# The Mana Wāhine Inquiry (WAI 2700)

The Waitangi Tribunal’s “kaupapa” inquiries examine claims that “raise issues of national significance (in terms of the seriousness of alleged Treaty breaches) that Māori as a whole (or a section of Māori) have experienced in terms of Crown policy, legislation or action/inaction”[[1]](#footnote-1).

The Mana Wāhine Kaupapa Inquiry therefore examines alleged Treaty breaches of national significance that wāhine Māori experience as a result of Crown policy, legislation or action/inaction.

A claimants group of wāhine Māori was formed within the Public Service Association and determined that it would pursue, on behalf of wāhine Māori members, potential breaches in six areas: education, aspects of employment, bias and discrimination, pay, implementing the principles of the Treaty in the workplace and working conditions.

Evidence from 919 wāhine Māori members of the Public Service Association was collected relating to these six areas.

The findings were reported in detail in two documents: 1. Results report and 2. Nga kupu a nga wāhine Māori.

These reports document individual barriers faced by wāhine Māori, organisational factors that created Treaty breaches within education and workplace agencies and structural and systemic inequalities within work that function to disadvantage wāhine Māori.

It is submitted that wāhine Māori suffer from demonstrable systemic disadvantage as a result of all these factors. Material evidence from government sources[[2]](#footnote-2) shows that across the workforce, wāhine Māori have an hourly rate of pay only 78% of pakeha males. The results of the analysis of evidence collected from wāhine Māori in the PSA are summarised here.

# Individual barriers

Due to bias, discrimination and racism by individuals at all levels of organisations in education and workforce settings, wāhine Māori report significant disadvantage amounting to breaches of the principles of the Treaty of Waitangi.

Wāhine Māori of all age groups report individual and collective barriers that affected their schooling. It is noted that older wāhine tended to face more and different kinds of barriers than younger wāhine.

Older wāhine reported being discriminated against at school on the basis of their colour, being told they were only good for ‘making babies’, being punished for speaking te reo Māori, being placed automatically into lower streams at school, being bullied and subject to casual and frequent racist comments by teachers and peers, being considered to be ‘dumb’. The cumulative effects of all these individual factors were that wāhine Māori often left school with no qualifications, experienced a lack of self-esteem and held strong aversions to further learning.

Younger wāhine Māori also reported facing bias and discrimination in school, but to a lesser extent. Although many experienced racism and other barriers at school, their main disadvantage was reported to be a lack of pathways to the future due to organisational barriers.

Numerous examples of barriers in the workplace were provided by participants. These include all-pakeha selection panels for cultural positions, a lack of recognition and promotion opportunities, carrying out numerous ‘informal’ (i.e. unrecognised) cultural tasks that were not considered to contribute to career advancement, being ‘blamed’ by pakeha colleagues for perceived Māori issues (including derogatory terms for the Waitangi Tribunal), being subjected to discourses that indicate surprise that a wāhine Māori has gained seniority, Being branded as ‘difficult’ or ‘a troublemaker’ if they raised issues relating to culture or inequity, finding that their pay is lower than that of their colleagues, specific examples of bias and discrimination often on a daily basis, dealing with co-workers and managers who had no understanding of the Treaty of Waitangi and a wide range of other factors.

The effects of these individual factors impacted on the health and wellbeing of wāhine Māori and specifically prevented, at times, promotion and progression within agencies.

# Organisational barriers

As a result of numerous interlocking barriers experienced by wāhine Māori in the schooling system, especially but not only by older wāhine Māori, the Crown breached the principles of the Treaty by, in effect, denying a full and culturally safe schooling environment for many in this group. The consequent low levels of educational achievement and wasted or delayed realisation of potential constituted actual and material barriers to progress in economic and social life for wāhine Māori, a burden which many have borne in many ways throughout their lives.

Organisational barriers in schooling included teacher bias, the existence of streaming which deprived those in lower streams of education opportunities, systematic placement of many Māori in lower educational streams, racial discrimination by both teachers and other students, being taught anti-Māori views of history and being denied opportunities to learn to reo Māori.

In many cases, access to tertiary education was the only route available to many wāhine Māori into professional positions. Such access was made far more difficult as a result of poor primary and secondary school outcomes. This in turn led to delays of many years in accessing tertiary education for some wāhine Māori.

