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INDIGENOUS BUSINESS DATA AND INDIGENOUS DATA
SOVEREIGNTY: CHALLENGES AND OPPORTUNITIES

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In this paper, principles of Indigenous data sovereignty are examined in the collection and use of Indigenous business data in official statistics systems in Aotearoa New Zealand. The analysis centres on Statistics New Zealand's (Stats NZ's) Tatauranga umanga Māori, that is, its framework for Māori business statistics and the definition of Māori business. The paper also serves as an observation of the process and outcome of a working group comprising Māori and non-Māori which was assembled to advance the definition of Māori business and to ensure that it corresponds with expectations for the inclusion of Indigenous people in official data systems. The benefits envisaged by the application of Indigenous data sovereignty principles for Indigenous peoples are, however, still to be realised. Collaborative design with Māori on official data systems and the Māori business definition provide a model for similar efforts between Indigenous peoples and official statistics agencies elsewhere, where there is a desire to improve the quality of data on Indigenous economies and wellbeing.

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INTRODUCTION

This paper examines the challenges and opportunities of adhering to principles of Indigenous data sovereignty in the collection and use of Indigenous business data in official statistics systems. The analysis centres on Tatauranga umanga Māori, that is, Statistics New Zealand’s (Stats NZ’s)¹ framework for Māori business statistics and its review of the definition of Māori business.² The main research question guiding this paper is how does the process and outcome of a new definition of Māori business advance Indigenous aspirations for self-determination and wellbeing? This paper adopts the meaning of self-determination given by article three of the United Nations Declaration on the Rights of Indigenous Peoples, which states that Indigenous peoples have the right to “freely determine their political status and freely pursue their economic, social and cultural development.”³ While non-binding on member states, the declaration, nevertheless, presents an opportunity for positive Indigenous self-development, which may be constrained by access to accurate and complete data on the value and potential of Indigenous

¹ D. Bishop et al., *Investigation Into the Feasibility of Producing a Regular Statistical Series on Māori Authorities*, STATS NZ (2007).

² *Tatauranga Umanga Māori – consultation paper*, STATS NZ (2012); *Tatauranga umanga Māori 2014: Statistics on Māori authorities*, STATS NZ (2014).

³ UNITED NATIONS, DECLARATION ON THE RIGHTS OF INDIGENOUS PEOPLES 4 (2008), http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf.

economies.⁴ A perspective of wellbeing derived from *te ao Māori* (the Māori world view) is adopted, in which wellbeing is viewed as “multidimensional (spiritual, physical, psychological and social), dependent on leaders and groups who collectively engender wellbeing defined in Māori terms as *mauri ora* [vitality of life] and *hauora* [healthy existence], and is enhanced through fulfilling cultural roles and *whakapapa*-based [familial] affiliations.”⁵ The term Māori refers to the Indigenous people of Aotearoa New Zealand, who self-identify as such based on their ancestry and ethnic affiliation.⁶ Indigenous here refers to the original people of a land, territory, or state whose existence and cultural continuity predates colonial occupation and settlement.⁷ Māori are an example of an Indigenous people. When referring to Indigenous people or concepts that pertain to Aotearoa, Māori is used instead of Indigenous.

The paper finds that Stats NZ’s formation of a working group comprising Māori from various sectors illustrates the efficacy of collaboration between *tāngata whenua* (people of the land, Indigenous people) and officials, both Māori and non-Māori, to address a common cause—better Māori business data and improved Māori wellbeing.⁸ This collaborative work on Māori business statistics was consistent with the kind of relations that were being sought from higher level work underway in Stats NZ to co-design a Māori data governance model for official data.⁹ The paper is organised into three parts. First, *te ao Māori*—the Māori world view, Treaty of Waitangi principles, relevant Indigenous business theory, and Indigenous data sovereignty principles are canvassed as a framework

⁴ Jason P. Mika, *The Role of the United Nations Declaration of the Rights of Indigenous Peoples in Building Indigenous Enterprises and Economies*, in CONVERSATIONS ABOUT INDIGENOUS RIGHTS: THE UN DECLARATION OF THE RIGHTS OF INDIGENOUS PEOPLE IN AOTEAROA NEW ZEALAND 156, 156 (Selwyn Katene & Rawiri Taonui eds., 2018).

⁵ JASON P. MIKA, PARLIAMENTARY COMM’R FOR THE ENV’T, MĀORI PERSPECTIVES ON THE ENVIRONMENT AND WELLBEING 8 (2021), pce.parliament.nz/.../mika-maori-perspectives-on-the-environment-and-wellbeing.pdf.

⁶ Tahu Kukutai, *The Dynamics of Ethnicity Reporting: Māori in New Zealand: A Discussion Paper Prepared for Te Puni Kōkiri* (Pop. Studies Ctr., Univ. of Waikato, 2003).

⁷ *10 Things to Know About Indigenous Peoples*, U.N. DEV. PROGRAMME (July 29, 2021), <https://stories.undp.org/10-things-we-all-should-know-about-indigenous-people>.

⁸ Geraldine Duoba, H. Molloy & Jason P. Mika, *Measuring Indigenous Economies: A Tatauranga Umanga Māori Perspective*, Symposium on Indigenous Economies, TE KĀHUI RARAUNGA (Nov. 29-30, 2021).

⁹ *Co-Designing Māori Data Governance*, STATS NZ (Feb. 02, 2021), <https://data.govt.nz/toolkit/data-governance/maori/>; *Iwi Data Needs*, TE KĀHUI RARAUNGA (2019), https://www.kahuiraraunga.io/_files/ugd/b8e45c_499e6dc614cd4aa089fe9344c47701ec.pdf.

for discursive analysis of Indigenous business data. Second, *Tatauranga umanga Māori* and its development between 2012 and 2022 are discussed, including the definition of Māori business, and the strengths and limitations of this framework. Third, the paper discusses three key themes: whether partnering with Māori on data system design is consistent with treaty and Indigenous data sovereignty principles, in what ways Māori enterprise is enabled through improved Māori business data, and whether and how Māori enterprise improves Māori wellbeing.

I

THEORETICAL CONTEXT

A. *Te ao Māori—the Māori World View*

Te ao Māori refers to the Māori world view, which encompasses the identity, knowledge, values, customs, language, and institutions of the Māori people derived from their cosmological traditions, over 1,000 years of sustained intergenerational usage in Aotearoa, and is constitutive of Māori indigeneity, that is, Māori ways of knowing, being and doing.¹⁰ A key principle of *te ao Māori* is that all things are related, living and nonliving entities, creating an interdependency between human and nonhuman existence. Wellbeing in this frame is a function of maintaining balance between spiritual, human, and ecological societies achieved through the principle of reciprocity.¹¹ An example of the principle of reciprocity at work in this view of it can be found in a conceptualisation of the Māori economy offered by Rout and colleagues¹² as an ‘environmental economy’ in which human relations with nature are governed by a spiritual-socioecology.

In Aotearoa New Zealand, Māori are the Indigenous people, the first people to sight and settle the last significant landmass in the world,¹³ around 950 AD aboard oceangoing *waka* (canoes) from their ancestral homelands in Eastern Polynesia

¹⁰ Jason P. Mika, Kiri Dell, Jamie Newth & Carla Houkamau, *Manahau: Toward an Indigenous Māori Theory of Value*, 21 PHIL. MGMT. 441 (2022).

