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# INDIGENOUS RIGHTS AND RESISTANCE: A MĀORI VIEW OF INDIGENOUS JUSTICE OPERATIONALISATION

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## ABSTRACT

*Operationalising Indigenous rights and resistance involves strategic growth, emphasising collective empowerment and innovative knowledge dissemination within Indigenous communities. This paper will focus on the balance between operationalisation and resistance in the context of self-determination and social justice for Tapuika (Sacred Fish), a Māori tribe who are the sole case study of this research. Te Takapū o Tapuika (The Belly of Tapuika) is the ancestral homeland, located in the North Island of Aotearoa, New Zealand (NZ). Tapuika survived historical trauma from more than one and a half centuries of colonial violence by the NZ State; through all of this, Tapuika have maintained their claim to Indigenous sovereignty and self-determination. Colonialism, lawfare and dispossession are the foundations of the State; ethnic cleansing, involving scorched earth policy and vast land grabs, dispossessed Tapuika of more than 95% of their ancestral homeland (Marsh et al., 2005). The study frames the achievement of social justice and rights in terms of internal and external justice, emphasising healing and resistance. This paper concludes that operationalising Indigenous rights and resistance requires a strategic balance to achieve the structural and constitutional transformation necessary to rectify injustices within the hierarchy of rights, thereby enabling Indigenous communities to enjoy self-determination and social justice fully. This research addresses a gap in the literature by demonstrating how rights-based and resistance-based approaches can be operationalised to advance self-determination and Indigenous liberation. This paper aims to activate community engagement while also contributing academically to Indigenous policy and strategy.*

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**KEYWORDS:** Indigenous rights, Indigenous resistance, social justice, self-determination, Kaupapa Māori

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## 1 INTRODUCTION

*Tapuika* (Sacred Fish), a Māori tribe, who are the sole case study of this research. *Te Takapū o Tapuika* (The Belly of Tapuika) is the ancestral homeland, located in the North Island of *Aotearoa*, New Zealand (NZ). I am a member of Tapuika. I argue that the operationalisation of Indigenous rights and resistance requires strategic growth among Indigenous communities, focusing on collective empowerment and on creative dissemination strategies for necessary knowledge within Indigenous networks and communities. This paper focuses on the balance between operationalisation and resistance in the context of self-determination and social justice. Tapuika survived historical trauma from more than one and a half centuries of colonial violence by the NZ State, including ethnic cleansing, involving scorched earth policy and vast land grabs, dispossessed Tapuika of more than 95% of their ancestral homeland (King, 2003; Marsh et al., 2005; Mutu, 2019; O'Malley, 2019). Tapuika have steadfastly maintained their claim to Indigenous sovereignty and self-determination despite relentless lawfare and dispossession, which are at the core of the colonial foundations of the NZ State. According to Gray, the White majority in NZ ignores the damage done to Māori by colonisation, wilfully closing their eyes to the structural injustice and White privilege in NZ "through legislation and policy designed to meet their needs" (Gray, 2012, p. 20).

This study frames the achievement of social justice and rights in terms of internal and external justice, emphasising healing and resistance. This paper argues that the operationalisation of Indigenous rights and resistance requires the structural and constitutional transformation necessary to rectify injustices within the mono-legalistic hierarchy of rights, so that Indigenous communities can fully and effectively enjoy Indigenous self-determination and realise social justice. This research contributes to Indigenous rights literature by addressing the operationalisation of rights-based and resistance-based approaches to self-determination and Indigenous liberation. The aims of this paper are to foster community engagement, highlight Indigenous voices, inform government policy and empower Indigenous political strategy.

## 2 LITERATURE REVIEW

### 2.1 Indigenous Rights and Sovereignty

Indigenous peoples experienced racism in the development of Eurocentric political philosophy and international law, as these developed from a single

sovereign monarch to popular sovereignty and self-determination with a bias towards Anglo-European nation-states. One of the earliest forms of European sovereignty asserted over Indigenous peoples' lands was the papal bulls *Inter Caetera*, issued by Pope Alexander VI in 1493, which demarcated the New World between Spain and Portugal. Along with the *Treaty of Tordesillas* in 1494, *Inter Caetera* formulated the basis of the Doctrine of Discovery (R. J. Miller, 2011). Panzironi (2006) explains that 'cultural differences' were used by Vitoria to assume that 'just war' could grant the Spanish authority over Indigenous peoples through the conquest of their lands. According to Wilson (2008), Grotius was a proto-colonialist, anti-Papalist who drew his perspectives of Indigenous peoples heavily from Vitoria. Panzironi (2006, p. 15) notes that Bartolomé de las Casas<sup>1</sup> defended the self-determination of Indigenous peoples in Hispaniola against Spanish colonial slavery and brutality. She contrasts natural law and the universal rationalism of humanity with the 'cultural dynamics' of Eurocentric sovereignty and White supremacy. The divine right of kings was a crucial doctrine in the development of sovereignty theory, marking the transition from the Middle Ages to modern politics (Burgess, 1992). Seventeenth-century European conflicts led to the development of Westphalian sovereignty, as outlined in the *Treaties of Münster and Osnabrück* in 1648, commonly referred to as the *Peace of Westphalia*. Milton asserts that Westphalian sovereignty was not intended to be absolute, but rather a mechanism for regulating and minimising imperial conflicts, with the right to intervene in specific circumstances that threaten international stability (Milton, 2019, pp. 190-191).

Westphalian sovereignty was not granted to Indigenous peoples, and political theorists continued to insist that Europeans should colonise during the seventeenth and eighteenth centuries. Hickford describes the Vattelian approach to European claims to Indigenous territories, including no objection to colonisation and justifying possession of the territories that "erratic nations scantily populated" (Hickford, 2006, p. 131). On Hobbes's formulation of natural jurisprudence and the exclusion of 'savages' from sovereignty, Moloney states that "He thus contributed a set of premises to natural jurisprudence that denied Indigenous societies statehood and excluded them from the family of nations" (Moloney, 2011, p. 189). The sovereign monarch, as the supreme and absolute ruler of a nation-state, was challenged

<sup>1</sup> Bartolomé de las Casas was a Dominican priest and former slave owner who later advocated for Indigenous rights.

during the Enlightenment, which advanced notions of liberty and rights. Westphalian sovereignty gradually moved towards popular sovereignty. However, the development of liberal rights for European and American citizens between the seventeenth and nineteenth centuries did not shift the status of Indigenous peoples in international law.

Despite the Enlightenment development of liberalism, many leading liberal philosophers supported the dispossession and oppression of Indigenous peoples (Carmichael, 1990; Iurlaro, 2021; Seuffert, 2021; Weinert, 2007). Indigenous peoples were excluded from the 'colonial peoples' deemed worthy of self-determination in *General Assembly Resolution 1514 (XV): Declaration on the Granting of Independence to Colonial Countries and Peoples 1960* (UN General Assembly, 1960) and the *Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations: Resolution 2625(XXV) 1970* (UN General Assembly, 1970). However, self-determination is still crucial for Indigenous peoples despite the limitations imposed by sovereign states.

