

WHERE TO FROM HERE? CHARTING A WAY FORWARD FOR LANGUAGE AND EDUCATION POLICY IN AOTEAROA/NEW ZEALAND

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Abstract

The principle of cultural and linguistic homogeneity, upon which the organization of modern nation-states is predicated, is becoming increasingly hard to defend and maintain. At the demographic level, nation-states comprise (indeed, have always comprised) a variety of different cultural and linguistic groups. These include, alongside majority populations, indigenous peoples and other national minorities, as well as migrant communities. This long-standing demographic diversity has also increased markedly in recent times, particularly with patterns of increased migration and the forced relocation of refugees. These demographic changes have, in turn, placed increasing pressure on the public policies of nation-states which have historically been inimical to the public or formal recognition of cultural and linguistic diversity. As a result, nation-states are having to address more seriously the 'politics of multiculturalism' – that is, the degree to which the languages and cultures of so called 'minority' groups can be (or should be) accorded recognition in the public domain. This also necessarily involves addressing directly issues of bilingualism and multilingualism and their implications for language and education policy and practice.

This paper explores these broader debates in specific relation to Aotearoa/New Zealand which itself has seen a marked increase in migration, and attendant cultural and linguistic diversity, over the last ten years. Debates on multiculturalism, and their implications for public policy, are contentious enough in themselves, but are further complicated in Aotearoa/New Zealand by prior bicultural commitments to Māori. Can multicultural/multilingual commitments be extended without compromising, or undermining biculturalism? What are the specific implications of this potential dialectic between biculturalism and multiculturalism for the further development of language and education policy in Aotearoa/New Zealand? The paper will attempt to develop a set of general principles as a basis for moving these debates forward, drawing on discussions of language rights, and language planning and policy, as well as recent developments in international law. Specific implications for language education will also be discussed.

Introduction: Changing times

In the last 10-15 years, we have seen a marked change in the demographic composition of Aotearoa/New Zealand, with an attendant marked increase in ethnic, cultural and linguistic diversity. From a country that could still be described in 1990 as one of the most linguistically homogeneous in the world, with over 9 out of 10 of its then total population of 3.5 million people identifying as first

language speakers of English (Te Taura Whiri i te Reo Māori, 1995), we now see a significantly different picture emerging.

For example, in the 2001 census, 526,000, 1 in 7, or 15% per cent of the population identified as having some Māori ancestry. In addition, 232,000 people, 1 in 16 of the total population, identified themselves as Pasifika, nearly half of whom (115,000) were Samoan. Moreover, 6 out of 10 of these Pasifika peoples are New Zealand-born – that is, they are now second or third generation migrants (Statistics NZ, 2002a). Meanwhile, it is projected that the Asian population in New Zealand, which has for the first time overtaken the Pasifika population, will rise from its current numbers of approximately 240,000 to 370,000 by 2016 – an estimated 9% of the total New Zealand population (Statistics NZ 2002b).

The change in these wider population patterns has also resulted in significant changes to the presence of languages other than English and Māori in New Zealand, as well as to the numbers of speakers who do not speak English as a first language. In the 2001 census, 160,000 identified as Māori speakers, although the recent *National Māori Language Survey*, also conducted in 2001, suggests that there are only as few as 22,000 *highly fluent* Māori speakers, many of whom (73%) are 45 or older, with a further 22,000 with medium fluency levels.

Census projections in relation to other languages suggest that there are now over 100,000 speakers of Pasifika languages (80,000 of whom speak Samoan), approximately 95,000 speakers of the various Chinese languages, 50,000 speakers of languages from the Indian subcontinent, 20,000 speakers of Japanese, and 15,000 speakers of Korean, not to mention the 27,000 users of NZ Sign Language (Statistics NZ 2002c).

New Zealand may have taken longer than most to reflect the world-wide increase in demographic diversity within nation-states – the result, in turn, of a postcolonial history dominated by migration from Britain and other English-speaking countries (see Fleras and Spoonley, 1999; Pearson, 2000) – but it is now broadly typical of most other nation-states in this respect.

