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**HE WAKA HOURUA,  
HE WAKA EKE NOA:  
EVOLVING MANAGEMENT AND  
GOVERNANCE FOR KAIPARA MOANA**

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A thesis submitted in fulfilment of the requirements for the degree of Master of  
Science in Environmental Management, The University of Auckland, 2015



He mihi maioha ki tōku whanau, ki aku hoa hoki.  
Tēnei te mihi kau ana ki a koutou tautoko ki a au i tēnei mahi.

This thesis is dedicated to my family and friends who have supported me  
during this journey,  
I couldn't have made it without you. Thank you for believing in me and  
encouraging me. Arohanui ki a koutou katoa.  
Lara.

Ko Te Arawa te waka  
Ko Waikato te awa  
Ko Paeroa te maunga  
Ko Ngāti Tahu te iwi  
Ko Ohaki te marae  
Ko Lara Taylor ahau

This thesis investigates the evolving natural resource management and governance (NRMG) for the Kaipara Moana, in northern Aotearoa. I employ postcolonial theory (PCT) to consider Indigenous peoples' acts of colonial resistance and tribal resurgence within this specific place and time. I utilise a postcolonial framework comprised of Bhabha's concepts of ambivalence, mimicry, hybridity and third space as well as Spivak's concept of strategic essentialism to explore the agency of two Ngāti whātua hapū – Te Uri o Hau and Ngāti Whātua o Kaipara – in initiating and participating in NRMG. These concepts enable the research to explore beyond the binary Indigenous versus non-Indigenous thinking to consider the nuances that occur within hybrid realities. I deconstruct colonial discourse, examining the relations between power, knowledge and agency, to resist and challenge imperialism. By utilising PCT and taking a 'catchment' scale approach this research characterises the various discourses at play as a legacy of colonialism and the postcolonial complexities associated with NRMG within, and associated with, this locale. My key research question asks: To what extent does Integrated Catchment Management address mana whenua rights to assert rangatiratanga over their environmental resources and taonga?

The research finds that integrated catchment management (ICM) offers potential opportunities for Māori to re-negotiate their role in NRMG, and that iwi-led ICM offers potential for cultural revitalisation and empowerment. However in the case of Kaipara Moana this potential is undermined by a lack of appropriate overarching bicultural governance. The research reveals the ambivalence of the colonial state in the Kaipara and the fragility of its assumed positional superiority within NRM. It is suggested that non-statutory arrangements fail to ensure the commitment necessary for successful outcomes, instead providing a façade for colonial governments to merely appear responsive. New Zealand's Resource Management Act (1991) is shown to be ineffective in supporting ICM, because cultural imperatives are given less weight than economic imperatives. Small triumphs in Indigenous attempts to reconcile themselves with other local actors in multicultural realities, against a backdrop of ongoing Treaty settlements, and to provide for their own social wellbeing and empowerment, are proven to be real and significant. However, ICM, in and of itself, is unlikely to provide for self-determination to the fullest extent.

This research is timely, as current policy reforms such as the National Policy Statement for Freshwater Management (NPSFM) (2014) and Treaty of Waitangi settlements are placing greater emphasis on Māori rights and interests in NRMG. The NPSFM also recommends collaborative ICM-based implementation of fresh water management to meet the national level requirements. It is concerning though, that the NPSFM lacks any explicit implementation mechanism to ensure Māori rights and interests are met, meaning there is a similar risk that the NPSFM could also be ineffective. In this context it is highly relevant to be gauging a real-life ICM case and even more so, one that is iwi-led and to which the Treaty partnership is a

fundamental principle.

Key words:

Indigenous rights and interests; Rangatiratanga; Natural resource management; Governance; Integrated catchment management; Ngāti Whātua, Treaty of Waitangi/te Tiriti; Treaty partnership; Multiple stakeholder platforms; bicultural kaupapa; mātauranga Māori

Title:

For the purposes of this research the Māori title “He waka hourua, he waka eke noa” is interpreted as ‘a waka with two hulls bound by a common kaupapa’. The notion being that while Indigenous and non-Indigenous peoples may be willing to get into the same waka and integrate where necessary, for example sharing a vision, objectives and desired outcomes, they also maintain separate hulls to preserve and advance the knowledges, institutions and practices of each culture.

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Ngā mihi nui ki a koutou katoa!

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<sup>1</sup> Please note that these whakataukī remain the intellectual property of Ngāti Whātua and should not be used without their explicit permission.

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*Glossary of Māori Terms*

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Atua = God	Rangatira = High ranking, chiefly, noble, esteemed
Awa = River	Rangatiratanga = Chieftainship, right to exercise authority, chiefly autonomy, chiefly authority, ownership, leadership
Hapū = Sub-tribe	Rāhui = To put in place a temporary ritual prohibition, closed season, ban, reserve
Hīkoi = Walk, Journey	Rohe = Territory
Hui = Meeting	Taonga = Anything treasured
Iwi = Tribe	Tauranga waka = Resting place, anchorage
Kaitautoko = Supporter, advocate	Te reo Māori = Māori language
Kanohi ki te kanohi = Face to face	Tika = Be correct, true, just Tikanga = Correct procedure, custom, protocol
Karakia = Prayer	Tohunga = skilled person, chosen expert, priest, healer
Kaumātua = Elderly male	Tupuna = Ancestor, grandparent
Kaupapa = Topic, programme, theme	Turangawaewae = Place of standing, belonging through kinship and <i>whakapapa</i>
Kuia = Elderly female	Waiata = song
Kawa = Protocol	Whakaaro = thought, consideration, idea
Koha = Gift	Whakapapa = Genealogy, lineage, descent
Mātauranga = Knowledge	Whakataukī = Proverb
Mamae = Pain	Whānau = Family
Mana = Prestige, authority	
Mana Moana = Authority over the sea and lakes	
Mana Whenua = Territorial rights, power from the land, authority over land	
Manaakitanga = Process of showing respect, generosity and care for others	
Mauri = Life principle, vital essence	
Mihi = Speech of greeting, acknowledgement, tribute	
Pūtea = Fund, finance	

Definitions are provided from:  
Moorfield, J.C. (2011) *Te Kakano* (3<sup>d</sup> edition), Pearson Education New Zealand.

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*Abbreviations*

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BA = Boundary Agent  
BO = Boundary Organisation  
ICM = integrated catchment management  
IKHMG = Integrated Kaipara Harbour Management Group  
IWRM – Integrated water resource management  
KM = Kaipara Moana  
KHJPC = Kaipara Harbour Joint Political Committee  
LGA = Local Government Act  
MOU = Memoranda of Understanding  
MSP = multiple stakeholder platform  
NPSFM = National Policy Statement for Freshwater Management  
NW = Ngāti Whātua  
NRC = Northland Regional Council  
NRM = natural resource management  
NRMG = natural resource management and governance  
PCT = postcolonial theory  
RMA = Resource Management Act  
TUoH = Te Uri o Hau



# Chapter One: Rangatiratanga and Integrated Catchment Management

*Ko te toka i Akiha, he toka whitianga ra; ko te toka i Mapuna, koia tau e titiro ai, ko te ripo.  
The rock at Akiha is a rock the sun shines on; the rock at Mapuna, all you can see is an eddy.*

## 1.1 Research Rationale

This thesis utilises postcolonial theory (PCT) to investigate the potential of integrated catchment management (ICM), considered to be very inclusive, holistic and empowering to local actors, to transcend its neo-colonial origins to embrace Indigenous knowledge and management systems.

'Toka' represent rocks, especially in the form of reefs, islets and shelves around the northern coasts. Under the water they provide shelter for all kinds of fish, shellfish and crustaceans. The whakataukī which begins this chapter describes two toka in the Hokianga Harbour: one which can be seen rising above the water line, exposed to the sun, the other submerged and marked only by a ripple. There are a number of commentaries relating the significance of that space of that place. The regarded tupuna Tohe, travelled from Spirits' Bay to Hokianga on his way to visit his daughter Rāninikura in Ngāti Whātua. Swimming across Hokianga he found only one uncovered rock, Akiha, to rest upon.

ICM is championed nationally and internationally as an approach to sustainable resource management from a catchment perspective that has the ability to address 'wicked problems' of land and water management and governance (Memon, Painter et al. 2010:35). ICM is contrasted with piecemeal approaches that artificially separate land management from water management. ICM initiatives enable the integration of multiple perspectives and are based on partnerships and collaboration. Arguably, ICM initiatives are more responsive to increasing demands from local level actors for greater involvement in NRM. However, critics (e.g. Watson 2014, Cook 2014, Butterworth, Warner et al. 2010) propose that ICM is overly ambitious, too difficult to implement effectively, and inadequate for addressing Indigenous peoples' aspirations for self-determination due to its multiple stakeholder nature. Collaboration tends to mean the compromise of interests and concerns of the various participants, which reduces the ability for Indigenous peoples to assert their interests and ensure that those are addressed. It is suggested that non-statutory arrangements fail to ensure the commitment necessary for successful outcomes, instead providing a façade for colonial governments to merely appear responsive.

Neoliberal technologies of governing, which emphasise decentralised, de-regulated and devolved approaches to natural resource management (NRM) underpin ICM. These approaches are not necessarily regressive, and this research suggests that ICM offers potential opportunities for Māori to re-negotiate their role in NRMG. Effective ICM needs to be contextualised and empowering for all actors, addressing underlying issues that produce 'unfavourable conditions' (Faysse 2006, Cullen, Tucker et al. 2014). Literature suggests that more commitment and effort is required, focused on (re)envisioning institutions and practices that will enable equitable and innovative NRMG (e.g. Gibbs 2014, Salmond, Tadaki et al. 2014). In this research, I use a postcolonial theory (PCT) analysis of the involvement of Indigenous peoples in ICM, this enables me to begin to understand and analyse discourses and power relations within natural resource management and governance (NRMG), particularly in relation to tribal claims to rights and responsibilities over resource use and management within



their own traditional territories (Reimerson 2012). Postcolonialism (like colonialism) is in a constant process of change and postcolonial experiences vary across postcolonial societies and even within a single society (Mishra, Hodge 1991). In this thesis, I will demonstrate how PCT provides an in-depth analysis of colonial discourses, power relations between the coloniser and the colonised, and the nuances of NRM in heterogenous post-settler societies.

I am particularly interested in postcolonial concepts inspired by Edward Said (1978) whose influential work on Orientalism resulted in the development of colonial discourse theory. Subsequent works by critics includes Gayatri Spivak (1988), who conceptualised strategic essentialism, and Homi K. Bhabha (1994) who popularised PCT concepts of ambivalence, mimicry, hybridity and third space. Bhabha's notion of ambivalence builds on Said's earlier conceptualisations of binaries and discourses of stereotypes and othering. Bhabha's work transforms PCT from retrospective evaluations of colonial discourse and its effect on the postcolonial state to a more prospective view of Indigenous resurgence implicit in third spaces, interstices and enunciatory moments (Coombes, Johnson et al. 2012). The third space is a particularly powerful concept that provides a nuanced interpretation of the opportunities and dangers associated with attempts to destabilise western hegemony, providing a theoretical instrument to consider postcolonial possibilities of alliance-building, responsible co-existence and autonomous care. These are the principal concepts informing this research.