The Indigenous right to self-determination is a collective right enshrined in Article 3 of the *United Nations Declaration on the Rights of Indigenous Peoples* (2007). Knop (2004) examines how international law has developed for Indigenous peoples historically through decolonisation, the ILO *Indigenous and Tribal Peoples Convention 1989 (No. 169)*, the UN Working Group on Indigenous Populations and the evolution of Indigenous peoples' right to self-determination, as well as examining post-Cold War literature on self-determination and critiquing the 'categories' and 'coherence' approaches and their implications for identity. Saul describes the development of self-determination in international law and its inconclusive, inconsistent application. Saul states that:

The right of self-determination has been identified by the International Court of Justice (ICJ) as 'one of the essential principles of contemporary international law'. Yet it also remains one of the most unsettled norms in international law... The doctrinal debates, on the meaning of 'peoples' and the contents of the right that 'peoples' enjoy, have no end in sight (Saul, 2011, pp. 611–612).

Watene and Merino (2018) investigate the importance of self-determination, decolonisation, and Indigenous philosophies in achieving wellbeing and development goals. They emphasise the need for Indigenous communities to participate in governing processes and institutions that meet the minimum standards set by the UNDRIP, which recognises the

right to self-determination. They assert that the development of Indigenous communities is empowered by decolonisation and Indigenous philosophies, enabling them to shape their futures and reclaim their cultural identities. Watene and Merino note that Indigenous self-determination presents both opportunities and challenges, including recognising Indigenous agency, cultural relevance, and respect, as well as decolonising development practices and promoting social justice, while seeking sustainable and inclusive development for Indigenous peoples (Watene & Merino, 2018). The following section will explore literature defining the concepts of Indigenous rights, neoliberalism and settler colonialism.

## **2.2 Indigenous Rights and Resistance Against Neoliberalism and Settler Colonialism**

This paper frames Indigenous rights through the *United Nations Declaration on the Rights of Indigenous Peoples 2007* (UNDRIP), alongside the International Labour Organisation (ILO) *Indigenous and Tribal Peoples Convention 1989 (No. 169)*, with the primary Indigenous rights-based framework being UNDRIP in this paper. Cox defines settler-colonialism by stating that:

Settler colonialism is an ongoing system of power that perpetuates the genocide and repression of indigenous peoples and cultures. Essentially hegemonic in scope, settler-colonialism normalises the continuous settler occupation, exploiting lands and resources to which Indigenous peoples have genealogical relationships. Settler colonialism includes interlocking forms of oppression, including racism, white supremacy, heteropatriarchy, and capitalism. This is because settler colonisers are Eurocentric and assume that European values with respect to ethnic, and therefore moral, superiority are inevitable and natural. However, these intersecting dimensions of settler-colonialism coalesce around the dispossession of indigenous peoples' lands, resources, and cultures. (Cox, 2017).

Settler-colonialism is not a historical phenomenon; it continues to use forms of violence and oppression against Indigenous peoples that are incompatible with Indigenous rights, nor with stable or sustainable rules and rights-based international order. Settler-colonialism continues to deny Indigenous self-determination. The origins of Anglo-European settler colonisation began with the widespread adoption of the 'Doctrine of Discovery', which claimed non-European continents as imperial property and evolved into joint-stock corporate colonial ventures.

Macklem (2015) points out that self-determination is not being carried out fairly and says that human rights should be used to fix unfairness in the distribution of sovereignty. He claims that Indigenous rights function to rebalance the asymmetric relationship between Indigenous peoples and the state-centric system. Beitz also claims that the right to self-determination should function to achieve justice (Beitz, 1979). Jackson-Preece notes that despite the lack of formal mechanisms for dispute resolution, Indigenous self-determination is evolving in international law towards forms of sub-state self-governance and autonomy in complex power-sharing agreements (Jackson-Preece, 2008). Robbins asserts that the concept of 'shared sovereignty' is becoming possible for Indigenous peoples who are minorities in postcolonial nations (Robbins, 2010). Shared sovereignty for Indigenous peoples implies a shift from state-centric sovereignty towards sub-state Indigenous self-determination. However, Robbins observes that the conceptualisation of Indigenous self-determination can be politically problematic, and that there is a paradox between Indigenous self-determination and state sovereignty: the former is seen as a threat to the latter, from which Indigenous self-determination must be claimed. Shrinkhal explores Indigenous self-determination and the political authority of states that it challenges. He discusses the struggle for peoplehood and the objectification of Indigenous peoples in international law, noting its problematic conceptualisation of Indigenous sovereignty, which he argues is in confrontation with the empire of uniformity (Shrinkhal, 2021).

De Mattos Vieira and Viaene (2024) investigate the Indigenous peoples' struggle for recognition of their rights in the UN, with a focus on the UNDRIP and the Human Rights Council (HRC). They identify the "implementation gap" between the standards and the extent to which states adhere to them, where the political side of normative human rights systems can become a barrier to the implementation and enjoyment of Indigenous rights. They provide evidence sourced from the Special Rapporteur on the Rights of Indigenous Peoples and the Expert Mechanism on the Rights of Indigenous Peoples, as documented in Human Rights Council sessions between 2011 and 2021. De Mattos Vieira and Viaene highlight that the state abuses 'misunderstandings' in conflicting narratives to undermine Indigenous peoples' rights; this is also noted by Clavé-Mercier (2024). De Mattos Vieira and Viaene state that "the underlying challenge in the implementation of Indigenous peoples' rights rests in ontological

conflicts between States and Indigenous peoples, especially concerning the meaning of self-determination"; they recommend practice-oriented reduction of 'discourse manipulation' at the HRC (de Mattos Vieira & Viaene, 2024).

Bargh (2007) explores resistance as an Indigenous response to neoliberalism.

In New Zealand's advanced neoliberal policies in the context of Māori academics, activists, and leaders discussing connections between "global neoliberal practices and the diverse forms of Māori resistance that aim to destabilise them". In *Revitalisation and indigenous resistance to Globalisation and Neoliberalism*, Fenelon and Hall (2008) develop two Indigenous models: one of revitalisation and the other of resistance to state domination, including social systems of decision-making, economic distribution, land tenure, and community relations. Using comparative analysis of two case studies, Dutta and Elers (2020) investigate Indigenous resistance as a dialogic anchor in public relations, indigeneity and colonisation, arguing that "superficial markers of culture incorporated into engagement is a communicative inversion that serves the colonising tools of transnational capital" They suggest resistance through culturally centred communication strategies of engagement within Indigenous movements against colonial globalisation. Walter (2010) explores the domain of Aboriginality and an Indigenous resistance paradigm against market forces, neoliberal infrastructure and ideological rationale that undermine Indigenous rights in Australia, noting that Indigenous parameters of resistance confront and defy neoliberalism and hegemony.

Brown and Strega (2015) consider critical Indigenous research a form of resistance to oppressive approaches to social science research. Emphasising reflexivity, positionality of the researcher and meaningful involvement of participants in the research process to ensure socially just research, including ontological and epistemological dimensions. Simpson (2016, 2017) articulates the limits of justice in relation to the settler-state, investigates Indigenous resurgence through constellations of co-resistance in the context of Canada, dispossession, and settler-colonialism, highlighting grounded normativity in pathways to freedom. She also examines intersectionality in *As We Have Always Done: Indigenous freedom through radical resistance*, in which Indigenous resistance is framed as a resurgent, land-based struggle rather than a claim for inclusion in colonial systems. Land operates as pedagogy, generating rights through reciprocal relationships, responsibility, and treaty-based nationhood. Simpson

advances generative refusal: rejecting colonial recognition, neoliberalism, capitalism, and imposed gender binaries while actively creating Indigenous futures through ceremony, kinship, and collective governance, in which resistance is embodied in everyday practices such as hunting, dancing, storytelling, and organising that renew sovereignty and Indigenous intelligence. Simpson emphasises that Indigenous women and Two-Spirit people are central and that confronting gender violence, heteropatriarchy, and white supremacy are vital for the contemporary mobilisation toward radical self-determination and freedom.

