

TOI MĀORI CREATIVE ARTS

He aha te toi Māori?

What are Māori arts in the context of Wai 262?

Māori creative arts encompasses arts that are connected to Māori identity, spirituality, and worldviews; they reflect the history, stories, perspectives and values of Māori communities (past, present and future). These include art forms such as raranga, whakairo, kapa haka, tā moko, and much more.

He aha te hāngai ki Wai 262?

What does it have to do with Wai 262?

The Wai 262 claim asserts our right as *tangata whenua* to exercise *tino rangatiratanga* over our taonga and mātauranga. This includes all of our creative art forms.

The Crown's approach to the intellectual property in Māori creative arts has allowed for misappropriation and exploitation. At times, the Crown has attempted to remedy this, for example through the right of attribution in legislation for the Ka Mate haka.

However, this does not enable Ngāti Toa to exercise the full spectrum of control over that taonga. Further, it is a one-off piece of legislation and not the norm for recognising the true owners of the intellectual property of *toi Māori*.

He aha ngā take kua kitea?

What are some of the issues we can see?

Toi Māori is misappropriated by individuals and corporations for commercial purposes, without enabling the intellectual property owners to exercise control over their taonga. This strips the toi of deeper meanings and connections to Māori, but also fails to provide an avenue for recognition (commercial or otherwise) for *ringa toi* or collective owners for their *toi Māori*. We also see the use of Māori symbols (e.g. koru), with no clear ability to identify the owners, by commercial entities who choose not to recognise the origin and/or uphold the broader values and worldview associated with the *toi Māori*.

Further, the current approach to arts in Aotearoa sees cultural bias, which limits access to funding and exposure and the ability for *ringa toi* to maintain or revitalise Māori creative art forms.

E whai pānga ana tēnei take ki ngā kōrero te wā?

Does this have anything to do with the conversations happening about the constitution?

The Wai 262 claim¹ asserts that the Crown has denied Māori tino rangatiratanga, which encompasses our ownership, access, and control in relation to taonga including natural resources, leading to cultural and economic dispossession. At its heart, the Wai 262 claim challenges the Crown's status quo view of the constitution.

Te Taumata (representatives of the initial claimant whānau and iwi advancing the kaupapa on behalf of hapū and iwi) is working to see the constitutionalisation of Te Tiriti o Waitangi through entrenchment of a taonga Māori protection framework, Tiaki Taonga.

The Tiaki Taonga framework moves mātauranga into a sphere whereby protection and/or use of the subject is governed by appropriate tikanga and kawa that underpins the taonga. The framework is kaitiaki and hapū based.

E whai pānga ana tēnei ki ngā iwi taketake o te ao?

Is this connected in some way to the experience of other indigenous people around the world?

Many indigenous peoples around the world experience misappropriation and limited support to revitalise their creative art forms. Some of our *ringa toi* here in Aotearoa are engaging with indigenous artists around the world and growing a global community of indigenous artists committed to protecting and growing the *taonga* in our indigenous art forms.

He aha ō whakaaro?

Do you have any whakaaro you want to share with us on this kaupapa?

Te Taumata is building relationships with marae, hapū, iwi, communities of kaitiaki, mātauranga practitioners, and technical experts to advance the Wai 262 kaupapa. Do you have any whakaaro you want to share with us? Talk to our people at the Wai 262 tent or send us an email at projects@wai262.nz

¹Written by Moana Jackson and led by Saana Murray, Dell Wihongi, John Hippolyte, Tama Poata, Kataraina Rimene and Witi McMath in 1991.