This thesis focuses on one particular catchment in Kaipara, in the northern part of New Zealand. By utilising PCT and taking a 'catchment' scale approach this research characterises the various discourses at play as a legacy of colonialism and the postcolonial complexities associated with environmental management and governance within, and associated with, this locale. Through contextualising postcolonial experiences of ICM within a specific time and place, I gently refute criticism that PCT is homogenising and lacking in historical specificity (Shohat 1992 cited in Reimerson 2012). Instead, I suggest PCT theory allows the researcher to undertake a useful analysis of regressive aspects of ICM and to juxtapose these with the progressive potential of ICM for Indigenous peoples within a particular context. Therefore, PCT is used in this thesis as a tool for understanding and exposing historical power relations and effects of colonialism, analysis which is valuable in a world that continues to be characterised by western hegemony (Johnson 2008, Barry, Porter 2012) while simultaneously considering Indigenous alternatives and community solutions that are typically dismissed as naively localist, separatist or outmoded (Coombes, Johnson et al. 2012).

This research responds to calls for more careful critiques of 'allegedly progressive cases' that consider potential causes for celebration but are also attentive to possible 'limits to their capacity to transcend colonial relations' (Coombes, Johnson et al. 2012:1-2). The ambivalence of the colonial state in the Kaipara community and the fragility of its assumed positional superiority within NRM are revealed. Small triumphs in Indigenous attempts to reconcile themselves with other local actors in multicultural realities, and to provide for their own social wellbeing and empowerment, are proven to be real and significant. This finding affirms postcolonial literature that contends the progressive potential of postcolonial strategies and geographies of hope. The research is carried out in recognition that the past lives on in the present, and those possibilities are born of contradiction, messiness and historical influence. Me hoki whakamuri, kia ahu whakamua, ka neke – In order to improve and move forward we must reflect back to what has been.

## 1.2 Research Question, aims and objectives

Using PCT, my overarching research question interrogates the opportunities and challenges for Indigenous peoples to assert their rights to self-determination in postcolonial NRMG realities – contextualising this within a specific New Zealand context:

- To what extent does ICM address mana whenua rights to assert rangatiratanga over their environmental resources or taonga?

I use the following key aims to guide my research:

- Examine whether iwi-led ICM provides a platform to advance rangatiratanga.
- Investigate if ICM can be employed as a mechanism to mediate cross-cultural relations between Māori and non-Māori people.

To address my key aims and overall research question I use these four objectives to direct my research.

1. Understand mana whenua rights and interests for the Kaipara Moana<sup>2</sup> in order to explore how these are mediated by and/or are influencing current management and governance approaches.
2. Comprehend how NRMG is understood and enacted across regional and tribal boundaries and how this is evolving.
3. Explore alliance-building of a particular ICM group in forming relationships between and amongst Indigenous peoples and stakeholders and how this affects the outcomes of NRMG and the realisation of mana whenua rights and interests.
4. Consider how this group may evolve with future political and governance changes.

## 1.3 Using rangatiratanga as a framework

In this research, I focus on the concept of Tino rangatiratanga because this expression is associated with chieftainship and its relationship to taonga (anything treasured). *Rangatiratanga* derives from *rangatira* meaning chief, denoting paramount or chiefly authority, while the intensifier 'tino' provides further emphasis to this powerful concept (Maaka, Fleras 2005:101). Definitions, scope, practices and locus of rangatiratanga are expansive<sup>3</sup>. The term is often denoted as meaning Māori sovereignty, Māori nation, absolute chieftainship, self-determination, self-management, and trusteeship (refer Maaka, Fleras 2005:102). It should be noted though, that there is no succinct or definitive Pākehā equivalent of rangatiratanga and that the scope of this thesis prevents an extensive representation of contextual definitions (scope, practices and locus of rangatiratanga).

My thesis provides an understanding of rangatiratanga as it relates to spaces of engagement for NRMG between Māori and the Crown (and its associated institutions). Within such spaces notions of power, control,

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<sup>2</sup> The name 'Kaipara Moana' is used rather than Kaipara Harbour in this research because that is the name used by Ngāti Whātua, as recorded in the Kaipara Moana Framework Agreement 2014 between the iwi and the Crown (Office of Treaty Settlements 2014).

<sup>3</sup> For a fuller discussion refer Maaka and Fleras 2005:101-102.

sharing and authority can be assumed from the common themes depicted in the various explanations and have both historical and contemporary relevance (Durie cited in Belgrave et al., 2005:6). In this sense, *rangatiratanga* refers to Indigenous assertions of governance and authority over environmental resources and taonga. I approach *tino rangatiratanga* as meaning Indigenous rights and assertions to self-determining autonomy or *rangatiratanga* in its fullest extent. This interpretation acknowledges the use of the phrase ‘*rangatiratanga*’ in Te Tiriti<sup>4</sup> and recognises the parallel authorities of Māori and the Crown over their respective nations, which the Waitangi Tribunal (2011:1-2) recognises as a partnership. When understood in the NRM context, this Treaty partnership enables the Crown the ability to write policies and legislation which control NRM, use and development. But simultaneously the Crown must protect the authority of iwi and hapū to their taonga to allow them to fulfill their obligations as kaitiaki.

In complex socio-political contexts of today, some critics contend that opportunities to exercise *tino rangatiratanga* may depend on the level of recognition of the Treaty by the Crown in various legislation and policy (Kawharu 2002:3). Within this context, Māori assertions of *rangatiratanga* may be curtailed, or enabled, by the willingness of Crown institutions and others to work with Māori in environmental decision-making. This illustrates the erosion of one of the most important guarantees made in Te Tiriti (Tuarua), that Māori would retain unqualified exercise of *tino rangatiratanga* – chiefly authority and control over their resources and taonga (Stephenson, Kawharu 2002:170).

Seminal Māori theorist Linda Tuhiwai Smith contends that there are a range of subtle Indigenous initiatives and cultural revitalisation projects being advanced alongside explicit political protests (Tuhiwai Smith 2012:113). Key cultural concepts such as *tino rangatiratanga* (other examples include iwi, hapū, te reo Māori and tikanga) have become part of a ‘purposeful dream’ (Tuhiwai Smith 2012:113) – a way of coming together on Māori terms. The Treaty of Waitangi (the Treaty) provides an overarching, organising framework for dialogue between Indigenous Māori and the dominant powers in New Zealand society and government. For this research, the Treaty and *rangatiratanga* provide a framework within which to deconstruct the power dynamics between Māori and the Crown within an ICM context.

Pertinent to this research, is the potential for *rangatiratanga* to be expressed in various ways – sometimes through relatively independent means such as Kura Kaupapa Māori (Māori medium schools); sometimes through acts of civil disobedience that subvert the system itself; and other times by working within the system, such as capitalizing on opportunities for Māori representation in state institutions. This becomes important in my findings when I consider ways that Māori may have expressed their *rangatiratanga* within the particular ICM context. The significance of the ability to enact *rangatiratanga* in different ways, depending on the context and environmental conditions, is that each exercise of *rangatiratanga*, subtle or not, can contribute towards colonial resistance and assist mana whenua to advance the interests of their people or themselves, following their own tikanga and māturanga.

#### 1.4 Exploring integrated catchment management in Kaipara Moana

Within this research, I investigate ways that Indigenous are asserting their agency and progressing tribal self-determination. It will be revealed that iwi-led ICM offers potential for cultural revitalisation and empowerment,

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<sup>4</sup> ‘Te Tiriti’ refers to the Māori language version of the Treaty of Waitangi.

however in the case of Kaipara Moana this potential is undermined by a lack of appropriate overarching bicultural governance. However, ICM, in and of itself, is unlikely to provide for self-determination to the fullest extent.

My research responds to calls in ICM literature for:

...improved social understanding of catchment governance focused on context, perceptions and interrelationships amongst and between user groups, communities, regulators and other stakeholders, and the environments, from place-based, multi-scalar perspectives (Memon, Painter et al. 2010:36).

My evaluation will be based on observations of the ways in which rangatiratanga has been supported, or not, in a particular ICM approach led by Te Uri o Hau and Ngāti Whātua o Kaipara in the Kaipara Moana catchment. The Integrated Kaipara Harbour Management Group (IKHMG) is an appropriate case study because it has a distinct postcolonial context. Following Te Uri o Hau Claims Settlement Act 2002, Ngā Kaitiaki Tai Ao o Kaipara<sup>5</sup> and Te Uri o Hau Settlement Trust tribal elders led the establishment of the IKHMG in 2005 (IKHMG 2011). There was strong support from other Ngāti Whātua and wider communities who were concerned about restoring and protecting the mauri of the KM and improving ecosystem health. The group is recognised as the vehicle<sup>6</sup> to implement obligations between Ngāti Whātua ki Kaipara hapū and Memorandum of Understanding partners under Treaty of Waitangi Settlement obligations in particular giving effect to kaitiakitanga and hapū management plans. The collaborative, non-statutory group consists of iwi, communities, Crown agencies and local government agencies, and other stakeholders with interests in the Kaipara. In comparison to ICM approaches examined by literature internationally, this initiative is Indigenous-led and is underpinned by a Treaty-based bicultural kaupapa, equally informed by both mātauranga Māori (Māori knowledge systems) and western science.

ICM encompasses ideals of devolution and decentralisation from government to the local scale. Taking a postcolonial critique allows me to interrogate the challenges for Indigenous peoples of participatory, collaborative, non-statutory approaches to NRM of shared resources. Deconstructing this approach also reveals spaces of opportunity for Indigenous to assert rangatiratanga and progress tribal wellbeing and empowerment.

The rangatiratanga framework is an important element of this research, because it gives a signal to iwi/hapū whether it is worth pursuing this kind of arrangement in the future. The rangatiratanga framework allows readers to see the possible implications of the ICM approach for issues of power, leadership, empowerment and Indigenous rights and interests.

I consider that this research is increasingly relevant as current policy reforms and Treaty settlements are placing greater emphasis on Māori rights and interests in NRMG, providing more hope that future NRMG will meet (and go beyond) Treaty obligations. The National Policy Statement for Freshwater Management (NPSFM) contains increased recognition of the significance of iwi and Treaty partnerships and encourages a flexible approach that acknowledges and makes space for a post-Treaty settlement society (Ministry for the Environment 2014). The

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<sup>5</sup> Ngā Kaitiaki o Tai Ao is the joint leadership group between hapū, marae o Ngāti Whātua, Te Uri o Hau and Ngāti Whātua o Kaipara (IKHMG 2011:43).

<sup>6</sup> The IKHMG is led by the Te Uri o Hau Settlement Trust through its Kaitiaki Unit the Environs Holdings Trust and is co-Chaired with Ngāti Whātua Ngā Rima o Kaipara (IKHMG 2011:10).