¹¹ Manuka Hēnare, “*Ko te hau tēnā o tō taonga. . .*”: *The Words of Ranapiri on the Spirit of Gift Exchange and Economy*, 127 J. OF THE POLYNESIAN SOC’Y 451 (2018).

¹² Matthew Rout, Shaun Awatere, Jason P. Mika, John Reid & Matthew Roskrige, *A Māori Approach to Environmental Economics: Te ao tūroa, te ao hurihuri, te ao mārama—The Old World, a Changing World, a World of Light*, in OXFORD RES. ENCYCLOPEDIA OF ENVTL. SCI. (2020).

¹³ Anne Salmond, *Ontological Quarrels: Indigeneity, Exclusion and Citizenship in a Relational World*, 12 ANTHROPOLOGICAL THEORY 112, 115-21 (2012).

known as *Hawaiki*.¹⁴ From a low of just 42,000 people in 1892,¹⁵ the Māori population 130 years later (in 2022) was estimated to be 892,200 (or 17.4 percent of the national population).¹⁶ Māori are a tribally-based ethnic group whose social organisation centres on the principle of *whakapapa*, which refers to genealogical connections between human and nonhuman entities through time and space, which, therefore, carries both spiritual and physical elements.¹⁷ *Whakapapa* as an ontology for organising is evident at varying scales of social aggregation, consisting of *whānau* (family), comprising immediate and extended family members related by *whakapapa*,¹⁸ *hapū* (subtribe) as groups of *whānau* who trace their descent from a common ancestor and their landscapes,¹⁹ and *iwi* (tribe) as aggregations of *hapū* who go by the name of a common ancestor and assert authority over tribal lands.²⁰ These pre-European forms of tribal organisation still exist,²¹ with *iwi* now the dominant form of political and economic organisation as a result of treaty settlements, although pan-tribal and non-kin-based Māori organisations have also emerged as a consequence of urbanisation, and political, social, and religious movements.²² *Whānau* in practical and policy terms are increasingly seen as vital to Māori wellbeing with *whānau ora* (holistic family wellbeing) a prominent example

¹⁴ Cf. PETER BUCK, *THE COMING OF THE MĀORI* (2d ed. 1949); RANGINUI WALKER, *KA WHAWHAI TONU MATOU: STRUGGLE WITHOUT END* (2d ed. 2004).

¹⁵ Whatarangi Winiata, Affidavit Before the Waitangi Tribunal: Te Wānanga o Raukawa Whakatupu Mātauranga (Dec. 14, 2017), https://forms.justice.govt.nz/search/Documents/WT/wt_DOC_132685011/Wai%202698%2C%20A007.pdf.

¹⁶ *Māori Population Estimates: At 30 June 2022*, STATS NZ (Nov. 17, 2022), <https://www.stats.govt.nz/information-releases/maori-population-estimates-at-30-june-2022/#:~:text=At%2030%20June%202022%3A,447%2C800%20females%20identifying%20as%20M%C4%81ori>.

¹⁷ Joseph Selwyn Te Rito, *Whakapapa: A Framework for Understanding Identity*, 2 MAI REV. 1, 10 (2007).

¹⁸ Mason H. Durie, *Māori and the state: Professional and ethical implications for a bicultural public service*, in STATES SERVICES COMMISSION: PROCEEDINGS OF THE PUBLIC SERVICE SENIOR MANAGEMENT CONFERENCE 23 (State Services Commission 1993); see Ranginui Walker, *The social adjustment of the Maori to urban living in Auckland* (1970) (Ph.D. dissertation, University of Auckland) (on file with the University of Auckland Libraries Learning Services).

¹⁹ Whatarangi Winiata, *Hapu and iwi resources and their quantification*, in 3 REPORT OF THE ROYAL COMM'N ON SOC. POLICY 789, 789 (Ivan Richardson et al. eds., 1988).

²⁰ Jason P. Mika, Graham H. Smith, Annemarie Gillies & Fiona Wiremu, *Unfolding tensions within post-settlement governance and tribal economies in Aotearoa New Zealand*, 13 J. OF ENTERPRISING CMTYS: PEOPLE & PLACES IN THE GLOB. ECON. 296 (2019).

²¹ ANGELA BALLARA, *IWI: THE DYNAMICS OF MĀORI TRIBAL ORGANISATION FROM C. 1769 TO C. 1945* (1998).

²² Jason P. Mika & John G. O'Sullivan, *A Māori approach to management: Contrasting traditional and modern Māori management practices in Aotearoa New Zealand*, 20 J. MGMT. & ORG. 648 (2014).

of this, but the theoretical evolution of *whānau* as a form of cultural organisation is still developing.²³

Māori enterprise during the early period of colonisation (1835-1860)²⁴ showed a remarkable form of Indigenous innovation,²⁵ which enabled Māori to continue their communal forms of production while successfully adapting to European capitalism and introduced technologies.²⁶ Frederick and Henry²⁷ highlight the propensity for innovation among Māori entrepreneurs, while Sciascia et al.²⁸ point to the willingness of collectively owned Māori agribusiness enterprises to consider new technologies in achieving their aspirations for balance between commercial and cultural imperatives.²⁹ The implication is that provided Māori retain power, authority, and control over the way in which new technologies are deployed,³⁰ technological change is likely to be as astutely assessed by Māori now as it was by their forebears between 1769 and 1850 when rangatira (chiefs) were the ‘captains of industry’ in the fledgling colonial state of New Zealand.³¹

²³ See generally Matthew Rout et al., *Te niho o te taniwha teeth of the taniwha: Exploring present-future pathways for whānau and hapū in Māori economies of wellbeing*, NGĀ PAE O TE MĀRAMATANGA (June 30, 2022), <https://www.maramatanga.ac.nz/media/7091/download>.

²⁴ Cf. HAZEL PETRIE, CHIEFS OF INDUSTRY: MĀORI TRIBAL ENTERPRISE IN EARLY COLONIAL NEW ZEALAND (2006).

²⁵ Fonda Walters & John Takamura, *The Decolonized Quadruple Bottom Line: A Framework for Developing Indigenous Innovation*, 30 WICAZO SA REV. 77 (2015).

²⁶ See William Carl Schaniel, *The Maori and the Economic Frontier: An Economic History of the Maori of New Zealand, 1769-1840* (1985) (Ph.D. dissertation, University of Tennessee) (National Library of Australia).

²⁷ Howard H. Frederick & Ella Henry, *Innovation and Entrepreneurship Among Pākehā and Māori in New Zealand*, in ETHNIC ENTREPRENEURSHIP: STRUCTURE AND PROCESS 115 (Curt Stiles & Craig Galbraith eds., 2004).

²⁸ See ACUSHLA SCIASCIA ET AL., HE WHENUA TIPU: TRANSFORMATION OF MĀORI AGRIBUSINESS AND THE FOURTH INDUSTRIAL REVOLUTION (4IR) REPORT (2019).

²⁹ Admiral Munyaradzi Manganda et al., *How indigenous entrepreneurs negotiate cultural and commercial imperatives: insights from Aotearoa New Zealand* (July 9, 2022) (unpublished manuscript) (on file with the Journal of Enterprising Communities: People and Places in the Global Economy), <https://doi.org/10.1108/JEC-01-2022-0017>.