### 3 THEORETICAL FRAMEWORK

#### 3.1 *The Theory of Kaupapa Māori (Māori approach)*

*Kaupapa Māori* refers to a Māori approach or philosophy; as an Indigenous theory, it encompasses respect, responsibility, and rationale for research grounded in Māori cultural values, principles, worldview, and unique ways of thinking. Seminal *Kaupapa Māori* scholar Graham Hingangaroa Smith (1997) states that “*Kaupapa Māori* critique and analysis correlates with established critical theory instruments and approaches which develop critical consciousness. *Kaupapa Māori* conscientizing is alert to interrogating both culturalist and structuralist issues”. He also adds that resistance as oppositional actions is “the forming of shared understandings and experiences to derive a sense of ‘collective’ politics” (G. H. Smith, 1997, p. 38). Māori resistance, cultural revitalisation, and self-determination movements of the 1970s and 1980s contributed to the development of the theoretical paradigm of *Kaupapa Māori*, which was influenced by critical anti-colonial, anti-oppression, and anti-hegemony theories of Gramsci and Freire (Freire, 1974; Gramsci, 1977).

Freire states, “to begin always anew, to make, to reconstruct, and to not spoil, to refuse to bureaucratize the mind, to understand and to live life as a process-live to become” (Freire, 1993, p. 98). There is a difference between historical and contemporary colonialism. In its historical form, colonialism used the military to impose direct violence and oppression to seize Indigenous territories and entrench structures of political and economic domination. Contemporary colonialism, sometimes referred to as neocolonialism, is more focused on economic exploitation through

sociopolitical structures which implement capitalism and neoliberalism alongside sociocultural colonial ideologies. It should be noted that there are still examples of violent military campaigns against Indigenous peoples today in places such as Myanmar and Palestine. Colonialism as an ongoing process practised in new ways has been acknowledged in Indigenous research discourses (Gordon & Datta, 2022; Samson & Gigoux, 2016; G. H. Smith, 23-25 March 2016). Neocolonialism and postcolonialism are not terms regularly used by Tapuika because colonialism is not new nor did it conclude, instead it is continuing, however, more insidious in imposing forms of direct, structural and cultural violence in its contemporary context. Freire’s (1974) concept of ‘conscientization’ posits that, through education, a critical understanding of sociopolitical and sociocultural factors raises awareness and fosters resistance to oppressive cultures and structures. Politically educating Tapuika must include digital literacy and diverse methods of political participation and activism to actualise their political aspirations. Tapuika can use education to politically strategize across generations, while preserving and participating in their culture and customs. By indigenising and re-indigenising, themselves, their homes, and the spaces they have access to, they can also empower their voices in local and central government elections with representatives who support Indigenous rights and social justice. Operationalisation and resistance can work together with political participation as a strategy for working towards structural and cultural decolonisation.

In describing Fanon’s first book, *Peau Noire, Masques Blancs (Black Skin, White Masks)*, Hilton states, “Fanon (1952) analyses what is referred to as negrophobia, a phobia possessed by the white man that lies at the heart of his racism toward the blacks. Using a Freudian/Jungian-like analysis to explain this phobia, Fanon theorises that its roots lay in the black savage’s perceived sexual potency and superiority” (Hilton, 2011, p. 50).<sup>2</sup> Anglo-European settler colonisers dehumanise as they colonise; anxious insecurity and the neurotic idea that ‘others’ are less important may come from a subconscious fear of other people who appear threatening. One possible cause may be the subconscious resurfacing of trauma stemming from early European conflicts with Neanderthals (Fernández-Crespo et al., 2023; Slimak, 2023). Psychiatrist and political philosopher Fanon’s psychological insights into the insecurities of

<sup>2</sup> In this work, Fanon also corroborates research data from Dr Palés with notes from his clients to show irrational and unfounded sources of these fears (Hilton, 2011).

coloniality are still relevant in that many White people today suffer from fears regarding the high fertility rates of non-White peoples. Some White supremacists believe that the declining birth rates of White people are being strategically manipulated in mass demographic engineering by 'replacist elites'; this is claimed by the 'Great Replacement Theory' in the writings of Renaud Camus (2018). To expand their empires, Anglo-European settler colonialism perpetrated numerous acts of genocide and ethnic cleansing, taking continents' worth of land from Indigenous peoples and replacing the Indigenous populations with millions of White settlers. The traumatic experiences of early Europeans who struggled to replace Neanderthals may be the source of this irrational fear and the trauma behind the White narcissism of settler coloniality.

Bulhan (1985) notes the relationship between Fanon's Manichean psychology, in which the good versus evil dichotomy simplifies and justifies colonial violence, and his theorising on racism, oppression, dehumanisation and violence. Fanon states:

The colonial world is a Manichaeic world. The colonist is not content with physically limiting the space of the colonised, i.e., with the help of his agents of law and order. As if to illustrate the totalitarian nature of colonial exploitation, the colonist turns the colonised into a kind of quintessence of evil" (Fanon, 1963, p. 6).

Fanon's investigations into the psychology of coloniality are helpful because he uncovered layers previously shrouded by a superiority complex rooted in the vulnerabilities of the colonial psyche. His insights help understand the structuralist and culturalist tools of colonial violence, oppression, and indoctrination. Hilton (2011, p. 51) asserts that Fanon observed the colonists' "Manichaeic mentality" as instrumental in absolving them of the violence they inflicted on the colonised, thereby suppressing cognitive dissonance and guilt.

Tunisian writer Albert Memmi (2003) describes the coloniser's psychology, characteristics and traits in his book *The Colonizer and the Colonized*. In Memmi's view, colonialism is a disease that will inevitably destroy both the colonised and the coloniser. The death of colonialism may be viewed through a sociological lens as the settler-colonial state reaching the point of 'involution', which is conceptualised as a society unable to evolve further. Memmi notes the roles of self-justification, social and economic domination, arrogance, superiority, and self-alienation within the colonial psyche and in the colonial system. He also observes that the colonist is

dependent on the colonised. Memmi's view is helpful for this study's social justice focus regarding distributive justice, human rights, and the assertion that the privileges of Anglo-European settler colonists are inherently connected to and dependent on systems that perpetuate poverty and dominance over the Global South as sources of labour, income, resources, property, wealth, profit and capital accumulation.

At the institutional level, Smith's articulation of *Kaupapa Māori* conceptualises the transformation of "economics; power; ideology and constructed notions of democracy. *Kaupapa Māori* challenges the political context of unequal power relations and associated structural impediments." (G. H. Smith, 1997, p. 273). Over the last few decades, scholars have developed, collaborated and elaborated *Kaupapa Māori* theories and principles across a broad range of academic fields, especially education, health, and environmental studies. Irwin points to the transformation of education from a Western paradigm towards the validation of *mātauranga Māori* (Māori knowledge) (Irwin, 1992). Bishop asserts that *Kaupapa Māori* seeks to address epistemological racism, power imbalances, and accountability (Bishop, 1999). Linda Tuhiwai Smith notes that *Kaupapa Māori* research is a way of structuring assumptions, values, concepts, orientations, and priorities (L. T. Smith, 2012, p. 185). Māori scholars have articulated elements and principles of *Kaupapa Māori* based on *te ao Māori* (the Māori worldview). An important space that needs to be returned and re-indigenised is the minds of Indigenous peoples in settler colonial states; this requires healing and resistance against colonial epistemic, mental and informational domination and assimilation. The following section discusses this study's application of *Kaupapa Māori* as a methodology alongside phenomenology.

