercultural and Treaty governance relations. These qualities are observed in the narrative reflections of case members throughout the following chapter.

In this chapter, the historical context of Newton Central School and the evolution of the governance partnership has been traced. A focus on the significant skills and capacities of Te Uru Karaka in this development compares with the relative absence of Māori participation in other Auckland schools, particularly those without any Māori medium pathways. The 25 Treaty/Māori policies reviewed are illustrative of the general state of school–Māori community relations in Auckland and Aotearoa–New Zealand. The policies tend to be responses to legislated schooling policy around Māori language and culture, and very few, if any, exceed compliance expectations to indicate a genuine desire to engage Māori, or to face questions about Māori representation in governance. This approach would seem to indicate both school resistance to the idea that Māori have a differential/special status, and an ignorance of the realities of Māori families and communities. Both resistance and ignorance would seem to work against attempts to engage Māori whānau in the ways suggested by casestudy participants at both Newton Central and at Avondale Intermediate. Providing a snapshot of broader patterns of school–Māori relations serves to highlight how exceptional both the governance structure and Māori leadership and participation at Newton Central are. Here, the

parameters of the legislated governance structure of schools in New Zealand has been stretched to its limits to operate a co-governance arrangement that upholds an unsanctioned (by the state) and politically contentious interpretation of the Treaty as recognising two forms of authority. The co-governance structure has meant facing deeply political and ethical questions, and taking courageous and risky decisions. The Treaty governance structure at Newton Central does not follow the traditional and safer route of inclusion, but rather, in acknowledging two forms of governing authority, has taken the more uncertain path involving the possibility of ongoing contestation, and of committed engagement, and therefore of relational justice.

Case Study: Relationality

Introduction

This chapter of the case study primarily foregrounds participant's experiences of the *relationships* that underpin the governance arrangements and the *effects* of the governance relationship on school culture and practice. Case study participants reflect on the Board of Trustees and Te Whao Urutaki in relational terms and on the skills and attitudes the partners bring to the work of governance. Participants also reflect on what they see are the effects of the governance arrangements for: staff relations; school and student culture; Māori children particularly; and the ways that the mainstream school is learning in organic and productive ways *from* the Māori school. The bicultural, relational and leadership qualities of principal Hoana Pearson are highlighted as central to the day to day *exercise* of the Treaty relationship.

It is surprising the extent to which participants attribute positive and productive relationships across many forms of difference in the school to the Treaty governance relationship. The governance partnership is not understood as operating over and above the day-to-day life of the school, but is seen as a crucial and constitutive feature of school life. The active and visible participation of Te Whao Urutaki and whānau, the bicultural leadership of the principal, and the presence and guidance of the Māori teaching staff contribute to a strong experience of the governance relationship infusing all aspects of the school.

Governance Partners Reflect

Board of Trustees

It has already been noted that the Board at Newton Central School, in position at the time of the Treaty policy development, exhibited an openness to the proposals brought by the Māori community and a commitment to staying in relationship. Case study participant Tamsin Hanly remembers that the Board *put their hand up* and *took*

responsibility for instituting the Treaty policy. Principal Hoana Pearson continues to observe in the current (2008) school Board of Trustees a commitment to the governance relationship that, in her view, involves respect for the *mana and dignity* of others, *trust* and a *willingness to learn*. Because the governance partnership involves ongoing developments, Hoana observes that this Board, as with previous Boards, has been willing to be led and guided by the kaupapa (vision/philosophy/plan) brought by the Māori community rather than assuming it has the answers: *A climate has been created where it was okay to not know, Māori would take your hand in the dark.*

Case study participants from the Māori governance partner Te Whao Urutaki reported that sitting around the governance table with the Board is entirely different to what is experienced in other school governance settings. The governance structure provides space and collective authority for Māori that contributes to a safe governance relationship with the Board rather than one fraught with defensiveness: *people are mostly coming together for the right reasons so there are not the political barrows sitting around the table and waiting for the scud missiles that takes an enormous amount of energy out there.* (Te Whao Urutaki member, Ruth Tamihana-Milne)

Ruth continues: *The Newton Board of Trustees is a total dream! A million light years ahead of what is happening elsewhere. Their actions reveal a sincere approach to partnership—responsive, open and willing to learn as well as to share their ideas and thoughts.*

Ruth reflects that the invitation from the Board to Ngāti Whātua in 2008 to contribute to the school's strategic plan was a *wow moment,* and one that separates Newton out from other schools. Being asked for their input, rather than the all too common scenario of *fighting on the other side,* was in Ruth's view *spectacular.*

The Board of Trustees themselves see real strength in the governance relationship. As Board member Jason Black reports, the Board experience the partnership as productive: *We're lucky, it's not a merger or an acquisition, or we're battling for control or anything like that…so it's a lot easier to be open and communicate effectively. That's the strength I see.*

Board member Greg McAllister experiences the Board not as an *us and them* relationship but as *the two working in parallel with a common objective.* The common

objective of shared school governance gives rise to a sense of common purpose. Hence, despite the fact that Te Whao Urutaki meet separately as well as with the Board, Greg does not see the two partners as working separately. Other members agree that an oppositional *us and them* relationship is not a feature of their experience as Board members. Board Chair Christine Herzog agrees that the sense of shared purpose is facilitated by the transparency that exists because Māori representation is so present in governance. Having been on the Board several terms, Christine recalls some tense moments between the partners, and credits the partnership with possessing enough people wise enough not to force issues for the sake of expediency, or ignore the concerns of a single person.

Te Whao Urutaki

The Māori immersion unit and whānau, Te Uru Karaka, had been operating full immersion education for around three years when the Treaty governance partnership was established in 2000. The Te Uru Karaka whānau had by this time developed a strong philosophy and practice. Regular meetings were held. Decision-making, meeting and enrolment criteria and protocols were in place, and whānau were actively engaged in curriculum development, classroom and resource support, and the development of a range of initiatives, including organic gardens and various ceremonies and celebrations such as Matariki[43]. Significant skills and competencies were then transferred into the development of the governance structure and the ongoing role of the Māori governance partner. Principal Hoana Pearson reflects*:*

> *The thing that was really important was the fact that a strong collective of individuals already existed and there were clear processes and structures, accountabilities and responsibilities. That just transferred to coming along with a really strong solution to something that the school was struggling with.*

Senior management teachers, the principal and present and past Board of Trustees members who participated in the case study reflected on their experience of Te Whao Urutaki as a governance partner. Nearly all Board participants report a governance environment that is open, where not to know is accepted, and where Te Whao Urutaki

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[43] *Matariki* commonly refers to the Māori New Year. Matariki is the constellation Pleiades, which returns to New Zealand skies in late June and heralds the beginning of the New Year. The return of Matariki was traditionally greeted with various rituals associated with the promise of a bountiful year ahead.

members approach problems positively and relate collegially. Hoana Pearson and senior teacher Tamsin Hanly spoke in separate interviews about the *generosity* of the Māori community in leading, guiding and educating the Board in the development of the governance structure and policy:

> *That was an incredibly generous koha* [gift] *from Māori that enabled that to happen, that created a climate where it was okay to not know, and Māori would take your hand in the dark and that's what happened.* (principal, Hoana Pearson).

Tamsin Hanly reflects on the Māori community's particular contribution to the governance partnership:

> *As a Pākehā person, a staff member, to sit inside a school, which has this governance structure, where Māori people have enough energy and are willing to do that education, training and fostering and just staying with it and not getting pissed about having to just keep re-educating people all the time you know…I just think that's an enormous gift of generosity and energy from the Māori community which we benefit from and that's why the school is like it is.*

The leadership of the Māori community was highlighted in discussions by Hoana Pearson and past Board Chairs Tim Mahon, Kerin Yates and Jane Mathews:

> *There was outstanding leadership shown from the Māori community. It's really important to have people that are prepared to lead, and engage in the community to do things. The fact that the Māori community has done it with such superb leadership; and the leadership of that has grown organically.* (Tim Mahon)

> *There has always been leadership in Te Whao Urutaki. You've got leaders in education within that group who are very articulate, well-educated, determined, and are able to create a vision for people and draw them in and get them moving…it is a leadership thing.* (Kerin Yates)

> *There are very visionary people in that group which to me has largely determined its success. Very determined people.* (Jane Mathews)

In reflecting on her own position prior to the establishment of the governance policy, principal Hoana Pearson recalls feeling *backed against the wall.* A conversation Hoana and I shared about the need for trust was significant in enabling her to move forward and make a commitment to the relationship with Te Whao Urutaki. Hoana now experiences the relationship with Te Whao Urutaki as *one of incredible strength and safety,* because she is *not journeying alone* in kaupapa Māori education, but has access to a collective of Māori in the school with whom she can talk issues through. Hoana also suggests that the relationship with Te Whao Urutaki has supported her to take risks on behalf of Māori education that might otherwise have been difficult.

Senior staff reflections on the Māori community role in governance relate to the educational role they observe Te Whao Urutaki playing in both day-to-day school life and governance. Senior management team members Josephine McKendrey and Sheila Buchanan have served as staff representatives on the Board, and have experience of Te Whao Urutaki both in governance and as members of the Te Uru Karaka whānau:

> *I think that we're very lucky that we've actually got passionate people, and people that understand and see the bigger picture. Like you don't often meet, you know the whānau that is really passionate to do the consultation, that are prepared to put the extra hours in.* (Josephine McKendrey)

> *We have two Boards and they are alongside each other. We have a lot of input from both, but I think it's quite different levels of governance. Our general Board do a bit of shaping in terms of what we actually teach, but not as much I think as the Māori Board, who do it at grass roots too. So they actually have governance like our Board at a very top level. But then they're actually involved in depth in whānau and mapping out terms, where we want to head, the visionary thing. To me it's* [Te Whao Urutaki's role] *actually the blood, the lifeline, they're actually parenting, nurturing and looking after the school as if it's a child.* (Josephine McKendrey)

> *I see the Māori Board is grass roots, hands dirty. Right in there doing stuff in the classroom, helping, deciding what's going to be taught, as a collective — staff and Board* [Te Whao Urutaki]. *Having much more involvement in the daily education of their kids. A lot of the mainstream Board stuff is to do with,*

"here's the monthly budget", "lets go through these figures" and maybe it doesn't know so much what is actually going on in the classrooms. It's more financial than educational. Whereas I see the Māori Board has a much more educational role. And that's what we should have, that's what the mainstream Board should have. (Sheila Buchanan)

These statements suggest that Te Whao Urutaki operate not just as a governance group, but are grounded in whānau and in day-to-day school practice. As noted in the previous chapter, active involvement in the Te Uru Karaka whānau predates the governance relationship, and it was the Te Uru Karaka whānau who initially constituted the Te Whao Urutaki membership, and continue to be the majority of members. Te Whao Urutaki has now grown to include representation from the bicultural/bilingual unit Te Awahou (a pathway initiated by Te Whao Urutaki); Māori whānau in mainstream classes; and Ngāti Whātua representation, most of whom are whānau in the Māori medium pathways.

Te Whao Urutaki members see themselves as part of a distributive model of leadership that operates in the various whānau. Governance is only one of a range of activities that whānau undertake. Te Whao Urutaki member Ruth Tamihana-Milne works extensively in community development and education in the Kaipara region, and often compares Te Uru Karaka and Te Whao Urutaki activities at Newton with her experiences with school Boards and governance in that region. Ruth reflects:

I think about my world outside of this school, it's always just so tremendously robust in comparison. We have so many informed whānau, learned, educated whānau and that's within the realms of taha Māori [the Māori world/side], *as well as taha Pākehā* [the Pākehā world/side]. *We have far more people come to hui* [meetings] *and we have a number of people really comfortable with the world of governance.* (Ruth Tamihana-Milne)

We have a lot of capacity and skills in our whānau and I see a distributive type of leadership operating here. There are some people into doing the kai and there are others coming to the classrooms. A lot of us are doing bits but we fall into our areas of skill or expertise or comfort. And we're all sort of equal, not one is

more important necessarily than the other but it works around the distribution (Ruth Tamihana-Milne).

We are way ahead of the ball at Newton, I'm always blown away by the dialogue and conversations that I don't hear elsewhere. Leadership is a key factor— consistent, sustained and ongoing messages and actions unleash a sense of whānaungatanga [relatedness]*, security and confidence to move forward together. All those sustained messages and actions can fairly quickly become embedded in the culture of the school. Look at Newton—what a difference 10 years can make. Hoana's leadership is huge but there is strong leadership evident at all levels and from a variety of people. Leadership at one level doesn't automatically transfer to other levels. Distributive leadership seems to work more effectively.* (Ruth Tamihana-Milne)

Leadership–The Principal

Hoana Pearson has been the principal at Newton Central since 1998 and a teacher in the school since 1994. In both the 2007 and 2008 interviews, the Board, Te Whao Urutaki and staff members highlighted how crucial the role of the principal has been for the success of the governance partnership. In this section, participants, including Hoana, reflect both on the role of principal generally, and on Hoana's role in the governance relationship specifically.

Given the high level of authority the principal has, participants believe it is essential principals share in any vision like Newton Central's partnership, and show commitment and leadership to it in the day-to-day management of the school. However, somewhat paradoxically participants, including Hoana, suggest that a governance relationship cannot flourish if the vision is the principal's (or Board's) alone, and if *leading* the vision is singularly the preserve of the principal. Participants believe that both the vision, and the leadership of that vision, must emerge from a range of sources, in particular from the community itself. Sharing the leadership of such a vision is, in effect, sharing power and points to a model of collective and distributed leadership.

Participants also reflect on the leadership and relational qualities Hoana brings to the governance partnership, and her role as school manager in progressing the partnership.

Hoana's being bilingual and bicultural means she both shares in the vision of the relationship, and possesses capabilities regarded as critical to operating at the interface of the governance partnership, and competently amongst both partners. Hoana also reflects at length on her own practice, but also on her experiential knowledge of other school practices and the approaches she believes are essential for principals to engage in, if they are to develop meaningful relationships with Māori communities.