³⁰ MASON H. DURIE, TE MANA TE KAWANATANGA: THE POLITICS OF MĀORI SELF-DETERMINATION (1998).

³¹ Robert S. Merrill, *Some Social and Cultural Influences on Economic Growth: The Case of the Maori*, 14 J. OF ECON. HIST. 401 (1954); Jason P. Mika et al., *Indigenous Environmental Defenders in Aotearoa New Zealand: Ihumātao and Ōroua River*, 18 ALTERNATIVE: AN INT’L J. OF INDIGENOUS PEOPLES 277 (2022).

Today, a growing Māori population and an expanding Māori labour force play a significant part in the growth of the national economy³² and of tribal assets.³³ Measuring the contribution of Māori to the economy is, however, problematic. Stats NZ,³⁴ and other government agencies, including Te Puni Kōkiri (Ministry of Māori Development)³⁵ and Te Pūtea Matua (Reserve Bank of New Zealand),³⁶ have been engaged in ongoing efforts to measure the Māori economy, however, data gaps and inconsistencies in measurement persist.³⁷ In early 2021, for example, Te Pūtea Matua published research on the Māori economy using 2018 data.³⁸ In 2020, Te Puni Kōkiri published a report on Māori in business by linking Māori ethnicity with business ownership using 2019 data,³⁹ which was recently updated.⁴⁰ And earlier, the Ministry of Business, Innovation and Employment (MBIE) published a report on Māori running their own businesses.⁴¹ Clearly, better quality Māori business data is a necessary basis on which to formulate economic policy inclusive of and beneficial for Māori.⁴² The function of better Māori business data though extends beyond making mainstream economic policy more responsive to Māori. Such data has the potential to provide an evidentiary base for Indigenous theorising of enterprise and economy using *kaupapa Māori* (Māori philosophy), *mātauranga Māori* (Māori knowledge), *tikanga Māori* (Māori culture), *reo Māori* (Māori language), and *wawata Māori* (Māori aspirations).⁴³ Examples include manahau as

³² RSRV. BANK OF N.Z., TE ŌHANGA MĀORI 2018 (2018).

³³ TDB ADVISORY, IWI INVESTMENT REPORT 2019 (2020), www.tdb.co.nz/.../TDB-Advisory-Iwi-Investment-Report-2019.pdf.

³⁴ Bishop et al., *supra* note 1.

³⁵ B. Gordon, *A Definition of Māori Business: An Internal Discussion Paper*, MINISTRY OF MĀORI DEV. (1996).

³⁶ Adrian Orr, Governor, Reserve Bank of New Zealand, Speech at Canterbury Employers' Chamber of Commerce: Aiming for great and best for Te Pūtea Matua (Feb. 21, 2020).

³⁷ Jason P. Mika, Joanne Bensemann & Nick Fahey, *What is a Māori business? A study in the identity of indigenous enterprise*, in AUSTL. & N.Z. ACAD. MGMT., UNDER NEW MANAGEMENT: INNOVATING FOR SUSTAINABLE AND JUST FUTURES 244 (Lisa Bradley ed., 2016).

³⁸ Mika & O'Sullivan, *supra* note 22.

³⁹ *Te Matapaeroa 2019 - looking toward the horizon: Some insights into Māori in business*, TE PUNI KŌKIRI & NICHOLSON CONSULTING (2019), www.tpk.govt.nz/.../te-matapaeroa-2019.

⁴⁰ *Te Matapaeroa 2020: More insights into pakihī Māori*, TE PUNI KŌKIRI (2022), <https://www.tpk.govt.nz/documents/download/documents-2369-A/Te%20Matapaeroa%202020%20narrative%20report.pdf>.

⁴¹ MINISTRY BUS. INNOVATION & EMP., MĀORI IN BUSINESS: A REPORT ON MĀORI RUNNING THEIR OWN BUSINESSES (Dec. 2014).

⁴² Jason P. Mika, Nicolas Fahey & Joanne Bensemann, *What counts as an indigenous enterprise? Evidence from Aotearoa New Zealand*, 13 J. ENTERPRISING CMTYS.: PEOPLE PLACES GLOB. ECON. 372 (2019).

⁴³ Mika et al., *supra* note 31.

a Māori theory of value in entrepreneurship, which builds on Henry's articulation of an economy of *mana*;⁴⁴ *tauutuutu* as a theory of reciprocity explicating the basis for and the benefits of enterprises escalating reinvestments in their environments;⁴⁵ and He Ara Wairoa as a framework for Māori wellbeing used in the Treasury's analysis of intergenerational wellbeing alongside conventional approaches such as the Living Standards Framework.⁴⁶

B. Treaty of Waitangi and Public Policy

Whenever public policy is contemplated in Aotearoa New Zealand, it must have regard to the Treaty of Waitangi whose text was also written in the Māori language and is referred to as *te Tiriti o Waitangi*.⁴⁷ This obligation arises because the treaty is recognised as New Zealand's founding constitutional document, signed 6 February 1840 at Waitangi, in the Bay of Islands, by Māori chiefs and representatives of the British monarch, Queen Victoria.⁴⁸ While not carrying the force of domestic law,⁴⁹ the treaty is nonetheless relied on by the Crown as Māori having ceded sovereignty over Aotearoa, thus allowing for the formation of a Westminster style parliament in 1854, and British colonisation of the newly recognised state as a dominion of the British Empire.⁵⁰ For Māori, *te Tiriti o Waitangi* preserved their *tinio rangatiratanga* (self-determination) and *mana motuhake* (tribal autonomy) over their peoples, tribal estates, and *taonga* (cultural treasures).⁵¹ Growing demand for land among European settlers from 1840 and

⁴⁴ Jason P. Mika, Kiri Dell, Jamie Newth & Carla Houkamau, *Manahau: Toward an Indigenous Māori theory of value*, 21 PHIL. MANAGEMENT 441 (2022).

⁴⁵ John Reid, *Adopting Māori wellbeing ethics to improve Treasury budgeting processes*, PARLIAMENTARY COMM'R FOR ENV'T (Oct. 13, 2021), pce.parliament.nz/.../reid-adopting-ma-ori-wellbeing-ethics-to-improve-treasury-budgeting-processes-pdf-12mb.pdf.

⁴⁶ Chelsey Reid & Phil Evans, *Trends in Māori wellbeing*, N.Z. TREASURY (Dec. 12, 2022), <https://www.treasury.govt.nz/sites/default/files/2022-12/ap22-02.pdf>.

⁴⁷ Cabinet Office Circular on Te Tiriti o Waitangi / Treaty of Waitangi Guidance (Oct. 22, 2019) (on file with Cabinet Office of Wellington, New Zealand).

⁴⁸ Cf. CLAUDIA ORANGE, *THE TREATY OF WAITANGI* (Allen & Unwin 1987).

⁴⁹ Cf. MATTHEW PALMER, *THE TREATY OF WAITANGI IN NEW ZEALAND'S LAW AND CONSTITUTION* (2008).

⁵⁰ Mika et al., *supra* note 43.

