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**ASSISTING INDIGENOUS STUDENTS TO SUCCEED:
LET'S START BY GIVING THEM A SAFE LEARNING
ENVIRONMENT**

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I INTRODUCTION

Law Schools use a number of different teaching and support methods to assist Indigenous students to ‘succeed’. As part of its commitment to bi-culturalism, Waikato Law School offers parallel Māori¹ perspective tutorials for all first year law courses². They have become an integral part of the Waikato Law School pedagogy.

Although all students have the opportunity to enrol and participate, it is mainly Māori students who attend these tutorials. These tutorials offer Māori students a safe environment to learn and communicate their ideas.

This article will focus on the effectiveness of Māori perspective tutorials in assisting Indigenous students to ‘succeed’. A brief explanation of how they work will also be produced. The rationale and worth of tutorials will be discussed along with analysis of the benefits of this teaching setting for Indigenous students’ learning. Discussion will also consider the benefits of these tutorials for lecturers.

II MĀORI PERSPECTIVE TUTORIALS – WHAT ARE THEY?

The Waikato Law School is committed to biculturalism and one way in which the School practices this commitment is by supporting Māori perspective tutorials. They are described in *School of Law Undergraduate Handbook 2006*³ as:

...tutorials intended for Māori students who feel more comfortable in a predominantly Māori learning environment.

The aim is to make available to students a supportive environment conducive to a fulfilling learning experience. That is a learning environment where the lecturer is

¹ The Indigenous peoples of Aotearoa / New Zealand.

² For information on the full Law programme at the Law School, University of Waikato, see <www.waikato.ac.nz/law> at 21 February 2007.

³ University of Waikato, School of Law, *School of Law Undergraduate Handbook 2006* <<http://www.waikato.ac.nz/law/info/documents/>> at 8 February 2007.

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Māori, Māori language can be spoken and Māori issues can be discussed in the safety of other Māori students.

The tutorial class numbers range from 20 – 35 students. It is not compulsory for Māori students to enter into the Māori Perspective tutorials but we have noted that 73.53 per cent of Māori students chose to be part of the Legal Systems Māori perspective tutorial in 2006, while 44.62 per cent of Māori students chose to be part of the Legal Method Māori perspective tutorial in 2006.⁴

When the tutorials were first set up in 1999 they were timetabled at times when they could fit into the then timetable. This had limited success. Since 2003 the tutorials have run in parallel with other tutorials in what are considered by students to be popular times. For example at 10.00am on Thursday, while I am taking the Legal Method Māori perspective tutorial a colleague is taking another tutorial.

It is stressed to the students that the content of coursework material they receive is no different to what is presented in other tutorials. Students can be assured that in terms of content, material and topics they are not at any disadvantage. It is also an assurance for the students not in the Māori perspective tutorials that they are not being disadvantaged.

This leads to the obvious question then of, if the content is the same and the material, readings and lecture notes are the same how are the Māori perspective tutorials different? A former student of mine, AJ Walker,⁵ asked me the question at the first class for a Māori perspective tutorial for legal systems, ‘What the hell is this Māori perspective tutorials stuff?’

⁴ In 2005 statistics show 43.66 per cent of Māori Students choose to be in the Legal Method Māori perspective tutorial, 61.76 per cent in the Law & Societies tutorial and 35.71 per cent in the Legal Systems tutorial.

⁵ It was with sadness that AJ Walker, passed away in 2004 not long after completing his Law and Management degrees. Moe mai e te hoa, e te rangatira.

To answer AJ's question it is important to think about what the tutorials are looking to achieve. It is a simple yet important purpose. The tutorials seek to make our Māori students safe. This was the original intention of the tutorials and remains the central purpose of the tutorials today.

III WHY DO WE HAVE THEM?

Much of the credit of the establishment of Māori perspective tutorials can be attributed to Ani Mikaere⁶. Leah Whiu⁷ in *Waikato Law School: An Experiment in Bicultural Legal Education* noted that as a result of Mikaere's observation and experience of the perpetration of racism by Pakeha students on Māori students and staff, Mikaere came to the conclusion that:

...for some purposes, Māori and Pakeha students would best be taught separately. For example, the material in legal systems on the usurpation of Māori law by Pakeha law should be taught to Māori students by Māori lecturers and to Pakeha students by Pakeha lecturers. This would enable Māori staff to employ their energies where they are most needed - amongst Māori students. ... It should not be the job of Māori staff to expose ourselves and our students to Pakeha students' racism and guilt.⁸

The establishment of a safe learning environment for Māori students was not only seen by Mikaere as an essential component of the Māori Law Students learning but also seen by students themselves as a requirement in their pursuit of a law degree. Whiu in her assessment of a student survey of students' views noted that it was obvious that students needed a safe environment.