Board of Trustees and Te Whao Urutaki members believe that given New Zealand schools are structured such that principals have significant authority the principal's role is pivotal in developing Māori community–school relationships. Both Hoana Pearson and ex-Te Whao Urutaki member Rihi Te Nana respectively noted that principals can act as *laws unto themselves* and can also *be huge gatekeepers*. Without their sharing in a vision the possibilities for productive school–Māori community relationships are limited as Alice Heather points out: *the vision of the principal is important. If the principal doesn't believe in it I don't think it will happen.* In reflecting on the potential for positive relationships where the principal is engaged, past Board Chair Kerin Yates believes it is the principal that *sets the culture and the climate in which all of these positive things can happen.*

Te Whao Urutaki members, Rihi Te Nana and myself both commented on the centrality of the principal's role in forwarding partnership relationships in the day-to-day of school management:

> *The principal is totally key. Without the principal as the day-to-day manager driving the vision, without that level of support the community and the Māori community in particular can remain relatively invisible in schools.* (Rihi Te Nana)

> *Most schools have a Treaty policy, but the extent to which that is operationalised depends on the principal who will lead it at the day-to-day level of the school. It is the principal who will organise consultation, reporting processes and so on. And if the principal does not take this on then the community must have real strength to push it along.* (Te Kawehau Hoskins)

Although the New Zealand school leadership model vests significant authority in the principal, making the principal's role critical to forwarding such relationships, those

interviewed point out that the vision and leadership should not be the principal's or Board's alone. Board chair Christine Herzog questions the view that non-Māori Boards and principals should *provide leadership in the conventional sense of "here's the vision", and "here is what we are going to do", "can you tick the box"* in relation to Māori participation. Ex-Board chair Tim Mahon argued that relationships with the Māori community require not a single champion, but leaders from a range of quarters, if such relationships are to actually represent a partnership: *there must be more than one leader, if its one person its not a partnership but a monarchy!*

Hoana understands her position in the governance partnership, and as school leader, as responsive to and facilitating the vision of communities. Boards and principals in Hoana's view need to exhibit:

> *a willingness to respond where a need is identified, and the need is not dictated by the Board but is brought to the Board. That is the difference I think. It's not the Board or principal saying this is the answer therefore we'll do this, it's responding to that kaupapa being brought by the Māori community and a willingness to respond to that.*

Hoana describes her own leadership practice as a model of *collective* and *distributive* leadership, which operates to *facilitate* the aspirations of the community:

> *So people come in with whatever people come in with, and it's usually Māori coming in, isn't it? It's like you've got these ingredients and you're mixing those ingredients to come up with what you want at the end. It is dispersed or distributed leadership—my role is not to determine or block or say yay or nay to something. My role is to look and take this and that and consider what it could look like. But the intent is already established. My way is to see what ingredients we need to move that forward, and how that is possible within the parameters of what we've got, so you know there is a collective leadership. So how much the cake rises relates to your being a facilitator, being able to nail that vision. [My role] is facilitating and participating in a process of the realisation of a dream.*

> *No doubt about it, that the principal's position in a school is one with a huge amount of power, and one of the key ingredients is a willingness to share that*

power, because if the principal is not willing to share it—that's it, and creating change in a climate like that is very difficult. Whatever type of leadership you call it—dispersed or distributed—it's about the principal's willingness to share power with a collective, to believe in the strength of collective power. That's the difference. I think a lot of principal's don't want to give away power.

Hoana's role involves working with, and being in relation with, both the Board of Trustees and Te Whao Urutaki. Hoana is often described as standing in multiple roles, being able to step across various communities. Board Chair Christine Herzog reflects that Hoana contributes significantly to the positive and cohesive relationships between the two governance partners*: Hoana can walk so easily between and within. Wearing different hats in the different groups at different times. That's part of weaving together and making sure that everything stays close together too.* Board member Greg McAllister agrees that the governance relationship is particularly effective because *you've got a committed principal, a committed leader, who's driving the vision and can glue the two streams together.* In response to a question about the role of leadership in the governance partnership, senior teacher Tamsin Hanly responded to Hoana: *your role is highly critical because you have to manage both sides, and it takes an extraordinary person to be able to do that with extraordinary skills.*

Hoana herself sees, that her being Māori and being committed to the vision of the partnership provides her with significant advantages:

> *a key thing for me is that I am Māori, I am bilingual, I am bicultural and I am prepared to learn—I have that advantage. I have the advantage of being able to walk in either world, and I guess that is part of the reason why I'm committed to doing it, because what we're modeling here is what I want to happen out there.*

Tamsin also notes that Hoana's being Māori means: *you promote a Māori worldview in every way, high expectations of Māori, in every fibre of your being you totally normalise it for Māori students and non Māori as well—it normalises being Māori.*

While Hoana's being Māori is a significant bonus for the partnership, a number of participants were keen to argue that the role was not a 'Māori' role, rather a role for someone with a commitment to biculturalism and possessing a range of relational qualities. Ex-Board chair Tim Mahon cited the previous Newton Central principal, Tim

Heath, as an example of a Pākehā school leader committed to social justice, responsive to community, and supportive of Māori aspirations for language and culture.

Senior teacher Tamsin Hanly suggests being bicultural is a pre-requisite:

> *I don't want to say that you have to be Māori to do it, but I do think that if you want to have a truly bilingual and bicultural environment, the leader has to be able to go there. So you could get Pākehā people who are doing what you* [Hoana] *are doing but they would have to be very knowledgeable of the worldview. So if you want to be operating a bicultural model, you have to be a bicultural person.*

Hoana believes that principals must *believe* in, and be *committed* to, Treaty engagement. For her, the commitment involves engagement in ongoing processes of self-and institutional reflection. Hoana also suggests an important orientation for school leaders in engaging in relationships with Māori, is to be a learner and to seek guidance. Because such relationships often represent the unfamiliar, for many principals becoming a learner (from a position of authority) takes enormous courage:

> *you have to be prepared to take risks and you have to have courage and you know that's one of the things in all the documents that they* [the Ministry of Education] *did about leadership in schools, the word courage was missing; and unless principals have courage, nothing will change because the majority of principals in this country do not know the answers. The answers to relationships takes courage and the courage to say, "look I'm terrified, I'm pretty freaked out about this"—you actually change the terms of the relationship because you've been honest and real. If you're going to be a principal then invest in hundreds of hours of critical self-awareness or consciousness-raising. I think that a component of teacher training needs to be about consciousness, and it needs to be about self, and it needs to be about social consciousness, the social, race and class.*

> *A willingness to take the risk, courage actually in other words, and I think those words are really important because it is courage, and I think anybody that steps on a path that's unknown takes a step in faith, and is courageous.*

Hoana argues that having interpersonal, *emotional* relationships with Māori is critical to school leaders' capacity to work for Māori education: *the key to education for Māori is relationships*

> *Generally I don't believe that people in positions of power in schools actually know how to have relationships with Māori and I think that's because the only relationship that they've had with Māori is in the school. And so to actually have a personal relationship with Māori, and to know on a different level what it means to be Māori, they have no understanding. So therefore people can talk about empathy, but they talk about empathy through their own interpretation, having no actual experience of an emotional relationship with Māori, which I think makes a difference. I think we talked once before about people who may make racist comments but also claim "my best friend is a Māori" and there is actually something in that. Those people have actually made a commitment to a relationship and spending time and things like that. It's not always you can assume there are positive motives to that, but most often people are stepping outside of their own comfort zone, and actually being open to learning and experiencing and going into different situations.*

Critical for Hoana in such relationships is respecting and acknowledging the *mana and dignity* of both parties: *the relationships are many and varied but the foundation is respect. At a governance level, the willingness and commitment to a relationship that's based on trust, with respect and mana and dignity. I think those things are important.*

Ex-Board Chair Kerin Yates views Hoana's relational leadership qualities as central to why the Treaty governance relationship works:

> *As an individual Hoana has the ability, something that always amazes me, for people to hold on to their dignity in terms of their dealing with her, they feel safe and they feel listened to, and if you have a culture like that within the school, then it makes it easy for things to happen and for people to achieve the ends that they desire. I mean we have a very open, caring, supportive school culture, and that creates a climate for things to happen, and that is a result of leadership.*

Senior teacher Tamsin Hanly also reflected on Hoana's capacity to make others feel safe even through the highly political process of the governance partnership development:

I think that your personality, your aroha if you like, your goodwill to educate non-Māori people or people who don't know about things Māori, your willingness to do that has been so huge, you always made them feel really safe. I remember hearing at those Treaty training workshops, "this is scary but it is okay". So I think there has been a lot of support given by you guys to the non-Māori community.

Effects of Governance Relationship

School Culture: Whānau and Difference

The school culture at Newton Central has for a long time reflected a culture constituted by social and cultural difference, and has over time become attentive to, and preserving of, forms of difference. Newton Central is overwhelmingly described by participants as a school that is *whānau*-oriented, that exhibits an ethos of community and care, and where school members have permission to *be themselves*.

School members who participated in the case study suggest that the Treaty governance partnership has strengthened and supported a whānau school culture, has contributed to a commitment to working with *difference* at all levels, and in all situations, and to an emphasis on the quality of relationships for the sake of those relationships.

Board members Jason Black and Greg McAllister reflect on their experience of whānau culture at Newton:

It comes back to the culture of whānau you know, and that's the part that gets instilled from governance basically. And it does. That drives down throughout the school. I think it's a caring type of environment, the whānau type place. Kids looking out for each other. It doesn't matter whether they are in the Māori units or not. Even through the mainstream I can walk around the school and see, you know, if somebody gets hurt, there's somebody over there rubbing their back and kind of looking after them and making sure they're okay. It's just a culture that's been created within the school, that's got a flow on effect. It's not

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the sort thing that the Education Review Office will come and test us over, in terms of the writing and the arithmetic, but it's educating and creating human beings, in a holistic sense. So that's what I see is being created there, from first hand experience. But why it occurs is a tricky one. (Jason Black)

It's quite interesting because the environment of Newton is quite culturally creative, and it might be a factor of its size, but there's something incredibly attractive about it. Almost like being a big family. I just think about parents and friends who have got children in other schools, that sense of community around their school, and the parents and the children being involved in their school [isn't the same]. *But this school gets on together, and there just seems to be that real strength of community that you don't see in other schools.* (Greg McAllister)

Te Whao Urutaki member Kerry Hiini reflects on his search for a school for his son Teina:

We had Teina who is a special needs child and right from the very beginning we were looking for a small school and when we came here we thought "ah this is where we want Teina to spend his primary school years". We found something different and something quite unique and diversity was a biggie for us because when you've got a child with special needs you're trying to find something that's going to suit their personality, and one where you've got an environment that can be quite supportive, but support them not just in their school work but also from whoa to go. It's a total, like a whole of life approach rather than just a school that they go to. We couldn't have got that anywhere else.

Senior teacher Tamsin Hanly reflects on the strong acceptance of difference she observes in the school emanating from all sectors of the school community and supported by Hoana Pearson as school leader:

I think that this school because of you [Hoana]*, among Māori and non-Māori there is a strong acceptance of difference. Acceptance of difference basically is love really at its wider level. I think the Māori community here are not what I call traditionalist Māori, they are people who are quite out there on the edge of their own Māori communities, including yourself, for different reasons. I think*

the Pākehā people in our community are people who are quite different and are not conforming and so on. And I think the Pasifika people even too are not necessarily so traditionalist that in looking they can't see the wealth in looking at difference. I think for me that is probably the critical thing about this school. In its enormous capacity to accept difference, it is open to anything. Those things say to our children that difference is okay, and that it is actually difference that makes us the strongest that we can be. We are strongest because of that, because we are not all the same and we are not.

Connected to experiences of a culture based on whānau and difference is a common theme concerning the quality of relationships, and the importance attributed to relationships, in and of themselves. Siale Sipley, attended Newton Central School in the early 1970s. Her children also attended the school and Siale has been a Board member for many years. She recently completed teacher training and returned to the school as a beginning teacher in 2009. Siale reflects on what keeps her connected to the school: *I think that what makes Newton special is that we have wairua* [spirit] *here. You know it's all about relationships and good will.* Hoana agrees that:

> *Its kind of like here it still comes back to relationships because what we have in the school is permission for a relationship. The fact that you can go up and get a hug from people if you want a hug. You know that you can say "look I was a bit grumpy yesterday, sorry".*

For Tamsin Hanly, the Treaty itself and the Treaty governance partnership in the school is a powerful reminder of the importance of relationships, but critically of *staying in* relationship:

> *It's a commitment to stay with it, even though it's really difficult. For me the Treaty is that. It's like a fantastic, you know, model for us to hold to. Not that it's all good and it works all the time, because it doesn't. But you know, its a constant reminder that the possibility exists, and certainly that would be the benefit for me of the Treaty, it makes me have to stay in negotiation in relationship all the time.*

Teacher culture: Learning from Relationships with Difference

Teachers feel that the strong presence of Māori people and culture, enabled by the governance structure and Māori medium pathways, has supported their being mindful and respectful of other ways of working, knowing, and behaving across a range of relationships. Tamsin Hanly relates:

> *It's about Māori–Pākehā relationships and that's important. It offers a bicultural, two world view. The acceptance of, and commitment to, that by staff, the Board of Trustees, Te Whao Urutaki and whānau means that it transfers further than that, to an acceptance and a commitment to work with difference at every level and situation. It provides a belief in difference, in that difference is really helpful, positive and okay. It provides a model about relationship and how to negotiate difference out there.*

> *It's about recognising two different worldviews and it absolutely reminds you all the time that you're not central. You know, that there's another way, and even to the point when you're looking at an autistic child, and you think the same way about relationship. It's about how am I going to relate with this person, and I've got to have a relationship with him and negotiate with him. And it makes me have to stay in negotiation, in relationship, all the time. Try to. With different people and different ways of working.*

Hoana shares this view, suggesting that respect for difference is reflected in interpersonal as well as group relationships within the school:

> *Our relationships are built firstly on being who we are, so there's that whole thing about modelling that there's a partnership and celebration of difference. Having a relationship with someone else besides yourself or besides your same kind. Having a relationship with difference and so that's what we're doing when we come to a table. We come to a table that's really different but with a common goal.*

Other teachers suggest that staff culture and practice are also affected by the way the governance relationship has permeated the school culture. Senior teacher Sheila Buchanan relates that staffroom culture attests to this:

I think in our staffroom it provides a really good model. You know, open, that we're all in here together, whatever our beliefs, whatever our race, whatever anything. It provides for open relationship. We are all in there to learn. If you don't know something that doesn't matter, you're just open to it. Nobody looks at anybody and judges in any way. So it provides a really nice basis for a non-judgmental relationship amongst staff.

Senior teacher Josephine McKendrey observes a staff culture that shares resources and has a concern for interpersonal relationships:

We're very supportive of each other. And it's a school where stuff gets shared around. You've got a resource, people are happy to share. In a lot of places people aren't really. They're like "I've done this work and that's mine", you know. But here, people are always "do you want that"? It filters right down, filters up and down and sideways. Teachers also check in on each other too. In some places when you work you don't see the person beside you. So what I see is that people are having these interpersonal relationships that you don't often get in a school that doesn't have that kind of sense of community and engagement with the Treaty, because that's what it's about, it's about that relationship of bringing people together.

Hoana reflects that the culture at Newton Central is one where staff with non-dominant social identities can express those identities:

I think it's something that is really unique. There's always been as long as I can remember an ethos here about celebrating difference and diversity and I think that every individual staff member would say it's okay to be you, and its okay to be different, and warts and all.

Another strong theme that emerged from staff is that the mainstream school is learning from the Māori school. Through ongoing relationships and observations in context, Māori initiatives and ways of working are organically transferring to mainstream classes in the school. Josephine McKendrey reflects upon this in relation to the celebration of Matariki:

That's what's so cool about this model where you've got Te Whao Urutaki and the Board and, it's the same thing, it's saying, "well gee the mainstream can actually learn from Māori models, wow, that's a great thing that you guys are doing". The fact that this term is considered the Matariki term [for mainstream] *and it's now in its third year. It's only through the fact that I've got different resources, and the fact that you* [Māori staff and community] *historically do the big Matariki thing. You actually do those things that we* [mainstream] *are then are going, "ah, so that's where we could go". We're actually just gleaning stuff from you, you know.*

Tamsin Hanly observes that there are different working approaches operating among staff, and that staff are aware there are a range of ways of doing things, which have transferred from both the Māori units and the model of governance:

I observe the relationship working in our [staff] *discussions that are time consuming. We argue and negotiate a lot. We try and observe principles and values, and have tikanga in place for safety. There is an awareness that there's another model for working something out with a child or staff member or a whānau issue. An awareness we could take this issue to a whānau hui, a staff hui, a senior or children's hui—there isn't one model to follow. An awareness that we can have face-to-face conversations with parents. It's exhausting but I have faith in it, I know it will work out in the end.*

Sheila Buchanan also reflects on the way Māori cultural practices are embedded and consistent: *It's important to know that when people are coming in there is a protocol in place, that they are going to be treated in a respectful way – those are unspoken things that happen.*

In addition to the 'organic' transfer of Māori ways of working to the mainstream, Tamsin acknowledges a conscious commitment by staff to ensure a Māori view is represented in school practice that has now become embedded in the way staff work in the school. Even at times of crisis, staff are attuned to the need to attend to relationships and ensure practices and decisions hold space for a Māori view:

My experience at Newton is that when we get to crisis point, we still manage to hold to the people combined in it. You know, somewhere in there someone

remembers, and goes, "hey wait a minute, this is important". Certainly in our daily school culture, there's an acceptance, and there's an expectation, and there's a belief, and a holding to: "gee, I wonder, should we just check out with Anaru [senior Māori teacher] and see what he thinks about that"? So it's really about checking all the time, making sure that we are trying to hold to there always being a Māori perspective, a face, or a voice, because the Pākehā one can just happen automatically almost. But now in this school it becomes automatic to try and make sure that that Māori one exists as well.