⁵¹ Craig Coxhead et al., *He Whakapūtanga me te Tiriti: The Declaration and the Treaty: The Report on Stage 1 of the Te Paparahi o Te Raki Inquiry*, WAITANGI TRIBUNAL REP. (2014), https://forms.justice.govt.nz/search/Documents/WT/wt_DOC_85648980/Te%20RakiW_1.pdf.; Craig Coxhead et al., *Tino Rangatiratanga Me Te Kāwanatanga: The Report on Stage 2 of the Te Paparahi o Te Raki Inquiry: Part 1*, WAITANGI TRIBUNAL REP. (2022); Joe V. Williams et al., *Ko Aotearoa Tēnei: A Report into Claims Concerning New Zealand Law and Policy Affecting Māori Culture and Identity* (2011).

Māori resistance to land alienation, however, led to the New Zealand wars in the 1860s, culminating in the confiscation of large tracts of Māori land, the suppression of Māori autonomy, and official nullification of the treaty.⁵² The long struggle by Māori for justice and the return of Māori land, eventually resulted in the formation of the Waitangi Tribunal under the Treaty of Waitangi Act 1975,⁵³ whose function is to inquire into claims of Crown breaches of its promises to Māori under the treaty. A government policy of treaty settlements was later established where the Crown could compensate Māori for proven claims.⁵⁴ Under the principles of the treaty, data is regarded as a *taonga*, which carries inherent rights of Indigenous ownership and use, and obligations on the Crown for the protection of these rights and interests.⁵⁵

The reach of te Tiriti o Waitangi in public policy extends to the role of Stats NZ. In Aotearoa, the Government Statistician, a position which Mark Sowden presently occupies, takes seriously his legal mandate under the Public Service Act 2020 as the Government Chief Data Steward (GCDS) to “support the use of data as a resource across government to help deliver better services to New Zealanders.”⁵⁶ Furthermore, under the Data and Statistics Act 2022, the Government Statistician in performing his functions must recognise and respect the Crown’s responsibility to “give effect to the principles of te Tiriti o Waitangi/the Treaty of Waitangi” and “build... the capability and capacity of Statistics New Zealand to... understand te Tiriti o Waitangi/the Treaty of Waitangi... and engage with Māori.”⁵⁷ The complexity of giving effect to the Treaty of Waitangi in public policy cannot be underestimated.⁵⁸ This is because it entails a balance between the neutrality of

⁵² Mika, *supra* note 50.

⁵³ THE WAITANGI TRIBUNAL: TE ROOPU WHAKAMANA I TE TIRITI O WAITANGI (Janine Hayward & Nicola R. Wheen eds., 2015).

⁵⁴ TREATY OF WAITANGI SETTLEMENTS (Janine Hayward & Nicola R. Wheen eds., 2012).

⁵⁵ See Mika, Dell, Newth & Houkamau, *supra* note 44.

⁵⁶ *Co-designing Māori data governance*, STATS NZ (2021), <https://data.govt.nz/toolkit/data-governance/maori/>.

⁵⁷ *Id.* at 12.

⁵⁸ Mark Barrett & Kim Connolly-Stone, *The Treaty of Waitangi and Social Policy*, 11 Soc. Pol. J. N.Z. 1 (1998); see Mika & O’Sullivan, *supra* note 38; see generally VERONICA M. H. TAWHAI & KATARINA GRAY-SHARP, ALWAYS SPEAKING: THE TREATY OF WAITANGI AND PUBLIC POLICY (2011).

the public service,⁵⁹ the prerogative of government ministers,⁶⁰ Māori rights and interests,⁶¹ and detractors of the treaty who see Māori treaty rights as unjustified.⁶²

II

TATAURANGA UMANGA MĀORI—MĀORI BUSINESS STATISTICS

A. Defining Māori Business

Stats NZ has been involved in discussions about the definition of Māori business since the early 1990s.⁶³ Until recently, little progress had been made in reaching agreement on how a Māori business should be defined.⁶⁴ Stats NZ's consultation in 2012⁶⁵ confirmed Māori authority as the initial definition of Māori business for statistical purposes.⁶⁶ This consultation led to the first publication in 2014 of *Tauranga umanga Māori*, which translates as Māori business statistics.⁶⁷ A Māori authority is defined by its role in acting as a trustee of communally owned Māori property, which, according to Inland Revenue,⁶⁸ comprises eligible entities such as Māori land trusts, certain statutory Māori organisations, and treaty settlement entities.

Early consultation also identified that only reporting on Māori authorities did not meet the information needs of Māori small-to-medium enterprises (SMEs) and, therefore, the definition for Māori business needed clarifying.⁶⁹ A Māori business identifier question was added to the Business Operations Survey in 2015,⁷⁰ and

⁵⁹ JONATHAN BOSTON ET AL., *PUBLIC MANAGEMENT: THE NEW ZEALAND MODEL* (1996).

⁶⁰ See TDB ADVISORY, *supra* note 33.

⁶¹ Michael Belgrave, *Beyond the Treaty of Waitangi: Māori Tribal Aspirations in an Era of Reform, 1984-2014*, 49 J. PAC. HIST. 193 (2014); Margaret Mutu, "To Honour the Treaty, We Must First Settle Colonisation" (*Moana Jackson 2015*): *The long Road From Colonial Devastation to Balance, Peace, and Harmony*, 49 J. ROYAL SOC'Y N.Z. 4 (2019).

⁶² See DAVID ROUND, *TRUTH OR TREATY? COMMONSENSE QUESTIONS ABOUT THE TREATY OF WAITANGI* (1998).

⁶³ Bishop et al., *supra* note 34.

⁶⁴ See Mika, Bensemman & Fahey, *supra* note 37.

⁶⁵ STATS NZ, *supra* note 31.

⁶⁶ *Tauranga Umanga Māori: Summary of 2012 consultation*, STATS NZ (2012), www.stats.govt.nz.

⁶⁷ *Tauranga umanga Māori 2014: Statistics on Māori authorities*, STATS NZ (2014), www.stats.govt.nz.

⁶⁸ *Becoming a Māori authority*, INLAND REVENUE 3 (Dec. 2017).

⁶⁹ *Id.*

⁷⁰ See ORANGE, *supra* note 48.

2016 was the first year Stats NZ reported Māori SME statistics.⁷¹ *Tatauranga umanga Māori* has improved Stats NZ's collection and publication of Māori business statistics.⁷² In 2022, for instance, a quarterly publication of *Tatauranga umanga Māori* was started, covering Māori authorities and related businesses.⁷³

B. *Tatauranga umanga Māori* Data

Tatauranga umanga Māori provides insight into the contribution that Māori authorities and other Māori-owned businesses (for example, Māori SMEs, larger Māori businesses, and Māori tourism businesses) make to the national economy. *Tatauranga umanga Māori* presents information on Māori business demographics—counts of businesses and employees by industry; the financial performance and position of Māori businesses; turnover rates and filled jobs; exports of goods; land use, livestock numbers and farm practices on Māori farms; and selected business activities. Table 1 shows the data outputs produced in *Tatauranga umanga Māori* and their sources.

There is no specific data collection on Māori businesses; rather, *Tatauranga umanga Māori* uses existing Stats NZ data collections (surveys and administrative data sources) to present information on two subsets of Māori businesses—Māori authorities and Māori SMEs and their contribution to the national economy. Māori SMEs in the *Tatauranga umanga Māori* population are businesses with at least one and fewer than 100 employees, and where the business owner(s) define it as a Māori business.⁷⁴ The Māori business population for *Tatauranga umanga Māori* has historically been collated from three sources. First, Māori authorities are identified through a tax code, which Inland Revenue provides to Stats NZ. Second, Māori SMEs and Māori tourism businesses are identified through their affiliation with Māori organisations that agreed to provide Stats NZ with their membership lists. And third, Māori businesses can also self-identify as such in Stats NZ's Business Operations Survey.