NPSFM also recommends collaborative ICM-based implementation of fresh water management to meet the national level requirements. In the context set by the government and NPSFM, it is timely to be gauging a real-life ICM case and even more so, one that is led by iwi and to which the Treaty partnership is a fundamental principle.

## 1.5 Chapter outline

In this chapter I have drawn attention to the theoretical and empirical need for further investigation of the particular context, perceptions, and interrelationships amongst and between Indigenous and non-Indigenous peoples engaged or associated with a specific ICM approach. I introduced the central strands of this research: understanding mana whenua rights and interests in NRMG and the challenges and opportunities presented by ICM; the effect of Treaty settlements on the role of mana whenua in NRMG; the intersubjectivities of cross-cultural relations between various actors at catchment and sub-catchment scales and more broadly – and whether ICM provides a mechanism to mediate relations between Māori and non-Māori; and the future direction of management and governance for the Kaipara Moana. Exploration of these themes will help me to address my key research question: To what extent does ICM address mana whenua rights to assert rangatiratanga over their environmental resources or taonga?

I engage several key postcolonial concepts to conduct my evaluation and respond to my research question, aims and objectives. In Chapter Two, I consider early deconstructions of colonial discourse informed by Edward Said (1978) which focus on exposing the creation of representations of colonial subjects. Constructions of unhelpful superior/inferior binaries enabled western colonisers to assume positional superiority over Indigenous peoples and further discourse of stereotyping and marginalization assisted the colonial cause. However, postcolonial concepts of ambivalence, hybridity, mimicry owed principally to Homi K. Bhabha (1994), reveal ways to destabilise the west's assumed superiority and negotiate alternative power dynamics. The third space is a particularly powerful concept that provides a nuanced interpretation of the opportunities and dangers associated with such attempts to destabilise western hegemony.

In Chapter Three I employ PCT to critique ICM. The neoliberal foundations of ICM are deconstructed not only to expose the challenges, but also potential inconsistencies and contradictions, associated with deregulation, localisation and devolution. The socio-political construction of ICM reveals multi-scalar relations that influence the ways in which management is undertaken and by whom. Institutions and structural arrangements also influence the potential for various participants to be engaged (or not). Opportunities, or lack of opportunities, for Indigenous knowledge to be applied on-the-ground in ICM is an example of entrenched power inequities inherited from colonisation and continued marginalisation and subordination of Indigenous knowledge in contemporary NRM. However, by interrogating these aspects through a specific case study, I will be able to assert that ICM and colonial discourse are not homogenous across all places and time.

In Chapter Four, the contextual and methodological basis for this research is outlined. Placing the IKHMG within its broader national and regional context provides a foundation to interpret and interrogate the findings of this research in Chapters Five and Six. In addition, I begin to integrate my personal journey into the development and conduct of this research. The research methodologies and process took a culturally sensitive approach concerned with positionality, cross-cultural research, and ethical conduct. This chapter explains that substantial scoping was undertaken prior to the research to ascertain whether such research was of interest and potential

value to mana whenua in this area. Once the Acting Chief Executives of both hapū affirmed this, I employed a qualitative approach to investigate how the IKHMG can contribute to understandings of ICM and postcolonial understandings of Indigenous involvement in NRM and governance. Semi-structured interviews were analysed through discourse analysis, enabling the examination of the underlying assumptions and discourses that permeate discussions around ICM.

This thesis is structured to provide a sensible framework to deconstruct claims-making associated with ICM, enabling an assessment of the ways that ICM can contribute to the decolonisation of local and perhaps central management and governance. It is hoped that the findings in this research will contribute to meeting the theoretical and empirical needs identified in the postcolonial and ICM discourse literature. And, most importantly, provide some insight and considerations for whānau, hapū and iwi engaged or engaging in ICM and wider collaborative agendas, as well as insight and learnings for central and local government agencies and others with natural resource management and Treaty partnership responsibilities.

## Chapter 2: Postcolonial Theory

*Kia ū ki tōu kāwai tupuna, kia matauria ai, i ahu mai koe i hea, e anga ana hoki koe ki hea.*

*Trace out your ancestral stem, so that it may be known where you come from and where you are going.*

### 2.0 Introduction

The purpose of this research is to investigate the potential of integrated catchment management (ICM) in advancing Indigenous rangatiratanga in a postcolonial society. The following chapter sets out the underpinning postcolonial theoretical context of this research. The following chapter will provide a postcolonial critique of the potential for Indigenous peoples to assert self-determination within an ICM context. Postcolonial theory (PCT) will be utilised as the critical framework by which to examine the involvement and potential empowerment of Indigenous peoples in natural resource management (NRM).

PCT is drawn on to analyse power relations within NRM and governance (NRMG) in a New Zealand Treaty settlement and post-Treaty settlement context. The research employs concepts drawn from critical works of postcolonialism to first reveal ongoing legacies of colonial discourse entrenched in modern day post-settler societies. PCT is a broad discipline, which intersects with various other disciplines. Therefore, this chapter begins by contextualising PCT (2.1). In section 2.2 I will consider the construction, and deconstruction, of colonial discourse. In particular, the ambivalent relationship of the state will be explored to reveal the fragility of its positional superiority, assumed through colonial discourse but threatened in a postcolonial society. Said's (1978) deconstruction of colonial discourse will be used to reveal how colonial identities are constructed, helping to understand the ongoing influences and effects of colonialism in the minutiae of every day. Bhabha's (1994) concept of ambivalence will then be employed to show how the state heralds mixed feelings of anxiety and guilt for the subjection of the subaltern to various adverse situations, undermining the state's claim to superiority. The potential for Indigenous peoples to assert their own power and inherent rights in NRMG by intervening in the

contradictions and inconsistencies of colonial discourse is revealed, exposing the instability of colonial discourse. Potential for Indigenous peoples to claim a space for their rights and interests in NRMG, such as through the process of Treaty negotiations and settlements, can be envisioned within this uncertain ambivalent space.

In section 2.3, utilising Bhabha's (1994) concepts of mimicry and hybridity, I contend that Indigenous peoples seeking empowerment within a postcolonial society may strategically engage such processes. Forms of mimicry including the adoption of western business and administrative models can be utilised to ensure a role that is meaningful to them in hybrid NRMG partnerships. While potential dangers of mimicry and hybridity are acknowledged, including co-option and domestication of Indigenous knowledge, recognition of potential opportunities such as decolonisation and self-determination are similarly noted (Barry, Porter 2012). Indigenous peoples can employ mimicry and hybridity as justified strategies for protecting their rights and mediating aspirations to assert self-determination in NRMG. Conceptualisations of cultural hybridity enable an understanding of cross-cultural exchanges, which destabilise discrete binary categorisations and western hegemony. Imagined positional superiority constructed by the state and settler-society during colonisation and reinforced over time, are disrupted by the revelation of alternative multi-cultural realities produced via processes of hybridity and enunciated in the third space.

Finally, section 2.4 will provide theoretical insight to suggest that collaborative NRM groups, such as an ICM group, have the potential to act as an in-between/interstitial space where differences overlap and intersubjective and collective experiences such as community interest or cultural value can be negotiated (Bhabha 1994:2). This provides a sound foundation from which to explore ICM through a PCT lense in Chapter Three. Combined, these theoretical chapters will provide an appropriate basis from which to thoroughly evaluate postcolonial challenges and opportunities of ICM in the Kaipara Harbour catchment in Chapters Five and Six.

## 2.1 Contextualising Postcolonial Theory

PCT is a useful discourse to employ when evaluating Indigenous peoples' involvement in NRMG. PCT is directly concerned with the pervasive nature of colonial legacies and how these continue to influence the relationships between Indigenous and non-Indigenous groups in these spaces (Reimerson 2012).

The whakataukī at the beginning of this chapter evokes the kūmara vine, which spreads towards the sun, putting down suckers at intervals to draw extra sustenance from the earth. Kāwai is also used to mean the descent line, which connects ancestor with descendant. Taking the analogy between kūmara vine and descent-line, this whakataukī stresses that to know yourself you need to know who your ancestors were. From our forebears we inherit a store of mana, our own particular abilities and our roots in the land. Look to them also to provide examples and guidance for the future. This insight starts the quest for validation, the genesis ko te *pūtaka*...

A critical understanding of the operations and effects of colonial history or 'colonialism'<sup>7</sup>, which varies in time and space, can be developed through postcolonial critique. While colonial histories may share the commonality of subjugation of one people by another and have similar structural forces such as capitalist expansion, racism,

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<sup>7</sup> Colonialism is multi-faceted and difficult to define however for the purpose of this research is interpreted as 'the conquest and control of other people's land and goods' (Loomba 2005:8).



violence and state oppression, historical and geographical diversity is enormous and colonial experiences differ considerably (Young 2001:16–17 cited in Reimerson 2012). To a large extent, many of the inequalities of colonial subjugation continue to exist in the present, as ‘colonial relationships and power are made manifest in the minutiae of everyday interactions and the cultural specificities shaping those interactions’ (Porter 2006:1). For the purpose of this research PCT enables us to analyse and understand the various discourses that are at play as a legacy of colonialism in modern day NRMG.

Some critics argue that PCT is ‘homogenising, universalizing and lacking in historical specificity’ (Shohat 1992 cited in Reimerson 2012:3). However, by focusing on particular histories and geographies as this research will show, PCT can be sufficiently contextualised to avoid such homogenisation (Johnson 2008, Barry, Porter 2012). PCT then proves a useful tool for understanding and exposing historical power relations and effects of colonialism, challenging western hegemony and contesting colonial domination and colonial legacies (Loomba 2015). It is due to this strength that I employ a postcolonial perspective to understand and analyse discourses and power relations within NRMG in a New Zealand Treaty settlement and post-Treaty settlement context. PCT is particularly amenable to the consideration of Indigenous peoples’ claims to rights or influence over land use and management within traditional boundaries (Reimerson 2012), which is the primary concern of this thesis.

PCT was developed through texts such as Edward Said’s influential study *Orientalism* in the 1970s, which led to the development of colonial discourse theory in subsequent key works including Gayatri Spivak and Homi Bhabha (Chakrabarti 2010). Some theorists associate the postcolonial with a historical condition arising after the ‘end’ of actual colonialism, regarding territorial colonialism but where past colonial discourse still provides the basis for power relations and exploitations (e.g. in Reimerson 2012, Childs, Williams 2014). However, I employ the more recent usage, emergent in the late 1970s, whereby postcolonial refers to the cultural effects of colonisation. The emphasis is placed on conceptually transcending or superseding parameters of the other term (colonialism) (Childs, Williams 2014). Canadian critic Stephen Slemon’s opinion is that although definitions of ‘post-colonialism’ vary widely the concept is most useful “when it locates a specifically anti- or *post-* colonial *discursive* purchase in culture” (quoted in Childs, Williams 2014:86) rather than when used synonymously with a post-independence historical period. This is the more common use of the term as it has been employed in most recent accounts to observe the processes and effects of, and reactions to, European colonialism from the sixteenth century on including the neocolonialism of today.