Some also experienced organisational and institutional barriers to further study. These included access issues, being denied ability to study while on social welfare benefits, differential granting of support for professional development programmes by managers, racist approaches by tertiary staff and tutors and dealing with pakeha concepts while trying to work from a te ao Māori perspective, with some colleagues hostile to or dismissive of kaupapa Māori approaches and methods.

A number of wāhine Māori participants were successful in completing qualifications in tertiary education, and, having often come into education at an older age, really enjoyed the learning. However, bias and discrimination showed in claims by some colleagues that they only got into the course because they were Māori, that they were overly advantaged in terms of additional support received to study or that, for one of a number of reasons, they were not suited to the particular course. Many talked about the various support systems that they were able to join in tertiary education that did not exist in their workplaces, but that assisted them in their tertiary learning.

Organisational barriers facing wāhine Māori often include differential treatment at varying levels of the organisation. For example, a workplace may have a strong high-level commitment to Treaty principles, but such principles may be ignored or denigrated at lower levels, by immediate managers or supervisors. This can lead to overt bias or discrimination against wāhine Māori staff, especially within state organisations where issues around Māori whanau are to the fore.

There is also a perception by wāhine Māori that they face sanctions if they contest or challenge aspects of the work of their organisation, and that state agencies in particular value quiet conformity above all else. In particular, attempts to challenge racist practices can backfire on wāhine Māori, who might then, for example, be labelled as ‘unsuitable’ for management positions or more generally labelled as troublemakers.

Some wāhine Māori come from difficult backgrounds such as poverty, family breakdown, violence, drugs or gangs. Some are keen to tell their stories in the workplace, but face resistance from workmates who do not want to hear such stories. Some participants considered this a class as well as an ethnic disadvantage.

Inequitable treatment can cause particular issues for wāhine Māori, who may be charged with delivering te reo and tikanga services for their workplace, but face barriers in doing so. There is a perception that organisational initiatives to become more responsive to the principles of the Treaty have increased the burden on wāhine Māori. While such initiatives are mainstream, the role of wāhine Māori in implementing them, the size of the role and how it is rolled out, are often unclear. This cultural work was frequently described as being outside of participant’s job descriptions. Also cited was an expectation by some that all Māori, regardless of position, should be involved in the cultural work of an organisation, even though this is rarely expressed within job descriptions. There is concern by some wāhine Māori that the work they do to support the tikanga of their workplaces may actually impede their opportunities for advancement or promotion.

There is a strong view among many wāhine Māori that they are paid too little compared with their peers. One element of this is historical. Because of the learning gaps described above, wāhine Māori have, in the past, taken much longer to get into well-paid positions, especially because of delays in gaining professional qualifications. Such delays may be up to 20 years in length. This means that starting pay will tend to be lower for the age of the person. It also makes advancement more difficult, simply because there is less time to gain experience to support promotion (as well as other barriers discussed here).

There are a range of other factors cited that affect pay. Being appointed at lower levels than others, being expected to do the same work or have the same level of knowledge and expertise as others – but being paid less because of a different job title (e.g. team leader vs manager), a lack of pay reviews, bias affecting pay and a lack of professional development/further education, and thus fewer promotion opportunities all affect pay rates. Pay systems that fail to value cultural work and cultural skills were cited by some. Finally, many participants do not know whether they are paid equitably because pay systems in their organisations are opaque.

Efforts to implement the principles of the Treaty of Waitangi in the workforce have mixed results. Good Treaty work is identified in many areas of organisations. At the same time, significant unevenness is discussed by wāhine Māori between different layers of the organisation, in formal and informal processes and in cultural practices. The effort needed to ensure that Treaty principles are implemented often falls on wāhine Māori and the work (often unrecognised or outside their job description) that they do. Sometimes tiny issues, such as the ability to answer the phone with a ‘kia ora’, or being given permission to attend tangihanga (even when such leave is specified in the employment agreement) constitute sites of cultural struggle that are allowed to emerge due to poor organisational systems.

