



Te Whare Wānanga
o Awanuiārangi

School of Indigenous Graduate Studies

Master of Indigenous Studies/ Master of Māori Studies



Special Topic Course/Paper – Full Year Offering 2026

IHI805 Special Topic (30 credits)

Course Type: Elective

Description: This course allows for a special area of study to be offered by a visiting lecturer or invited lecturer with a strong background in a given area of academic study. The lecturers for this course will be suitably qualified to the level of Masters. The offering of this option will depend on the availability of visiting lecturers. The visiting lecturer will develop a course outline directly related to their academic area of expertise in consultation with a designated representation of Graduate studies staff. Consideration also will be given to areas of valid demand identified among Masters students. This paper is a flexible course drawing on the experience and knowledge base of a recognised lecturer.

The special interest kaupapa for 2026 is research as a political activity for Indigenous researchers. **See specific Course Information below for the course being offered in 2026.**

Note: Apply to Enrol or Enquire on the Te Whare Wānanga o Awanuiārangi website



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IHI805

Mana Motuhake and Treaty-Making in the International Trade Space

Guest Lecturer: Emeritus Professor Jane Kelsey: Academic and Activist

Course Introduction

International free trade and investment agreements directly affect Mana Motuhake, Te Tiriti o Waitangi, and constitutional transformation. While Tino Rangatiratanga is usually discussed in the context of Aotearoa's internal power, international treaties—negotiated exclusively by the Crown through Royal Prerogative—can bind the country without parliamentary involvement. The Crown often claims this authority stems from The Treaty of Waitangi or kāwanatanga under te Tiriti, but Dr Moana Jackson notes that treaty-making is an inherent aspect of Mana Motuhake and Rangatiratanga—not something to be transferred to the Crown.

This course explores how free trade and investment agreements, based on Western capitalism and negotiated in secret, limit the Crown's ability to meet its Tiriti o Waitangi obligations unless specifically protected within the treaty. The rules can restrict policy choices, impacting Māori responsibilities and priorities in areas like mātauranga, te Taiao, climate, hauora, rongoā, food sovereignty, creative industries, foreign investment, and local economic support.

The course critically examines these issues to promote constitutional transformation at the international level.



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Emeritus Professor Jane Kelsey: Academic and Activist

Background and Academic Qualifications



Emeritus Professor Jane Kelsey (Pākehā) has dedicated over four decades to academic work and activism centred on Te Tiriti o Waitangi, as well as a critical examination of globalisation and neoliberalism. Her impressive academic background includes law degrees from Victoria University of Wellington, Oxford University, and Cambridge University, along with a PhD from the University of Auckland. She holds the title of Professor Emeritus at the Faculty of Law, University of Auckland.

Expertise in International Trade and Investment Agreements

Jane Kelsey is internationally recognised as a leading authority on international trade and investment agreements. Her work consistently highlights the ways in which these agreements can limit domestic policy choices and regulatory autonomy, particularly in relation to upholding Te Tiriti o Waitangi.

Contributions to Scholarship and Advocacy

Throughout her career, Jane has produced numerous academic articles and technical reports. She has spoken at international conferences, provided briefings and advice to governments and impacted sectors, and conducted training workshops on these issues for Māori, foreign governments, legislators, trade unions, and civil society groups.

Role in Waitangi Tribunal Inquiries

Jane Kelsey has delivered expert evidence for claimants in a range of Waitangi Tribunal inquiries. Notably, she contributed to the Tomokia ngā te Matangireia/Constitutional Kaupapa Inquiry (Wai 3300) and the Climate Change Inquiry (Wai 3395). From 2015 to 2021, she served as the claimants' expert in the Tribunal claim concerning the TPPA (Wai 2522). Mediation arising from that claim led to the creation of Ngā Toki Whakarururanga, an initiative dedicated to safeguarding Māori duties, responsibilities, rights, and interests, and to holding the Crown accountable for its obligations under Te Tiriti o Waitangi within the context of trade policy, negotiations, and agreements.

Current Focus and Future Plans

Jane Kelsey continues her technical work as a Pūkenga for Ngā Toki Whakarururanga, focusing on these important areas. Looking ahead, she is committed to training a new team of successors to continue this mahi, enabling her to retire in earnest.