⁷¹ *Tatauranga umanga Māori 2016: Statistics on Māori authorities*, STATS NZ (2016).

⁷² *Tatauranga umanga Māori*, STATS NZ (2012, 2014, 2016, 2019, 2020, 2022).

⁷³ *Tatauranga umanga Māori – Statistics on Māori businesses: December 2021 quarter*, Stats NZ (2022), www.stats.govt.nz/.../tatauranga-umanga-maori-statistics-on-maori-businesses-december-2021-quarter/.

⁷⁴ *Id.*

TABLE 1
MĀORI BUSINESS STATISTICS IN *TATAURANGA UMANGA MĀORI* AND THEIR SOURCES

Data Source	Data Output
Annual Publication	
Business demography (administrative data source, mainly)	Number of businesses Number of employees
Annual enterprise survey (survey and administrative data)	Financial information
Linked employee-employer data (administrative data source)	Worker turnover rates Filled jobs
Overseas merchandise trade (administrative data)	Exports of goods
Agriculture survey (survey)	Land use Livestock Numbers Farm practices
Business Operations Survey (survey)	Exporting information Innovation rates Other selected business activities

Quarterly publication (Māori authorities and related businesses)	
Business financial data (administrative data source)	Sales Purchases
Business employment data (administrative data source)	Filled jobs Total earnings
Over seas merchandise trade (administrative data)	Export of goods

C. *Limitations of Tatauranga umanga Māori*

Several limitations are apparent in producing *Tatauranga umanga Māori*, illustrating the complexities involved in measuring Māori business activity. For example, the population used to produce *Tatauranga umanga Māori* does not cover all Māori businesses. *Tatauranga umanga Māori* has good coverage of Māori authorities, as these are identified through tax data, but limited coverage of Māori SMEs, and little or no coverage of other types of Māori businesses, for example Māori sole traders. Thus, the current population coverage restricts the ability to publish more granular data about Māori businesses, particularly by region, and

by *iwi*.⁷⁵ Until very recently, the lack of a standard definition for Māori business meant that Stats NZ did not have a clear target population. This also means that government and other entities use different estimates to determine the economic contribution of Māori businesses.

To improve the coverage of Māori business statistics and insights, Stats NZ partnered with colleagues at MBIE to add Māori business identifier questions to the New Zealand Business Number (NZBN) register.⁷⁶ The NZBN provides a unique identifier for New Zealand businesses, from sole traders to companies. Some businesses, for example registered companies, are automatically assigned an NZBN. Other types of businesses need to apply for one. An NZBN is compulsory for eligibility to claim certain types of government support, for example Covid-19 subsidies for businesses. An identifier for Māori businesses in the NZBN register will aid in the identification of Māori businesses and provide a more accurate and reliable understanding of the contribution that Māori businesses make to the economy. Officials expect that it will take at least two years for the introduction of Māori business identifier questions in the NZBN to significantly impact *Tatauranga umanga Māori* statistics. Meanwhile, officials are exploring other options for improving population coverage, such as including identifier questions in more Stats NZ surveys and obtaining regional third-party lists. There is no one source that will identify all Māori businesses, but more can be done to improve the coverage of these statistics. As new sources of population information are added to *Tatauranga umanga Māori*, the implications for existing time series will need to be carefully assessed.

The low coverage of Māori businesses in the *Tatauranga umanga Māori* release is one of the key challenges Stats NZ faces in measuring the contribution Māori businesses make to the economy and to Māori wellbeing. In producing *Te Matapaeroa*, Nicholson Consulting used Stats NZ's Integrated Data Infrastructure (IDI) to match ethnicity with business ownership.⁷⁷ Using this method, they

⁷⁵ *Tatauranga umanga Māori: 2021 pūrongo matatini - Statistics on Māori businesses: 2021 technical report*, STATS NZ (2022), www.stats.govt.nz.

⁷⁶ *Māori businesses now able to identify themselves on NZBN register*, N.Z. Bus. No. (May 12, 2021), www.nzbn.govt.nz/.../maori-businesses-now-able-to-identify-themselves-on-nzbn-register/.

⁷⁷ *Te Matapaeroa 2019 - looking toward the horizon: Some insights into Māori in business*, TE PUNI KŌKIRI & NICHOLSON CONSULTING (2019), www.tpk.govt.nz/.../te-matapaeroa-2019.

estimated that in 2020 there were more than 23,000 Māori businesses, comprising Māori authorities and other Māori-owned companies, and 38,000 Māori sole traders.⁷⁸ By contrast, Stats NZ reported on approximately 2,000 Māori businesses using the Tatauranga umanga Māori dataset.⁷⁹ The implication is that the economic contribution of Māori businesses is understated in Tatauranga umanga Māori. Additionally, users of Tatauranga umanga Māori request Māori business statistics by region, but due to low coverage and confidentiality issues Stats NZ is unable to produce this information, or the data is provided with limitations.⁸⁰

The current method of compiling a population of Māori businesses for Tatauranga umanga Māori using a variety of sources has known weaknesses. Stats NZ has been unsuccessful in regularly obtaining up-to-date lists from third parties. While Stats NZ has aimed to build reciprocal relationships with Māori organisations and Māori business networks across Aotearoa, using third-party lists of Māori businesses for the population of Tatauranga umanga Māori is unsustainable and lacks statistical rigour to be a reliable source. A further issue that impacts the quality of Māori business statistics is survey samples. Surveys used as inputs to Tatauranga umanga Māori have not been designed explicitly to measure Māori businesses. Rather, these surveys are designed to accurately produce national estimates, or to give estimates by industry, geographical region, or business size. The Business Operations Survey, for example, only covers businesses with six or more employees, limiting its ability to provide comprehensive statistics on Māori businesses.

III DISCUSSION

When assessed against principles of Indigenous data sovereignty,⁸¹ the main question that arises is how does the process and outcome of a new definition of Māori business advance Indigenous aspirations for self-determination and

⁷⁸ *Te Matapaeroa 2020: More insights into pakihi Māori*, TE PUNI KŌKIRI (2022), <https://www.tpk.govt.nz/documents/download/documents-2369-A/Te%20Matapaeroa%202020%20narrative%20report.pdf>.

⁷⁹ STATS NZ, *supra* note 74.

⁸⁰ Jason P. Mika et al., *Māori business in Manawatū-Whanganui: A brief update*, CENT. ECON. DEV. AGENCY (2021), <https://ceda.nz/wp-content/themes/ceda/uploads//Maori-Economic-Report-english.pdf>.