#### 4 METHODOLOGY

*Kaupapa Māori* methodology is the primary methodology used in this study alongside phenomenology and case study approaches. According to Smith (2015, pp. 48–49), some key principles of *Kaupapa Māori* research include the following: *whakapapa* (cosmogenic genealogy), *te reo* (Māori language), *tikanga Māori* (Māori customary laws and practices), *rangatiratanga* (Māori self-determination), and *mana wahine, mana tane* (balance between genders). These principles are essential components of *Kaupapa Māori* methodology, which has been applied to this research with Tapuika according to their unique *tikanga*, contexts and perspectives.

Bishop (1999, p. 1) states that “One fundamental understanding of a *Kaupapa Māori* approach to research is that it is the discursive practice that is *Kaupapa Māori* that positions researchers in such a way as to operationalise self-determination (agentic positioning and behaviour) for research participants.” *Kaupapa Māori* requires the Māori researchers to connect and respect the voices of their communities. Watene states “It requires a willingness—on the part of these communities—to share this knowledge, and to enter into (intercultural) conversations on equal terms. It requires a willingness—on the part of scholars, if welcomed to do so—to co-create knowledge with and within a community” (Watene, 2020, p. 174). Understanding the perspectives of Tapuika, as a case study, required respecting their aspirations for tribal self-determination as an *iwi* (tribe) and the autonomy of the four *hapū* (sub-tribes): Ngāti Kuri, Ngāti Marukukere, Ngāti Tuheke, and Ngāti Moko. I acknowledge Ngāti Moko as my primary *hapū* (sub-tribe); many Tapuika leaders and experts also identify as members of this *hapū* alongside the others. I *whakapapa* to Ngāti Moko, Ngāti Kuri, and Ngāti Tuheke but not to Ngāti Marukukere. To mitigate the risk of the study being too Ngāti Moko-centric, I ensured that there were more participants from the other three *hapū*, using snowball sampling to increase the inclusion of their perspectives. By including experts, leaders and community members from all four *hapū*, the analysis synthesised their views, values and aspirations to ensure that the findings appropriately and respectfully speak from a collective Tapuika perspective. A case study approach is appropriate for interpreting the views, values, and aspirations of Tapuika.

Phenomenological tools applied in this research methodology include Husserl’s ‘transcendental phenomenology’ and ‘phenomenology of embodiment’, along with Merleau-Ponty’s ‘phenomenology of perception’ (Husserl, 1999, 2012; Merleau-Ponty, 2002). Phenomenology is applied in this study, focusing on the lived experiences, views, values, and aspirations of Tapuika participants. Phenomenology allows for an in-depth exploration of Tapuika perspectives on self-determination and social justice. It emphasises agency and local context. Phenomenology is suitable for this study as it aligns with the focus on everyday experiences and the nuanced understanding of Indigenous social justice and self-determination. *Kaupapa Māori* methodology and phenomenology were applied to empower Tapuika voices by deeply understanding their subjective and intersubjective experiences, thereby

gaining insights into their perspectives on social justice and self-determination. The following section details methods of data collection and analysis.

#### **Data collection and analysis**

Semi-structured, in-depth, open-ended, one-on-one interviews, group interviews, and focus group discussions (FGDs) are the qualitative data collection methods of this study. The target population is Tapuika *iwi* (tribe), an Māori tribe of approximately 5000 members, located in Takapū and throughout the wider Bay of Plenty, across Aotearoa, NZ, and overseas. This study employed purposive sampling in NZ, yielding a total sample of 31 Tapuika participants: 14 experts and leaders (expert leaders) and 17 community members. Two primary data analysis and coding approaches were used in this study. The first data analysis and coding approach involved a predefined framework analysis, which utilised key concepts from the study as descriptive topics for coding, following the methodology outlined by Pope et al. (2000). The predefined frameworks were based on *rangatiratanga* (self-determination) values sourced from twelve constitutional values of Matike Mai. The second data analysis and coding approach involved thematic network analysis, which enabled more exploratory coding, leading to unexpected interpretations and directions (Attride-Stirling, 2001). Coded data were summarised and categorised into ‘basic’ themes and higher-order ‘organising’ themes, aligned with the research objectives and questions. Patterns, themes, and issues were promptly identified through initial analysis conducted immediately after each interview or focus group discussion.

#### **4.1 Limitations and Ethics**

This study was limited by my upbringing outside the *rohe* (tribal homeland) of Tapuika, which affected my proficiency in te reo Māori (the Māori language). I do not speak fluent *te reo*, which is a limitation because I was unable to understand all of what the participants said when they talked in *te reo*; I was able to translate the transcriptions which were in *te reo* with the help of my family and I was also able to check with the expert leader participants by sending the transcriptions of their interviews and following up with email conversations during the analysis phase to fill any data gaps. I stayed mindful of my hybrid positionality and reflexivity as an insider-outsider who did not grow up in the *rohe* (tribal homeland). The small sample size in this research may not fully capture the diversity of perspectives within the Tapuika community, potentially affecting the generalizability of the findings. The main ethical

principles from Mahidol University used in this study are respect, beneficence, do no harm, justice, and informed consent. A rights-based approach was applied in this study. I followed the *Principles of Research Ethics for Human Rights Research* outlined by the Institute of Human Rights and Peace Studies, Mahidol University (IHRP, 2021).

The Institutional Review Board, Institute for Population and Social Research, Mahidol University (IPSR-IRB), evaluated and approved the research design's ethics on 14 September 2022. Porsanger (2004, p. 106) lists other problems that Indigenous scholars have found. In this study, respect for Indigenous culture, customs, spiritual beliefs, and traditions was prioritised, particularly those of the Tapuika community. As a member of Tapuika, I was fortunate to receive guidance from my *whanaunga* (relatives), who are expert leaders; this enabled me to navigate Indigenous research ethics safely, including the specific *tikanga* (customary laws and practices) of Tapuika. Smith's ethical protocols for Māori research engagement were applied (L. T. Smith, 2012, p. 124). Mead (2016, Chapter 19) discusses the *tikanga* of learning today and the *tikanga* of research, which have been applied in this study, including 'the tapu of learning today', which was observed by adapting the *tikanga* of traditional *whare wānanga*<sup>3</sup> for this study. This study has applied accountability to Tapuika; throughout all research phases, the *mana* of Tapuika, of each of the four *hapū*, and of its members has been protected and respected. Respect, responsibility and reciprocity are crucial ethical principles used in this study. After its completion, the research was presented to Tapuika at Moko *marae* (a sacred meeting ground) on 27 April 2025. Fulfilling the reciprocity principle of *Kaupapa Māori* also involves the ongoing dissemination of knowledge through multi-level, layered summaries presented in multimedia formats accessible to Tapuika. The following sections discuss the results of key research findings.