Perspectives of power and power relations based on race and ethnicity can be evaluated through this later sense of PCT, drawing on post-structuralist discourse and deciphering the relations between power, knowledge and agency (Reimerson 2012). PCT often contains a measure of interdisciplinarity that other areas such as sociology and political economy fail to emulate (Loomba 2015), providing a useful theoretical framework to resist imperialism through deconstructing asymmetrical power relationships that emerged through colonial discourse. The staunch ‘anti-colonial’ stance that weaves such interdisciplines together makes this framework pertinent for research into rights and imperatives of Indigenous peoples. Key concepts developed by Homi k. Bhabha (1994) including ambivalence, hybridity, mimicry and third space can be employed to expose the inconsistencies and contradictions in western hegemony and explore interstices and potential opportunities for community interest or cultural value. These concepts will be utilised in this research to reveal the instability of western superiority and the potential for Indigenous peoples to assert their own power and inherent rights in a NRMG context.



Postcolonial discourse does not necessarily provide emancipatory opportunities to transcend colonial boundaries, the postcolonial can be just as easily utilised to reinforce marginalisation and subordination of minorities. While employment of PCT does allow researchers to interrogate what might be inspirational projects of environmental collaboration antithetical outcomes may also be uncovered, therefore, such optimism should be moderated. In particular, research should be wary of postcolonial legacies, which condition state responses to Indigenous rights including community activism, special legislation, and programmes of reconciliation (Coombes, Johnson et al. 2012). There tends to be a limit to the capacity for such projects to transcend colonial relations particularly in circumstances where colonial history has not been adequately recognised and addressed. Recent studies have shown examples in which Indigenous negotiations of current hybridities do invigorate hope for new possibilities; therefore, this research is embarked on with cautious optimism. Indigenous groups in Canada, Australia and New Zealand for example (Norman 2012, Barry, Porter 2012, Tipa, Nelson 2008), are actively engaging in western frameworks using strategic processes that imbue 'signs of spectacular resistance' (Bhabha 1994:172).

This research will consider potential ways that Indigenous communities can negotiate interstices in contemporary NRM arrangements, with a particular focus on ICM, to support Indigenous political agendas. Chapter Three will explore dilemmas in ICM discourse to expose contradictions and opportunities for Indigenous to apply their knowledge and empower self-determination in NRM. It will be argued that Treaty settlements are an important aspect of this process, providing a platform for Indigenous groups to re-negotiate perspectives of power and power relations in order to re-establish rights to self-determination (refer section 2.4). Despite trends in environmental literature that doubt the ability of ICM to provide meaningful outcomes for Indigenous peoples, it is hoped that this research will provide empirical evidence supporting the notion that Indigenous groups can intervene in the fractures of colonial discourse and re-negotiate their own postcolonial realities within an ICM framework.

## **2.2 Destabilising Colonial Discourse**

### **2.2.1 Introduction**

This section will introduce the notion that colonial discourse can be deconstructed. In section 2.2.2, influential work by Edward Said (Chakrabarti 2010) on the practice of deconstructing colonial discourse will be discussed. His concept of binaries through his theory on Orientalism reveals the way colonisers have portrayed Indigenous peoples as an inferior minority, and by default, themselves as the superior minority. Said challenges processes of othering, stereotyping, and marginalisation through his deconstruction of this discourse. It is highlighted in this work because such processes, although proven superficial, have ongoing influence in the practices of everyday NRMG. This often creates or contributes to challenges to Indigenous peoples' involvement in NRMG, as will be seen in chapter five.

In section 2.3.3 I will explain how Bhabha (1994) builds on Said's concept of binaries by offering concepts of ambivalence and hybridity, which more clearly convey the subtleties of the colonial encounter and the failure of colonial regimes to create stable and fixed identities that are understood through binary logic. It is important to recognise the heterogeneity of the real world in order to interpret the interstices within colonial discourse and imagine progressive potential for postcolonial transformation (Mavroudi 2013). The concept of ambivalence reveals the failure of colonial discourse to force the conformity of the colonial subject and at the same time

highlights the agency of the colonised, disrupting and destabilising the propulsion of the colonising process. Possibilities emerge for Indigenous peoples to exploit the liminal space in-between cultural categories and hybrid realities. Therefore, western hegemony and 'normalised' NRMG can be challenged in contemporary NRMG arrangements, in which Indigenous peoples strive to assert their self-determination.

## 2.2.2 Colonial Discourse – constructed identities and power dynamics

*...by making statements about it, authorizing views of it, describing it, by teaching it, settling it, ruling over it: in short, Orientalism as a western style for dominating, restructuring, and having authority over the Orient (Edward Said, 1978:3).*

An 'ideological legacy of colonialism' and the discourse of Orientalism remains prevalent in postcolonial relationships between Indigenous and non-Indigenous peoples today, asserting the need for interrogation and deconstruction of the power disparities inherited from colonisation. Edward Said was instrumental in the deconstruction of colonial discourse to expose the representations of colonial subjects. In Said's (1978) *Orientalism* he considers the social construction of the Oriental 'other' as a form of authority by the coloniser. This construction of a binary between Occident/Orient empowered the emergence of an asymmetrical power relationship where the west could position itself as superior to the inferior Orient. Naturalisation of a broad range of Orientalist assumptions and stereotypes is possible through enforcement of this binary and the categorical differences between the two binary opposites (Ashcroft, Griffiths et al. 2013). Through Orientalism, societies and cultures are marginalised, devalued and stereotyped. Simultaneously, the Occident is legitimised as being morally superior and imperial (Chakrabarti 2010:235).

Deconstruction of colonial discourse reveals how it is used to produce its colonial subjects, providing insight into the ongoing influences and effects of colonialism. The quote at the beginning of this sub-section by Said (1978:3) describes the process of othering where knowledge, interconnected with the operations of power, is (re)produced to represent cultures in particular ways. This process is integral to the establishment and persistence of colonial power (Loomba 2015). Said's (1978) interpretation of Orientalism helps us to understand how colonial discourse has been used to construct western hegemony and in particular, the process of 'othering' illustrates this point. The deconstruction of this process is particularly important in postcolonial nations such as New Zealand where processes of othering and subsequent marginalisation have led to the acculturation of people who now, through such processes, subconsciously see and think that domination and subordination of Indigenous minorities is the norm and therefore justified rather than understanding that Indigenous peoples have inherent rights to equality and independence (Kincheloe and McLaren 2003:436 quoted in Amoamo 2011:1255).

PCT can challenge western superiority, creating space for Indigenous groups to reconstruct essentialised representations as inferior and power-less. Deconstruction of colonial identities reveals their instability and the subsequent instability of the asymmetrical power relationships that have formed between the coloniser and colonised. The construction of the colonised as 'Other' by the coloniser is crucial to their representational positionality as superior. It defines what is normal and what is not, and locates the coloniser's own place as 'Self'. Othering, a concept devised by Gayatri Spivak (1985 cited in Ashcroft, Griffiths et al. 2013:188) is the process by which imperial discourse produces and (re)enforces constructions of the Other through the production of knowledge and strategies of representation. The process of othering is dialectical because the

colonising *Other* is established simultaneously as its colonised *Others* are produced as subjects. The construction of the Other is fundamental to the confirmation of the Self and therefore these identities can only exist in parallel to one another. By deconstructing the Self and Other PCT shows how unstable those constructions actually are, and that other representations are possible. The subordinate position of the essentialised Other can no longer be assumed and justified. Thus the power that is associated with the essentialised Self is also open to interrogation and power dynamics between postcolonial subjects are re-negotiable.

Notions of difference and similarity are integral to human thinking and particular conceptualisations of difference, framed by specific constructions of knowledge and strategies of representation, dictate whether one is power-full or power-less. Stereotypes facilitate ideological sovereignty over the Other, acquiring their effectiveness from demarcating boundaries on the basis of racial origin producing 'the colonised as a fixed reality which is at once an 'other' yet entirely knowable and visible' (Bhabha 1983:23). The colonial stereotype which portrays the colonised as a population of degenerate types based on racial inferiority 'helps the imperialist to create a monolithic construction of the Orient that should be dominated and ruled' by the Occident (Chakrabarti 2010:236). This construction was essential to the establishment of colonial institutions of control throughout the colonised world, and is endorsed by Said's statement that 'by making statements about it, authorizing views of it, describing it, by teaching it, settling it, ruling over it: in short, Orientalism as a western style for dominating, restructuring, and having authority over the Orient' (Edward Said, 1978:3). Ashcroft et al. (2013:283) support this statement, arguing that by knowing, naming and fixing the other in discourse maintains far-reaching control.

Although discourses can be somewhat generalised, particular discourse/discourses active at a particular place and time are context specific and can adapt to fit with colonial regimes, varying to the exigencies of colonial rule (Loomba 2015). Rather than simply reflecting economic and material factors though, they provide an ideological justification for diverse kinds of exploitation. One can understand the dialectical connection between racial ideologies and exploitation whereby racial norms are both shaped by and shape economic exploitation. In New Zealand a racial ideology, naturalised over time, positions the Indigenous Māori as an inferior culture in need of civilising. Research by Beaglehole and Beaglehole (1946 cited in Houkamau 2010:182) reported that Māori stereotypes included the view that Māori were "slackers', dirty, lazy and dishonest". Such stereotypes are reminiscent of the colonial ideology at that time (mid-1900s) and tend to prevail in the modern day. This ideology provided (and provides) justification for the rejection of Māori culture in the everyday in order to civilise Māori and make them more 'pure' like the settler. Such processes, while dealing with imaginary thoughts and ideas, have material consequences. Another example, was the Tohunga Suppression Act 1907 which deemed Indigenous practices by a tohunga (skilled person, chosen expert, priest, healer) to be an illegal act and

Every person who gathers Māoris around him by practising on their superstition or credulity, or who misleads or attempts to mislead any Māori by professing or pretending to possess supernatural powers in the treatment or cure of any disease, or in the foretelling of future events, or otherwise, is liable on summary conviction...(Rhys 22-Sep-12).

The Waitangi Tribunal Wai262: *Ko Aotearoa Tēnei* report shows support for claimants' arguments that 'the Crown has taken direct ownership and control of mātauranga Māori through its various agencies, and Māori have been excluded'; the Tribunal state that 'the Tohunga suppression Act, may still influence decisions today'

(Waitangi Tribunal 2011:22). Another narrative of Indigenous populations in New Zealand is that they are 'tie[d] to the earth as "natural" environmentalists' which might exclude Indigenous people from modernity and thus justify their continued marginalisation from NRMG in settler societies (Panelli & Tipa 2007 cited in Tipa, Nelson 2008:314). However, as will be seen in the following sub-section and further discussed in Chapter Five, there has been suggestions that many tribes are strategically adopting this 'turn to tradition' including a heightened appreciation of culture-environment linkages which supports their role in NRMG. However, it is critical that diverse Indigenous realities are recognised and 'historic and contemporary relationships with specific places must be narrated carefully in order not to contribute' to any form of regressive essentialism (Tipa, Nelson 2008:315).