⁸¹ See INDIGENOUS DATA SOVEREIGNTY: TOWARD AN AGENDA (Tahu Kukutai & John Taylor eds., 2016).

wellbeing.⁸² Three subsidiary questions provide a useful segue for discursive analysis of relevant matters of Indigenous business theory and practice. First, how is Māori control over Māori data improved? This question is addressed by discussing collaborative work with Māori on the definition in relation to Treaty of Waitangi and Indigenous data sovereignty principles. Second, how is Māori enterprise enabled by the definition? The focus here is on how better Māori business data provides evidence for innovative forms of culturally aligned enterprise assistance such as Indigenous entrepreneurial ecosystems.⁸³ Third, how is Māori wellbeing improved? This aspect concerns measurement of the distributional benefits of Māori enterprise according to Māori conceptualisations of economy and wellbeing.⁸⁴

A. *Indigenous Data Sovereignty and Māori Business Statistics*

The principle of Indigenous control over Indigenous data⁸⁵ directly conflicts with government expectations that Indigenous peoples supply official data as an implied condition of their citizenship and societal participation.⁸⁶ In this context, official data is problematised as historically omitting Indigenous people, categorising data on them for assimilatory purposes, and misrecognising Indigenous identities and aspirations. Kukutai and Walter propose principles to alleviate these problematics to achieve what they call ‘statistical functionality’ (the use and usefulness) of Indigenous official data.⁸⁷ They encourage, for instance, agencies to recognise Indigenous constructions of spatiality so that social aggregations (tribe-nontribe, rural-urban) meaningful to Indigenous peoples are not impeded through inflexible data classifications and inappropriate collection methods. Moreover, they advocate for Indigenous people to be seen through Indigenous eyes by unmasking cultural distinctions and elevating Indigenous rights. Such approaches are diminished by the expediency of classifying Indigenous peoples as ethnic minorities, which glosses over the granularity of

⁸² See Mika, Fahey & Bensemman, *supra* note 42.

⁸³ Jason P. Mika, Christian Felzensztein, Alexei Tretiakov & Wayne G. Macpherson, *Indigenous entrepreneurial ecosystems: a comparison of Mapuche entrepreneurship in Chile and Māori entrepreneurship in Aotearoa New Zealand*, J. MGMT. & ORG. 1 (2022).

⁸⁴ Mika, *supra* note 5.

⁸⁵ Stephanie Carroll et al., *The CARE Principles for Indigenous Data Governance*, 19 DATA SCI. J. 43 (2020).

⁸⁶ See generally *supra* note 58.

⁸⁷ *Id.*

indigeneity and its myriad identities, languages, and cultures, and the power imbalances between nation-states and their Indigenous nations.⁸⁸

In 2021, as part of its *mana ōrite* (equity and equality) work programme, Stats NZ and the Data Iwi Leaders Group (DILG) engaged in the co-design of a Māori data governance (MDG) model “that reflects Māori needs and interests in data.”⁸⁹ As a partner in this work, Te Kāhui Raraunga agreed that Stats NZ “does play a critical role as major producers of official statistics, including data for or by Māori; data about Māori; and any data that Māori have a connection to”—but specified that it does not have a governance role.⁹⁰ For Te Kāhui Raraunga, “**data is a taonga**” (emphasis in original).⁹¹ They further explain that data are “closely interconnected with our mātauranga [knowledge] and our ways of being . . . and continues to be how we have continued our consciousness as Māori across time and distance.”⁹² Te Kāhui Raraunga accentuate a *hapū* centric view of *te Tiriti o Waitangi* as the basis for Māori-Crown relationships, with iwi tending to be co-opted by the Crown, and colonisation an historical process that violently separated Māori people from Māori data.⁹³ Nonetheless, the MDG model is being developed as a set of principles to guide cohesive, system-wide change in data systems that draw on *te ao Māori* insights and innovation.⁹⁴ One of their recommendations is for the establishment of a Māori chief data steward, a structural innovation that has precedence in Māori units in other government departments.⁹⁵

⁸⁸ Darin Bishop, *Indigenous Peoples and the Official Statistics Systems in Aotearoa/New Zealand*, in *INDIGENOUS DATA SOVEREIGNTY: TOWARD AN AGENDA* 291 (Tahu Kukutai & John Taylor eds., 2016); Fiona McCormack, *Levels of Indigeneity: The Māori and Neoliberalism*, 17 *J. ROYAL ANTHROPOLOGICAL INST.* 281 (2011); Anne Salmond, *Ontological Quarrels: Indigeneity, Exclusion and Citizenship in a Relational World*, 12 *ANTHROPOLOGICAL THEORY* 112, 115-21 (2012).

⁸⁹ *Stats NZ*, *supra* note 56.

⁹⁰ *Iwi Data Needs*, TE KĀHUI RARAUNGA (2022), www.kahuiraraunga.io.

⁹¹ *Id.*

⁹² *Id.*

⁹³ Daniel Hikuroa, *Mātauranga Māori — the ūkaipō of knowledge in New Zealand*, 47 *J. ROYAL SOC. N.Z.* 5 (2017); Hirini Moko Mead, *Understanding mātauranga Māori*, in *CONVERSATIONS ON MĀTAURANGA MĀORI* 9-14 (Tairahia Black, Daryn Bean, Waireka Collings & Whitney Nuku eds., 2012); *see* Mutu, *supra* note 61.

⁹⁴ *Tawhiti nuku: Māori data governance co-design outcomes report, January 2021*, TE KĀHUI RARAUNGA (2021), <https://www.kahuiraraunga.io/tawhitinuku>.

⁹⁵ Mason Harold Durie, *Māori and the state: Professional and ethical implications for a bicultural public service*, in *STATES SERVICES COMMISSION: PROCEEDINGS OF THE PUBLIC SERVICE SENIOR MANAGEMENT CONFERENCE 23* (State Services Commission 1993); Kim Workman, N.Z. Ministry of Health, *Biculturalism in the Public Service - Revisiting the Kaupapa* (Apr. 27, 1995).

In the context of data system co-design with Māori, in March 2021, Stats NZ initiated a review of its framework for Māori business statistics, that is, *Tatauranga umanga Māori*.⁹⁶ The intention was to improve its definition of Māori business, a goal that had been signalled when work on *Tatauranga umanga Māori* began in 2012.⁹⁷ By April 2021, Stats NZ had convened a working group to assist with the review. The group comprised Māori from academia, industry, business, and enterprise assistance providers, collaborating with a team of officials from Stats NZ and other agencies. The findings of the review were released in a discussion document in June 2022.⁹⁸ The report contained two important proposals, the first being a new definition:

A Māori business is a business that is owned by a person or people who have Māori whakapapa, and a representative of that business self-identifies the business as Māori.⁹⁹

Second, was a proposal for the definition to be the centrepiece of a mandated data standard that would function as a comprehensive guide for agencies in their collection and publication of Māori business statistics. Public service departments and departmental agencies must use mandated data standards when collecting and sharing data on a particular topic. The Government Chief Data Steward has the power to make data standards mandatory. Initially broached as a mandated standard, agencies were instead given the option of working toward the standard, allowing them time for capability development and system change. A data standard for Māori business is expected to improve the quality of the data Stats NZ produces about Māori businesses. The standard was released in July 2022.¹⁰⁰ All parties—Māori and officials, and those consulted more widely, expect that a consistent approach to Māori business statistics will more readily show the contribution of Māori enterprise to the Māori and New Zealand economies.¹⁰¹

⁹⁶ *Working group terms of reference: Māori Business Definition*, STATS NZ (2021), <https://www.stats.govt.nz/reports/working-group-terms-of-reference-maori-business-definition/>.

⁹⁷ See Mika, Bensemann & Fahey, *supra* note 37.