## 5 RESEARCH FINDINGS AND DISCUSSION

### 5.1 Operationalisation through Decolonisation

Tapuika participants view social justice in the context of a long struggle against colonialism, neocolonialism, neoliberalism, and institutional racism. This struggle against dominance and oppression may be pursued through Indigenous rights, with a balance between political participation and resistance. Part of this process is realisation,

through the development of public empathy, truth, and rights for Māori, achieved by convincing the NZ public through existing democratic spaces for constructive and challenging cross-cultural understanding and decolonisation discourses. Anti-colonial community activism, in the form of resistance, is an essential exploratory theme that emerged alongside an increasingly anti-Māori stance by the NZ Government. Resistance, protest, and anti-colonial community activism are integral to achieving social justice for Tapuika. The research found that Indigenous right to self-determination and its culturalist counterpart, *rangatiratanga*, are essential and compatible with the views, values and aspirations of Tapuika. To operationalise the nexus between Indigenous self-determination and social justice, the following three responsibility spaces must be actioned into outcomes.

#### 1. Decolonisation and indigenisation within the State:

Full recognition of Māori sovereignty and *Tikanga* (Māori customary practices) in law

Adequate reparations for historical trauma, return of resources

Fully implementing Indigenous rights

Consequences for breaches of Indigenous rights

Accountability to *tangata whenua* (people of the land)

#### 2. Decolonisation and re-indigenisation within Tapuika communities:

Decolonisation as healing

Indigenisation and re-indigenisation

Return of people and nature to balance

#### 3. Between the State and Tapuika:

Reconciliation

Justice and peace

Constitutional transformation

Three socio-political factors indicate increasing Indigenous operational capacities in Aotearoa:

1. Growing Māori proportion of the overall NZ population

2. Increased awareness of Māori politics and political activism

Increasing numbers of Māori are enrolled in the Māori electoral roll, and growing support for Māori politicians who speak out on Indigenous issues.

Despite this, there are currently unprecedented political barriers both within the government and among its media and ideological counterparts. Colonial land dispossession has impoverished Tapuika and left many families and individuals with significant socioeconomic struggles and hardship.

<sup>3</sup> *Whare wānanga* "traditionally, places where *tohunga* [expert, priest, healer] taught the sons of *rangatira* [chiefs, chieftainesses]

their people's knowledge of history, genealogy and religious practices" (Moorfield, 2025).

Climate injustices and economic instability are worsening amid housing and cost-of-living crises in NZ. Resistance is necessary to attain *tino rangatiratanga* (Māori sovereignty) and Indigenous self-determination. The long struggle for social justice among Tapuika holds hope that future generations may achieve the return of their *wāhi tapu* (sacred places), including Rangiuru and Maketu, and that the waters of the Kaituna and Waiari may once again become clean and full of life. The following is a thematic list of findings from interviews investigating Indigenous social justice from the perspectives of Tapuika participants.

### Exploratory themes emerging from participants' perspectives:

*Tino rangatiratanga* as Sovereignty

Power dynamics

Ownership and Authority

*Mamae* (pain), historical and intergenerational trauma

Colonisation, settlement and dispossession

Structural and systemic violence

Cultural violence and racism

Decolonisation and cultural confidence

Resistance

Unity and division

Tapuika Iwi Authority

Accountability and responsibility

Resources and support

Opportunities and aspirations

Freedom and control

Connection

Hui decision-making (people/bottom-up)

Weaving people together

Collective

*Hapū* and *whānau*-centric, *Marae*-based (subtribe and family, sacred meeting grounds)

Identity and *turangawaewae* (place to stand/belong - the Takapū)

*Tangata whenua* (people of the land, Indigenous people of the Takapū)

*Mana whenua* (territorial rights)

Circular and holistic Māori worldview

Survival

Lack of political participation and representation

Falsification of whakapapa and history

Corporate colonisation and development

Settlement and post-settlement

Financial and legal literacy to end poverty mentality

Healing, forgiveness and moving on

Outcomes and responsiveness

Cultural practices require social justice

### 5.2 Resisting White supremacy

I argue that White supremacy is connected to the psyche of 'White narcissism' (A. E. Miller & Josephs, 2009), which, in part, resulted from the memetic and epigenetic evolution of early Europeans over tens of thousands of years (Fernández-Crespo et al., 2023; Slimak, 2023). Early Europeans experienced traumatic conflicts, starting with Neanderthals and continuing through intra-European wars and invasions from North Africa and Asia, contributing to their mass trauma. These early experiences likely shaped the development of White narcissism. Freud explains what group psychology is by comparing social phenomena to narcissistic processes, which occur when the satisfaction of instincts is denied to others (Freud, 1921/1949, p. 3). European group psychology and memetic traits have influenced Western ideologies and cultures, such as Anglo-European settler colonialism, individualism, capitalism, and patriarchy. The DSM-5-TR states that "Narcissistic traits may be elevated in sociocultural contexts that emphasise individualism and personal autonomy over collectivistic goals" (American Psychiatric Association, 2022, p. 763). Despite being individual psychological traits, they may also be observed in the group psychology of White narcissism, including the memetic characteristics of coloniality, Western imperialism, Anglo-European settler colonialism and White superiority and exceptionalism.

I posit that White supremacy and White narcissism are the ideological and cultural roots that underpin Anglo-European settler colonialism and remain entrenched in the Western worldview today. Scholars have investigated Westernisation group psychology and societies shaped by narcissism and individualism (Brydon, 2004; Gruber & Szoltysek, 2016; Macdonald, 2018; Macqueen, 2008; Mielants, 2000; Siedentop, 2014). Said states, "it can be argued that the major component in European culture is precisely what made that culture hegemonic both in and outside Europe: the idea of European identity as a superior one in comparison with all the non-European peoples and cultures" (Said, 2003, p. 7). The group mind of White narcissism embodies a sense of superiority and exceptionalism, lacking empathy; Western culture has elevated these narcissistic traits, entrenching them in its hegemonic dominance through patriarchy, colonialism, and capitalism. In *The Recalcitrance of White Ignorance*, Benavides investigates the role of 'White ignorance' in concealing its mechanisms of race-based oppression so that they may be reproduced intergenerationally (Wuth & Clavé-Mercier, 2023, Chapter 2). She notes that this pattern of cognition is

not exclusive to White people, nor is it uniform as a part of social epistemology; she observes that Whiteness has an especially relevant effect through the coloniality of political concepts.

### 5.3 External Indigenous Resistance

External Indigenous resistance has a sociopolitical focus on position and the power dynamics between Indigenous peoples and the State. It includes forms of resistance that transcend the law and challenge existing political and colonial structures to rectify the unfair aspects of laws and rules. Confronting the dominance of settler-colonial positions sometimes requires resistance against the very process of passing legislation and the embedded machinations of colonial legal and judicial systems. It also includes healing from colonial harms and historical trauma in forms of resistance that require Indigenous communities to move into spaces occupied and dominated by the State and settler-colonial majority. External resistance encompasses acts that extend beyond existing established structures to bring about changes in the outside, non-Indigenous world. External Indigenous resistance may include strategically challenging domestic, constitutional or international laws. Māori occupations in locations unjustly taken from them are acts of resistance, similar to Te Whiti's *kaupapa* (philosophy) of peaceful occupation and cultivation of confiscated and alienated lands in Taranaki during the nineteenth century. Peaceful resistance *kaupapa*, such as adapted forms of Te Whiti's philosophy, may be helpful for Tapuika in the Takapū. Tapuika has an intergenerational responsibility to defend their communities and the natural environment appropriately. *Tangata whenua* (people of the land) must assert their right to reclaim private or public lands essential for their cultural practices and way of life, which is necessary for their survival; this may be viewed as a form of external resistance.