Senior management staff spent some time during the interview discussing the desire to increase parental participation in the mainstream school. They recognise that much can be learnt from the whānau model of participation in the Māori medium pathways. As Tamsin points out, *whānau* has been a model for educating parents in Māori medium:

the whānau is so involved in the education and it's not just staff members, its staff and whānau and kids, all doing the education. In terms of parental participation [in mainstream] staff are way ready, and the kids are ready. It's just the parents that need to get pulled on board.

Sheila and Josephine agree that *once you start that relationship of getting them in and getting that expectation that's actually the partnership. Then other stuff will come. But it's actually to get them in. It's just a hook, and it's how you build on that hook.* (Josephine Mckendrey)

For many staff, the bicultural and relational way of operating at Newton Central has meant many teachers stay at the school for long periods of time:

There is an adherence to things Māori in a daily way, how we run our meetings, have food, run assemblies. Tikanga Māori is normalised here as well as tikanga Pākehā. There is a value for me in that relationship and that's why I find it hard to go out and work in another job because I can't work without it. Once you've connected with things Māori, bicultural, you see how incredible it is. I'm not going to work where the human principle does not have importance and status (Tamsin Hanly).

Sheila Buchanan who is a long-time staff member has also seen how new staff respond positively to the culture at Newton: *when they get here they really enjoy it. And I think it's because of that. It's because of the openness. And there's the heart of it that people stay. The gentleness.*

Tamariki–Children culture

In this section I gather together participants' reflections on the effects of the culture at Newton Central on Māori and non-Māori children in the school. For the most part what is important for school members in the study is that all children at Newton learn about, value and enact respectful relationships. In relation to Māori children, members suggest that the governance relationship—in particular the role of Te Whao Urutaki, the principal Hoana and the high participation of whānau— creates an environment where being Māori is positive and normalised. Most agree these factors are essential for cultural outcomes and important for academic achievement outcomes also.

Tamsin Hanly sees that, in the broadest sense, teaching children about ethical and respectful relationships, is one of the most important things that schooling can teach children:

> *What comes from valuing relationships is hopefully we're educating in that way and our kids are getting grown in that way. That's the objective for me, if we hold to this in our ways of working, and then we try and do it in our classroom, and we keep trying to make our kids hold to it. It's like having high ethical expectations and I think it comes through from the governance. And my kids go, "oh are you still going on about it. Yes I am!" But actually in the scheme of things, that's probably one of the most important things we can be teaching them, is the value of relationships.*

Tamsin suggests valuing relationships at Newton Central is borne out by ongoing relationships amongst teachers and students many years after leaving the school:

> *I experience Newton kids as very human and engaged in relationships much more than children from other schools. They initiate contact, greet and kiss you and talk to you even five years on. That's one of the benefits for all children who*

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come to Newton of holding to the partnership and honouring relationships, humans, people.

Learning *from* Māori

Staff interviewed agree that Māori cultural values and practices have for a long time been embedded in the day-to-day life of the school. There are a range of Māori waiata (songs) and karakia (prayers/affirmations) that all children know, and school assemblies, taken by different teams, utilise tikanga in their fortnightly format. All children understand and participate in pōwhiri and there is a beginning of year pōwhiri for all new children, families and staff. Matariki (the Māori New Year) is celebrated by the mainstream school, and is integrated into their curriculum, as it is in different ways, for the Māori medium pathways.

The annual school concert attempts to be bilingual and 300 children participate. In 2009 the junior school had their inaugural marae[44] stay at Orakei, and this stay is set to occur every three years for both junior and senior levels. All meetings throughout the school hold to some tikanga such as karakia and kai (food). All classes start and end the day with karakia and have karakia for kai.

The composition of the school is increasingly bilingual and bicultural. There are currently four Level 1 immersion classes encompassing Years 1 to 8 (Te Uru Karaka). There are three Level 2 immersion classes (two Te Awa Hou classes), and the class at Orakei Marae which the school umbrellas. There are also two level 3 immersion[45] rooms operating in the mainstream school.

Bicultural Leader and Curriculum

At the end of 2008 the school created a position for a "bicultural education leader", a proportion of a senior management position for Tamsin Hanly to develop bicultural and bilingual education across the school. The bicultural education work started at the beginning of 2009 and involves approximately two days per week. This work includes developing and writing what Tamsin calls "bicultural histories of Aotearoa", and which she describes as a developmental Social Studies programme for the school. Tamsin is

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[44] Meeting area in front of the traditional meeting house of a whānau or hapū.
[45] The Ministry of Education (2010b) criteria for Level 3 is 31% to 50% immersion.

aiming to provide topics of study for each year level (1 to 8) to be taught for a minimum of one term per year covering aspects of Aotearoa–New Zealand bicultural histories.

For Tamsin this work involves locating and developing appropriate resources, and sometimes includes reading and breaking down history texts into readable pieces, and providing critical and political perspectives for teachers. She then collates a set of resources on particular topics to support teachers developing background knowledge ahead of their teaching the material. A range of possible teacher activities are also provided. Tamsin sends out copies of the resources to a wide range of Māori and Pākehā working in the area, and incorporates that feedback into the units. Units developed so far cover the Māori world prior to contact; shifts and movements in Europe and Great Britain leading to colonisation and migration; the meeting of two worlds; and the Treaty of Waitangi. These units will make their way into classrooms from the start of 2010.

In addition to the above work, Tamsin works with school teams to develop Māori content for their topic planning. She attends team meetings within mainstream school teams to contribute to their topic planning for the term ahead. She then plans a unit of work providing ideas for Māori language and content on that topic including making up resource boxes. Te Uru Karaka teacher Anaru Martin, who is also the school's te reo and tikanga Māori advisor, checks Tamsin's work prior to it being worked through with the team. The teachers' task is to incorporate the unit plans into their whole term planning with an expectation that three hours per week will be achieved by the end of 2009. In support of this work, Tamsin teaches related material in weekly 45 minute sessions with the junior and senior children, and Māori language to staff fortnightly after school. The units of work she has developed become ongoing resources for the school.

Senior Teacher Sheila Buchanan suggests that these developments are vital for children's learning and development:

> *For all kids it broadens their knowledge and there is a different way to do*
> *things, an expectation that things are done in a variety of ways, not just one.*
> *And so that's got to be good for them, it's got to be enriching for them.*

Tamsin suggests it is crucial for bicultural teaching that both the *content* and the *context* are connected:

> *there is a need for straight out knowledge about history, things Māori, Pākehā and so on because they don't know. Give them information. But you don't just have that component you've got to contextualise it. If you are having a conversation about fishing in the 1760s, you could be having the same conversation about the foreshore and seabed, the Sealords deal* [current issues between the Crown and Māori groups]. *Knowledge has to be connected so it becomes a living thing, has a lived relevance.*

As the bicultural curriculum that Tamsin is writing has not yet made its way into classrooms it is difficult to make an assessment of its effects. However, Tamsin reports that the work she is currently doing to integrate Māori language, knowledge and perspectives into classroom programmes, is being enthusiastically taken up by teaching staff.

Tamariki[46] Māori

Māori students at Newton Central School constitute almost half the school population, and Māori medium pathways account for over a third of classrooms in the school. The long history of Māori education in the school means Māori culture is prominent and well bedded down. Having a Māori principal, Māori teachers, strong whānau groups and Te Whao Urutaki as part of the Treaty governance partnership—all contribute to an environment where Māori students are positioned positively in the school. Tamsin argues these factors contribute to a secure identity as Māori, academic achievement and a school environment where Māori is valued:

> *Being Māori is really looked down upon in other schools. I don't think you can underestimate the power of having a Māori face in the kura* [school], *in the principal's position, in Te Whao Urutaki, and in the teaching staff. If in the higher echelons of the institution and the systems and the environment a Māori face and voice is present, then that is what the kids get. I think that has an enormous impact—it all trickles down. They are completely, every day, proud*

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[46] *Tamariki* is a generic term for children.

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to be Māori, it's awesome to be Māori, it's the best thing in the world to be Māori. Certainly, I think that Māori kids walk into this school, and they know that they can be Māori, you know. They don't have to think about it.

The fact that this school has a very strong Māori voice has an absolute direct link to their confidence and therefore their ability in their education—their academic ability. So their voice and their face becomes legitimised and affirmed. So because of that they are strong and they do better. They just do. I don't think you can underestimate that. It's a face that has value and mana. It has an honorable place here so I think that that has had an enormous impact on Māori achievement....promoting high expectations of Māori and also of a Māori worldview constantly in their face.

And for non-Māori kids, it's right in their face that Māori exists, and that worldview has status in this school. Right from day one you'll straight away immediately gauge this is a pro-Māori school.

Former long-time senior teacher, Justin Barlow, reflects that the leadership in the school has given rise to significant leadership skills among Māori children themselves:

I think we've empowered our children to have that respect so it's top down and also from the bottom. An example I'm thinking of is the way we have led our Māori children to lead some key celebrations and that's just not the Māori unit but all children who consider themselves Māori throughout the whole school. And there's none of this whakama [embarrassment/shame]. They're all up there and it's not about being a half-caste Māori or whatever, it's about being Māori so they're all inclusive and that's how the top down meets the bottom up.

Current Te Whao Urutaki members reflect on what drew them to Newton Central as parents and what they observe the school has provided their children. Jaylene Wehipeihana relates:

I think for me bringing them here it was for themselves as Māori, being part of being Māori and being safe in that environment, and being able to stand up and talk about it quite happily and for them to be quite comfortable.

Ruth Tamihana-Milne reflects on her own search for a school like Newton Central, and suggests it is a common search among Māori families:

> *When you actually talk to many whānau, they weren't actually happy with sending their kids to their local schools. They actually did search for this school. They were searching for something that they wanted and they might have happened upon the school by a variety of reasons, but they were already showing that there were many parents out there saying "no I want something different and I want something more". And a lot of those people have actually converged here.*

Ruth goes on to describe what she sees as the 'recipe' Newton Central has for educational 'success', and the benefits offered to Māori children:

> *There are huge benefits for our kids here and it's clear. You know if you look at the perfect recipe you've got great, strong kaiako, you've got a strong school environment, you've got strong governance and you've got strong whānau, and I think Newton is one of the few places, if perhaps the only place actually that I've seen where we fulfill all of those four things to support the tamariki, because at the end of the day those things are all about the tamariki. Here we can tick off those boxes, and even though things wax and wane and people come and go, there's still a strength here. I'm still really grateful everyday I drop my kids off here.*

Jaylene Wehipeihana, Alice Heather and I suggested that the hands-on participation of parents and whānau in day-to-day class activities, and in governance, contributes to a range of positive outcomes for Māori children:

> *You know my boys see that I take responsibility, that I want the best for them and I'm doing what I possibly can, that I'm quite active and I take a passion in this and they end up taking a passion in it. They are comfortable where they are and I think it's just them seeing me being an active parent and being involved as opposed to just dropping off, picking up, you know "wow, she's really into this. She's here as much as she can and actively involved in doing these things". I think if I can portray that to them, that I'm passionate about it, that they will take that on board and actually feel, get something out of it, as opposed to just*

being at school and just having to go through this boring process and being safe and that. (Jaylene Wehipeihana)

Their sense of who they are and that they belong here and this place is safe for them, they feel totally comfortable. That environment has been created in part by that good governance relationship. (Alice Heather)

It kind of puts them at the centre in a way that you know I think Māori kids at school have always felt on the fringe. I certainly grew up with a fringe feeling my entire school life but somehow here you're at the centre. When you have a kaupapa that's about you, your language and culture, and when you see your whānau who are right at the centre of school life, "oh well school is about us". You know, "education is about us too". It's not just about those fellas, and we're just waiting for fifth form so we can leave. (Te Kawehau Hoskins)

Your kids see you participating. These kids in this school, in this unit, see their parents and their whānau members participating at school at the macro level and at the micro level. We know this works, and now Ministry of Education research and strategies are suggesting the same thing. (Te Kawehau Hoskins)

Māori have asserted that achievement for Māori is about cultural as well as academic outcomes (M. Durie, 2003). Cultural outcomes at Newton are not simply the teaching of te reo and tikanga to children, but are also about Māori communities being actively involved in determining and delivering educational priorities that connect to social, political, environmental and community needs and aspirations. There are also expectations for, and a commitment to, the provision of high quality, challenging and engaging teaching and learning opportunities for children. Achievement is important but it is believed achievement should occur through a diverse, exciting and integrated teaching programme where all children are extended and high expectations are held for them. Those involved in the provision of Māori education at Newton Central do not underestimate the importance of teachers in relation to educational outcomes, and that means attracting and looking after high quality teachers.

Newton Central has actively sought programmes and developments that may assist student learning, and is now often invited to participate in professional development

programmes. Newton was involved in the piloting of asTTle[47] assessment tools for Māori medium maths, reading and writing. Using this tool Māori children in Te Uru Karaka are consistently well above the national mean in all areas. In addition students have also participated in the PISA[48] Māori medium maths and science assessment and achieved above the national mean. In English, being the children's second language of instruction, Māori students have generally faired equal to or better than mainstream students across all aspects as indicated on the PAT[49] assessment results for mathematics, reading vocabulary and reading comprehension.

Reports on the school by the Education Review Office in 2005 and 2008 highlight high levels of student engagement with learning; caring and supportive relationships with teachers; and high academic and behavioural expectations.

Challenges and Barriers to the Partnership

In this section I draw together participants' perspectives on the possible challenges and barriers they see to the continuation and development of the governance relationship and school culture.

Te Whao Urutaki member, Jaylene Wehipeihana, sees succession as a critical concern for the functioning of the whānau and Te Whao Urutaki:

> *My fear is about succession. I have a fear that if we don't plan it properly and future-proof, it's going to fall down you know like so many things tend to start well, and it's not only Māori you know, but then if you don't future-proof it, it falls down and that's where my concern would be. And you know change is a great thing, you can't keep things the same thing but it's retaining that foundation knowledge. It's having that manual available for new whānau that come, so that when we go, it changes, but you've got the underlying themes of why it was developed, what we did and the issues that we came up against, and how we dealt with it, and how we set these things in place, and then ten years down the track we made these slight adjustments because of the times that we were in… and it still worked, but it carried on that theme. It's just having that*

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[47] Assessment Tools for Teaching and Learning. asTTle is a CD Rom/online computer based set of assessment tools (in English and Māori) for numeracy and literacy for Years 4 to 13.
[48] The OECD Programme for International Student Assessment
[49] Progressive Achievement Tests

knowledge available to them and allowing them to create what they want to create in their time and what works for them and their whānau, but having that base knowledge available.