⁹⁸ STATS NZ, *supra* note 96.

⁹⁹ *Id.* at 5.

¹⁰⁰ *Id.*

¹⁰¹ See Te Puni Kōkiri, *supra* note 40, at 372-90.

B. Treaty of Waitangi and Māori Business Statistics

A fundamental principle of te Tiriti o Waitangi is partnership between Māori and the Crown.¹⁰² According to judicial and tribunal decisions, the partnership principle is intimated when the treaty partners (Māori and the Crown) act in good faith, with reasonableness toward each other, and Māori are consulted on policy that affects them without being disadvantaged by the process.¹⁰³ The way the working group on the definition of Māori business was formed and the review was conducted could be construed as consistent with the treaty principle of partnership. While not representative of tribal authorities, whose *mana* (power and authority) vests in *iwi* and *hapū*,¹⁰⁴ Māori participants were, nonetheless, acknowledged as *tāngata whenua*. Other signs of the partnership principle at work were the resourcing of Māori participation; the engagement of appropriately skilled officials who were on hand to hear and act on the *mātauranga* they received; the leadership of the process by a Māori manager at Stats NZ coupled with routine and active use of *te reo* (Māori language) and *tikanga* (Māori culture) in the process; and deference to a project governance group that includes Māori business representation and the *Kaihautū* (senior Māori leader) for Stats NZ. The result was a general feeling of camaraderie where the division between officials and non-officials seemed to evaporate in the movement toward a common cause—better Māori business statistics for improved Māori wellbeing. The usual power imbalances between Māori and the Crown were decidedly less visible in this process. There are, of course, broader questions about treaty rights, responsibilities, and obligations surrounding Māori participation in the work of Stats NZ and Māori ownership and control over Māori data, which go beyond the working group and its task.¹⁰⁵ In this case, however, the collaborative work with Māori on the definition of Māori business and changes to *Tatauranga umanga Māori* shows that ethical, inclusive, and culturally appropriate processes for data design and use are possible,

¹⁰² Coxhead et al., *supra* note 51; Nan Seuffert, *Nation as Partnership: Law, Race, and Gender in Aotearoa New Zealand's Treaty Settlements*, 39 L. & SOC'Y REV. 485, 485-526 (2005).

¹⁰³ Frances Hancock & Kirsty Grover, *He tirohanga o kawa ki te Tiriti o Waitangi: A Guide to the Principles of the Treaty of Waitangi as Expressed by the Courts and the Waitangi Tribunal*, TE PUNI KŌKIRI (2001); Janine Hayward, *Principles of the Treaty of Waitangi – ngā mātāpono o te Tiriti o Waitangi*, TE ARA - THE ENCYCLOPEDIA OF N.Z. (June 20, 2012); *see*, Mika et al. (2022), *supra* note 31.

¹⁰⁴ *See* Mika et al. (2019), *supra* note 20.

¹⁰⁵ *Crown–Māori Engagement & Statistical Information Needs*, STATS NZ (2015), www.stats.govt.nz.

consistent with the *Ngā Tikanga Paihere* framework developed in 2020 for such purposes.¹⁰⁶

C. *Enabling Māori Enterprise Through Improved Business Statistics*

On the question of enablement of Māori enterprise, discourse typically focuses on the efficacy of mainstream providers of enterprise assistance and their ability to respond effectively and appropriately to the needs of Māori enterprises because the majority of public funding for this purpose is channelled through such organisations, which include New Zealand Trade and Enterprise, Tourism New Zealand, Callaghan Innovation, and MBIE.¹⁰⁷ The fortunes of Māori enterprise are also subject to oscillating support for Māori providers of enterprise assistance, with Poutama Trust and Māori Women’s Development Incorporated two long-standing examples. These are providers who offer culturally aligned enterprise assistance that not only seek to meet the business needs of Māori enterprise owners, but reinforce their identity as Māori and aspirations for self-determination and wellbeing.¹⁰⁸ Shoring up public support for Māori and mainstream providers that target Māori enterprise would be assisted through quality evaluation of the uptake and efficacy of their enterprise assistance, but the use of sophisticated evaluative methods is presently negated by the difficulty in accessing reliable and comprehensive Māori business statistics.¹⁰⁹ Quality evaluation should become decidedly more possible as *Tatauranga umanga Māori* evolves.

Meanwhile, Silicon Valley as a unique environment for the creation of high-value entrepreneurial firms has attracted scholars to wonder whether the notion of an entrepreneurial ecosystem might have relevance for Indigenous firms.¹¹⁰ Indigenous entrepreneurial ecosystems encompass the totality of enterprise assistance within cultural, institutional, and geographical boundaries and have at their core the indigeneity and relationality of the actors within, that is, the

¹⁰⁶ *Ngā tikanga paihere: A framework guiding ethical and culturally appropriate data use*, STATS NZ (2020), data.govt.nz/.../Nga-Tikanga-Paihere-Guidelines-December-2020.pdf.

¹⁰⁷ See Mika, Bensemman & Fahey, *supra* note 37.

¹⁰⁸ Lorraine Warren, Jason P. Mika & Farah Palmer, *How does enterprise assistance support Māori entrepreneurs? An identity approach*, 23 J. MGMT. & ORG. (SPECIAL ISSUE) 873, 873-85 (2017).

¹⁰⁹ Arthur Grimes, Jason P. Mika, Storm Savage & Eru Pomare, *Using Poutama Trust’s data to evaluate the success of Poutama’s assistance to Māori businesses*, MOTU ECON. & PUB. POL’Y RSCH. (2016).

¹¹⁰ Kiri Dell et al., *Indigenous Entrepreneurial Ecosystems: A New Zealand Perspective*, ACAD. OF MGMT. ANN. MEETING PROC. (2017).

Indigenous entrepreneurs and the enterprises they form and dissolve over time.¹¹¹ Whether the definition of Māori business is enabling for Māori enterprise in any of these three spheres—Māori and mainstream providers or Indigenous entrepreneurial ecosystems—depends on the extent to which better quality data leads to evidence-based policy supporting Māori entrepreneurial firms—tribal and nontribal. This outcome was an aspiration of the working group, but its realisation awaits increased uptake of associated developments like the Māori business indicator of the NZBN,¹¹² government-wide propagation of the Māori business data standard, and its parallel use by enterprise assistance providers—Māori and mainstream, and by *iwi*.¹¹³

D. Māori Business Statistics and Wellbeing

In regard to the connection between Māori business statistics and Māori wellbeing—that is a longer term question that requires longitudinal data collection and analysis on an as yet undefined causality relationship between enterprise and wellbeing.¹¹⁴ On the enterprise side, both the nature of Māori business and the incompleteness of official data on Māori business are still being worked through, despite the emergence of a new definition of Māori business.¹¹⁵ On the wellbeing side, for Māori this concept is multidimensional consisting of *wairua* (spirituality), *tīnana* (physicality), *hinengaro* (emotionality), and *whānau* (sociality), as well as being intertemporal in nature.¹¹⁶ Māori notions of wellbeing are being explored

¹¹¹ *Id.*; Jason P. Mika, Christian Felzensztein, Alexei Tretiakov & Wayne G. Macpherson, *Indigenous entrepreneurial ecosystems: a comparison of Mapuche entrepreneurship in Chile and Māori entrepreneurship in Aotearoa New Zealand*, J. MGMT. & ORG. 1, 1-19 (2022).