Māori have a broad twentieth-century tradition of activist resistance, including the Māori activist group Ngā Tamatoa in the 1970s and strong *mana wahine* (female leadership) such as Whina Cooper, Eva Rickard and Titewhai Harawira. The Waitangi Tribunal examined the Māori philosophy of female leadership, known as "*mana wahine kaupapa*" as part of Wai 2700. They found that "*mana was more important than gender*" (Waitangi Tribunal, 2024). *Mana wahine* remains a vital aspect of Māori resistance today and is a particular strength of Tapuika. External Indigenous resistance may require contesting the ownership titles of property unlawfully acquired according to *tikanga Māori*

(Māori customary law) by occupying land and spaces, even in defiance of court or police orders (e.g., Bastion Point, 1977-1978; Ihumatao, 2016-2020). Memmi (2003) considers neither assimilation nor revolt as workable 'solutions' to colonialism because both entail costs that are too high. Memmi regards effective resistance to colonisation as requiring two forms: psychological and practical. He says that people who are colonised should be aware of the inferiority complex that is being imposed on them and fight against dehumanisation on a personal and a collective level in political and cultural settings. He also suggests community organisation and mobilisation to challenge colonial structures, power imbalances and oppression, with solidarity and identity playing a central role in confronting colonial domination.

### 5.4 Internal Indigenous Resistance

Internal Indigenous resistance also has a sociocultural focus, but in a different sphere, emphasising Indigenous self-government and community healing among members within the State, thereby bringing balance with nature and the spiritual realm. Alongside the return of land, the revitalisation of *te reo Māori* (the Māori language) and many other aspects of Māori culture were hard-fought for through twentieth-century Māori resistance and protest movements, which exemplify internal Indigenous resistance at the core of the struggle for social justice for Māori. Internal Indigenous resistance exists within state structures, utilising the political and legal systems accessible to Māori to push for changes to policy and legislation from within the State. For Tapuika, this may include challenging their Settlement in court, but only if Tapuika have the resources and the *hapū* (sub-tribes) unanimously decide to proceed in this manner. Voting for central and local government candidates who are pro-Māori rights is a political right that is a vital part of Māori resistance. However, Tapuika participants observed poverty and the struggle to survive as barriers to equitable access to voting, leading to a lack of engagement and apathy toward political participation. Disorienting structural violence, like dispossession and poverty, makes Māori less likely to get involved in politics, which in turn helps colonial political structures keep the power gap between Māori and non-Māori strong. Voting is an essential form of internal resistance that should be strategically employed by individuals acting collectively.

Tapuika participants believe that many who struggle to make ends meet daily are unlikely to

consider political strategies, preferences, or policies, and many don't even vote. Voting for more Māori roles within established structures of power is a tangible form of freedom and resistance, albeit limited, that Tapuika possesses. Still, it has been underutilised because inequalities prevent them from exercising their right to vote. Tapuika can empower themselves with internal education within *whānau* (families), *hapū* (sub-tribes) and *iwi* (tribes). Freire's (1974) concept of 'conscientization' posits that an oppressed population can achieve a critical understanding of sociopolitical and sociocultural factors through education, raising awareness, and fostering resistance that challenges oppressive cultures and structures.

Politically educating Tapuika must include digital literacy and diverse methods of political participation and activism to actualise their political aspirations. Tapuika can use education to politically strategize intergenerationally alongside preserving and participating in their culture and customs. By indigenising and re-indigenising, themselves, their homes, and the spaces they have access to, they can also empower their voices in local and central government elections with representatives who support Indigenous rights and social justice. Operationalisation and resistance can work together with political participation as a strategy for working towards structural and cultural decolonisation.

While internal Indigenous resistance is Indigenous peoples working from within their communities and existing domestic political and legal systems, it is limited because Indigenous interests are not at the core of the dominant systems of the State, which remain colonial. Jones (2014, 2016) notes that the process of addressing Māori *Te Tiriti* (Treaty of Waitangi) grievances that began in the late twentieth century both opened and closed opportunities for Māori, because of the limited application of Māori perspectives and *tikanga Māori* at a constitutional level. The NZ Government's tendency to use legislation to undermine the Waitangi Tribunal and override the common law rulings of domestic courts against Māori interests denies them adequate justice; the settlements process was also designed to minimise the achievement of Māori interests in negotiations. Tapuika needs to assertively pursue external forms of Indigenous resistance that confront colonial lawfare and challenge rights-breaching legislation and government policies. The following section will discuss other paths of Indigenous resistance outside the established domestic legal and political structures that may lead towards change for Tapuika.

### 5.5 Healing as resisting

Healing and learning were themes noted by participants of all age groups in the community and expert leaders. Bockstael and Watene state that "processes of healing are central to the empowerment of Indigenous peoples, and for Indigenous communities to reclaim the lives they value" (Bockstael & Watene, 2016, p. 267). For Tapuika, conscientisation, critical consciousness, and consciousness-raising provide a vital function within justice as healing and repair praxis; the operationalisation of social justice and the achievement of Indigenous rights must occur through intergenerational education and resistance. An example of internal justice that Tapuika communities practise is *mahinga kai*, traditional Māori farming practices that are sustainable and in balance with native NZ biodiversity. These are skills associated with *kai* (food) sovereignty that Tapuika are revitalising and relearning on a tribal scale; Indigenous practices help to enhance the natural environment in the Takapū. Some participants suggest re-villagisation and decolonisation, alongside un-individualisation, by sharing land and tasks to live together. *Mana wahine* (female power, leadership, spiritual femininity) was identified as a particular strength of Tapuika, one that can be drawn upon to support Indigenous justice and resistance as a form of healing.

Simmonds states that "the distinguishing features of *mana wahine*...locates it firmly in the wider social and political fabric of New Zealand. Colonisation has attempted to disrupt the balance between *mana wahine*, *mana whenua*, *mana whānau*, and *mana atua*. *Mana wahine* is but one space within which we can critically analyse the impact of colonisation on all of these institutions - there are many others" (Simmonds, 2011, p. 14). Two of the key strengths of Tapuika are their strong sense of community and the power of *mana wahine* (female leadership). Both are essential aspects of Indigenous resistance for Tapuika, which they draw upon to resist in the present and consider vital as core values of their activism as they continue to resist colonialism in the future. Tapuika has the potential to demonstrate Indigenous leadership, with *mana wahine* driving its community activism.

## 6 CONCLUSION

To fully operationalise Indigenous rights and social justice, the State and Indigenous communities would need to agree to such a process. In the political context of a power imbalance skewed against Indigenous peoples and in favour of the settler-

colonial State, democracy and public opinion are sometimes significant barriers to Indigenous rights, and resistance is also required. Indigenous resistance is a vital part of the operationalisation of social justice and the realisation of rights. The operationalisation of Indigenous rights and resistance requires a careful, strategic balance between internal and external resistance to achieve the structural and constitutional transformation necessary to advance Indigenous social justice and self-determination. White supremacist, settler colonialism, coloniality, and the mono-legalistic hierarchy of rights are significant barriers when viewed through the frames of hegemony and power imbalances. Indigenous

communities must work together to fully and effectively exercise Indigenous self-determination and social justice, and Indigenous rights and resistance must be activated at local, national, regional, and international levels simultaneously. Possible future research directions on the operationalisation of rights-based and resistance-based approaches may focus on shifts in global geopolitical systems, and on how Indigenous self-determination, international law, and Indigenous liberation can address the challenges posed by increasing instability in the political economy and by authoritarianism and racism within states.