Board member Jason Black agrees that both parental participation and leadership in the Māori community are critical to the ongoing success of the partnership:

There's two parts to it —there's leadership, but there's participation as well. So it's an issue to make sure that the Māori Board is maintained and very strong, and that parents continue to participate also. People whose children have already gone through this school try and maintain something. And so participation and leadership are the two.

Former Te Whao Urutaki member, Rihi Te Nana, also suggests succession is important and therefore attention needs to be paid to: *selection of the Board, selection of the next principal is really relevant. You want someone who will carry on and develop what exists not come in and chuck it all out.*

Ruth Tamihana-Milne believes that the new whānau coming through the units will pick up what has been laid down by earlier whānau, and that Te Whao Urutaki is also well embedded in the school. Ruth's biggest concern is maintaining and looking after quality teaching staff:

I know that succession and sustainability are the two words that we often talk about but you know I have great belief and faith in the new whānau that are coming through. There are just some fabulous people here and you know we laid things down ourselves as part of that journey but people will pick that up. You know if we embed things into the kura, you know Te Whao Urutaki is part of the fabric of this kura as is the rumaki [immersion unit] *and whānau are seeking us out. I have real faith in them. I have, even though I see great Māori organisations that can fall over really quickly. I actually think there's incredible strength in the whānau that they will carry that pathway along, it might be differently but not necessarily any weaker, just differently.*

In education I think the hardest one for me to deal with is when you have really strong whānau in there working really hard and the school staff are not up to

the standard of the whānau, and we have seen that out and about, and you know there is a real shortage of kaiako [teacher/s]. We've seen out there one thing that can really knock whānau over is kaiako. I really feel that for me as a parent that would be a number one issue for me. It comes back to that kaiako, they are real taonga [treasures] to us and what we're doing as a whānau to support our great kaiako, what we can do here to hold and support them. Now, are we doing enough as whānau?

Board member Greg McAllister also believes the governance structure and practices are embedded and would survive the departure of Hoana Pearson as school leader:

I think it wouldn't collapse now if Hoana wasn't here, it would strain, because I think the way in which the governance has established itself, the way in which we are building practices into the way the school operates, that it's all becoming quite systemic. So it is bigger than a person, although it needs a person to drive it. And so the challenge would be if the leadership had to change, for whatever reason, the systems would mean the succession would, might be a bit uncomfortable, but I think it would still buy into the story, because things are so systemic, in the way the school and the Board operate. Change wouldn't happen immediately. It's like the rubber band, this has been stretched for so long it won't spring back.

Board Chair Christine Herzog suggests there are two scenarios that might arise to challenge the priorities of the governance partnership and the consensus process:

I'm looking at two different kinds of situations. One is, there's a perceived win/lose situation over funding. There are strong aspirations by different parts of the community, there's a finite amount of money, and people don't feel committed enough to take the time to do whatever it takes to work through getting to a consensus decision about that, given that we've all got busy lives and all the rest of it. That's usually where it comes unglued, a fight over money, in my experience. And the other one I could think of is, if there were a sense that "my kids are paying the price", for say a commitment to a philosophical thing, which isn't working academically or in some other way for my kids, then I think that would be hard. What has created an opportunity here has been the

high academic achievements, that the parents have a sense that this is working for my kids, wherever the parents are. What's enabled it to work here, is that people can see tangible results, "this is working for my kids, as well as having all these other great things". So as long as we're all coping with money and we're getting a sort of win/win thing with the kid's outcomes, we sort of can cope with all the extra work it takes, because we can see the benefits.

In discussing challenges and barriers to the Newton Central model principal Hoana Pearson raised a number of issues from the additional energy required to sustain the partnership, to the effects of zoning on school culture.

Well, sustaining the energy because it does take a lot more energy and how do you do that, I mean I'm exhausted. I know that I just need to take my holidays when they come up! I think it's about looking at different management structures so I think it's about thinking outside the square firstly.

It's also about strengthening practices that are already embedded in the way that we do things and everyday school culture that includes having clearly documented stuff—having a clear map.

We need to also strengthen and consolidate what we've got. I think that we've reached capacity in terms of growth and what we can offer so now it is looking inward and saying how do we strengthen what we've got.

Hoana also noted that the school zone that has recently been put in place may be a cause for dissent in the school:

You know that people are not just coming here because they choose the culture of the school, they're coming here because they have to, and that brings people that are possibly in conflict with what we believe. There are people who are new to a whole process and culture that's gone on here. Some of it is just ignorance, so part of the challenge is how you continue to educate the community and at what cost and who does that.

Hoana believes there will continue to be a demand for quality Māori education at Newton Central and at the other inner city mainstream schools who provide Māori medium education, because many other schools and communities are not *taking*

responsibility for its provision in their schools. At present 90% of Māori in the school are from out of zone, and attend the school because they believe there are limited quality options in the areas in which they live. This demographic has the potential to come into conflict as Hoana points out, with the community who live in the area and who must therefore attend the school.

A further challenge relates to the Māori community itself. Māori whānau who attend Newton Central come from all over the city and from multiple tribal affiliations. Many are middle class transient in that they come to Auckland for work and may return home to tribal areas, or to other areas for work. Because of the gentrification of the inner city, large numbers of Māori are no longer settled there, so Māori do not form long term settled communities as they do in the South and the West of Auckland. This means that there is a sense of fragility to the community, and that it relies heavily on the people in the school rather than a broader long-standing Māori community as a support buffer. However, as links grow with Ngāti Whātua ki Orakei (through whānau, and the school acting as an umbrella to the Marae-based class) this picture maybe changing.

In 2007 Te Whao Urutaki members reflected on these issues:

> *It's the condition of transient inner city urban communities of Māori people. A lot of them are well educated but they don't stay put. In outlying urban areas to the South and West you see a continuity of community and they grow and sustain things over a long time. Even if the quality ebbs and flows they don't go away. Here in the inner city you can have a good group in one five year period or decade and they're gone the next. This whole relationship is much more fragile. It is not held by a community that has been around a long time, that is geographically located, that has a marae.* (Te Kawehau Hoskins)

> *Rural and fringe urban have an advantage in this kind of model because the community is solid.* (Rihi Te Nana)

In the section above a number of challenges have been identified for sustaining the governance arrangements and the quality of Māori education at Newton Central School. In some quarters there is a strong sense that the culture and practices are so embedded that they will withstand changes of school leadership and whānau leadership. Others feel succession and continuity of knowledge; commitment to and leadership of the

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partnership; and maintaining quality teaching staffing are potential problems. Notwithstanding such optimism, participants identified possible causes for conflict such as the use of financial resources; a perceived conflict between the school philosophy and student academic outcomes; and changing demographics associated with zoning. For the principal and others, high levels of energy and additional time is required to maintain the multiple groups and relationships that comprise the partnership.

For Māori education, key challenges concern maintaining a quality staff; the less stable nature of the inner city community; and the maintenance of high levels of whānau and Te Whao Urutaki participation. While participants agree there are no easy answers to such challenges, being aware of what those challenges are, means some measure of preparedness is also possible.

Concluding Comments

This chapter has foregrounded a number of important case study themes. The first theme focused on the various experiences that case study participants have of, the Board, Te Whao Urutaki and the principal in relation to the governance partnership. The strongest themes to emerge were the different relational qualities, skills and capacities that these groups have demonstrated as productive for the governance arrangements and for the school generally. In particular, the courage of the Board to embark on an uncertain journey, and the generosity of the Māori community in teaching and working with the Board, were highlighted

The second theme concerned case study participants' reflections on Hoana Pearson's role in the governance relationship as school leader, and on the importance of leadership generally in forwarding such a vision. Hoana also reflected on her own role and leadership practices, foregrounding again the importance of taking risks in uncertain situations; of relationships; and of facilitating the leadership and aspirations of others.

The third theme concerned what participants considered were the effects of the governance partnership on school, teacher and student culture, relationships and practice. Here participants highlighted that the governance relationship and the presence of the 'Māori school' has shaped a whole school ethos that values, and is respectful of, multiple forms of difference, and that also operates as a whānau. The

attentiveness to difference has a de-centering effect, where no cultural or social position is central, rather relationships with, and responsibility for, safeguarding others' difference is to the fore. Participants observed a caring and relational culture among students and teachers and believed strongly that relationships are important in and of themselves, not simply as a means to academic outcomes. The governance relationship is also seen to have engendered staff relations which are generous, supportive and accepting of staff diversities.

The success of the Māori medium pathways has led in organic ways to the mainstream school learning *from* Māori practice. Rather than being located as a needy, underachieving minority, Māori here represent examples of best practice from which the mainstream is learning and is enriched by. The strength of Māori education, the presence of a principal who affirms Māori culture and identities, a highly participative whānau, the governance partnership and quality teachers— all are seen as representing the key ingredients for Māori student outcomes both cultural and academic.

Finally, challenges and barriers to the ongoing success of the initiatives at Newton Central School were also noted. Although a number of barriers were identified there exists significant optimism in the face of potential challenges. Alertness and attention to such barriers is regarded as fruitful for creative responses to them.

Chapter Eight

Concluding Reflections

Introduction

I entered into the thesis and case study work, as noted in the methodology, with a number of political, theoretical and methodological interests and orientations. My political commitment informed a desire to foreground the achievement at Newton Central School of a positive Treaty governance *relationship*, a high level of Māori self-determination and a range of benefits for the Māori community flowing from these achievements.

Foregrounding the Treaty as referencing political and cultural *relationships* led to an examination—through Levinasian and Indigenous Māori thought—of a critical level of social *relationality* experienced intersubjectively, and through which ethical responsibility for others that is essential for ethical politics can arise. I have come to the conclusion that an experience of ethical responsibility at the school gave rise to a political decision in the service of others, and that this decision opened political and cultural space to contestability, critique and justice. In opening the political unity of a liberal governance structure to critique and contestation, the Newton Central School case study expanded possibilities for ethical responsibility already within it. The case study can be viewed as having produced positive effects at/in the intersection of the ethical and the political.

The relation of ethics and politics discussed here is not one of opposition or paradoxical connection, but as Horowitz (2006) has suggested, is more akin to a *moebius strip*. Ethics and politics do not operate like the distinctiveness of two surfaces of a plane, but are rather like a moebius strip, where the two surfaces are one and the one surface is two. Ethics signifies prior to or beyond reflection (the sphere of politics), yet ethics and politics have an internal reference to each other—they are intersecting aspects of sociality.

It is this intersection of ethics and politics, or more specifically the *concretions* at the intersection, that—while limiting of ethics—are vital for the expression of justice in human sociality. As Horowitz (2006) points out: "[t]he most vital concreteness of ethics is the political; and the most vital task of politics is to make room for the ethical already within in" (p. 39). The concretisation of the ethical as/in the political represents the exposure of ethics to another, and through that exposure decisions can be taken in unjust situations in the service of others.

Hence, attention to the intersubjective relationship is not without concern for the political. On the contrary, attention to the intersubjective relation, to ethics, is for the sake of the possibility for ethical politics (Critchley, 2002). Politics should not be regarded as a fall from ethical goodness, but the means by which justice for the socially, culturally and politically located other is secured. As we have seen, the other is an ethical and cultural manifold—an unknowable Other simultaneously constituted through historical and social discourse with material effects. Indeed, as Enrique Dussel (2006) argues, the alterity of the Other is risked by material oppression, and the individual Other is at the same time an "Other" of a collective experience of oppression: "[e]ach face, unique, inscrutable mystery of decisions not yet made, is the face of a sex, a generation, a social class, a cultural group, an historical epoch" (p. 44). Concretions at the intersection of ethics and politics must hold in view the radical alterity of the Other, and the embodied "Other" who requires representation and effective access to justice and levels of decision-making.

I suggest that in the Newton Central School case study ethics and politics are connecting in such a way that the ethical is concretising in face-to-face, cross-cultural and political relationships. In mutually influential ways, cultural and political relationships are working as reminders for attentive intersubjective relations. And in turn, face-to-face relationships are holding open political and cultural stabilisations to the ethical.

How ethical responsibility is translated in the political is not *determined* by ethics. Decisions taken in response to the experience of infinite responsibility cannot be pre-determined by an ethical code or constitutional principles, because others are never fully knowable and relations with others are therefore characterised by uncertainty. Whether political decisions are taken in response to ethical responsibility or not, others are not

containable. Nor can political rationalities like the nation state, liberalism or the Treaty either fully achieve an inclusive unity (even as it is possible to close against others in making decisions). Where decisions *are* taken in ethical responsivity, such stabilisations assert an openness to others and therefore to the possibility of critique, contestation and the demand for new decisions. An ethical and non-foundational approach to politics admits its exclusions, and so holds the totalising movement of institutions and arrangements in check.

The Treaty relationship at Newton Central School is a remarkable political achievement and even more so because it has opened a liberal institution (designed to treat everyone the same) to difference and to different ways of constituting educational space. In having opened that space, and I address Māori here, there is an ethical obligation not to close political space in protection of the hegemonic stabilisation of the Treaty, but to continue to assert openness to the demands of others, even though the Treaty relationship will continue to need to be defended. Such a challenge is not to argue that autonomy and political stabilisation are unimportant. Without representation the Other is erased, is unsecured in the cultural-social, which also represents a situation of injustice. Representation must occur, but representation alone cannot succeed in providing justice for the Other.

I argue that the Newton Central School case study is operating to provide forms of political representation *and* also exhibits attentiveness to the quality of face-to-face relations essential for ethical responsibility. This case study is an example of a unique concretisation of the ethical and the political, and therefore of the possibility for non-dominating modes of settler–indigene interaction in schooling and across a range of other sites.

This concluding chapter serves the purpose of illustrating the themes outlined above through revisiting aspects of the Newton Central School case study. The decision to establish the co-governance relationship is explored for its ethical impetus and the effects it has had for catalysing a range of productive and respectful relationships at all levels of the school.

The non-foundational approach to politics developed in this thesis is explored in relation to the case study, which is seen as an example of a "disincarnating politics from

below"—productive for local forms of resistance and governance, and for *responsible* political decisions. I also explore the production and aggregation of political subjectivities such as 'partnership' in the context of the school that have partially drawn from, but also exceeded, state discourses of incorporation.

I then consider the positive effects of the governance arrangements and relationships for the Māori community. Rangatiratanga or self-determination is understood and exercised relationally in the school, and has provided for creative Māori community action and leadership around their educational priorities. I also reflect on the positioning of Māori as *educators* in the school who are in control of sharing their cultural expressions in the context of a unique curriculum development that explicitly addresses broader relations of power. The Māori community capacities operating at Newton Central illuminate the possibilities for self-determined capacity-building approaches among other Māori school communities, which continue to go unsupported by state agencies.

The importance of school leadership for encouraging and supporting Māori community capacity and leadership is also discussed. The qualities of school leadership for productive and non-dominating relationships point to the importance of school leader knowledge and political conviction alongside an awareness of the limits of knowing. A productive ignorance on the part of school leaders signals, I argue, an openness to learning from, and being altered by others which is critical to less dominating relations.

I finally I return to a discussion of the qualities of face-to-face relationships across all levels of the school, and reinforce the priority of such relationships for the possibility of ethical political relations.

Concretising the Ethical

Connecting ethics and politics, case study participants at Newton Central School indicate that it is attention to, and qualities of, day-to-day and face-to-face relationships that underpin respect for others ethically, culturally and politically. Such relationships do not represent a cosy togetherness—the ethical relation is characterised by the unpredictability and risk that relations to others carries. Ethical responsibility arises not

out of our conscious actions to be in good relations with others, but through an attentive orientation that opens us to learning from and being altered by others (Todd, 2003).

