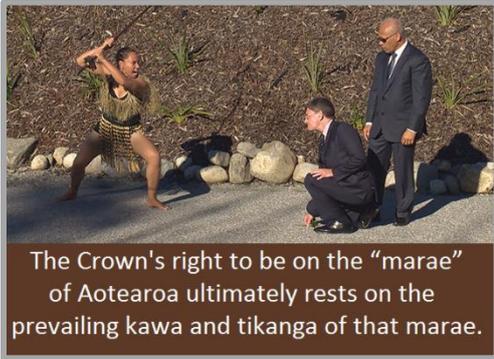


¹ The fifth [whakapapa](#) value that people addressed with [Matike Mai o Aotearoa](#) may be described as the value of relational conciliation. That is the need for a constitution to have an appropriate [tikanga](#) base which recognises the value of place and of [Māori](#). It also implies the need for a resolution framework which recognises tikanga for those occasions when Māori and the Crown might be unable to find consensus or make a joint decision in the relational sphere.



The Crown's right to be on the "marae" of Aotearoa ultimately rests on the prevailing kawa and tikanga of that marae.

In many ways these matters are perhaps the most difficult to engage with because they require some detailed consideration about what a tikanga and [Tiriti](#)-based constitution might require in specific practical, as well as general philosophical, terms. It is the point where debate about the "ought to be" of constitutionalism has to find ways of sustaining the integrity of [rangatiratanga](#) and [kāwanatanga](#) while setting a values-based structure for any relational sphere, and indeed the constitution as a whole.

Some discussion groups admitted this difficulty but also presented feedback with very clear conclusions -

"This [kaupapa](#) caused the most debate in our group by far...but we think that while Te Tiriti included the rights of [Pākehā](#) to have kāwanatanga and us to keep rangatiratanga...it also meant that because we were [tangata whenua](#) our tikanga should be what everything else rests on".

"It's not about setting up some sort of dominance but simply saying that this constitution has got to belong to this whenua or it's not [tika](#)...it's just like everyone knows that sovereignty in England rests on English tikanga because that's the place it belongs to...well tangata whenua and Te Tiriti belong here".

"This will probably be the hardest thing for others to get their head around but every [marae](#) has its own [kawa](#) and when we go onto another marae we accept that...and this wouldn't be any different".

"We spent nearly all our time talking about what tikanga would apply in this constitution or if there were times when [Iwi](#) and the Crown couldn't agree but that's the [kōrero](#) we have to have if any new constitution is really going to give effect to the treaty...it's all got to start there with tikanga".

Because the grant of kāwanatanga in Te Tiriti recognised the authority that the Crown could have on the "marae" of [Aotearoa](#), there was an expectation that it would be exercised in balance with rangatiratanga and according to the kawa and tikanga of the "marae". In a sense that is where "it's all got to start," and as is the case with any [rōpū](#) entering a marae its status would be recognised but it never diminished or detracted from the mana of the marae itself. In fact the right of any rōpū to be on the "marae" would ultimately rest on the prevailing kawa and tikanga.

¹ Forty-first edited extract from pp. 90 – 91 of [He Whakaaro Here Whakaumu Mō Aotearoa – The Report of Matike Mai o Aotearoa](#)