## REFERENCES

- American Psychiatric Association. (2022). *Diagnostic and Statistical Manual of Mental Disorders: DSM-5-TR*. American Psychiatric Association Publishing.
- Attride-Stirling, J. (2001). Thematic networks: an analytic tool for qualitative research. *Qualitative Research: QR*, 1(3), 385–405.
- Bargh, M. (2007). *Resistance: An indigenous response to neoliberalism*. Huia.
- Beitz, C. R. (1979). *Political Theory and International Relations-Princeton University Press*. Princeton University Press.
- Bishop, R. (1999). Kaupapa Maori research: An indigenous approach to creating knowledge. *Māori and Psychology: Research and Practice*, 1–6.
- Bockstael, E., & Watene, K. (2016). Indigenous peoples and the capability approach: taking stock. *Oxford Development Studies*, 44(3), 265–270.
- Brown, L. A., & Strega, S. (2015). *Research as resistance; Revisiting critical, indigenous, and anti-oppressive approaches*. Canadian Scholars' Press.
- Brydon, D. (Ed.). (2004). *Postcolonialism: Critical Concepts Volume 1*. Routledge.
- Bulhan, H. A. (1985). *Frantz Fanon and the Psychology of Oppression*. Kluwer Academic/Plenum.
- Burgess, G. (1992). The Divine Right of Kings Reconsidered. *The English Historical Review*, 107(425), 837–861.
- Camus, R. (2018). *You Will Not Replace Us! Chez l'auteur*.
- Carmichael, D. J. C. (1990). Hobbes on Natural Right in Society: The "Leviathan" Account. *Canadian Journal of Political Science. Revue Canadienne de Science Politique*, 23(1), 3–21.
- Clavé-Mercier, V. (2024). Politics of Sovereignty: Settler Resonance and Māori Resistance in Aotearoa/New Zealand. *Ethnopolitics*, 23(1), 1–19.
- Cox, A. (2017). *Settler Colonialism*. Oxford Bibliographies Online. <https://www.oxfordbibliographies.com/display/document/obo-9780190221911/obo-9780190221911-0029.xml>
- de Mattos Vieira, M. A. R., & Viaene, L. (2024). Indigenous Peoples' Rights at the United Nations Human Rights Council: Colliding (Mis)Understandings? *Journal of Human Rights Practice*, 16(2), 512–532.
- Dutta, M. J., & Elers, S. (2020). Public relations, indigeneity and colonization: Indigenous resistance as dialogic anchor. *Public Relations Review*, 46(1), 101852.
- Fanon, F. (1963). *The Wretched of The Earth*. Grove Weidenfeld.
- Fenelon, J. V., & Hall, T. D. (2008). Revitalization and indigenous resistance to globalization and neoliberalism. *The American Behavioral Scientist*, 51(12), 1867–1901.
- Fernández-Crespo, T., Ordoño, J., Etxeberria, F., Herrasti, L., Armendariz, Á., Vegas, J. I., & Schulting, R. J. (2023). Large-scale violence in Late Neolithic Western Europe based on expanded skeletal evidence from San Juan ante Portam Latinam. *Scientific Reports*, 13(1), 17103.
- Freire, P. (1974). Conscientisation. *Cross Currents*, 24(1), 23–31.
- Freire, P. (1993). *Pedagogy of the city*. Continuum International Publishing Group.
- Freud, S. (1949). *Group Psychology and the Analysis of the Ego*. Hogarth Press. (Original work published 1921)
- Gordon, H., & Datta, R. (2022). Indigenous Communities Defining and Utilising Self-determination as an

- Individual and Collective Capability. *Journal of Human Development and Capabilities*, 23, 182–205.
- Gramsci, A. (1977). *Antonio Gramsci: Selections from political writings, 1910-1920: With additional texts by Bordiga and Tasca*. Lawrence & Wishart.
- Gray, C. F. (2012). *White Privilege: Exploring the (in)visibility of Pakeha whiteness* [Degree of Masters of Arts in Human Services]. University of Canterbury.
- Gruber, S., & Szołtysek, M. (2016). The patriarchy index: a comparative study of power relations across historical Europe. *The History of the Family: An International Quarterly*, 21(2), 133–174.
- Hickford, M. (2006). Decidedly the Most Interesting Savages on the Globe': An Approach to the Intellectual History of Māori Property Rights. *History of Political Thought*, 27(1), 122–167.
- Hilton, B. T. (2011). Frantz Fanon and colonialism: A psychology of oppression. *Journal of Scientific Psychology*, 12(1), 45–59.
- Husserl, E. (1999). *The Essential Husserl: Basic Writings in Transcendental Phenomenology*. Indiana University Press.
- Husserl, E. (2012). *Ideas: General Introduction to Pure Phenomenology: Vol. 1st edition*. Routledge.
- IHRP. (2021). *Guidelines on Rights Based Research and Research Ethics*.
- Irwin, K. (1992). *Māori Research Methods and Processes: An exploration and discussion*. NZARE / AARE Annual Conference, Geelong, Australia. <https://www.aare.edu.au/data/publications/1992/irwik92373.pdf>
- Iurlaro, F. (2021). Vattel's Doctrine of the Customary Law of Nations. In *The Invention of Custom: Natural Law and the Law of Nations, ca. 1550-1750*. Oxford University Press.
- Jackson-Preece, J. (2008). Chapter 21 The Role of Human and Minority Rights in Complex Power-sharing. In B. M. Marc Weller (Ed.), *Settling Self-Determination Disputes: Complex Power-sharing in Theory and Practice* (pp. 627–666). Martinus Nijhoff Publishers.
- Jones, C. (2014). A Māori Constitutional Tradition. *Social Science Research Network*, 12(1), 187–203.
- Jones, C. (2016). *New treaty, new tradition: Reconciling New Zealand and Maori law*. University of British Columbia Press. [https://books.google.com/books?hl=en&lr=&id=DSLCDAAAQBAJ&oi=fnd&pg=PT5&dq=carwyn+jones+maori&ots=0baX\\_UiLXZ&sig=DSXGbbfvw1oMKyy58N9aj0jPqZE](https://books.google.com/books?hl=en&lr=&id=DSLCDAAAQBAJ&oi=fnd&pg=PT5&dq=carwyn+jones+maori&ots=0baX_UiLXZ&sig=DSXGbbfvw1oMKyy58N9aj0jPqZE)
- King, M. (2003). *The Penguin history of New Zealand*. Penguin Books.
- Knop, K. (Ed.). (2004). *Diversity and Self-Determination in International Law*. Cambridge University Press.
- Macdonald, K. (2018). The familial origins of European individualism. *The Journal of Social, Political, and Economic Studies*, 43, 78.
- Macklem, P. (2015). *The Sovereignty of Human Rights*. Oxford University Press.
- Macqueen, N. (2008). Comrades, Clients and Cousins: Colonialism, socialism and democratization in Sao Tome and Principe, by Gerhard Seibert. *African Affairs*, 107(427), 288–290.
- Marsh, T. K., McNeill, H., Callaghan, P., & Maxwell-Crawford, K. (2005). *Tapuika Mana Whenua Customary Land Use and Practices* (No. Wai 1200 #161). Crown Forest Rental Trust.
- Mead, S. M. (2016). *Tikanga Māori: Living by Māori Values*. Huia Publishers.
- Memmi, A. (2003). *The colonizer and the colonized* (4th ed.). Earthscan.
- Merleau-Ponty, M. (2002). *Phenomenology of Perception*. Routledge.
- Mielants, E. (2000). Perspectives on the Origins of Merchant Capitalism in Europe. *Review*, 23(2), 229–292.
- Miller, A. E., & Josephs, L. (2009). Whiteness as pathological narcissism. *Contemporary Psychoanalysis*, 45(1), 93–119.
- Miller, R. J. (2011). The International Law of Colonialism: A Comparative Analysis. *Lewis & Clark L. Rev.*, 15(4), 847–922.
- Milton, P. (2019). The Assessment of the Peace of Westphalia in International Law and Politics by Authors of Natural Law and of Public Law, c. 1650–1806. In S. Zurbuchen (Ed.), *The Law of Nations and Natural Law 1625-1800* (Vol. 1, pp. 186–226). Brill.
- Moloney, P. (2011). Hobbes, Savagery, and International Anarchy. *The American Political Science Review*, 105(1), 189–204.
- Moorfield, J. C. (2025). *Te Aka Māori-English, English-Māori Dictionary and Index*. Te Aka Māori Dictionary. <https://maoridictionary.co.nz/>
- Murray, D. A. B. (2003). Who is takatāpui? Māori language, sexuality and identity in Aotearoa/New Zealand. *Anthropologica*, 45(2), 233.
- Mutu, M. (2019). The Treaty Claims Settlement Process in New Zealand and Its Impact on Māori. *Land*, 8(10), 152.
- O'Malley, V. (2019). *The New Zealand Wars | Ngā Pakanga o Aotearoa*. Bridget Williams Books.
- Panzironi, F. (2006). *Indigenous Peoples' Right to Self-determination and Development Policy* [Doctor of Philosophy]. The University of Sydney.