Attentiveness to face-to-face relations at Newton Central School, I argue, provided the conditions to take risky decisions in responsibility for others that have exceeded standard institutional structures, rules and roles. It is ethical responsibility that first invests politics with its undecidability. Undecidability is a moment that must be passed through to open the possibility for judgments and decisions to be *responsible* (Derrida, 1992). An experience of infinite responsibility invests politics with its undecidability, its constitutive contestability, and therefore its remaining open to moral and political problems and questions. The decision to institute the Treaty co-governance relationship can be seen to have occurred in this way. The decision taken by the Board of Trustees to accept the Māori proposal for a co-governance relationship based on the Treaty is inexplicable in that it suggests the experience of undecidability that attends responsible political decisions.

As the group with legitimate authority and greater numbers, the Board might well have closed ranks against the Māori community but *what* [the Board] *didn't do was shut it down and they could have because actually they were quite a dominant force and we were still a small group* (Former Te Whao Urutaki, Rihi Te Nana). Rather the Board were prepared to enter into an unknown, untried process to establish a new and risky political relationship. The Board *put their hand up and took responsibility* (Senior teacher, Tamsin Hanly) for a risky decision, which for participants showed a commitment to relationship, respect for the *mana and dignity* of others, and a *willingness to learn* (Principal, Hoana Pearson). There was a willingness on the part of the Board to *surrender some power in order to move to a different space where they could find a new way of beginning a better relationship with the school's Māori community* (Former Te Whao Urutaki, Rihi Te Nana). The Board were open to Māori proposing a political decision/arrangement for the governance of the school: [Māori came] *along with a really strong solution to something that the school was struggling with* (Principal, Hoana Pearson). In facing the Māori community, the Board did not determine what justice for Māori would be; they were opened to an experience of undecidability, that reminds us to act, to take a decision in a situation of injustice and in the service of others (Critchley, 2004).

Drawing from their cultural ethicality and, despite anger and frustration, Māori were *able to draw on the best that we could out of ourselves… and bring a desire for a relationship rather than an adversarial, or isolationist approach* (Co-Chair Te Whao Urutaki, Te Kawehau Hoskins). This response was interpreted by a number of participants as *an enormous gift of generosity and energy from the Māori community, which we benefit from, and that's why the school is like it is* (Senior teacher, Tamsin Hanly). The Māori community was also able to teach the Board about the possibilities for a Treaty relationship: *the Māori rōpu [group] was putting forward a very clear vision and my sense was that others [the Board] were embracing it* (Co-Chair Board of Trustees, Christine Herzog). The approach from the Māori community was seen to *create a climate where it was okay to not know, and Māori would take your hand in the dark* (Principal, Hoana Pearson). The orientation of the Māori community is regarded as *enabling [the governance relationship] to happen* (Principal, Hoana Pearson).

What is observable in the beginning of the governance relationship reported in the case study is the unusual willingness of the dominant governance group to learn from and be altered by others in the face of conflict and challenge. What is also observable is Māori generosity to teach and lead others in the face of their own marginalisation. Moments of ethical responsibility are discerned in the responses of both groups giving rise to a political decision expressive, or concretising of, the ethical.

Learning from such ethical moments in the Levinasian sense is not a conscious activity where such moments of generosity or openness to change can become an intentionally pre-determined checklist of ethical behaviour. Rather, what we might take from this surprising event is that exposure, risk and uncertainty are necessary for our learning from ethical interactions, and these cannot be planned for. Sharon Todd (2003) argues that what we can try to do is to be alert to our responses. Being attentive to how I attend and listen to others is an approach to communication that "takes responsibility for itself as we encounter another person" (p. 146). Responsibility does not emerge from conscious intent, but our alertness to our engagement with others opens the possibility for ethical learning to occur. And opportunities for ethical learning are present in day-to-day social relations that make up school and other institutional life.

The intersection of the ethical and the political that led to the development of the Treaty governance relationship catalysed a recognition that the inclusive and consensual space

of the liberal governance arrangements is mythical and masks exclusions. By instituting a governance *relationship* between Māori and the Board, a more *relational* form of justice could be established (Barclay, 2005). This form has not simply broken with the political uniformity of standard governance arrangements, but has served also to further de-centre the dominance of settler cultural and educational practice. The governance relationship has generated an alertness to, and respect for, political and cultural differences *and* for intersubjective relationships—attentiveness to face-to-face relationships holds the possibility for moments of ethical responsibility.

As we have seen, the response to the other as Other opens, in the context of cultural and political engagement, to a response to cultural identities and political justice. Ethical responsibility can give rise to ethical politics, and an ethical politics is in Critchley's (2007) terms alert to the "metapolitical", or ethical moments *in* the cultural–political. In the Newton Central case study both the cultural and political relationships the Treaty signifies, and the day-to-day subjective relationships, are seen as reminders for upholding the *difference* of others:

> [the Treaty is] *a constant reminder that the possibility* [of staying in relationship] *exists…and it transfers to an acceptance and a commitment to working with difference at every level and situation. It provides a belief in difference … it absolutely reminds you all the time that you're not central… it makes me try to stay in negotiation in relationship all the time with different people and different ways of working.* (Senior teacher Tamsin Hanly)

At the school the Treaty signifies a commitment to relationships with difference, and to the decentring effects of such encounters. The Treaty is also seen to offer positive possibilities for relating differently with others, in any context and at any level:

> *The Treaty was a statement of great hope about how we could relate to each other in different ways. It gives us a place to capture an idea and carry it with us, for a better way of relating to each other on a day-to-day basis, in the classroom, or with government, or our government with other governments, on whatever level.* (Co-Chair Board of Trustees, Christine Herzog)

Here protection through the Treaty, of the embodied "Others" that face oppression, works to protect the alterity of the Other through acting as a reminder for non-dominating modes of day-to-day interaction with others.

In turn, participants also discern that respectful face-to-face relationships with different others underpin productive cultural and political relationships. The co-governance relationship is seen to be *built firstly on being who we are…*[on] *having a relationship with someone else besides yourself, or besides your same kind, having a relationship with difference* (Principal, Hoana Pearson). An experience of the intersubjective relationships as a *relationship with difference* is seen as critical to a positive experience of the governance relationship as *a celebration of difference…that's what we're doing when we come to the* [governance] *table, we come to a table that's really different but with a common goal* (Principal, Hoana Pearson). Here we can discern not the opposition of ethics and politics, but rather the vital concrete effects of their connection/joining, of the expression of the ethical in/as politics. Joined, ethics and politics together can operate such that political decisions taken via the experience of ethical responsibility can work as concrete reminders to make room for intersubjective relations, through which ethical responsibility and ethical politics can continue to arise. The effects of the intersection of ethics and politics has done this in the Newton Central case study, where a responsible political decision (in the form of the Treaty co-governance relationship) foregrounding political and cultural difference and relationality has supported attentiveness to difference of the other in intersubjective relations. Even as this difference is not understood/described in Levinas's terms as radical alterity, such an attentiveness nonetheless makes space for the ethical.

Strategising for Ethical Politics

As I have argued, the particular responses of both the Board and the Māori community gave rise to a surprising and unique political invention in a particular context, and in response to a specific demand. Even as political decisions taken in this way can be regarded as *ethical*, as Chantal Mouffe (2005) has emphasised, social stabilisations are always *political* in that they represent the salience of certain hegemonic articulations and the necessary exclusions of others. There are no non-exclusive political spaces. Internal and external contestation and exclusions make any political rationality inherently unstable and contingent. Contestation should not be thought of as a failure of

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politics. Rather difference and contestation are positively productive for the deferral of political closure and the possibility of democratic justice arising through contestation.

The Treaty co-governance structure developed at Newton Central breaks with the dominance and logic of liberal constitutional forms. The co-governance relationship challenges the presumption that school governance in Aotearoa–New Zealand is neutral and operates inclusively in the interests of all: *under the old model it was two representatives for Māori and the rest were non-Māori. So if we implemented anything it could get voted out the door every time* (Former Te Whao Urutaki, Rihi Te Nana)....*they get a token Māori on the Board and most often they* [Māori Board members] *feel incredibly uncomfortable or incredibly dis-empowered* (Principal, Hoana Pearson). Newton Central's governance arrangement instead shares access to power and acknowledges two forms of authority and two approaches to governance questions and practices: *the basis of the policy was the recognition of Māori authority in order that decision-making in the school, at the level of governance, is shared between the Board and the Māori community* (Co-Chair Te Whao Urutaki, Te Kawehau Hoskins).

The Māori community and Board are constituted in Mouffe's (2005) terms as "friendly adversaries" who have different ideas about the constitution of social and educational space. The Treaty signifies a conflictual consensus through which different educational forms and preferences can be instituted in the shared social space of a school: *the Treaty is like a tohu or a symbol of a relationship. It's about two people who have different world views trying to get on the same page about living in the same place together* (Senior Teacher, Tamsin Hanly). The exercise of *rangatiratanga* for Māori represents preferred Māori ways of constituting the social and is seen by Māori participants *as internal to Māori—how we decision-make ourselves, how we develop. So it's about both self-determination and the relationship with the Board emerging from the Treaty* (Co-Chair Te Whao Urutaki, Te Kawehau Hoskins). Here, access to the authority to determine educational space is not understood as the achievement of a insular sovereignty. Rather autonomy is conceptualised relationally. A relational approach to justice recognises that difference, rather than an inclusive consensus, can be the basis of sharing social and political space.

In thinking further about an ethical politics open to others, the work of Simon Critchley (2007) argues for the possibilities of politics operated at an "interstitial" distance from

the state, within the state—as "working independently of the state, working in a situation" (p. 11). His idea of a dissensual and disincarnating praxis working in local spaces and situations at an internal distance from the state, links well with Māori preferences for local forms of relational governance. Newton Central's co-governance structure can also be understood as an example of such a politics. In such interstitial spaces people *do* government where they live and work. As noted above, direct forms of political engagement and resistance in the day-to-day spaces of people's lives open opportunities for face-to-face relationships and ethical responsibility. Working in a situation may mean that recourse to abstract principles and rules in the face of the demands of others is reduced, and possibilities are opened for singular and contextual decisions taken in responsibility for others.

Governing from below is achieved in Laclau's (1990) terms through hegemony—the cultivation of forms of common sense among allied groups. Forms of common sense become politically instituted and it is through such processes that people and groups can govern certain local social spaces. In the Newton Central example, political subjectivities based around a common sense Treaty discourse aggregated in ways that enabled this school community to govern in a unique and radical way within the state agency of a school, and against dominant forms of state inclusion and incorporation.

Leveraging and Exceeding 'Partnership' Discourse

The State's response to Māori autonomous aspirations has largely been one of appropriation and incorporation (Hill, 2009), and to this end, Māori are positioned as a special interest group in much social and educational policy. This status rests on some recognition of the Treaty (such that it is) and of Māori occupying the position of a socially disadvantaged and underachieving group (Barrett & Connolly-Stone, 1998). In education, the neoliberal reforms of 1989 reshaped schools into self-managing and governing agencies whose administrative arrangements were understood as a 'partnership' between the professional and the particular community/ies in which the school is located (Timperley & Robinson, 2002). As elsewhere, Māori hold the subject position of special 'partner', with whom schools are required to consult.

The rise of partnerships as forms of social and educational governance across the first decade of the 21st Century can be seen as having both a collaborative, as well as incorporative impetus. According to Larner and Craig (2002), partnerships are a

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response to the social polarisation produced by the neoliberal reforms of the 1980s and 1990s and are focused on strengthening local communities through collaborative relationships between central government, local institutions and community organizations (Larner & Butler 2004; Larner & Craig 2002). Partnerships are not understood as a return to pre-neoliberal social democracy, nor a direct continuation of neoliberalism, but rather can be seen as *new* forms of social governance. Larner and Craig (2002) argue partnerships in the New Zealand context have arisen from both "bottom up" and "top down" (p. 2) interventions because community professional and technical capacity—developed across the 1990s in the contracting environment—has shifted the culture of government toward more collaborative partnership arrangements.

Barclay (2005) suggests, that partnerships can be seen as a 'third way' incorporative strategy of social inclusion, which can work to remove the possibility of an effective opposition outside of consensus. In seeking social cohesion through the incorporation of socially marginalised communities into the national project, the state can be seen to be engaged in containing and limiting the critique and contestation necessary for robust forms of democratic engagement.

Although Māori were vocal opponents of neoliberalism, neoliberal policies like devolution—which established Iwi authorities in a large part for the purpose of delivering service contracts for the Crown—overlapped in complex and contradictory ways with Māori aspirations for self-determination (Bishop & Tiakiwai, 2002; G. H. Smith & L. T. Smith, 1996). Indeed, the contracting and partnership environments have provided pragmatic opportunities for Māori to progress the provision of programmes and services that are seen to have a better cultural fit with Māori communities. However, there remains a clear disjuncture between the state's incorporative (or collaborative) view of partnerships, and Māori aspirations that continue to turn on the desire for power-sharing, and constitutional acknowledgement of the Treaty (Graham, 2003; Hohepa & Jenkins, with Mane, Sherman-Godinet, & Toi, 2004; Loomis, Morrison, & Nicholas, 1998; McIntosh, 2003; Mika, 2003).

The little literature on partnerships between Māori communities and schools suggests the lack of power the Treaty exercises in educational legislation is a significant impediment to the establishment of productive and robust partnership arrangements (Graham, 2003; Johnston, 1998). However, there are requirements to involve Māori in

the development and amendments of school charters and as one case study participant noted: *getting the Treaty statement into charters was part of the journey of* [schools] *taking other stuff on* (Co-Chair Board of Trustees, Christine Herzog). Christine Herzog also argued that codification of the Treaty in school policy will not alone equate to committed relationships: *I don't think institutionalising stuff makes it happen….it is structured a lot around good will and interpersonal relationships which is the best way in the end because the law will never make things work.* Here the tension between ethics and politics is clearly articulated. Political codification may well afford some protection of Māori interests, and can act as a catalyst for school communities journeying into more meaningful relationships with Māori. However, without the existence of good will and interpersonal relationships, codifying the Treaty might achieve nothing more than a tick box on a compliance checklist.

In the Newton Central example, the subject position of "consulted partner" has been rejected in favour of an explicit Treaty discourse of power-sharing. The co-governance relationship exceeds the state's attempts at incorporation within its partnership framework, and has engaged people both in forms of direct democratic action, and in committed relationships. The Treaty relationship at Newton, however, has not been achieved in isolation from political and policy discourses, but rather has connected the moral and political purchase of Treaty discourses with partnership policy and requirements for Māori consultation and reporting. Treaty and partnership discourses have also connected with a localised cultural and political alliance of Māori in the context of the school which has drawn from the larger hegemonic successes of *Indigeneity* as a political discourse, subjectivity and legal category (Niezen, 2003). In turn these subjectivities have connected with Pākehā, Tauiwi (later immigrant groups), and bicultural political and cultural subjectivities also shaped by Treaty social justice discourse. Such political subjectivities can be seen to have aggregated and intersected with a radical leveraging of partnership policy (Ball, 1999) and broader discursive currents endorsing the Treaty in moments of hegemonic invention and imagination.

As Laclau and Mouffe (1985) suggest, if any power—such as the Treaty co-governance structure at Newton Central School—has been able to impose itself, it is because it is recognised as legitimate in some quarters. The state governance structure has at Newton Central School been stretched to its limits to provide for a co-governance structure that reflects people *doing* government at an internal distance from the state,

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and illustrates the significant possibilities for local transformation against the state within the state. We can analyse the Newton Central case study as direct engagement in forms of disensus/resistance "right at the point where relations of power are exercised" (Foucault, 1980, p. 142), where people live, work and act. Such a dissenting and disincarnating politics works from below, from the local contexts of people's lives providing opportunities for creative social action against attempts to incarnate a universal totality from above (Critchley, 2007).