Monolithic categories cannot confront the variation between and amongst the identities of categorised and stereotyped groups. As can be noted in the examples above, constructions that rely on simple binary assumptions do not account for racial and cultural realities between and across categories, which are very complex (Loomba 2015). Monolithic constructions of New Zealand Māori imagine that all people of Māori descent are the same, and they are treated as an indistinguishable population who approach life in the same way, with the same thoughts and feelings, within an ideological construct based on a racialised and historicised identity. This ignores the real socio-political complexities within Māori communities and the actual structures of tribal organisations. It also fails to recognise the diverse range of relationships between Māori and non-Māori peoples. Such constructions of Indigenous peoples as the inferior Other assist with modern day projects which attempt to continue the subjugation of Indigenous people, including the multicultural cause of postcolonial nations such as New Zealand and Australia which undermines Indigenous rights claims (refer to section 2.4). Over time Māori have been constructed in such a way to enable the state to disregard Indigenous peoples' rights and claims to equality with the (now) dominant Pākehā culture. As has been shown, colonial discourse made this possible and it remains an important aspect for the operation of western hegemony today.

### 2.2.3 Inherent ambivalence – revealing the uncertain and contradictory colonial relationship

*Ambivalence is not merely the sign of the failure of colonial discourse to make the colonial subject conform; it is also the sign of the agency of the colonised – the two-way gaze, the dual orientation, the ability to appropriate colonial technology without being absorbed by it – which disrupts the monologic impetus of the colonising process (Ashcroft 2001:126).*

Said's work on *Orientalism* (1978) opposed the othering of the colonial subject through the formation of stereotypes and attempted to deconstruct the myths associated with it as a valid course of attack against discursive formations. Yet, as realised by Said himself in his binary conceptions, there lies an inherent contradiction within colonial discourse – 'a complete negation or disavowal of stereotypical representation might not be possible' because the relationship between the Orient and Occident is inherently uncertain (Chakrabarti 2010). Bhabha (1994) advanced Said's earlier work and developed it into his concept of ambivalence, explored in this section.

PCT reveals the inherent ambivalence of the coloniser's authority over the colonised and the subsequent instability of the coloniser's positional superiority. This is useful for my analysis of Indigenous peoples'

involvement in NRMG, which continues to be applied within a Eurocentric-dominant paradigm. The coloniser is constantly in a state of having simultaneous, conflicting feelings towards the colonial subject. At once wanting to civilise the colonised subject to be like the coloniser but not wanting the colonised to become so similar that they become one and the same, thereby eliminating any claim to a positional hierarchy. What was perceived as a simple binary relationship between the coloniser and colonised is disrupted, leaving a strong sense of anxiety in the coloniser. In a postcolonial context this anxiety is matched by a strong sense of guilt for the subjection of the subaltern to economic exploitation, cultural devastation and political exclusion. The realisation of this inherent ambivalence disrupts the clear-cut authority of colonial domination, exposing internal contradictions and structural inconsistencies that exist within colonial discourse (Byrne 2009).

The concept of ambivalence was established in psychoanalysis to articulate an ongoing fluctuation between wanting one thing and wanting its opposite (Ashcroft, Griffiths et al. 2013). Bhabha adapted the term to fit within PCT because of its ability to describe the complex mix of attraction and repulsion that characterises the colonial relationship. The problem of representation from a political standpoint is taken into a psychological one by Bhabha, drawing on Fanon's work on power disparities and Freud's fetishism (Byrne 2009). This new perspective enables a 'free-play of meanings' which progresses beyond Said's focus on binary logic into a postmodern conceptualisation of ambivalence, hybridity and multiple possibilities' (Chakrabarti 2010:21). Bhabha employs the Freudian model of fetishism to draw parallels between the fetish and the stereotype – revealing the ambivalence of colonial stereotypes which is 'predicated as much on mastery and pleasure as it is on anxiety and defence' (Bhabha 1994:75). Byrne (2009:79) argues that Bhabha pushes Said's reading beyond what it is able to say and follows Fanon's re-centering of the analysis of colonial power and discourse onto questions of identity formation and identification as inextricable from the operations of power under colonial regimes.

Our understanding of stereotypes moves from a fixed, simplistic misrepresentation to which we should be opposed, to a new understanding in which the processes of subjectification are only made possible (and plausible) through stereotypical discourse (Bhabha 1994:76). This enables the consideration of the stereotype as more than simply a construct that serves to support the continuation of western power and subjugation of Indigenous people. As a basis for his work on identity, otherness, ambivalence and stereotype, Bhabha engages with Fanon's work on theories of ideological constructions of racial categories and narratives, and particularly his work on power disparities, considering the colonial 'gaze' and other forms of surveillance and control (Byrne 2009). Fanon's shifted focus on cultural racism from a politics of nationalism to a politics of narcissism opens up a margin of interrogation that causes a subversive 'slippage' of identity and authority. This exposes the fragility of discourse and opportunities for the subaltern to tactically occupy the fractures of discourse. In particular, as is indicated by Ashcroft's (2001:126) quote at the beginning of this section, Indigenous groups can exploit the space between absolute cultural categories and hybrid realities to expose the inherent inconsistencies and contradictions within current power structures that are a legacy of colonisation, enabling the potential occupation of those fractures (Bhabha 1985).

Bhabha exposes the weakness of colonial discourse by emphasising the failure of colonial systems to produce stable and fixed identities. As shown in the previous sub-section, in reality monolithic categories do not exist and simple binary oppositions between disparate categories are destabilised by the realisation that significant cultural and racial differences exist within each imagined category as well as overlaps between them (Loomba

2015). Bhabha's work suggests that the dynamics of the colonial encounter are more sufficiently described through conceptualising the 'hybridity' of identities and the 'ambivalence' of colonial discourse (Loomba 2015). Bhabha conveys the notion of culture as a strategy for survival, illustrating this point by relying on his personal experiences growing up as a Parsi in India at a time when he felt a sense of 'a negotiated cultural identity' whereby his identity and that of his family and other Parsis living in Indian society became somewhat hybridised (Bhabha 1994:10):

Cultural practices bore marks of contingency, the necessary shifts of a minority population attempting to negotiate themselves through the cultures of dominant groups and colonial powers bringing together and reworking disparate narratives in order to survive in the present cultural and political climate.

It is argued that material effects of colonial discourse are more adequately addressed through postcolonial concepts of ambivalence, hybridity and mimicry, which extend beyond the fixity and simplicity of binary thinking. My commitment to PCT for this research, and in particular to Bhabha, is because, like Fanon, he is restless, transgressive and transitional, never constrained to one political moment or movement. Utilising Bhabha's key conceptual theories, I will attempt to confront the ongoing effects of colonialism and expose the ambivalence of the colonial relationship and instability of western superiority. In Chapter Three the concept of ambivalence will be employed to help understand and analyse the colonial and postcolonial discourses at play in contemporary environmental management and governance. In Chapters Five and Six this analysis will be applied to an ICM approach within postcolonial New Zealand. A critique of ICM will reveal the inherent ambivalence that exists within western conduct with Indigenous groups.

## 2.2.4 Summary

This section has discussed the construction and deconstruction of colonial discourse, calling on key PCT contributions from Edward Said and Homi K. Bhabha. In section 2.2.2 I explored Said's theory on Orientalism and the concept of binaries, which has enabled the coloniser to construct discrete binary categorisations that identify the colonised as the inferior 'Other', enabling the coloniser to assume positional superiority as the 'Self'. Concepts of stereotyping and othering are closely linked to imagined binaries. The colonising state has employed processes of othering and stereotyping to emphasise differences based on fictional, racialised identities. Discourses can be generalised to a point but examples within the New Zealand context were provided to highlight specific discourses active in a particular place and time.

Colonial discourse continues to shape relations between Indigenous and non-Indigenous peoples. However, PCT enables research to consider the nuances of processes occurring within particular contexts to expose inconsistencies and fractures within this rhetoric. As has been alluded to here, and will be elaborated in the following section, tactical approaches could enable a renegotiation of the status quo to enable alternative values and knowledges to occupy (and perhaps share) spaces between cultural categories and hybrid realities within NRMG, challenging the continued domination of western modes that tend to ignore 'other' ways of doing. Bhabha's concept of ambivalence and the potential to uncover subversive 'slippages' of identity and authority will become apparent in 6.1 where I discuss research findings that indicate the instability of constructed colonial identities and stereotypes and the potential for Indigenous to strategically engage identities to support their involvement in ICM. This is particularly apt in contexts where the colonial state is portrayed as neglectful and

inert whereas the tangible and intangible connections between Indigenous peoples and the rest of the environment are recognised and valued within a holistic management context.

## 2.3 Mimicry, Essentialism and Hybridity: Regressive Risk – Progressive Potential

### 2.3.1 Introduction

In the previous section I described how colonial discourse can be deconstructed to expose the fragility and ambivalence of the state's positional superiority and western hegemony. This section will build on the previous to convey Bhabha's (1994) concepts of mimicry and hybridity as well as exploring the ideas of strategic essentialism (Spivak 2012) and contact zones (Pratt 2007). It will be suggested that Indigenous peoples can strategically apply processes of mimicry and hybridity within postcolonial contexts, to advantage their position and involvement in NRMG arrangements. The adoption of western administrative models by Indigenous peoples are an example of mimicry, considered in 2.3.2, that shows how tactical employment of the 'superior' logic and systems can provide Indigenous peoples with a mechanism for involvement, 'speaking truth to power' (Said 1994:85-102 cited in Ashcroft 2001) while simultaneously retaining their agency. Mimicry exposes a 'slippage' in the ambivalent colonial relationship – the coloniser encourages the colonised to 'mimic' its assumptions, habits and values but at the same time does not want the colonised to become the same for this will threaten colonial claims to authority. Spivak's (1987) concept of 'strategic essentialism' will be introduced in 2.3.3, acknowledging contentions that some Indigenous peoples consciously choose to repeat particular representations in order to progress their own agendas.

In section 2.3.4 prospects of hybridity for mediating cultural relations within postcolonial societies will be explored. Hybridity was also conceptualised by Bhabha (1994) to assist with postcolonial deconstructions of discrete binary categories to expose the inherent instability and hypocrisy of colonial discourse. Cross-cultural exchanges that occur in the contact zone (Pratt 2007) are discussed in 2.3.5, whereby historically disparate actors may grapple with shared environmental issues, such as water governance, that transcend constructed socio-political boundaries. Processes of hybridisation, either progressive or regressive, are enunciated in this space. This makes it an important aspect for analysis when I consider cross-cultural relations associated with the management and governance of the Kaipara Harbour, facilitated through a particular ICM group, in Chapters Five and Six.