¹¹² *Māori businesses now able to identify themselves on NZBN register*, N.Z. BUS. NO. (May 12, 2021), www.nzbn.govt.nz/. . . /maori-businesses-now-able-to-identify-themselves-on-nzbn-register/.

¹¹³ Arthur Grimes, Jason P. Mika, Storm Savage & Eru Pomare, *Using Poutama Trust's data to evaluate the success of Poutama's assistance to Māori businesses*, MOTU ECON. & PUB. POL'Y RSCH. (2016); Jason P. Mika, *The role of the United Nations Declaration of the Rights of Indigenous Peoples in building indigenous enterprises and economies*, in CONVERSATIONS ABOUT INDIGENOUS RIGHTS: THE UN DECLARATION OF THE RIGHTS OF INDIGENOUS PEOPLE IN AOTEAROA NEW ZEALAND 156 (Selwyn Katene & Rawiri Taonui eds., 2018); see generally *supra* note 9.

¹¹⁴ INDIGENOUS WELLBEING AND ENTERPRISE: SELF-DETERMINATION AND SUSTAINABLE ECONOMIC DEVELOPMENT (Rick Colbourne & Robert B. Anderson eds., 2020); Mika, *supra* note 84; Reid, *supra* note 45.

¹¹⁵ See Mika, Dell, Newth & Houkamau, *supra* note 10; see also Mika, Fahey & Bensemman, *supra* note 42.

¹¹⁶ Fiona Cram, *Measuring Māori Wellbeing: A Commentary*, 3 MAI J. 18 (2014); Mason Harold Durie, *Māori and the state: Professional and ethical implications for a bicultural public service*, in STATES SERVICES

in relation to government policy and practice,¹¹⁷ but data and systems do not exist to explain its dynamic function for Māori. While the enterprise-wellbeing nexus is a materially significant instrumentality for Māori entrepreneurs,¹¹⁸ an evidentiary base, which is housed within an Indigenous data infrastructure beyond the pragmatics of *whānau* enterprise is similarly absent.¹¹⁹ At best, data on Māori business and wellbeing exists in the relationships that Māori enterprises form with Māori people, wider Indigenous networks, and in the tribally administered registers of *iwi* members who also identify as business owners.¹²⁰ There are limitations that can be worked on, but the collaboration between an Indigenous people and an official statistics agency shows how this can be done in an inclusive and respectful manner.

Tatauranga umanga Māori focuses specifically on Māori data; that is, data for, from and about Māori and the places with which Māori have a connection.¹²¹ *Tatauranga umanga Māori* conveys positive stories about Indigenous people and provides a balanced perspective of Māori business performance. For example, *Tatauranga umanga Māori* data for 2020, sourced from the Business Operations Survey, showed that nearly 40 percent of Māori authority businesses were fully operational during the 2020 Covid-19 lockdown, almost double the proportion of all New Zealand businesses who were fully operational for the same period. Moreover, in 2020, Māori authorities exported around \$755 million worth of goods.¹²² *Tatauranga umanga Māori* estimated that in 2021, half of Māori

COMMISSION: PROCEEDINGS OF THE PUBLIC SERVICE SENIOR MANAGEMENT 23 (State Services Commission 1993); Carla Anne Houkamau & Chris G. Sibley, *Māori Cultural Efficacy and Subjective Wellbeing: A Psychological Model and Research Agenda*, 103 SOC. INDICATORS RSCH. 379 (2011).

¹¹⁷ Sacha McMeeking et al., *He Ara Waiora: Background Paper on the development and content of He Ara Waiora*, UNIV. OF CANTERBURY LIBR. (July 2019); See *Iwi Data Needs*, *supra* note 90; THE N.Z. TREASURY, HE ARA WAIORA: BRIEF OVERVIEW (2021).

¹¹⁸ Kiri Dell et al., *Māori Perspectives on Conscious Capitalism*, in THE SPIRIT OF CAPITALISM: CONTRIBUTIONS OF WORLD RELIGIONS AND SPIRITUALITIES 379 (Kiri Dell et al. eds., 2022).

¹¹⁹ See generally Rout, *supra* note 23.

¹²⁰ Ella Henry et al., *Indigenous Networks: Broadening Insight into the Role They Play, and Contribution to the Academy*, ACAD. OF MGMT. PROCS. (July 29, 2020); Jason P. Mika, *Māori Perspectives on the Environment and Wellbeing*, ACE CONSULTING (Dec. 23, 2021).

¹²¹ See generally *supra* note 9.

¹²² *Tatauranga umanga Māori – Statistics on Māori businesses: 2020 (English)*, STATS NZ (2021), www.stats.govt.nz/.../tatauranga-umanga-maori-statistics-on-maori-businesses-2020-english.

authorities acted in response to climate change in the previous two years, compared with a third of all New Zealand businesses.¹²³

There is an implied association between enterprise activity and wellbeing. The relationship is consistent with the notion of a Māori environmental economy, in which spiritual and socioecological balance between human and nonhuman entities is maintained by principles of reciprocity such as *manahau* and *tauutuutu*, but establishing it empirically is another matter. The hope is that frameworks for official statistics on Māori business activity such as *Tatauranga umanga Māori* and *Te Matapaeroa* might make this more feasible in time.

CONCLUSION

This paper set out to discuss how the process and outcome of a new definition of Māori business advances Indigenous aspirations for self-determination and wellbeing. The paper was set in the theoretical and material context of *te ao Māori*—the Māori world view, the relationship between Māori and the Crown under the Treaty of Waitangi, and Stats NZ as a key agency of the Crown. Stats NZ has produced Māori business statistics since 2014 under its framework known as *Tatauranga umanga Māori*. In 2021, Stats NZ initiated a review of the definition of Māori business for statistical purposes and did so in collaboration with Māori and other government agencies. The paper found that the provision of accurate, timely and relevant statistics about Māori, *iwi* and *hapū* is fundamental for the Crown and the public sector to meet their Treaty of Waitangi obligations to Māori. *Tatauranga umanga Māori* must also produce statistics that are culturally appropriate and contribute to better outcomes for *iwi* and Māori. Co-developing a Māori business definition with representatives of groups who will either be using the definition or are affected by it has been critical to ensuring the definition is well-received and consistent with Māori perspectives. The co-development process has also enabled Stats NZ to work collaboratively across government and other sectors, helping to contribute to a data system that is cohesive and supports Māori wellbeing.

The process and outcomes of the review of the Māori business definition seem consistent with the treaty principle of partnership and fostering the indigeneity

¹²³ *Tatauranga umanga Māori – Statistics on Māori businesses: 2021 (English)*, STATS NZ (2022), www.stats.govt.nz/.../tatauranga-umanga-maori-statistics-on-maori-businesses-2021-english/.

and instrumentality of Māori enterprise. The extent to which the new definition of Māori business, however, contributes to Māori wellbeing and Indigenous data sovereignty depend on whether and how the new data standard for Māori business is propagated through the official data system and results in effective process and policy outcomes. The imbalance in power between Māori and the Crown, which limits Māori control over Māori data is still to be resolved. Perhaps, there is merit in pursuing the establishment of a Māori chief data steward as *Te Kāhui Raraunga* propose.