Such a politics—operating in the day-to-day spaces in which people live and work, in our face-to-face relations and relations across difference—is less able to refuse responsibility or close against the demands of others by invoking the commands of general rules or principles. Politics from below holds greater possibilities for remaining open to moments of ethical responsibility, and for retaining contestation that is positively productive for democratic justice.

Rangatiratanga

In this section I consider the effects of quality face-to-face relationships and the co-governance relationship for Māori at Newton Central School. I suggest that the relational autonomy Māori have gained there is productive for Māori social and educational aspirations that exceed the incorporative agenda of the state. In particular, Māori are positioned to creatively determine their own educational priorities and practices rather than merely adopting the concerns of schools. Further, Māori act as both actual teachers and as pedagogical examples for broader school practice. Rather than the inclusion of Māori culture as "artefacts" (May & Sleeter, 2010), in the Newton Central example, Māori are able to share and teach their cultural expressions on their own terms and in the context of respectful and committed relationships. I also reflect on questions the case study raises concerning Māori community capacities needed for the kind of leadership and engagement Newton Central whānau are able to enact.

Partnership discourse has often been intended to position parents and communities as *supporters* of professionals, who should adopt the professionals' concerns and approaches for student achievement, rather than seeing communities as equals in the educational endeavour and valuing community development and democratic participation (Timperley & Robinson, 2002; Vincent, 2000). This thesis and the case

study participants themselves take a broader and more holistic view of the purposes of Māori participation: to nest student achievement within the broader aspiration to prepare Māori children "to live as Māori", to participate fully and successfully as members of Māori and broader society (M. Durie, 2003).

The development of a more far-reaching and engaged vision and practice of education and schooling at Newton Central, was supported by the relational autonomy established at the school: *there is a level of autonomy and there is a level of relationality and those two things fit together* (Co-Chair Te Whao Urutaki, Te Kawehau Hoskins). The anxiety and defensiveness that often attends Māori relationships with schools around their aspirations, can, in my experience give rise to an isolating, disengaged, and oppositional Māori orientation to relations with school management and governance. The Treaty governance structure at Newton Central established Māori authority in relationship with the school management and the Board and in doing so removed much of the stress from the Māori community, enabling Māori and the Board to move, in Mouffe's (2005) terms, from antagonistic enemies to friendly adversaries who share educational space. As one Te Whao Urutaki member reflected: *we were not here to be adversarial or to rant and rave and leave it at that* (Rihi Re Nana). Rather than viewing the Board and school management as an ongoing potential threat to Māori aspirations, Te Whao Urutaki and the various whānau groups have been able to channel energy into the development of a wide-reaching and longer term vision for Māori education at the school, and to exercise this through a relational and collaborative working partnership with the Board: *power sharing is done with sincerity, a lot of goodwill and a high degree of trust and respect ....establishing the relationship enabled both Māori and non-Māori to grow as we journeyed and as situations arose we tried things out and worked together to solve them* (Te Whao Urutaki, Ruth Tamihana-Milne).

The levels of authority afforded the Māori community have provided opportunities for Māori to think and act creatively, to interpret and apply Māori philosophy, politics and knowledge in new and creative ways. For example, the establishment of a large permaculture garden and orchard at the school, was initiated by the Māori community aware that urban living provided few opportunities to exercise kaitiakitanga (environmental guardianship), and to grow food. Māori self-understanding as tangata whenua (people of the land) involves a conscious relationship with natural environments and the articulation of those environments in the sociality and creativity

of the people (Royal, 2004). Giving practical expression to such subjectivities and aspirations involved children designing the gardens and whānau researching and developing appropriate tikanga (cultural practices) for working in the garden. The permaculture development has been integrated across the curriculum, and gardening, composting, seed raising, planting and harvesting have become a normal part of daily life for the children.

In the above instance the Māori community determined a priority and together with children, teachers and management, brought the project to fruition in ways that met their own aspirations for cultural revitalisation, rather than those of the state. With decision-making capacity, school relationships based on *goodwill and a high degree of trust and respect* (Principal, Hoana Pearson)*,* and drawing from kaupapa and matauranga Māori, a powerful community praxis is observable in fashioning creative and Indigenous responses to a range of problems and aspirations in the context of schooling. Thereby purposes of education are reframed beyond achievement for economic and social success (Dale, 2007).

The recent Best Evidence Synthesis on *School Leadership and Student Outcomes* (Robinson, Hohepa, & Lloyd, 2009) asserts that "joint interventions" between the school and home, and establishing continuities between school and home/community have the greatest positive effects for student outcomes. Although the interventions and continuities described in the synthesis appear to focus on both individual families and broader communities, the extent to which families and communities have a *joint* role is questionable. It is more likely that parents play a supporting role to teacher/school-led interventions, and that community–school continuities are determined by the school. The Synthesis does, however, understand school leadership as not located solely in the principal, but in a more distributed model of leadership that might include community. The Newton Central School whānau model highlights community and whānau leadership such that individual whānau and the broader Māori community are actively engaged in both learning interventions and in setting educational priorities that determine the shape of community–school continuities.

The Te Uru Karaka unit at Newton Central asserts that individual and collective whānau are educators, capable of, and indeed expected to be deeply engaged in the education of their children. Whānau and children together are described as a learning community:

The learning is driven by the whānau and encompasses the whānau so the whānau is the learning community not just the tamariki. The context of learning programmes is focused on broadening student understanding of tikanga Māori and te reo Māori in the context of tino rangatiratanga and social justice (Te Uru Karaka whānau philosophy and policy booklet, 2009). Such a stance is not to suggest that teacher and school initiatives for student learning and community relationships are not critical and valued. It is rather to highlight that instead of being 'accessed' when their community and cultural expertise appears relevant to teachers and schools, whānau can from the outset lead in the development of learning programmes and interventions. If cultural and community continuities are associated with positive effects for student outcomes, surely strengthened community engagement in educational leadership will increase such effects. Certainly at Newton Central School, whānau driven learning is set against a critical awareness that compulsory schooling is a powerful state intervention into family and community life, and if schooling is to work in the interests of Māori aspirations, rather than as an institution of assimilation, whānau capacity and leadership is critical. Shifting 160 years of state efforts to assimilate Māori through education, requires more than a couple of dedicated Māori teachers. It requires whānau to understand themselves and to operate as co-educators and co-leaders in education. If schooling is to prepare Māori to live as Māori, and to be meaningfully connected with community practices and priorities, then whānau (inclusive of parents, children, teachers and school leaders) operating as learning communities enable schools to become sites of learning for children, whānau and professional educators alike.

Māori as Teachers of Others

For the past 10 to 12 years the Māori medium units, whānau and governance structure at Newton Central have developed strongly in their own educational and leadership practice. In addition to operating as their own learning community, the Māori community, including whānau and teachers, have also acted as *teachers* for the wider school. An environment has developed where Māori cultural expressions and practices are shared on their own terms, and where others—teachers, children, the school community—can learn *from*, rather than *about,* Māori (Todd, 2003).

Where Māori are often either a minority group in a school or absent altogether, the dominant approach to requirements to include Māori language and culture often results

in the de-contextualisation (not to mention de-politicisation) of Māori culture, people and knowledge. Māori culture becomes a set of discrete variables 'out there' and students "study it through its artefacts" (May & Sleeter, 2010, p. 5; also see Alton-Lee, 2003; Biddulph, Biddulph, & Biddulph, 2003; Gay, 2002; May, 1999; Robinson et al., 2009; Sleeter & Grant, 2007). I suggest it *is* important for teachers and leaders to develop some knowledge concerning Māori peoples, history and culture but in ways that do not essentialise and depoliticise Māori people and culture. Such learning should occur in conjunction with "a deeper understanding of one's own culture, society and history, and their political relations to those of others" as Alison Jones (1999, p. 314) points out.

In the Newton Central example, from a point of authority and in the context of long-standing productive relationships, learning *from* Māori occurs in both formal and organic ways that Māori are able to determine. Teachers, community and students have in day-to-day ways learnt from the Māori community, and in so doing have taken up aspects of Māori community practice as valuable for their own practice:

> *That's what's so cool about this model where you've got Te Whao Urutaki and the Board and, it's the same thing* [in teaching]*, the mainstream can actually learn from Māori models…. that's a great thing that you guys are doing and we* [mainstream] *then say "ah, so that's where we could go". We're actually just gleaning stuff from you.* (Senior teacher, Josephine McKendrey)

Hence, rather than selecting abstract knowledge about Māori from 'out there', or even accessing the Māori community for that knowledge, the wider school has had the opportunity to develop relationships and observe first-hand the Māori community, teachers and students at work *within* the school in ways that have enriched the school. Māori ways of working, cultural practice and knowledge have not simply been 'taken' but a transfer has occurred in negotiation with, and with the consent and support of Māori teachers and community.

Ngāti Whātua leader and senior teacher, Anaru Martin, has a management role in advising on and checking the Māori language and culture being taught and practised in mainstream classrooms, and in leading Māori cultural expression in the wider school. In the Treaty context of Aotearoa–New Zealand, bicultural competencies (including

knowledge of te reo Māori and familiarity with Māori customary practice) are viewed as important by Māori, and to a certain extent by the state also. At Newton Central School the sharing of Māori cultural life does not simply involve an apolitical culturalised curriculum, but makes explicit links to wider cultural, political and historical realities. The *Bicultural Histories of Aotearoa* curriculum developed by senior Pākehā teacher Tamsin Hanly, in consultation with members of the Māori community, is a curriculum that explicitly addresses inequitable power relations and contemporary political questions. Because the Māori community at Newton Central is a politically active one, the political struggles of Māori communities are expressed and lived in the day-to-day context of school life.

In addition to the practices above, the Ngāti Whātua contribution to the school's strategic plan includes a school-wide curriculum focus based on mana whenua history; professional development for staff and Board of Trustees at Orakei Marae on tikanga (cultural practices); te mita o Ngāti Whātua (idiomatic language); and Te Tiriti o Waitangi training. These foci, developed by Ngāti Whātua whānau members themselves, combine cultural and historical learning with the present day realities of this tribal group. Fostering relationships between the school and Ngāti Whātua has also occurred through a number of Marae stays both at Orakei and to Ngāti Whātua Marae in the Kaipara. These initiatives have occurred in the context of active community of Ngāti Whātua parents and teachers at the school. Here Māori cultural life and realities are shared in the context of committed and long-standing relationships and where Māori determine the process and content of that sharing.

Rather than being objects of study that students learn *about*, teachers, students and community learn *from* Māori in the context of day-to-day, face-to-face relationships. If learning from others is to occur ethically, Māori must be in a position to determine the cultural expressions they share. In determining what is appropriate to share and teach, Māori are able to preserve their epistemological difference, and to also teach about difference, and the limits of knowing.

The importance of teachers and students having knowledge of diverse Māori realities must therefore be balanced by recognising the limits of knowing. Western education is underpinned by the Enlightenment belief that humanity is capable of understanding, controlling and changing the world (Dale, 2007). This will to mastery resists the limits

of knowing and in so doing resists being altered by others in ways that might transform relations of domination. In learning from Māori in face-to-face relationships, a processual, provisional and self-reflexive relation to knowledge is possible (Bell, 2008).

Māori Capacity

Unfortunately, Māori communities like those operating in a mainstream school setting such as Newton Central are relatively unusual. State support and resourcing to support the self-development of Māori community capacity to take up leadership for their own educational aspirations, let alone contribute to wider school programmes, is virtually non-existent. Even as the state espouses a "whole of government" approach to addressing Māori social disadvantage and underachievement, the neoliberal agenda of state minimisation (read expenditure) puts responsibility for such developments on schools and communities themselves. Indeed, policies like partnership are partly about encouraging not just community buy-in to education, but the resourcing of it also.

Loomis et al. (1998) argue that for Māori and other Indigenous peoples, the development and strengthening of social and cultural capital, including the development and articulation of community values and aspirations, are central to capacity building. Capacity building involves "participatory", "people centred" and "self-determined" approaches to community development (Loomis et al. 1998; Mika 2003; Bishop & Tiakiwai 2002). The Labour government in power under Helen Clark until 2008, had (not unproblematically) attempted to nest Māori social policy within broader Māori aspirations for self-determination through its "closing the gaps" policy. Labour however did an abrupt u-turn on this policy after opposition leader Don Brash's 2004 Orewa speech whipped up public resistance to what he termed "race-based" policies, seen to be delivering special privileges to Māori (Adams & Codd, 2005).

Despite lack of support and resourcing for Māori community development, there has been significant creation of effective organisational structures in Māori educational initiatives. Shared Māori cultural frameworks have gone a long way in providing the basis on which diverse Māori communities in urban settings have collaborated in the establishment of governance and management of Kohanga Reo and Kura Kaupapa Māori, and in whānau groupings within mainstream schools with Māori medium pathways (G. H. Smith, 1997). While many whānau have developed in the absence of

any state support or resource—and organising outside the state is an important source of resistance and creative action—were resources brought to bear for the self-determined development of Māori whānau/collectives, meaningful Māori participation could be greatly accelerated.

Much can be gleaned from the Newton Central case study in support of school whānau development. Te Uru Karaka whānau policy and practice has already been shared in support of whānau organisation in other school settings and with other educational organizations including state agencies. Te Uru Karaka have a clearly articulated whānau and learning philosophy in place and a clear set of educational goals and priorities. Systems are in place for whānau communication, for when and how whānau meetings will be held, and how meetings will work to develop whānau skills in facilitation and associated cultural practices. The whānau is structured into smaller groupings to support its development priorities, and the provision for term-by-term wānanga (learning gatherings) to address different areas of whānau and unit development, are in place. There are guidelines for raising concerns and making complaints, for whānau involvement in budgetary decisions, and for when and how the English language will be taught. Whānau have a well-developed enrolment criteria and interview process that is fully managed by the whānau. A clear set of behavioural expectations are agreed to by whānau on entry to the unit. In addition to these organisational practices, whānau are engaged in developing cultural and community ceremonies and activities that build whānau participation and identity.

Every school and community environment will represent a different set of barriers and opportunities, hence there is no 'right way' to go about whānau development. What is important to have in view (though not achieve all at once) is the scope of the possibilities of whānau participation. Rather than operating as teacher and school helpers (even as this is an important activity), whānau can build their own capacity as leaders and co-educators in a learning community of their own design.

School Leaders

Whānau leadership such as that enacted at Newton Central School is significantly enabled where there is school-based leadership that opens authority in support of Māori community capacity building and leadership. Opening authority is not a question of

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abdicating responsibility or benign neglect, nor is it telling people what their problems are and how to solve them. Rather, productive school leadership across cultural difference, and in support of Māori self-determination, emerges between a stance of both knowing and not knowing. A recent study on Pākehā principals' productive cross-cultural engagement with Māori (Yukich, 2010) highlights a number of themes already at work in this thesis. Rose Yukich argues that principals need to behave competently and knowledgeably but with an accompanying openness to the limits of their knowing. Ignorance and uncertainty are positively productive for relations across difference (Jones 1999, 2001). The knowing stance of principals and other school leaders involves a shared and positive vision for Māori education and is coupled with commitment to following through. Knowledge of the Māori community and culture, an active awareness of historical and contemporary relations of power, and a self-reflexive orientation to their own cultural location and behaviour are seen as critical ways principals should 'know', if they are to work productively for Māori students and whānau.