### 2.3.2 Tactical mimicry

*Mimicry reveals something in so far as it is distinct from what might be called an itself that is behind. The effect of mimicry is camouflage...it is not a question of harmonizing with the background, but against a mottled background, of becoming mottled – exactly like the technique of camouflage practised in human warfare (Jacques Lacan 1978:99 quoted in Bhabha 1994:172).*

Mimicry is a postcolonial concept through which we can understand the ambivalent relationship that exists between coloniser and colonised. Colonial discourse encourages the colonised to 'mimic' the coloniser by adopting its assumptions, habits and values. Mimicry is the 'slippage' from the essentialised pattern of the coloniser-colonised binary, a notion that Bhabha realises from an arguably postmodern location. Through



colonial discourse we see mimicry as 'the desire for a reformed, recognizable Other, as a *subject of a difference that is almost the same, but not quite*', a discourse that is based on ambivalence because to be able to achieve its purpose, mimicry must 'continually produce its slippage, its excess, its difference' (Bhabha 1994:122, Byrne 2009). As revealed in the quotation from Lacan (1978:99 quoted in Bhabha 1994:172) at the beginning, mimicry is applied as a strategic technique so that the subaltern, rather than assimilating into nothingness, effectively mimics the background in an act of colonial resistance. The relationship between coloniser and colonised is ambivalent because there is never complete opposition on behalf of the colonised. Rather, complicity and resistance exist in a fluctuating relation within the colonial subject. Simultaneously the coloniser, who needs to 'civilise' others into compliant beings that can assist in the administrative logic of the empire, never really wants the colonial subject to be identical to them. Such similarity would indicate equality, and that would fundamentally threaten the positional hierarchy and dissolve any identifiable differences between the colonial parties. In effect, this would mean the subsequent disappearance of the assumed monolithic power. This disruption to the simple binary relationship is therefore an unsettling aspect of colonial discourse for the coloniser, instilling a sense of anxiety. Such inconsistencies permeate through the construction of colonial authority, destabilising it and creating gaps or interstices that become exposed for the colonised to exploit. These fluctuating relations fundamentally unsettle colonial dominance.

Mimicry is menacing to colonial dominance because it conceals the 'real' identity of those who adopt it, and it has the double ability to disclose the ambivalence of colonial discourse as well as disrupt its assumed authority. As the coloniser's control over the colonial subject's behaviour becomes unclear, the mimicking of the coloniser's culture, behaviour, manners and values is considered to be 'at once resemblance and menace' (Bhabha 1994:86). Bhabha's approach to mimicry is comical because it 'mocks and undermines the ongoing pretensions of colonialism and empire' (Bhabha 1994:86) meaning that the colonial cultural is insistently and strategically insurgent. The colonised or the 'mimic-man' is able to strategically use his 'ambivalent location and functions contrary to the imperial logic' (Chakrabarti 2010:22). This reality causes a constant anxiety in the coloniser because through the colonisers' desire for mimicry, an opportunity has been created for the colonised to subvert their position from one of disadvantage to one of advantage. As discussed earlier, it is required of colonial discourse to be ambivalent because colonial subjects must never be exact reproductions of colonisers or western hegemony would be undermined. Ambivalence produces a 'controversial proposition in Bhabha's theory, that because the colonial relationship is always ambivalent, it generates the seeds of its own destruction' (Ashcroft, Griffiths et al. 2013:1970). This tension is a reflection of imperialism itself, and on a larger scale it could potentially be the cause of its own failure. Arguably this ambivalence is Bhabha's way of 'turning the table' (Young 1995) on imperial discourse allowing new spaces for alternative postcolonial relationships to emerge.

The colonised never lose sense of their own agency, and coupled with the coloniser's anxiety, a space emerges for the colonised to extend their own discourses of resistance in response to colonial discourse (Huddart 2006). Bhabha's interpretation of mimicry is employed because Bhabha conceives of mimicry as 'an exaggerated copying of language, culture, manners, and ideas' which he considers to be 'repetition with a difference' rather than evidence of the coloniser's servitude or an assimilation of the imagined inferior culture into the superior culture (Huddart 2006:57). Ashcroft (2001:117) building on Said's campaign to 'speak truth to power' (1994:85-102) argues that 'the only guarantee that power might listen is when it is addressed on its own terms', conveying that the excessive confirmation on the subaltern's identity occurs within the dominant discourse. The subaltern is able to assert its agency through strategies of mimicry whereby it implicitly supervenes the asymmetrical power relationship, exceeding imagined boundaries, instead of opposing it in explicit, confrontational resistance.



Through this strategy Indigenous groups are able to insist on making a space for themselves in the world.

While the post-colonial subject may occupy fractures in discourse, may negotiate entry to, and exit from, a discourse, and may render it provisional in its effects, it may also *exceed* the boundaries of that discourse in various ways (Ashcroft 2001:117).

Mimicry can border on mockery in diverse ways. Often minorities engage in what appears to be self-mockery, giving the impression that minority groups are internalising stereotypes into their own beliefs. According to Huddart (2006:39) Bhabha suggests that racially subordinate groups often 'repeat stereotypical jokes about themselves but the repetition always transforms them and kick-starts the frozen circulation of stereotypes: joking becomes a form of resistance to colonial discourse'. This process destabilises the purpose of stereotypes, which is to ensure colonial authority and superiority.

Other forms of mimicry can also be engaged such as the adoption of western business and administrative models, which mimic those of the settler-state. Potentially, processes of mimicry may foster the formation of intentional hybrid partnerships (refer sub-section 2.4), increasing Indigenous capacity to practice self-management. Bhabha (1994:172) asserts that:

culture as a colonial space of intervention and agonism, as the trace of the displacement of symbol to sign, can be transformed by the unpredictable and partial desire of hybridity. Deprived of their full presence, the knowledges of cultural authority may be articulated with forms of 'native knowledges' or faced with those discriminated subjects that they must rule but can no longer represent.

This leads to questions of authority that the authorities cannot answer. Bhabha (1994:172) goes on to say that:

to the extent to which discourse is a form of defensive warfare, mimicry marks those moments of civil disobedience within the discipline of civility: signs of spectacular resistance. Then the words of the master become the site of hybridity – the warlike, subaltern sign of the native – then we may not only read between the lines but even seek to change the often coercive reality that they so lucidly contain.

This argument supports the contention that the weakening of colonial discourse through the concept of mimicry provides a site of significant political and cultural uncertainty in the construct of imperial dominance (Ashcroft, Griffiths et al. 2013).

The ambivalent nature of these spaces means that they are not necessarily liberating and unexpected or unwanted outcomes are also possible. Strategies of mimicry can potentially be employed by non-Indigenous participants who see a benefit in adopting and adapting Indigenous knowledges in projects of hybridity. Arguably at times such strategies can occur simultaneously so that both Indigenous and non-Indigenous peoples are mimicking one another. This might bid the question of who is mimicking whom? Particular tensions exist between the 'domestication' of Indigenous knowledges and decolonisation (Barry, Porter 2012:173). In environmental planning discourse some scholars argue that environmental planning is a 'positive site for the exercise of Indigenous self-determination (Lane & Hibbard, 2005; Zaferatos, 2004); crosscultural learning about legacies of colonialism; and improvement of community relations (Dale, 1999)' which can be understood as an act of decolonisation. While at the same time others warn of the dangers of co-option of Indigenous cultural knowledge and socio-economic practices, posing the arguments that environmental planning is 'an avenue for

deeply embedded, exclusionary and oppressive discourses, policy frames and power relations' (Howitt & Lunkapis 2010; Lane & Cowell 2001; Porter 2010; Yiftachel, 1995).

### 2.3.3 Strategic Essentialism

Conscious repetition of stereotypical representations by those who are being stereotyped is considered by some postcolonial theorists to be 'strategic essentialism'. Maria Amoamo (2011:1260) interprets Spivak's (1987) perception of strategic essentialism as 'necessary to express the effects of colonial and neo-colonial oppression', contending that at various times essentialist representations can be employed as 'a necessary part of the process by which the colonised achieve a renewed sense of value and integrity of their pre-colonial cultures, and through which the newly emergent postcolonial nation asserts itself'. Amoamo and other scholars endorse this perspective, arguing that contemporary Māori groups tactically engage with stereotypes that represent Māori in a way that can be advantageous to their overall self-empowerment. In her article on Tourism and hybridity: re-visiting Bhabha's third space, Amomamo (2011) argues that the perpetuation of the exotic 'Other' (Cohen 1993 cited in Amoamo 2011:1260) has been one of the most pervasive features of tourism representation and Indigenous images. She argues that to an extent, Māori have themselves perpetuated this stereotype in an effort to build on the governing 'narrative' which is imposed by the national tourism organisation.

This conscious engagement with a stereotype which is supposed to serve the authority of the coloniser indicates that Māori are active participants rather than passive victims in the colonial relationship 'but the imperial "condition" from which the industry has originated would suggest that Māori have, for the large part, produced subjectivities reflective of dominant discourses in a Foucauldian sense' (Amoamo 2011:1260). Contrariwise, strategic essentialism unsettles tourism commodification when Indigenous peoples renegotiate commodity values within cultural production. At the same time, some Māori groups 'demand more contemporary representation of their tourism image' and are actively engaged in 'deciding which symbols and markers of Māori culture are used to counter stereotypical images'. Both strategies of mimicry and strategic essentialism highlight ways that the subaltern can exercise their agency to resist colonial authority and insist on representations that are meaningful to them, empowering their self-determination.

According to Reimerson (2012:5), and in consistence with the previous section, colonial stereotypes of Indigenous peoples represented them 'as closer to (or part of) nature, and as such backwards, primitive, and inferior' but more recent imaginings focus more on the close relationship between Indigenous peoples and nature in a way that emphasises 'their knowledge and practices as prime examples of sustainable use of natural resources and their important role as stewards of natural resources or biological diversity'. Reimerson (2012:5) cites various authors who argue that 'these images are stereotypes in line with colonial notions of Indigenousness (the stereotype of the 'ecologically noble savage'), and perhaps as limiting in terms of possible space for political action'. However this last point is challenged because, as outlined in the previous paragraph and will be seen in 6.1, the agency of Indigenous peoples is always maintained and there are possibilities for Indigenous peoples to engage with idealised constructed identities, as well as inconsistencies and contradictions that are produced in some identities (including constructs of state agencies as neglectful and inert), occupying space for political action.

### 2.3.4 Processes of hybridity and mediating cross-cultural relations

Hybridity can actively challenge and resist a dominant colonial power, 'depriving the imposed imperialist culture, not only of the authority that it has for so long imposed politically, often through violence, but even of its own claims to authenticity' (Ashcroft 2001:123). Through cultural hybridity one can understand cross-cultural exchanges, which destabilise discrete binary categories and reveal how inherently unstable cultures and colonial discourse truly are. This section will consider the concept of hybridity and how it is a useful postcolonial term for understanding strategies and interactions by which colonial cultures are transformed and through which spaces for Indigenous self-determination can emerge.

The process of hybridisation is powerful due to its ability to disrupt binary thinking (refer 2.2.2) and reveal hybrid realities. Bhabha (1994) refers to the gap that emerges between imaginary cultural polarities and hybrid realities as the Third Space, which will be further discussed in the following section. For Bhabha (quoted in Rutherford 1990:211):

the importance of hybridity is not to be able to trace two original moments from which the third emerges, rather hybridity to me is the 'third space' which enables other positions to emerge. This third space displaces the histories that constitute it, and sets up new structures of authority, new political initiatives, which are inadequately understood through received wisdom.