These accounts of some of the participants' experiences at the Law School profoundly illustrate the need for this Law School to develop and implement

⁶ Ani Mikaere of Ngāti Raukawa ki te Tonga. Ani was a foundation Māori academic staff member at Waikato Law School.

⁷ Stephanie Milroy and Leah Whiu, 'Waikato Law School: An Experiment in Bicultural Legal Education' (2005) 8 (2) *Yearbook of New Zealand Jurisprudence* 206.

⁸ Ani Mikaere, 'Taku Titiro: Viewpoint Rhetoric, reality and Recrimination: Striving to Fulfil the Bicultural Commitment at Waikato Law School' (1998) 3(2) *He Pukenga Korero* 12.

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intervention strategies, which achieve at a bare minimum, a culturally safe learning environment that is free of racism.⁹

At an early stage of the life of the Waikato Law School it was identified by Māori students that a vital requirement to being a bi-cultural Law School¹⁰ was to provide an educational environment and experience in which Māori students feel safe. Whiu's assessment of a student survey of Māori students included the following:

The participants identified four major areas of difficulty with the practical manifestation of the Law School's bicultural objective. In summary, the Law School is failing to provide an educational environment and experience in which: Māori students feel safe; Māori students and staff are free from racism generated by Pakeha (or tauwi) students and staff; the use of te reo Māori (the Māori language) is promoted and actively supported by staff; Māori issues, values, aspirations, traditions and whakaaro (knowledge) can be freely discussed without denigration from Pakeha (or tauwi) students and staff ...¹¹

The assessment emphasises that the tutorials were also established to ensure students and staff were not exposed to racism. As stated above the purpose is simple in that it is to create a safe environment and protect students from various forms of overt and covert racism that are perpetuated against Māori students and staff as noted by Whiu in *Waikato Law School: An Experiment in Bicultural Legal Education*¹²

...people come here from other courses with a strict mindset and they become very argumentative and have this ideal or ideology that I guess they have inherited from their ancestors that they are superior people and that Māori fall into a second class status. I say that without reservation because it is so evident...within the Law School there are some lecturers who perhaps struggle to push those Māori values and Māori ideals in their lectures because it meets with opposition...there is definitely opposition at times from Pakeha students who in a huff get up and walk out of lectures at

⁹ Milroy and Whiu, above n 7.

¹⁰ See *Te Matahauariki: The Report of the Law School Committee* (1988).

¹¹ Milroy and Whiu, above n 7, 201.

¹² Milroy and Whiu, above n 7, 203.

times...we have to get rid of the racist element in lectures...the truth is the truth and if people cannot stomach the truth as its laid out to them, well tough. And if they have to be made aware that historically their ancestors were unkind in any way toward the indigenous people that were here, then for goodness sake they have to stomach that, they have to swallow that, and live with it...that's reality for me, I think there should be a part in the Law School, or a place in the Law School where that has to be taught openly

To this end the Māori perspective tutorials have been successful in providing learning environments free from racism.

IV HOW DO WE GIVE THE STUDENTS A SAFE LEARNING ENVIRONMENT?

A tutorial group made up of mainly Māori students in itself establishes a safe foundation for the students. In a Law School, which undertakes considerable discussion on Māori issues and topics, Māori students are safe to share their views with a Māori Lecturer and other Māori students. This is particularly important at first year where

Māori perspectives, concepts and traditions form an integral part of several of the compulsory papers, in particular Legal Systems, Law and Societies and Jurisprudence, and are acknowledged in several others.¹³

Māori perspective tutorials are effective because students are safe to agree or disagree on issues. Students do not have to have a view on an issue. Students are not expected to know everything there is to know about the Māori world.

From my own experience this is not always the case when in a class where Māori are the minority. As a student I recall being in a Legal Systems tutorial where the topic of discussion was the Treaty of Waitangi. Firstly I felt intimidated because it appeared that the majority of the class did not agree with my views on the Treaty. Secondly

¹³ University of Waikato, School of Law, *School of Law Undergraduate Handbook 2006* <<http://www.waikato.ac.nz/law/info/documents/>> at 8 February 2007.

there was an expectation from the Non-Māori students that when I spoke to the topic I presented 'the Māori' view. There was no recognition that I was in class learning along with others and was still developing my thoughts and ideas through my Māori lenses. I was not alone in these experiences. Another student remembers having similar experiences:

...there was a class we had, Public Law A or B...I was one of two Māori women in the group that were discussing an issue; there were 10 of us altogether. And there were a lot of questions fired at us two Māori women about the Treaty - what did we think? I just said that we were hard done by and one of the women said, 'Oh, come on, you Māoris get everything put on your plate. Why can't you just get over it? Why can't you just get up and get out of it? I was in a stink marriage for years and years and I got out of it'. And I said to her, 'That's the difference. You were able to get out of it'. And she said, 'Oh come on, you've got to just get up and help yourselves'. I was so angry. Fortunately after that tutorial, I ran into another Māori woman and I told her 'I have just been in a tutorial and I've just been attacked as a Māori woman'.¹⁴

There were many a time when the students or even the lecturer would turn to the three of us Māori in the class and ask 'What is the Māori view on that?' with an expectation that we knew everything there was to know about every topic that concerned Māori.

Further, there was an expectation that there is only one Māori view and there is little acceptance of various Māori views. In the end we felt it was not safe to disagree with other Māori students. This put us as Māori in a difficult and unsafe position of not being able to voice our views unless it was in agreement. If you did offer a different Māori or tribal perspective on a topic it was not uncommon to receive comments along the lines of 'those Māori can never agree'. Students making such comments had an unjustifiable expectation that there could only be one Māori view while freely allowing the fact that Non-Māori were allowed more than one view and did not always need to agree.

¹⁴ Milroy and Whiu, above n 7, 203.

A. These situations illustrate the various forms of overt and covert racism that are perpetuated against Māori students

To be a minority in a class is not safe. To be a minority in a class that expects you to know and carry the views of your people is unsafe. While I survived and at times thrived on being a minority, this was not the case for many of my fellow Māori students. The Māori perspective tutorials have been an effective way to address these problems noted here.

Having lectured in a number of tutorials including Māori perspective tutorials it is fair to say that the Māori perspective tutorials provide a unique learning environment. It is common with most tutorials that the first tutorial will be an opportunity for students to introduce themselves and get to know others in the class. Māori perspective tutorial introductions are commonly, but not always, conducted in te reo Māori (the Māori language). It is normal for Māori to introduce themselves with reference to their Iwi (Tribe) and/or Hapu (Sub-Tribe). Through introductions in this manner, students are able to make tribal connections and foster a sense of whānau (family). This is one important step towards setting up a safe learning environment for the Māori students.

The tutorials also give us as lecturers an opportunity to monitor Māori students' progress or non-progress. The ability to concentrate pastoral care to Māori students is easier when we are able to meet them at the weekly tutorials. We develop a better understanding of the students' needs and abilities and can make informed decisions about what interventions can be of most assistance. It is common for me to check about a student's whereabouts if he or she is not attending class. The students take it upon themselves to ensure their co-students are given messages and notes.

V CONCLUSION – HAVE THE TUTORIALS BEEN SUCCESSFUL?

Are the Māori perspective tutorials successful? Yes!

There is a substantial amount of Māori and Treaty content in a small number of

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courses, and a little Māori content in others. We also run Māori workshops and Māori tutorials in three mainstream courses; these tutorials and workshops have attracted a majority of Māori students and seem to have worked well.¹⁵

Whiu noted that students did see the Māori tutorials as a successful aspect of the Law School's commitment to biculturalism in stating:

The successful aspects of the Law School's bicultural commitment that the participants discussed included: the efforts, role modelling, support and services provided by Te Whakahiapo¹⁶, the Māori liaison coordinators, other Māori students and indigenous staff; and the Māori streams [tutorials] (although the participants considered that there should be Māori-only Māori streams [tutorials]).¹⁷

As has been discussed above the Māori perspective tutorials offer Māori students a safe environment, free from racism. They provide opportunities for Māori students to group with other Māori students and allow students to express their views on Māori and non-Māori issues. They don't have to agree with each other and don't have to speak on behalf of Māori.

The learning environment is set up to create student support for each other while allowing the Lecturers to monitor Māori students progress or non-progress and what intervention can be put in to assist the students.

I would like to think that the Māori perspective tutorials which are widely accepted at the Law School as 'normal' have gone some way to transforming the education system and most importantly have achieved the simple yet sometimes difficult purpose of giving our Māori students a safe learning environment. It's a start in assisting our indigenous students to succeed.

¹⁵ Stephanie Milroy, *Waikato Law School: An Experiment in Bicultural Legal Education* (A thesis submitted in fulfilment of the requirements for the Degree of Master of Laws at the University of Waikato 1996).

¹⁶ Te Whakahiapo is the Māori law students association at Waikato Law School.

¹⁷ Milroy and Whiu, above n 7, 201.