Recent research into school leadership, supported by the Ministry of Education, sees the "positional authority" (Robinson et al., 2009, p. 198) of principals as most effective where operating among other leadership positions in schools, that is, operating within a distributed model of leadership. The principal at Newton Central, Hoana Pearson believes this type of leadership is about a willingness to share power: *whatever type of leadership you call it—dispersed or distributed—it's about the principal's willingness to share power with a collective, to believe in the strength of collective power.* However, Hoana Pearson also believes that *a lot of principals don't want to give away power.* Hence, she sees distributed leadership, particularly in relation to leadership from the Māori community, as a key challenge for many New Zealand schools.

Whether a model of distributed leadership is operable or not, the principal retains a pivotal and powerful role in schools. Newton Central participants see the principal's role, in particular sharing in and driving a vision for Māori education, as critical. Participants suggest that *without that level of support the Māori community in particular can remain relatively invisible in schools* (Former Te Whao Urutaki, Alice Heather). The principal is clearly seen as the person who *sets the culture and the climate in which positive things can happen* (Former Board Chair, Kerin Yates). Possessing a vision requires a principal to be knowledgeable, competent and to have

conviction—what the recent *Kiwi Leadership for Principals* document might mean by "leading with moral purpose" (Ministry of Education, 2008, p. 22). As one Newton Central participant pointed out *if the principal doesn't believe in* [the vision] *I don't think it will happen* (Former Te Whao Urutaki, Alice Heather).

Leading with moral purpose might suggest that a principal is knowledgeable about and has a commitment to actively challenging social injustice, and recognises how institutional and discursive power works. Such knowledge should be coupled with knowledge of diverse Māori lives and realities—in particular the Māori students and communities which attend the school. Such competencies can be regarded in the New Zealand context as those attending bicultural subjectivities. In both the study undertaken by Yukich (2010) and in the Newton Central case study, being bicultural is seen as critical to a principal's capacity to work productively with Māori. As one Newton Central teacher commented: *if you want to have a truly bilingual and bicultural environment the leader has to be able to go there. They would have to be very knowledgeable of the world-view so if you want to be operating a bicultural model you have to be a bicultural person* (Senior teacher, Tamsin Hanly)

Being bicultural is also attended by a critical and self-reflective stance in relation to one's *own* cultural locatedness and complicity in *relations* of power. This is seen as particularly significant for Pākehā school leaders (Bishop, 2010; Yukich, 2010). Newton School principal Hoana Pearson suggests in relation to this idea that, *if you're going to be a principal then invest in hundreds of hours of critical self-awareness and consciousness raising.* Self-reflection can alert school leaders to their own cultural impulses in working across cultural difference, and support their attempts to reduce relations of dominance with Māori.

The legacy of the Enlightenment is that knowing and understanding others continues to be understood uncritically as 'good'. Jones (1999) points out that, understanding others is at the basis of critical emancipatory and dialogic approaches to social justice. This thesis has troubled such a view, even as I have also argued above that some knowledge is important. The potential for non-dominating relations can be increased, I suggest, if we give up the idea that we can know all about others, and if, through relationships with difference, we can *learn* from and be altered by that relationship. In giving up an ideal of a cosy togetherness, spaces are opened that can enhance the quality of relationships.

Hoana Pearson suggests that an approach to relationships with Māori requires principals to have the courage to *say "look I'm terrified, I'm pretty freaked out about this"* and that such an approach *actually changes the terms of the relationship.* Without *a willingness to take the risk, the courage to step on a path that's unknown, nothing will change.* An approach of vulnerability, of stepping into discomforting situations, can result in the loss of certainty required for learning from difference and for ethical responsibility to emerge.

Ethical responsibility reminds us to act in situations of injustice, hence an awareness of the limits of one's role is not about doing nothing. But nor is it, as one of the principals in Yukich's (2010) study pointed out, about telling the Māori community what their problems are, providing solutions and doing things *for* them. Rather acting ethically in a situation of injustice involves (as the principal in the study above argues) using one's "skills in organisation, planning and strategy to help them [Māori] get what they wanted" (Yukich, 2010, p. 95). Newton Central's principal agrees that it *is not the Board or principal saying this is the answer therefore we'll do this, it's a willingness to respond to the kaupapa being brought by the Māori community…my role is facilitating and participating in a process of the realisation of a dream…so there is a collective leadership.*

The Human Principle

As I have argued above, the relational qualities at work in both intersubjective and political relationships at Newton Central School mutually contribute to justice. The intersection of ethics and politics opens undetermined spaces where the concrete exercise and expansion of responsibility for the others can occur. It is the ethical inspiration of socio-political others that returns me in this final section to the kanohi ki te kanohi relation. For Levinas and for Māori I argue, it is our already being bonded to the Other that is the condition of everyday events and activities in the world that we recognise as ethical. As Sharon Todd (2003) points out: how the non-intentionality of ethics arising from the intersubjective relationship can be upheld— and in ways that invest and exceed institutional roles without reducing ethical responsibility to a kind of applied ethics—is a critical question for schools. Todd (2003) suggests a "vocabulary", rather than a set of principles is needed to help us in this task (p. 145).

In the Newton Central case study that vocabulary turns on participants' foregrounding of the pedagogical importance of relationality for all school members and at all levels of the school. While a *relational* focus may not always escape becoming an ethical mantra, there is also much to suggest that such a focus has given rise to a conscience that values relationships, critically including face-to-face relationships, and in so doing has opened significant possibilities for ethical responsibility. Participants from across the school report Newton Central as having a school culture that values and learns from difference: In [the school's] *enormous capacity to accept difference it is open to anything. Those things say to our children that difference is okay, that we are not all the same and that it is actually difference that makes us the strongest that we can be* (Senior teacher, Tamsin Hanly).

A culture open to and valuing of difference is coupled with a *culture of whānau* that is experienced as *a caring type of environment* (Board member, Jason Black). While not without the problems or arguments that attend any whānau, Newton Central is seen as unique: *this school gets on together, and there just seems to be that real strength of community that you don't see in other schools…. I think that's what makes Newton special is that we have wairua here. You know, it's all about relationships and good will* (Board member, Greg McAllister)

Teachers report an ethos of care and concern for each other coupled with a generosity to share resources and support one another's teaching practice. The relationships signified by the co-governance structure are seen as:

> *providing a really good model in our staff room…it provides a really nice basis for an open non-judgemental relationship…People are having these interpersonal relationships that you don't often get in a school, that doesn't have that kind of sense of community and engagement with the Treaty, because that's what it's about, it's about that relationship of bringing people together.* (Senior Teacher, Sheila Buchanan)

Teachers interviewed believe this culture is the reason new teachers tend to stay at the school: *when they get here they really enjoy it. It's because of the openness. And there's the heart of it that people stay. The gentleness.* One long-time teacher said she

had no desire to move to another school because *I'm not going to work where the human principle does not have importance and status.*

Case study participants observe an environment where children are alert to relationships and express concern for one another: *I experience Newton kids as very human and engaged in relationships* (Senior teacher, Tamsin Hanly). *Kids look out for each other. If somebody gets hurt, there's somebody over there rubbing their back and looking after them and making sure they're okay* (Board member, Jason Black). Levinas sees such acts, or "small goodnessess" as ethical. Such acts are not to be understood as moral norms to live by, but rather represent moments when the ethical appears or concretises in the world. Such acts are reminders that I am the one who is responsible, and that ethical responsibility is my concern not someone else's.

Participants suggest that Newton Central is a school that shows concern for students' development beyond the academic achievement: *you've got a supportive environment that supports* [children] *not just in their school work but from whoa to go. It's like a whole of life approach rather than just a school that they go to* (Former Te Whao Urutaki, Kerry Hiini). In particular learning from and about relationships is seen as pedagogically critical, even as *it's not the sort thing that the Education Review Office will come and test us over….but it's educating and creating human beings, in a holistic sense* (Board member, Jason Black). 'Teaching' students about relationships is not understood as something that can be achieved in a social studies lesson, but rather is something that emerges from an attentiveness to relationships in day-to-day practices as well as having high expectations of ethical behaviour:

> *What comes from valuing relationships is hopefully we're educating in that way and our kids are getting grown in that way. If we hold to this in our ways of working, and then we try and do it in our classroom, and we keep trying to make our kids hold to it. It's like having high ethical expectations* (Senior teacher, Tamsin Hanly)

Critchley (2002) reminds that the ethical is the "moral grammar of everyday life" (p. 27) and must be impossibly demanding, because if it were not, we would be morally un-obligated, and ethics would be reduced to universalised norms.

Conclusion

In reflecting on the relational qualities at work at Newton Central, many of the case study participants point to the co-governance relationship as informing those relationships/qualities. For Levinas it is always important to know whether political institutions arise from a limitation of responsibility, or a limitation of violence. I argue that the Newton Central governance structure arose from a limitation of responsibility through an ethical response to the demand of the Other. This response has been the means by which social and political space in the school has been further opened, and has enlarged the room for the ethical to be expressed in the relational qualities of day-to-day and kanohi ki te kanohi relationships.

The difference between institutions arising from violence and those arising from responsibility, is that those arising from ethical responsibility can be challenged in the name of that which is a condition of them, the ethical. Having further opened the day-to-day social and political space of the school to the ethical, the possibility for contestation, and an openness to that which is outside the co-governance structure, is asserted. Such an assertion holds the possibility for *responsible* political decisions to be taken in the service of others.

Appendix A

Interview Schedules

Teachers and Senior Management Team

- What is the impact of the co-governance partnership on the school culture?
- How does the Treaty governance partnership influence your thinking and practice as senior management at the school? In what ways?
- Do you consider the partnership is relevant/meaningful to your day-to-day teaching practice? In what ways?
- What do you think the practice of the partnership might involve at the classroom level?
- Do you think that the Treaty governance partnership makes a difference for Māori children at Newton Central school? How?
- Does it make a difference for other children in the school? How?

Board of Trustees

- As the Treaty Governance partner (BOT) how do you understand your role?
- Does the Treaty governance partnership influence your thinking and practice as Board of Trustees member at the school? In what ways?
- What is it about this school/community that has enabled this partnership?
- What are the barriers and challenges to the partnership? Eg broader school community? Changing leadership, staff and community?
- What are possible long-term issues in sustaining such a partnership?

Te Whao Urutaki/ Te Uru Karaka whānau members

- What philosophies or kaupapa do you see as guiding whānau processes and engagement with the school?
- How is the whānau organised and how does it run?
- How do whānau participate - levels, forms of participation?
- What skills, knowledge and capacities does this whānau possess that are important to a functioning school whānau?
- What skills, knowledges, politics, processes and structures do the whānau identify as in need of development?
- What priorities (cultural/educational) do whānau consider important for development in the school?
- What is the role of the whānau in the Treaty governance partnership?
- Do you see direct benefits of the partnership for your tamariki?
- What challenges and barriers face the whānau/community in maintaining the partnership?
- What are the key elements of success in the relationship between the Māori community and school?

Principal

- What types of relationships have you observed between Māori school communities and their schools?
- Reflect on your journey as Principal in the development of this Treaty governance partnership
- What is it about this school/community that has enabled this partnership?
- What is the Principal's role in the development and maintenance of the Treaty partnership? How might it be different from the Board of Trustees and community?
- What are the barriers and challenges? For example from the broader school community? Changing leadership, staff and community?
- What are possible long-term issues in sustaining such a partnership?
- Do the current national policy frameworks and documents provide support for Māori community authority in schooling?

- How doe you see the Treaty governance relationship work through senior management, teachers and into classrooms?

- What are the ongoing developments you see for the Treaty partnership? In what areas?

- In your view what are the key elements of success for the Treaty governance partnership?

Appendix B

Participant Information Sheets

PARTICIPANT INFORMATION SHEET
(School Principal/Board of Trustees – Newton Central School)

Project title: The Treaty of Waitangi as a Relational Ethics for Education.

Tēnā koe. My name is Te Kawehau Hoskins. I am a lecturer at Te Puna Wananga, in the Faculty of Education, at The University of Auckland. I am currently undertaking Doctoral research for which I have received financial assistance from the Faculty of Education Research Development Fund, The University of Auckland.

I am seeking permission from the Board of Trustees and the School Principal to conduct case study research on the Treaty Governance partnership at Newton Central School. In particular I am seeking the Board of Trustees and Principals permission to conduct a focus group interview with the school's senior management group.

I am conducting this research to explore the 'possibilities' and 'problems' associated with the development of productive Treaty governance partnerships between urban mainstream schools and Māori whānau/ communities.

The questions and discussion will seek the senior management group's views about and experiences of the significance of management/teacher relationships with the Māori whānau/community; management/teacher and school capacities important to productive relationships with the Māori whānau/community; the significance of the Treaty of Waitangi for schooling and education generally; the Treaty of Waitangi governance partnership at Newton Central school; and the challenges and benefits associated with this partnership.

The focus group interview can take place outside of school hours, or during school hours at a time consented to by the School Principal. If prefered, senior management members may be interviewed individually. The interview will take approximately two hours and be conducted on the school site or at an external location prefered by the senior management group. Refreshments will be provided.

Discussions will be led by Te Kawehau Hoskins and will be audio taped. A copy of the transcript will be provided to senior management members for their review. The tapes and transcripts will be kept secure at the University of Auckland for a period of 6 years Only Te Kawehau Hoskins will have access to them. At the end of 6 years the tapes and transcripts will be destroyed.

As this research is a case study, the school and all contributing participants will be acknowledged/named in the PhD thesis. Participants may also be named in any journal articles and/or conference papers resulting from the research.

Participation is completely voluntary. Participants have the right to withdraw from the research at any time. Participants also have the right to withdraw their data from the research up until July 2008.

Should you have any further questions about the research please don't hesitate to contact the researcher's Supervisor and/or Heads of School via the contact details below.

Te Kawehau Hoskins (Researcher)
D 07 – Epsom Campus
Telephone: 09 6238897 extn 84213
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Prof. Alison Jones (Supervisor)
D 200 – Epsom Campus
Telephone: 09 6238897 extn 88117
Email: a.jones@auckland.ac.nz

Hemi Dale (Co Head of School)
D 16 A – Epsom Campus
Telephone: 09 6238897 extn 48985
Email: h.dale@auckland.ac.nz

Dr Colleen McMurchy-Pilkington (Co Head of School)
D 16 B – Epsom Campus
Telephone: 09 6238897 extn 48735
Email: c.mcmurchy@auckland.ac.nz

For any queries regarding ethical concerns you may contact the Chair, The University of Auckland Human Participants Ethics Committee, The University of Auckland, Office of the Vice Chancellor, Private Bag 92019, Auckland 1142. Telephone 09 373-7599 extn. 87830.

APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 14/11/2007 for (3) years, Reference Number 2007/395

PARTICIPANT INFORMATION SHEET
(Board of Trustees Newton Central School)

Project title: The Treaty of Waitangi as a Relational Ethics for Education.

Tēnā koe. My name is Te Kawehau Hoskins. I am a lecturer at Te Puna Wananga, in the Faculty of Education, at The University of Auckland. I am currently undertaking Doctoral research for which I have received financial assistance from the Faculty of Education Research Development Fund, The University of Auckland.

I am conducting this research to explore the 'possibilities' and 'problems' associated with the development of productive Treaty governance partnerships between urban mainstream schools and Māori whānau/communities.

You are invited to be involved in this research and have been selected because you are a Board of Trustees member at Newton Central School.