This interpretation of hybridity, rather than previous notions which were 'deeply inscribed in nineteenth century discourses of racism' progresses beyond such 'essentialist discourses of identity authenticity and cultural purity' (Amoamo 2011:1257) to displace the discourse of colonial authority and reveal interstices for other "denied" knowledges to be applied. Hybridity can then be defined as 'a problematic of colonial representation...that reverses the effects of the colonialist disavowal, so that other "denied" knowledges enter upon the dominant discourse and estrange the basis of its authority' (Bhabha 1994:156).

Cultures, cultural difference and cultural identity do not form 'a mere phantasm...It is *something* – not a mere trick of the imagination. It has its histories – and histories have their real, material and symbolic effects' (Hall 2014:24). By acknowledging that there are cultural variations and that these are constituted by historical and political influences we understand that the creation of culture is an ongoing process in which socio-political, economic, and environmental contexts continue to shape and impact on cultures in the 'contact zone'. According to Pratt (2008:7) transculturation refers to the reciprocal influences of modes of representation and cultural practices of various kinds in colonies and metropolises, which can be described as 'a phenomenon of the contact zone'. Difference therefore is relative and political and there are no absolute cultural representations or innate cultural essences.

The concept of a people is not "given", as an essential, class determined, unitary, homogenous part of society *prior to politics*; "the people" are there as a process of political articulation and political negotiation across a whole range of contradictory social sites. "The people" always exist as a multiple form of identification, waiting to be created and constructed (Bhabha 1990:220).

Cultural translations are in a perpetual state of flux, a constant process of hybridity in which identity is continually being re-constructed through the necessary continual reproduction of cultures and practices, rather than through a combination of two previously organic wholes (Byrne 2009:15). This movement away from Said's earlier work on anti-colonial binarism and 'good' versus 'bad', enables the investigation of the third space in which 'the polyphony of colonial resistance operates (Ashcroft 2001:124). Consideration of 'intersubjective and collective experiences of nationness, community interest and cultural value' can be negotiated within the interstitial spaces that emerge in the 'overlap and displacement of domains of difference' (Bhabha 1994:2). Bhabha (1994:2) argues that 'these 'in-between' spaces provide the terrain for elaborating strategies of selfhood – singular or communal – that initiate new signs of identity, and innovative sites of collaboration, and contestation in the act of defining the idea of society itself'.

The potential of hybridity to reverse colonial structures of domination is widely recognised by many postcolonial scholars and even by some of its critics such as Robert Young (1995:23 cited in Ashcroft 2001:124). Ashcroft (2001:124) argues that Bhabha has taken Mikhail Bakhtin's work on the intentional hybrid 'into an active moment of challenge and resistance against a dominant colonial power' and provided a platform to base the transformational potential of hybridity on. According to Marotta (2008:296):

Whilst organic hybrids borrow and appropriate, but never question the status quo, intentional hybrids especially those theorized by postcolonial writers discredit, poke fun and problematize the existing order and the modernist, essentialised identities underlying it. Such hybrids threaten the binary and classificatory logic underpinning modernity (Bauman, 1991, p. 58). More importantly, intentional hybridity theorists highlight the instability and porous nature of cultural and social boundaries. The key difference between the two hybrid subjects is that the modernist hybrid self is unconscious of its liberating and transgressive potentialities, while the intentional hybrid is aware of its radical subjectivity and adopts an ironic and critical perspective (Werbner, 1997).

This theorisation of intentional hybridity is important to this research because it is particularly concerned with intentional postcolonial strategies, which seek to disrupt the status quo and empower Indigenous peoples. Although being cautious because postcolonial transformation is 'not linear but discontinuous, rhizomic, intermittent, [and] excessive' (Ashcroft 2001:126) this research also engages with geographies of hope and is interested in the more transformative rather than oppressive facets of postcolonialism.

### 2.3.5 Contact Zones

Processes of hybridity arguably occur at points of conflict or crisis (Huddart 2006), 'the current phase of economic and social history makes you aware of cultural difference...always at the point of conflict or crisis' (ANI:82 quoted in Huddart, 2006: 124). New transcultural forms are produced in the contact zone, defined as 'the social spaces where cultures meet, clash and grapple with each other, often in contexts of highly asymmetrical relations of power, such as colonialism, slavery or their aftermaths as they are lived out in many parts of the world today' (Pratt 2008:7). Within these agonistic spaces 'the signs of culture can be appropriated, translated, re-historicized and read anew' (Bhabha 1994:37). There is movement away from non-helpful binaries towards the consideration of multiple outcomes that are possible when two or more entities engage in various localities. The fractures of colonial discourse leave spaces for the occupancy of other 'denied knowledges' through projects of strategic hybridisation, which disrupt the dominant discourse unsettling the basis of colonial

authority – its rules of recognition (Bhabha 1994). In this manner, Indigenous knowledges, which have been consistently denied through the exercise of colonial authority, may be re-positioned in hybrid realities. Findings in 5.1 and 5.2 will show the challenge for Indigenous peoples to exercise their environmental responsibilities within a Eurocentric-dominant socio-political climate. However, it will be argued in 6.1 and 6.2 that the inconsistencies and contradictions present in neocolonial environmental discourse, which are inherently based on western structures and institutions inherited from colonialism, provide spaces for subversive strategies of hybridity (and mimicry and strategic essentialism) to be conducted. Within these particular spaces the histories that constitute it are displaced and replaced by (re)negotiated ‘structures of authority, and new political initiatives’, which cannot be adequately understood through received wisdom. As such, the concept of hybridity and processes in the third space can be understood to have transformative potential that can assist in the empowerment and self-determination of Indigenous groups.

Contact zones in which processes of hybridisation occur are inherently fragile and marginal spaces and although potentially transformative, such an outcome should never be assumed. PCT enables one to analyse and understand hybrid realities and particular political and cultural discourses at play whether they are positive or negative. One common assumption of hybridity is that cross-cultural exchange occurs on a level playing field however in reality it is characterised by power disparities. Of particular concern to this research is the realisation that different participants have varying capacities to hybridise and engage with external interventions, therefore ‘the ability for hybridity to be transformative and revolutionary might be limited to specific groups within the locale, creating new or augmenting old power imbalances’ (Peterson 2012:17) (as will be seen in 5.2.3 and 5.2.4). While the process of hybridisation might enable some Indigenous peoples to ‘reshape the norms, institutions and activities in question by means of everyday practices such as verbal interaction, organisation and even overt conflict’, this might not apply to all Indigenous groups within the area of interest (Richmond and Mitchell 2011b:1 quoted in Peterson 2012). As Werbner (2001:149) reflects, ‘more than just celebrating hybridity, we need to ask whether cultural movements are critical and emancipatory or conservative and exclusive’. This consideration is relevant to assertions in ICM discourse that typify ICM groups as being imbalanced, requiring greater effort from the advantaged and further opportunities for the disadvantaged within the locale (refer 3.2.5). Bearing these points in mind, this research is attentive to detail to make sure power differentials in the particular setting are observed. Inclusions and exclusions are taken into account so that there is no ‘absence or downplaying of issues of injustice and power’ (Tanikela 2003, Pieterse 2001 cited in Peterson 2012:14).

### 2.3.6 Summary

This section has described postcolonial concepts of mimicry, essentialism, and hybridity, which occur in the contact zone. Tensions that tend to exist in relations between Indigenous and non-Indigenous actors have been discussed, which may help to explain the ‘uneven, contradictory and fundamentally ambivalent relationship’ within contemporary NRMG (Barry, Porter 2012:173). These tensions will be further considered in the following chapter within a theoretical postcolonial analysis of ICM, and applied to my findings in chapters five and six when I interrogate the postcolonial challenges and opportunities for Indigenous peoples engaged in ICM in the Kaipara Moana catchment. Particular sensitivity will be given ‘to the historical and contemporary oppression’ that state-based NRMG often brings for Indigenous peoples but at the same time will be ‘open to the possibilities of transformative practice through’ engagement and decision-making (Barry, Porter 2012:173).

Within this context, it is expected that there will be challenges for Indigenous peoples to engage in Eurocentric-dominant policy and regulatory systems but that Indigenous groups are engaging processes of mimicry, strategic essentialism, and hybridity as justified strategies for safeguarding their rights and the mediation of their aspirations. It is anticipated that employment of tactical processes will show how Indigenous peoples can take advantage of the interstices that exist in current NRMG discourse and that this technique is assisting Indigenous groups to address power on its own terms, destabilising western hegemony and creating space for a new relationship to emerge in which the Indigenous group is no longer the discrete subordinate. Such benevolence will be tempered by the realisation that colonial discourse continues to have material effects in current NRMG institutions and practices but that the ambivalence of the state exposes fractures for Indigenous peoples to intervene, creating small but meaningful shifts in the status quo (Coombes, Johnson et al. 2012) supporting agendas for self-determination.

## **2.4 (Re)envisioning progressive spaces of engagement**

### **2.4.1 Introduction**

This section will consider the potential for Indigenous peoples to occupy the third space created by Indigenous and non-Indigenous peoples endeavouring to approach NRMG in what might be considered new and radical ways. In section 2.4.2 will develop discussions on hybridity and contact zones in the previous section to suggest that PCT provides a means to interpret a 'politics of place' within a third space. Indigenous peoples can use this construct to support projects of resistance because, as has been explained, this space rejects discrete binary categories and recognises the heterogenous and hybrid nature of societies. A basis will be created for further analysis in the following chapters. The particular case study utilised for this research is an example where Indigenous and non-Indigenous peoples are engaging in a bicultural approach to ICM. The initiation of this particular management approach was driven by a specific Treaty settlement and Indigenous peoples are directly involved, recognising their inherent and special relationship with the environmental resources within the specific catchment and acknowledging their role as guardians and rights as Indigenous peoples.

The potential for Treaty settlements to provide a foundation for the colonised and the colonial state to engage more meaningfully will be considered in section 2.4.3. Acknowledgement from the state of historical and contemporary grievances due to past wrongdoings inflicted on Indigenous peoples is a pre-requisite for moving forward together in collaborative NRMG approaches. While Treaty settlements may take place within a western-dominant paradigm they emerge from insistent acts of resistance to colonial power and do provide acknowledgement and some address of Indigenous claims to ownership, rights and responsibilities (if not always a sufficiently appropriate response to those claims).

### **2.4.2 Enunciating new relations and approaches in the Third Space**

The third space is useful as a metaphorical tool, as initially shown by work from Henri Lefebvre and now adopted and adapted by many theorists (1991 cited in Johnson 2010:286), who apply post-structuralist discussions to confront the dialectical view of colonial relations. Their work attempts to go beyond the dualised interrogative of colonial discourse to 'crack open' the coloniser/colonised binary and introduce a third possibility. Some theorists use this thirding as a spatial construct to locate identities, communities and projects of resistance such as work

on margins, borderlands and peripheries. Others characterise the third space as a 'politics of place' (Moore 1997 cited in Johnson 2008). This research, takes after theorists such as Johnson (2008), Moore (1997), and Butz and Ripmeester (1999), endeavouring to engage critical theory in the form of the third space with the politics of place and specific exercises of resistance. It is hoped that this will marry the metaphoric site 'in theory' with an 'on-the-ground' politics of place, and reclaim visibility of the spatiality of local politics (Moore 1997:87).