What also typifies it however, along with many other nation-states, is a basic unwillingness to accommodate this increased demographic diversity by any significant form of commensurate institutional recognition of the languages and cultures of these minority groups. Nation-states may well be increasingly diverse but institutional policies and practices are not. In other words, it is clear that, despite increasing demographic diversity, the imperatives of cultural and linguistic homogeneity continue to dominate the development and maintenance of public policy. Why is this?

Nation-states and the principle of homogeneity

Much of it has to do with the ways in which nation-states have historically been organised. In this respect, it is starkly apparent that one of the principal historical aims of nation-states, and nation-state organisation, has been the adoption of a common (usually singular) language to be used by all citizens in the civic or public realm (see May, 2000a, 2001). Now, this might appear unproblematic. After all, everyone needs a common language to communicate? But the problem is that the language adopted is invariably that of the dominant ethnic group (and thus is not really ‘common’ at all), while the process has almost always occurred specifically at the *expense* of other languages.

This singular, even obsessional pursuit of cultural and linguistic homogeneity within and by nation-states sees the deliberate elevation of a particular language variety as the chosen ‘national’ language and its subsequent colonisation of the public domain.

How does this occur? In two interdependent ways. One is via the *legitimation* of the chosen national language. Legitimation is understood to mean here the formal recognition accorded to the language by the nation-state – usually, by the constitutional and/or legislative benediction of official status. The other is by the *institutionalisation* of the language – probably the more important part – by which the language comes to be accepted, or ‘taken for granted’ in a wide range of social, cultural and linguistic domains or contexts, both formal and informal (Nelde, et. al, 1996; May, 2001). Both elements, in combination, achieve not only the central requirement of nation-states – cultural and linguistic homogeneity – but also the allied and, seemingly, necessary banishment of ‘minority’ languages and dialects to the private domain. In short, the distinction between national and minority languages is one created out of the politics of state-making, not – as we often assume – the other way around (Billig, 1995).

If the establishment of chosen ‘national’ languages is therefore a deliberate, and deliberative political act, it follows that so too is the process by which other language varieties are subsequently ‘minoritised’ or ‘dialectalised’ by and within these same nation-states. These latter language varieties are, in effect, *positioned* by nation-states as languages of lesser political worth and value.

Consequently, national languages come to be associated with modernity and progress, while their less fortunate counterparts are associated (conveniently) with tradition and obsolescence. More often than not, the latter are also specifically constructed as *obstacles* to the political project of nation-building – as threats to the ‘unity’ of the state – thus providing the *raison d’être* for the consistent derogation, diminution and proscription of minority languages that have characterised the last three centuries of nationalism.

As Nancy Dorian summarises it: ‘it is the concept of the nation-state coupled with its official standard language ... that has in modern times posed the keenest threat to both the identities and the languages of small [minority] communities’ (1998: 18). Florian Coulmas observes, even more succinctly, that ‘the nation-state as it has evolved since the French Revolution is the natural enemy of minorities’ (1998: 67).

Not surprisingly, this state-led ‘ideology of contempt’ (Grillo, 1989) towards minority languages has also contributed centrally to their significant and ongoing decline, as minority language speakers have shifted over time, and in exponentially increasing numbers, to speaking majority national languages as their first language (see Skutnabb-Kangas, 2000; May, 2001 for further discussion here).

The result of the pre-eminence of this organisational principle of cultural and linguistic homogeneity is that there are only a very few *formal* multilingual nation-states in the world today – the old multilingual states of Europe such as Switzerland and Belgium (and perhaps also Finland) being the most notable examples. Where English is the dominant language, the prospects of formal multilingualism become even more remote. In this respect, even nation-states such as Canada and Australia, who have adopted overtly multilingual policies in recent times, still continue to struggle to bring that multilingualism *effectively* into the public domain (see May, 1998a).

And those are the ‘best’ examples! Most western nation-states, despite sometimes formal policies to the contrary, tend still to adopt a broadly assimilationist approach to public policy (Churchill, 1986; Corson, 1998; Skutnabb-Kangas, 2000). Within education, we see this in ‘submersion’ or ‘sink or swim’ forms of (English) language education which – the development of Māori-medium education aside (see below) – is still the most common educational approach adopted in many New Zealand schools today, as it is elsewhere.

What are the alternatives to this culturally and linguistically homogeneous approach to public policy generally, and education in particular? Can we advocate a more multilingual approach? And on what basis might we be able to do so?