For many wāhine Māori, the ability to work within Māori-led organisations leads to respite from significant struggles that can take place in mainstream organisations. Many relish working within a kaupapa Māori cultural organisation. Strengths include the ability to use existing whanau, hapu and iwi links, working within defined cultural frameworks and having tikanga Māori as normal practice. Disadvantages include low pay in some organisations as the state funding is inadequate and a lack of career and promotion opportunities.

# Systemic and structural barriers

The education system at all levels fosters competition and hierarchies of achievement that are structurally embedded and which disadvantage wāhine Māori. Many wāhine Māori are affected merely by living in poorer areas and attending schools without significant resources. They are defined by low expectations of learning and success in life, and by expectations, at times, that they will move from school to pregnancy. Schools teach a colonised curriculum that too often fails to value tikanga Māori. Schools tend to promote outdated English education values and customs such as prescriptive hair styles and expensive school uniforms, hierarchical top-down discipline and narrowly-defined expectations. The examination system is narrow and based on mastery of unit standards within ‘subject areas’. There are no requirements in schooling outcomes for an understanding of te Tiriti o Waitangi, civics education, understanding of New Zealand society and no requirements for or recognition of voluntary work in the community. Because the focus is on achievement over understanding, the schooling system can easily produce graduates who have little insight into the nature of New Zealand society.

The pattern of schooling outcomes for wāhine Māori is reflected in and as a result of these factors, are perpetuated through the bias and discrimination they often face in the workplace. While the pattern of systemic racism has changed over the years, wāhine Māori still face numerous barriers at school. In tertiary education, the system often seems set up primarily for pakeha learners, for example talking about Māori as ‘they’. In social and human sciences, where wāhine Māori tend to cluster, some wāhine Māori noted that the courses seemed designed to teach pakeha about Māori society.

Structural and systemic barriers in the workplace emerge from the hierarchical systems that control policy, resources and operations. Even in agencies that hold explicit Treaty principles within their legislative frameworks or organisational forms, such principles are often not in sight further down hierarchies, where managers and team-leaders, in never-ending cascades of hierarchy, control the culture and systems of work. Racism creeps in through the holes, the gaps in such systems and distorts the purpose and work programmes. Therefore, even organisations that proclaim strong Treaty relationships can harbour racist practices.

One of the key victim groups are wāhine Māori who are either employed to foster tikanga and te reo Māori within the organisations, or on whom such work falls even though it is not part of their job description. Instead of being well-supported, high-status work, tikanga and cultural engagement work often comes down to squabbles over who foots the bill for the kai, or what to do with the line manager who declares he will not walk second to mana whenua, or who arrives at a powhiri with a chicken leg around his neck as a cultural ‘joke’.

There is no place for formal resistance to Treaty goals within many workplaces, so these resistances play out as a stream of racist talk and actions at the informal and individual levels. This is far more trouble than any of the wāhine Māori in this study signed up for, or indeed are paid for (if indeed one can be compensated for racist jibes, and especially as there is clear evidence that wāhine Māori earn much less than pakeha colleagues).

For those not charged with cultural work, there is still a price to be paid for being wāhine Māori in the workplace. Systemic barriers mean that in some workplaces and at all times, there are none or virtually no wāhine Māori holding senior management positions. If a wāhine Māori does gain such a position, this is greeted as the triumph of the system and ‘proof’ of progress, but when such gains are not sustained there is merely silence. Wāhine Māori who do hold senior management positions often have additional pressures put on them to deliver on kaupapa Māori goals, while also facing the individual and organisational barriers described above. They may have few colleagues and advisors to ask for support to deliver kaupapa Māori programmes, goals and processes within organisations.

In Māori kaupapa organisations there is respite from structural racism. But it may impinge, nevertheless, in the undervaluing of whanau ora and other kaupapa services, which are likely to be underfunded for what they have to offer, leaving staff with lower wages than in comparable public sector services.

# Our findings

That the Crown has breached the Treaty of Waitangi by failing to remove individual, organisational and systemic barriers to equal progress under the law. While efforts to remove such barriers have begun in many organisations, such efforts are neither organisation-wide nor consistent over spaces and time. Wāhine Māori bear the brunt of this failure.

1. Wai 2700, 6.2.1 History of claim, at p. 7. [↑](#footnote-ref-1)
2. Household Labour Force Survey, Statistics NZ, July 2020. [↑](#footnote-ref-2)