

TE TAI HARURU

Journal of Māori and Indigenous Issues

VOLUME 5 - 2017

Special Edition: Dr Nin Tomas

EDITORS

Claire Charters
Kerensa Johnston



THE UNIVERSITY OF
AUCKLAND
Te Whare Wānanga o Tāmaki Makaurau
NEW ZEALAND

**AUCKLAND
LAW SCHOOL**

TE TAI HARURU

Journal of Māori and Indigenous Issues

VOLUME 5 - 2017

Special Edition: Dr Nin Tomas

EDITORS

Claire Charters
Kerensa Johnston

TABLE OF CONTENTS

GLOSSARY OF MĀORI TERMS

FOREWORD

Judge Layne Harvey 1

TRIBUTES TO NIN

FAREWELL TO THE VIOLET ONE

Khylee Quince 7

HE POROPOROAKI MŌ TE AHORANGI NIN TOMAS

Professor Margaret Mutu 13

THE COHERENT ZEAL THAT NIN TOMAS BROUGHT TO HER RESPONSIBILITIES AS A LAW TEACHER AND RESEARCHER

Bruce V Harris 15

TIKANGA IN AOTEAROA/NEW ZEALAND

THE RECOGNITION OF TIKANGA IN THE COMMON LAW OF NEW ZEALAND

Natalie Coates 25

THE CHILDREN OF THE TAKAMORE CASE, AND THE PRICE OF GOING HOME

Māmari Stephens 59

NIN, AND A CRITIQUE OF THE SUPREME COURT'S APPROACH IN TAKAMORE

Claire Charters 63

NGĀ TIKANGA MĀORI AND THE POLITICS OF SELF-DETERMINATION IN AOTEAROA/NEW ZEALAND

Andrew Erueti 78

CONTEMPORARY MĀORI LEGAL ISSUES

NGĀITERANGI TREATY NEGOTIATIONS: A PERSONAL PERSPECTIVE

Matiu Dickson 91

"THIS IS NANA NIN TALKING ON BEHALF OF MY MOKOPUNA AND YOURS": A MĀORI VISION OF CONSTITUTIONAL REFORM

Carwyn Jones 109

MOTATAU NO. 50/3

Amokura Kawharu 116

**WHĀNAU VERSES WHAKAPAPA IN THE MĀORI LAND COURT:
A TRIBUTE TO NIN TOMAS**

Jacinta Ruru 121

**MĀORI SEEKING SELF-DETERMINATION OR TINO RANGATIRATANGA?
A NOTE**

Dr Valmaine Toki 134

GLOSSARY OF MĀORI TERMS¹

Hapū	Sub-tribe(s) that share a common ancestor
Kāinga	Home, address, residence, village, settlement, habitation, habitat, dwelling
Kaumatua	Elder
Kaupapa	Topic, basis; guiding principles
Kōrero	Speak, talk, discuss; discussion
Mana	Prestige, status, authority, influence, integrity; honour, respect
Mana whenua	Authority over land and natural resources, tribal estates
Manuhiri	Visitor(s)
Marae	Tribal meeting grounds; village common
Pā	Home
Pōtiki	Youngest child
Rangatiratanga	Self determination, autonomy, the right of Māori to be self-determining
Rohe	Area, region; boundary
Tangihanga	Funeral, rites for the dead

¹ Many of these translations are taken from the MAI Review website available here: <http://www.review.mai.ac.nz/info/about.php> or, alternatively, from the online Māori dictionary: <http://Māoridictionary.co.nz>

Taniwha	Water spirit, monster, dangerous water creature, powerful creature, chief, powerful leader, something or someone awesome - taniwha take many forms from logs to reptiles and whales and often live in lakes, rivers or the sea. They are often regarded as guardians by the people who live in their territory, but may also have a malign influence on human beings
Taonga	Treasure, anything prized - applied to anything considered to be of value including socially or culturally valuable objects, resources, phenomenon, ideas and techniques
Te reo Māori	The Māori language
Tikanga Māori	Māori customs and practices
Tōhunga	Expert, skilled, learned
Utu	Revenge; reciprocity; balance
Waiata	Sing, song, chant
Wānanga	Māori houses of higher learning, tertiary institute; conscious thought-processing discussion; transmitting the knowledge of the culture from one generation to the next
Whaikōrero	Formal speech, oratory
Whakapahā	Apology
Whakapapa	Māori genealogy
Whakatauki	Proverb

Whakawhānaungatanga	Kinship, links, ties; facilitating a more open relationship than mere researcher and researched; network of interactive links
Whānau	Family; nuclear/extended family
Whānaunga	Relative, relation, kin, blood relation