The questions and discussion will seek your views and experiences of the significance of Board of Trustees relationships with the Māori whānau/community; Board of Trustees capacities important to productive relationships with the Māori whānau/community; the significance of the Treaty of Waitangi for schooling and education generally; the Treaty of Waitangi governance partnership at Newton Central school between the Board of Trustees and Te Whao Urutaki; and the challenges and benefits associated with this partnership.

If you agree to participate, you will be part of a focus group interview made up of 4 - 6 people. If you prefer you can ask to be interviewed separately. The interview will take approximately two hours and be conducted on the school site . Refreshments will be provided.

Discussions will be led by Te Kawehau Hoskins and will be audio taped. A copy of the transcript will be provided for your review. The tapes and transcripts will be kept secure at the University of Auckland for a period of 6 years. Only Te Kawehau Hoskins will have access to them. At the end of 6 years tapes and transcripts will be destroyed.

As this research is a case study, the school and all contributing participants will be acknowledged/named in the PhD thesis. Participants may also be named in any journal articles and/or conference papers resulting from the research.

Participation is completely voluntary. You have the right to withdraw from the research at any time. You also have the right to withdraw your data from the research up until July 2008.

If you are interested in being part of this research please complete the Consent Form and return it to Te Kawehau Hoskins.

Should you have any further questions about the research please don't hesitate to contact the researcher's Supervisor and/or Heads of School via the contact details below.

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PARTICIPANT INFORMATION SHEET
(Te Uru Karaka Whānau/Te Whao Urutaki – Newton Central School)

Project title: The Treaty of Waitangi as a Relational Ethics for Education.

Tēnā koe. My name is Te Kawehau Hoskins. I am a lecturer at Te Puna Wananga, in the Faculty of Education, at the University of Auckland. I am currently undertaking Doctoral research for which I have received financial assistance from the Faculty of Education Research Development Fund, The University of Auckland.

I am conducting this research to explore the 'possibilities' and 'problems' associated with the development of productive Treaty governance partnerships between urban mainstream schools and Māori whānau/communities.

You are invited to be involved in this research and have been selected because you are a member of the Māori whānau/community at Newton Central School.

The questions and discussion will seek your views and experiences of the importance of Māori whānau - school relationships; both whānau and school capacities important to productive relationships; the significance of the Treaty of Waitangi for schooling and education; The Treaty of Waitangi governance partnership at Newton Central School; and the challenges and benefits associated with such partnerships.

If you agree to participate, you will be part of a focus group interview made up of 4 - 6 people. If you prefer you can ask to be interviewed separately. The interview will take approximately two hours and be conducted on the school site or at external location preferred by you. Refreshments will be provided.

Discussions will be led by Te Kawehau Hoskins and will be audio taped. A copy of the transcript will be provided for your review. The tapes and transcripts will be kept secure at the University of Auckland for a period of 6 years. Only Te Kawehau Hoskins will have access to them. At the end of the 6 years the tapes and transcripts will be destroyed.

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APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 14/11/07 for (3). Reference Number 2007/395

PARTICIPANT INFORMATION SHEET
(School Principal – Newton Central School)

Project title: The Treaty of Waitangi as a Relational Ethics for Education.

Tēnā koe. My name is Te Kawehau Hoskins. I am a lecturer at Te Puna Wananga, in the Faculty of Education, at The University of Auckland. I am currently undertaking Doctoral research for which I have received financial assistance from the Faculty of Education Research Development Fund, The University of Auckland.

I am conducting this research to explore the 'possibilities' and 'problems' associated with the development of productive Treaty governance partnerships between urban mainstream schools and Māori whānau/ communities.

You are invited to be involved in this research and have been selected because you are the Principal of Newton Central School.

The questions and discussion will seek your views and experiences of the significance of School leadership in progressing relationships with the Māori whānau/community; Principal capacities important to productive relationships with the Māori whānau/community; the significance of the Treaty of Waitangi for schooling and education generally; the Treaty of Waitangi governance partnership at Newton Central School between the Board of Trustees and Te Whao Urutaki; and the challenges and benefits associated with this partnership.

If you agree to participate, you will be interviewed individually. The interview will take approximately two hours and be conducted on the school site. Refreshments will be provided.

Discussions will be led by Te Kawehau Hoskins, and will be audio taped. A copy of the transcript will be provided for your review. The tapes and transcripts will be kept secure at the University of Auckland for a period of 6 years. Only Te Kawehau Hoskins will have access to them. At the end of the 6 years the tapes and transcripts will be destroyed.

As this research is a case study, the school and all contributing participants will be acknowledged/named in the PhD thesis. Participants may also be named in any journal articles and/or conference papers resulting from the research.

Participation is completely voluntary. You have the right to withdraw from the research at any time. You also have the right to withdraw your data from the research up until July 2008.

If you are interested in being part of this research please complete the Consent Form and return it to Te Kawehau Hoskins.

Should you have any further questions about the research please don't hesitate to contact the researcher's Supervisor and/or Heads of School via the contact details below.

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APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 14/11/07 for (3) years. Reference Number 2007/395

PARTICIPANT INFORMATION SHEET
(Senior Management Group – Newton Central School)

Project title: The Treaty of Waitangi as a Relational Ethics for Education.

Tēnā koe. My name is Te Kawehau Hoskins. I am a lecturer at Te Puna Wananga, in the Faculty of Education, at The University of Auckland. I am currently undertaking Doctoral research for which I have received financial assistance from the Faculty of Education Research Development Fund, The University of Auckland.

I am conducting this research to explore the 'possibilities' and 'problems' associated with the development of productive Treaty governance partnerships between urban mainstream schools and Māori whānau/communities.

You are invited to be involved in this research and have been selected because you are part of the senior management group at Newton Central School.

The questions and discussion will seek your views and experiences of the significance of teacher/management relationships with the Māori whānau/community. management/teacher and school capacities important to productive relationships with the Māori whānau/community; the significance of the Treaty of Waitangi for schooling and education; the Treaty of Waitangi governance partnership at Newton Central school; and the challenges and benefits associated with this partnership.

If you agree to participate, you will be part of a focus group interview made up of 4 - 6 people. If you prefer you can ask to be interviewed separately. The interview will take approximately two hours and be conducted on the school site or an external location preferred by you. Refreshments will be provided.

Discussions will be led by Te Kawehau Hoskins and will be audio taped. A copy of the transcript will be provided for your review. The tapes and transcripts will be kept secure at the University of Auckland for a period of 6 years. Only Te Kawehau Hoskins will have access to them. At the end of that period transcripts and tapes will be destroyed.

As this research is a case study, the school and all contributing participants will be acknowledged/named in the PhD thesis. Participants may also be named in any journal articles and/or conference papers resulting from the research.

Participation is completely voluntary. You have the right to withdraw from the research at any time. You also have the right to withdraw your data from the research up until July 2008

If you are interested in being part of this research please complete the Consent Form and return it to Te Kawehau Hoskins.

Should you have any further questions about the research please don't hesitate to contact the researcher's Supervisor and/or Heads of School via the contact details below.

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APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 14/11/07 for (3 years Reference Number 2007/395

Appendix C

Consent Forms

CONSENT FORM
(Principal/Board of Trustees for Newton Central School participation)

(THIS CONSENT FORM WILL BE HELD FOR A PERIOD OF SIX YEARS)
Project title: **The Treaty of Waitangi as a Relational Ethics for Education.**

Principal Researcher: **Te Kawehau Hoskins**

The Board of Trustees and Principal agree to this research being conducted at Newton Central School. The Board of Trustees and Principal consent to a focus group interview being conducted with the school's senior management team.

The Board of Trustees and Principal have read the Participant Information Sheet and have been given and have understood an explanation of this research project. The Board of Trustees and Principal have had an opportunity to ask questions and have them answered to our satisfaction. The Board of Trustees and Principal understand Newton Central School has been selected for this research because of its Treaty governance partnership.

The Board of Trustees and Principal understand that Senior Management members' participation in the research is completely voluntary and members have the right to withdraw from the research at any time. Senior management members also have the right to withdraw any information traceable to them at any time, up until July 15th, 2008 without giving a reason.

- The Board of Trustees and Principal consent that the school site can be used as an interview venue outside of teaching hours.
- The Board of Trustees and Principal understand that the school and senior management members will be named in the study and in any journal articles and/or conference papers resulting from the research.
- The Board of Trustees and Principal understand that the interview will be audio taped.
- The Board of Trustees and Principal understand the tapes and transcripts will be kept secure at the University of Auckland for a period of 6 years. Only Te Kawehau Hoskins will have access to them.

Signed: **Date:**

Name (print clearly):

APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 14/11/2007 for (3) years. Reference Number 2007/395

CONSENT FORM
(Senior Management Group – Newton Central School)

(THIS CONSENT FORM WILL BE HELD FOR A PERIOD OF SIX YEARS)

Project title: **The Treaty of Waitangi as a Relational Ethics for Education.**

Principal Researcher: **Te Kawehau Hoskins**

I agree to take part in this research.

I have read the Participant Information Sheet. I have been given and have understood an explanation of this research project. I understand I have been selected for this research as a senior management member at Newton Central School. I have had an opportunity to ask questions and have them answered to my satisfaction.

I understand that my participation in the research is completely voluntary and I have the right to withdraw from the research at any time. I also have the right to withdraw any information traceable to me at any time, up until July 15th, 2008 without giving a reason.

- I understand that I will be named in the study and in any journal articles and/or conference papers resulting from the research.

- I understand that the interview will be audio taped.

- I understand I will be given a copy of my transcript to review.

- I understand the tapes and transcripts will be kept secure at the University of Auckland for a period of 6 years. Only Te Kawehau Hoskins will have access to them.

Signed: **Date:**

Name (print clearly):

APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 14/11/07 for (3) years. Reference Number 2007/395

CONSENT FORM
(Board of Trustees –Newton Central School)

(THIS CONSENT FORM WILL BE HELD FOR A PERIOD OF SIX YEARS)

Project title: **The Treaty of Waitangi as a Relational Ethics for Education.**

Principal Researcher: **Te Kawehau Hoskins**

I agree to take part in this research.

I have read the Participant Information Sheet. I have been given and have understood an explanation of this research project. I understand I have been selected for this research as a Board of Trustees member at Newton Central School. I have had an opportunity to ask questions and have them answered to my satisfaction.

I understand that my participation in the research is completely voluntary and I have the right to withdraw from the research at any time. I also have the right to withdraw any information traceable to me at any time, up until July 15th, 2008 without giving a reason.

- I understand that I will be named in the study and in any journal articles and/or conference papers resulting from the research.

- I understand that the interview will be audio taped.

- I understand I will be given a copy of my transcript to review.

- I understand the tapes and transcripts will be kept secure at the University of Auckland for a period of 6 years. Only Te Kawehau Hoskins will have access to them.

Signed: **Date:**

Name (print clearly):

APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 14/11/07 for (3) years. Reference Number 2007/395

CONSENT FORM
(Te Uru Karaka whānau/Te Whao Urutaki –Newton Central School)

(THIS CONSENT FORM WILL BE HELD FOR A PERIOD OF SIX YEARS)

Project title: **The Treaty of Waitangi as a Relational Ethics for Education.**

Principal Researcher: **Te Kawehau Hoskins**

I agree to take part in this research.

I have read the Participant Information Sheet. I have been given and have understood an explanation of this research project. I understand I have been selected for this research as a whānau/Te Whao Urutaki member at Newton Central School. I have had an opportunity to ask questions and have them answered to my satisfaction.

I understand that my participation in the research is completely voluntary and I have the right to withdraw from the research at any time. I also have the right to withdraw any information traceable to me at any time, up until July 15th, 2008 without giving a reason.

- I understand that I will be named in the study and in any journal articles and/or conference papers resulting from the research.

- I understand that the interview will be audio taped.

- I understand I will be provided with a copy of my transcript to review.

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Signed: **Date:**

Name (print clearly):

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CONSENT FORM
(School Principal – Newton Central School)

(THIS CONSENT FORM WILL BE HELD FOR A PERIOD OF SIX YEARS)

Project title: **The Treaty of Waitangi as a Relational Ethics for Education.**

Principal Researcher: **Te Kawehau Hoskins**

I agree to take part in this research.

I have read the Participant Information Sheet. I have been given and have understood an explanation of this research project. I understand I have been selected for this research as the Principal of Newton Central School. I have had an opportunity to ask questions and have them answered to my satisfaction.

I understand that my participation in the research is completely voluntary and I have the right to withdraw from the research at any time. I also have the right to withdraw any information traceable to me at any time, up until July 15th, 2008 without giving a reason.

- I understand that I will be named in the study and in any journal articles and/or conference papers resulting from the research.

- I understand that the interview will be audio taped.

- I understand I will be given a copy of my transcript to review.

- I understand the tapes and transcripts will be kept secure at the University of Auckland for a period of 6 years. Only Te Kawehau Hoskins will have access to them.

Signed: **Date:**

Name (print clearly):

APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 114/11/07 for (3) years. Reference Number 2007/395

Appendix D

Overview of Interviews, Participants and Data Sources

Focus Group Interviews

Board of Trustees:

Hoana Pearson (Principal)

Christine Herzog (Co-chair Board of Trustees)

Jason Black

Phyllis Herda

Michelle Hesketh

Greg McAllister

Siale Sipley

Te Whao Urutaki:

Kerry Hīni

Jaylene Wehipeihana

Ruth Tamihana- Milne

Senior Management Teachers/Team:

Josephine McKendrey

Tamsin Hanly

Sheila Buchanan

Individual interviews:

Hoana Pearson (Principal)

Christine Herzog (Co-Chair Board of Trustees)

2007 Interviews and Participants

Focus Group Interviews

Board of Trustees

Christine Herzog (Trustee, 2007)

Kerin Yates (Board of Trustees Chair 2007)

Jane Mathews (Trustee, 2007)

Siale Sipley (Trustee, 2007)

Tim Mahon (Board of Trustees Chair, 2000 at time of governance development)

Suzie Strachan (past Trustee, 2000 at time of governance development)

Te Whao Urutaki

Rihi Te Nana (Te Whao Urutaki, 2000 at time of governance development)

Alice Heather (former Te Whao Urutaki member, not present at time of governance development)

Te Kawehau Hoskins (Current Co-Chair Te Whao Urutaki, and Te Whao Urutaki member at time of governance development)

Teachers

Justin Barlow

David Pentecost

Josephine McKendrey

Individual 2007 Interviews

Tamsin Hanly (Senior teacher in Te Uru Karaka, 2007. Senior management team, bicultural leader, English transition teacher, 2009)

Ruth Lemon (teacher aide 2007.   Year 7 & 8 Te Uru Karaka teacher, 2009)

Other Sources of Data

- Newton Central School Treaty of Waitangi Policy
- 1974 Golden Jubilee Reunion book
- History of Māori education at Newton Central 1993 – 2006, by principal Hoana Pearson
- Te Uru Karaka Whānau philosophy and policy booklet, 2009

- Te Uru Karaka 10 Year anniversary booklet

- Te Uru Karaka 10 Year anniversary DVD (including interviews of former whānau)

- Letter from former principal Tim Heath for 10 Year Te Uru Karaka anniversary, Feb 2007

- Newton Central Education Review Office reports (2005 and 2008)

- Avondale Intermediate Case study (2006)

- 25 Auckland School Treaty/Māori Policies

Oral Sources and Personal Communications

Pine Campbell – Māori Board of Trustees member 1991

Anaru Martin – Ngāti Whātua, Teacher, Te Uru Karaka and supplied Ngāti Whātua history

Tim Heath, former principal Newton Central School

Tamsin Hanly (cross checking of history)

Hoana Pearson (cross checking of history)

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