- Pope, C., Ziebland, S., & Mays, N. (2000). Qualitative research in health care: Analysing qualitative data. *British Medical Journal*, 320(7227), 114–116.
- Porsanger, J. (2004). An essay about indigenous methodology. *Nordlit*, 8(1), 105.
- Robbins, J. (2010). A nation within? Indigenous peoples, representation and sovereignty in Australia. *Ethnicities*, 10(2), 257–274.
- Said, E. W. (2003). *Orientalism*. Penguin Books.
- Samson, C., & Gigoux, C. (2016). *Indigenous Peoples and Colonialism: Global Perspectives*. Polity Press.
- Saul, M. (2011). The Normative Status of Self-Determination in International Law: A Formula for Uncertainty in the Scope and Content of the Right? *Human Rights Law Review*, 11(4), 609–644.
- Seuffert, N. M. (2021). Vitoria On the Indians, Legal Subjectivity and the Right to Travel. *Social & Legal Studies*, 30(1), 14–31.
- Shrinkhal, R. (2021). “Indigenous sovereignty” and right to self-determination in international law: a critical appraisal. *AlterNative: An International Journal of Indigenous Peoples*, 17(1), 71–82.
- Siedentop, L. (2014). *Inventing the Individual: The Origins of Western Liberalism*. Harvard University Press.
- Simmonds, N. (2011). Mana wahine: Decolonising politics. *Women’s Studies Journal*, 25(2). <https://wsanz.org.nz/journal/docs/WSJNZ252Simmonds11-25.pdf>
- Simpson, L. B. (2016). Indigenous resurgence and co-resistance. *Critical Ethnic Studies*, 2(2), 19.
- Simpson, L. B. (2017). *As we have always done: Indigenous freedom through radical resistance*. U of Minnesota Press.
- Slimak, L. (2023). The three waves: Rethinking the structure of the first Upper Paleolithic in Western Eurasia. *PloS One*, 18(5), e0277444.
- Smith, G. H. (23–25 March 2016). *Presentation at the Arctic Horizons Conference*. Bridging the Future of Arctic Social Science Research, Fairbanks, Alaska, USA.
- Smith, G. H. (1997). *The development of kaupapa Māori: theory and praxis* [Doctor of Philosophy in Education]. University of Auckland.
- Smith, L. T. (2012). *Decolonizing Methodologies: Research and Indigenous Peoples*. Zed Books.
- Smith, L. T. (2015). Kaupapa Māori Research - Some Kaupapa Māori Principles. In L. Pihama & K. South (Eds.), *Kaupapa Rangahau A Reader: A Collection of Readings from the Kaupapa Maori Research Workshop Series Led* (pp. 46–52). Conference of Māori academic staff at Massey University, 1996. Te Kotahi Research Institute.
- UN General Assembly. (1960). *Declaration on the Granting of Independence to Colonial Countries and Peoples* (No. 1514 (XV)). <https://www.ohchr.org/en/instruments-mechanisms/instruments/declaration-granting-independence-colonial-countries-and-peoples> (Resolution adopted by the General Assembly)
- UN General Assembly. (1970). *Declaration on Principles of International Law Concerning Friendly Relations and Co-operation among States in Accordance with the Charter of the United Nations* (No. A/RES/2625(XXV)). <https://documents.un.org/doc/undoc/gen/n97/770/65/pdf/n9777065.pdf?token=M1i6QVqQklQUD8zYvx&fe=true> (Adopted by General Assembly resolution 2625 (XXV) of 24 October 1970)
- Waitangi Tribunal. (2024). *Expressions of mana wāhine in traditional Māori society (Wai 2700)*. Waitangi Tribunal. <https://www.waitangitribunal.govt.nz/inquiries/kaupapa-inquiries/mana-wahine-kaupapa-inquiry/te-kete-puputu-the-online-guide/te-mana-o-te-wahine-in-maori-society-and-rangatira-wahine/what-does-mana-wahine-mean-2/>
- Walter, M. (2010). Market forces and indigenous resistance paradigms. *Social Movement Studies*, 9(2), 121–137.
- Watene, K. (2020). Chapter 8. Transforming Global Justice Theorizing: Indigenous Philosophies. In T. Brooks (Ed.), *The Oxford Handbook Of Global Justice* (pp. 163–180). Oxford University Press.
- Watene, K., & Merino, R. (2018). Indigenous peoples: Self-determination, decolonization, and indigenous philosophies. *Routledge Handbook of Development*. <https://books.google.ca/books?hl=en&lr=&id=zWFIDwAAQBAJ&oi=fnd&pg=PA134&ots=AXR0Cs rXDg&sig=w1XZPh6XQOCBv122pfHdhGQPdp8>
- Weinert, M. S. (2007). Bridging the human rights – Sovereignty divide: Theoretical foundations of a democratic sovereignty. *Human Rights Review*, 8(2), 5–32.
- Williams, H. W., Williams, H. W., & Polynesian Society (N.Z.). (1917). *A Dictionary of the Maori Language*. M. F. Marks, government printer.
- Wilson, E. (2008). *Savage Republic: De Indis of Hugo Grotius, Republicanism and Dutch Hegemony within the Early Modern World-System (c. 1600-1619)*. Brill | Nijhoff.
- Wuth, M., & Clavé-Mercier, V. (2023). The Recalcitrance of White Ignorance. In M. Wuth & V. Clavé-Mercier (Eds.), *Decolonising political concepts* (pp. 41–60). Routledge.