Principles for a more plurilingual approach

A good place to start is by questioning and critiquing the underlying social and political processes that have seen the unquestioned acceptance of the principle of cultural and linguistic homogeneity in the first place. In fact, a central weakness of much public policy, including language and education policy, is a failure to engage critically (if at all) with wider social and political conditions – and, crucially, their historical antecedents – that inevitably shape (and constrain) such policies and practices (cf. Woolard, 1998; Blommaert, 1999; May, 2000a b, 2001).

And there is another important reason to start with this wider context. If the distinction between national and minority languages is the result of a highly constructed social and political process, as I argue it is, and if the historical role of the nation-state has been central to it, as again I believe it has, then the only way that we can achieve any significant change in favour of a more multilingual or plurilingual approach to public policy is by rethinking the nation-state, particularly in relation to the traditional view of minorities within it.

It is here that I want to turn briefly to the areas of political theory and international law, in order to highlight the key principles that might be employed here.

Minority rights

As a result of developments in political theory – particularly through the work of Will Kymlicka (1989, 1995) – and in the evolution of international law, we can distinguish between two distinct types of minority groups within modern nation-states, and the different minority rights attendant upon each:

National minorities: who have always been associated historically with a particular territory, but who have been subject to colonisation, conquest, or confederation and, consequently, now have only minority status within a particular nation-state. These groups include for example the Welsh in Britain, Catalans and Basques in Spain, Bretons in France, Quebecois in Canada, and some Hispanic groups in the USA, to name but a few. They also include, crucially, indigenous peoples, who have increasingly been regarded in both international and national law as a separate category of peoples (see May 1998b, 1999a, 2001).

Ethnic minorities: who have migrated from their country of origin to a new host nation-state, or in the case of refugees have been the subject of forced relocation (cf. Castles 2000).

The distinction between the respective positions of national and ethnic minorities in modern nation-states can be illustrated by the terms ‘multinational’ and ‘polyethnic’. As Kymlicka observes of this, most states are actually a combination of the both:

obviously, a single country may be both multinational (as a result of the colonising, conquest, or confederation of national minorities) and polyethnic (as a result of individual and familial immigration). (1995: 17)

However, most countries are also reluctant, more often than not, to acknowledge this combination in their public policy. Thus, in so-called ‘immigration societies’, such as the USA, Canada and Australia, there is recognition of these countries’ polyethnicity, but an unwillingness to distinguish and accept the rights of national minorities such as Native Americans, Hawaiians and Puerto Ricans in the US context, Native Canadians and Québécois in Canada, and Australian Aboriginal peoples and Torres Strait Islanders in Australia. In some European states, however, the reverse applies, where the rights of

national minorities (in Belgium and Switzerland for example) have long been recognised but an accommodation of immigrants and a more polyethnic society has been far less forthcoming.

Recognising both dimensions, and the respective rights attendant upon them, is the central challenge for developing a more plurally conceived approach to public policy in modern nation-states. In this respect, Kymlicka argues that in addition to the civil rights available to all individuals, national minority groups can lay claim to what he terms 'self-government rights' and ethnic minorities to 'polyethnic rights' (see 1995: 26-33).

Self-government rights acknowledge that the nation-state is not the sole preserve of the majority (national) group and that legitimate national minorities have the right to equivalent inclusion and representation in the public domain, including the retention and representation of their language and culture where they so choose.

This clearly accords in the New Zealand context to the notion of *tino rangatiratanga* for Māori, and to the state's bicultural commitments to Māori under the Treaty of Waitangi, including here the retention and promotion of *te reo me tikanga Māori* within education and the wider public domain. The key in providing for such rights is their *permanent* status. They are not seen as a temporary measure or remedy that may one day be revoked (cf. Waitangi Tribunal, 1986; Hastings, 1988; Durie, 1998).

Polyethnic rights are somewhat different: they are intended to help ethnic minority groups to continue to express their cultural, linguistic and/or religious heritage, principally in the private domain, without it hampering their success within the economic and political institutions of the dominant national society. Like self-government rights, polyethnic rights are thus also seen as permanent, since they seek to protect rather than eliminate cultural and linguistic differences. However, their principal purpose is to promote integration *into* the larger society (and to contribute to and modify that society as a result) rather than to foster self-governing status among such groups.

Taken together, these two kinds of rights can be regarded as distinct but not necessarily mutually exclusive.

Language rights

How might these general principles be applied more specifically to the question of language rights and language and education policy (for a full discussion, see May, 2001)?

With respect to language rights, we can make a broad distinction between two types of rights: *tolerance-oriented* rights and *promotion-oriented* rights (Kloss, 1971, 1977; see also Macías, 1979).

Tolerance-oriented rights ensure the right to preserve one's first language in the private, non-governmental sphere of national life – the family, church, cultural organisations and private schools, for example. The key principle of such rights is that the state does 'not interfere with efforts on the parts of the minority to make use of [their language] in the private domain' (Kloss, 1977: 2). Under general principles of international law, and human rights, it is clear that *all* minority groups should be accorded these rights (see Skutnabb-Kangas, 2000).

The issues become more complicated though in relation to promotion-oriented rights which regulate the extent to which minority rights are recognised within the *public* domain, including here within state or public education. In other words, what obligation does the state have to promote or foster minority languages within state schools? And if the state does become involved in this, how can it set reasonable limits on who might be eligible for such language education?

This is where I believe the national and ethnic minority distinction applies. In other words, the state has a historical and territorial obligation towards national minorities, including indigenous peoples, to provide such language education *as of right* since such groups have always been associated with those particular territories. This principle is increasingly being adopted worldwide – Norway has provided this right for its indigenous Sámi people in the Northern Province of Finnmark, Canada for its Inuit peoples in the new province of Nunavut, and for the Québécois in Québec. Catalonia and Wales have likewise enshrined the provision of Catalan and Welsh medium education respectively, in law (see May 2001; Chs. 7 and 8).

It is somewhat more complicated for ethnic minorities, but there is a principle in international law that can be usefully applied here as well and that is the criterion 'where numbers warrant'. In short, there is

an increasing recognition within international law that significant minorities within a nation-state have a *reasonable* expectation to some form of state support, including educational provision in their first language (de Varennes 1996). In other words, while it would be unreasonable (and impractical) for nation-states to be required to fund language and education services for all minorities, it is increasingly accepted that where a language is spoken by a significant number within the nation-state, it would also be unreasonable not to provide some level of state services and activity in that language 'where numbers warrant'.

Canada adopts this criterion in relation to French speakers outside of Québec, via the (1982) Canadian Charter of Rights and Freedoms, while a similar approach is adopted in Finland with respect to first language Swedish speakers living there. India provides perhaps the best example of this principle in operation since the Constitution of India (Article 350A) directs every state, and every local authority within that state, to provide 'adequate' educational facilities for instruction in the first language of linguistic minorities where such numbers warrant, at least at primary school level. South Africa's establishment in 1994 of formal multilingualism in 11 state languages also has the potential to follow the Indian model in the provision of minority language education along these lines (see May 2001; Ch.5).

Implications for Aotearoa/New Zealand

In light of this, and by way of conclusion, what are the implications of such an approach for the ongoing development of public policy in Aotearoa/New Zealand, particularly in relation to language and education?

Māori as an indigenous people or national minority

As we well know, in Aotearoa/New Zealand there have been significant advances in the last 20 years concerning the revived status of te reo Māori - particularly within, but not limited to education. The 1986 decision of the Waitangi Tribunal to include te reo Māori as a 'taonga' under the Treaty's auspices, allied with the implementation of the 1987 Māori Language Act, have accorded Māori for the first time since colonisation with official language status within Aotearoa/New Zealand. Indeed, this stands as one of the *only* examples currently in the world where the first language of an indigenous people has been recognised as a state language. While there are other forms of indigenous language

recognition – for example, in relation to Sámi in Finnmark and Inuktitut in Nunavut – these are all at the regional level (see May 2001, Ch8 for further discussion).

But there are also significant limits to these developments. The Language Act does not extend the right to use or to demand the use of Māori in the public domain beyond the oral use of the language in Courts of law and some quasi-legal Tribunals (Benton, 1988). Similarly, while the rise of Māori language medium education *has* been spectacular, it still constitutes only a small percentage of the overall state provision of education in Aotearoa/New Zealand, even to Māori students, let alone all (Bishop and Glynn, 1999; May, 2002).

There is thus a very strong argument, given the rights of Māori as an indigenous people or national minority within international law, to the continued further support and expansion of these developments by the state – that is, to the ongoing primacy of *biculturalism* within Aotearoa/New Zealand generally, and the expansion of Māori-medium language education (and other forms of bilingual education) in particular. This is based on the rights of a national minority to maintain their language and culture in the same way that majority national groups are able to maintain theirs' since, as Will Kymlicka observes: leaving one's culture [and language], while possible, is best seen as renouncing something to which one is reasonably entitled' (1995: 90).

Biculturalism can thus be described by another term employed by Kymlicka – as a form of 'external protection'. What external protections presuppose is the opportunity and right of ethnic or national minority groups to seek to protect their distinct identity by limiting the impact of the decisions of the larger society. External protections are thus intended to ensure that individual members are able to maintain a distinctive way of life *if they so choose* and are not prevented from doing so by the decisions of members outside of their community (see Kymlicka, 1995: 204. n.11), particularly when the latter are in the numerical majority, as is (now) the case with Pākehā in Aotearoa/New Zealand. The historical fact that a distinct Māori identity, language, and culture originate only in Aotearoa/New Zealand, and that should they be lost, they will be lost to the world, both add significant further weight to this right to external protection.

Ethnic minority groups in Aotearoa/New Zealand

But what of ethnic minority groups in Aotearoa/New Zealand – where do they stand in all this? Can they be accorded *multicultural* (or polyethnic) rights which allow for the greater recognition and maintenance of their first languages and cultures in such a way as not to undermine prior (and pre-eminent) bicultural commitments to Māori? I believe they can.

That said, we have a considerable way to go in even addressing this issue, let alone accomplishing it, since such groups in Aotearoa/New Zealand – notably Pasifika and Asian migrants, and refugees – have barely been accorded any distinct minority rights thus far at all. For example, at present, the language and education provision for such groups in their first languages remains extremely limited, the result largely of the predominance of English in Aotearoa/New Zealand and, the re-emergence of Māori aside, the ongoing valorisation of English as both the pre-eminent national and international language (cf. Phillipson, 1992; Pennycook, 1994, 1998; Holborow, 1999).

A more accommodative viewpoint *has* been advanced in recent years, recognising a responsibility (and need) for more active state support of the first languages of other ethnic minority groups, particularly within education. Thus, the New Zealand Ministry of Education has since the mid-1990s begun to look more seriously at the maintenance of Pasifika languages within Aotearoa/New Zealand, and is currently in the process of belatedly but actively exploring the issues and possibilities around Pasifika bilingual education. This is in accord with their assurance in 1996 that ‘students whose mother tongue is a Pacific Islands language or a community language will have the opportunity to develop and use their own language as an integral part of their schooling’ (1993: 10).

In this respect, Māori-medium education appears to have provided a template that other minority groups are moving increasingly to adopt (cf. Bishop & Glynn, 1999), as seen for example in the nascent emergence of comparable Pasifika preschool language nests (modelled on Te Kōhanga Reo).¹ At the very least, such developments indicate that the promotion of Māori-medium education need not be at the expense of other ethnic minority groups in Aotearoa/New Zealand *and, crucially, vice versa* – that prior bicultural commitments should not be seen as problematic in relation to multiculturalism,

because they involve fundamentally different entitlements. Indeed, such developments may well be instrumental in facilitating the latter's expansion along comparable lines, albeit not on the same basis of entitlement, given the specific status of Māori as an indigenous people.

Which brings me to my final point – what should the basis of entitlement be for migrant ethnic groups in this respect? Quite simply, and drawing on my earlier discussion of international law, 'where numbers warrant'. Given the statistics that I outlined at the beginning of this paper – both concerning the increasing numbers of ethnic minorities in Aotearoa/New Zealand, and the related increase in the number of first language speakers other than English and Māori – this is an important criterion of minority rights and language rights that we need to begin to address here much more seriously than we have hitherto.

Note: This article is based on a plenary presentation given at the CLESOL 2002 conference.

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