As has been outlined already, postcolonial concepts of ambivalence, hybridity and mimicry which are largely credited to Bhabha, allow us to go beyond anti-colonial binarism and 'good' versus 'bad' to explore the third space of enunciation in which various acts of colonial resistance operate (Ashcroft 2001: 124). Bhabha's theory asserts that cultural statements and systems are constructed in this 'Third space of enunciation' (1994:37). This space rejects discrete binaries and recognises the heterogenous and hybrid nature of societies and the realities and ambiguities of inter-subjective notions, which overlap and are displaced in the interstitial spaces (Bhabha 1994, 2004:2-6). Cultural identity transpires in the contradictory and ambivalent space and displaces claims to a hierarchical 'purity' of cultures. Absolute cultural categories are no longer tenable and focus can shift to hybrid realities within which cultural difference may operate. The gap between those constructed absolute categories and hybrid realities can be conceived of as the third space in which 'the complex range of engagements and strategies which colonised subjects employ in their engagement with the dominant power' (Ashcroft 2001:124) can be understood.

It is helpful to employ Bhabha's (1994:5) metaphor of the stairwell as an interstitial or liminal space to understand the conceptualisation of third space. The stairwell acts as an in-between space that provides for movement between the designations of identity; it becomes the process of symbolic interaction, the connection between upper and lower, coloniser and colonised. If we consider the ambivalent colonial relationship the two identities are constructed as oppositional, fixed identities. But the 'hither and thither of the stairwell, the temporal movement and passage that it allows, prevents identities at either end of it from settling into primordial polarities' (Bhabha, 1994:5). This interstitial passage between these fixed identities opens up the possibility of a cultural hybridity that can entertain difference without an assumed or imposed hierarchy – opening up the possibility for the subaltern to renegotiate asymmetric power dynamics inherited through colonial discourse. The third space can be perceived in real places as well as metaphorical sites, as in Forster's narrative of the 'fear trees' in which the passage of 'fear trees' provides a third space between the location of the colonialists' civil station on the hill and the bazaar of Chanrapore down below, 'standing between oppositions and sowing confusion' (Byrne 2009:14).

As will be suggested in section 6.2, there are possibilities for collaborative NRM groups to act as this in-between/interstitial space where there is an 'overlap and displacement of domains of difference [and] the intersubjective and collective experiences of *nationness*, community interest, or cultural value are negotiated' (Bhabha, 1994:2). It is possible for Indigenous peoples to engage in collaborative arrangements and maintain the authority and agency of their own culture, utilising more subtle projects of colonial resistance and Indigenous resurgence for cultural survival, self-determination and social justice. Linda Tuhiwai Smith (2012:153-154) suggests that envisioning is one form of colonial resistance and Indigenous resurgence in which peoples can bind together, rising above adverse present-day contexts to 'dream a new dream' and imagine a more just, and positive future. Such (re)envisioning can be understood in productive third space where cross-cultural relations can be mediated and alternative outcomes sought. This is particularly visible in arrangements between



Government agencies and Indigenous tribal groups where essentialised representations of coloniser and colonised and the differences therein remain quite distinct. Strategies of selfhood can be played out in this space where there is potential for cultural, socio-economic, political and environmental transformation.

The potential of third space to be used as a 'descriptor of actual places and their power dynamics', which goes beyond a metaphorical spatial tool, is particularly useful to this research. Johnson (2010) argues that Bhabha's third space concept 'only implies using thirdspace to describe a politics of place' with a focus on 'the hybrid nature of cultural identity, exploring the interstitial spaces and enunciative sites of this hybridity'. Johnson follows Donald Moore's (1997) lead and chooses to 'grapple with Bhabha's "third space" of "cultural practices and historical narratives" insofar as it represents a point from which to engage contemporary accounts of power and resistance in cultural studies' (Bhabha 1994:217 quoted in Moore, 1997:102). Like Johnson and Moore, the third space concept will be employed in subsequent chapters 'as a descriptor for particular spaces that have been produced from particular types of discourses and social interactions' (Butz and Ripmeester 1999). The main focus for this research is collaborative spaces, which have emerged from particular discourses associated with Indigenous rights, collaborative approaches to NRMG, and the potential for Indigenous self-determination within those spaces. I argue that collaborative NRM platforms are a third space because, as will be seen in 6.2.2, when the diverse group of actors collaborate in this forum the historical grievances of their colonial past are put aside – a terms of reference based on Treaty-based partnership and a mutual vision shared by all participants has assisted them to (re)envision progressive spaces for engagement, that empower Indigenous peoples and assist with their agendas for tribal and environmental wellbeing.

### 2.4.3 Recognising rights through Treaty settlements?

Rights recognition, in particular intentions for Indigenous sovereignty and self-determination, is an on-going struggle within the context of settler-states. This is despite progressive rhetoric and in particular the United Nations declaration on the rights of Indigenous peoples (United Nations 2007). Indigenous struggles continue to confront the liberal democratic ideals and positional superiority of Eurocentric values and interests upon which colonised states including Canada, the United states, Australia and New Zealand were founded (Johnson 2008:30). The concept of 'sovereignty' is laden with the certainty of authority over peoples and places, yet Simpson (2010:107) argues that 'nothing is so certain yet so fraught with precariousness as the practice of sovereignty – globally or locally'. This uncertainty exposes the sign of the state's failed authority over Indigenous peoples. Territorial grievances and ongoing contestation shows the agency and determination of the colonised to intervene in colonial discourse and imagined identities that position the state as superior to them.

Simpson's (2010) work provides a useful example of spaces conceptualised as 'Indian country', which are constrained forms of political autonomy, exercised in a double-bind context; autonomy can only be exercised due to the recognition that is awarded by the state to those peoples to exercise it. She contends that the sovereign status of the Indian is often contextualised in a particular moment – that of Treaty making for instance:

These forms of recognition are historical and juridical and embed within them the intentionality, the ambivalences and exigencies of settlement itself: dispossession, protection, alienation, incorporation, exclusion, assimilation, containment, all of which encode the needs and desires of states that are new, that are in process, that are complicated and struggling always not to fissure (Simpson 2010:108).



Literature that interrogates claims to Indigenous self-determination shows that this is the context in which Indigenous peoples enunciate and enact their sovereignty today. Ironically, if they are to protect their lands and people from further exploitation and marginalisation, they may well have to revert to the very mechanism that was used to expropriate their lands and authorise their subjugation: law (e.g. Day 2000 cited in Johnson 2008:32, Simpson 2010). While law is expected to protect Indigenous rights in the present, those rights, granted by that law threatens the very exercise of those rights.

The politics of rights recognition is vast and complex but it is important to note that many Indigenous peoples have asserted their self-determination through the multiple centuries of colonialism, and, that the assumed power of the colonial state to determine *who* has self-determination rights *where* is uncertain and constantly challenged. Indigenous peoples assert 'a path to self-determination that involves neither a recovery of a partial remnant of a sovereignty lost in the past, nor a futural project of a totalizing nation-state' (Day 2000 cited in Johnson 2008), they had sovereignty over their lands and resources when colonisers arrived and have maintained their sovereignty ever since. The painful hypocrisy is that the colonial state should have the assumed power to grant self-determination to a people, and one that qualifies under international law as a politically recognised group capable of holding this right (Johnson 2008). Chapter four will contextualise the New Zealand situation more thoroughly as a basis for interrogation of the ability for Indigenous peoples to assert their rights and intentions for self-determination in chapters five and six.

In post-colonial nation states such as New Zealand, it is important to recognise the bicultural underpinnings of the settler-state, rather than multicultural, in order to recognise its colonial history and to call attention to past and current failures to address Indigenous rights. Johnson (2008) argues that multicultural framings are inappropriate for responding to Indigenous self-determination claims. In contexts such as New Zealand, Treaty settlements have the potential to re-establish the parallel, bicultural planning and NRMG mandate that was once envisioned by Indigenous peoples in the original Treaty (Matunga 2000), in which the rights of Indigenous peoples to exercise self-determination in the areas of cultural preservation and NRMG are enabled. Parallel expressions of self-determination recognise and empower Indigenous peoples to practice separate institutions to govern their lands and peoples even where interests overlap and resources are shared (Johnson 2008). Indigenous communities 'reassert their cultural values in order to fundamentally reinvent the relationship between coloniser and colonised' from both within and out of state and non-state structures and 'this "reinvention" of society, coming from the edges, propelled by indigeneity, is beginning to challenge the construction of the white settler-state' (Johnson 2008:41). He argues that these changes are occurring at various sites and scales, from individual activists to immense land claims. The perceived threat to western hegemonic control contributes to an increased appreciation for the need to move to bicultural frameworks of environmental management and governance. This has materialised in postcolonial states through increasing inclusion of Indigenous 'conceptual regulators within the institutions of society' and the 'manifestation of bicultural frameworks within legal institutions and parliamentary acts' (Johnson 2008:39-40). Johnson's contentions will be employed in section 6.1.2 to investigate changes that are occurring at a catchment scale where an ICM approach with a 'bicultural' basis was led by a particular sub-tribe, Te Uri o Hau, following their Treaty settlement.

Treaty settlements and other agreements that (arguably) secure Indigenous rights, emerge out of insistent acts of resistance to colonial power and confirm Indigenous rights and responsibilities. They are a key mechanism

enabling Indigenous to sit at the negotiating table and to continue to occupy fractures of discourse (Barry, Porter 2012). Modern state policy and legislation often recognise Indigenous rights and interests, but fail to give effect to them (White 2012). As will be illustrated in 5.3.6, colonial discourse is reinforced through weak policy and legislation that enables colonial states to compromise Indigenous rights and interests in favour of neoliberal and private property rights and interests. Although the shape and implementation of Treaty settlement arrangements is highly variable, this position is proving to increase opportunities for Indigenous involvement in NRMG in settler states such as New Zealand (Environmental Defence Society 2007) and Canada.

The extent to which Treaty negotiation processes and outcomes are meaningful differs meaning the potential for Indigenous empowerment differs too, making this a key matter for concern in postcolonial discourse.

Postcolonial theorists such as Ani Mikaere debate the justice that can be anticipated from a negotiated settlement. Mikaere (2011:116-117) argues that Treaty negotiations generally force claimants to either 'take-it-or-leave-it', with the colonial state only willing to negotiate on minor aspects. The uncertainty and ambiguity, as well as the frustration of Treaty negotiation processes and post-settlement will be highlighted in chapters five and six.

#### 2.4.4 Summary

In this section I have discussed the concept of third space, in which new relations are enunciated and enacted. This built on previous considerations of deconstructing colonial discourse and postcolonial strategies of mimicry, strategic essentialism, and hybridity, which are enunciated within the third space, located in the contact zone. The discourse surrounding Indigenous rights and in particular self-determination was considered. The importance of bicultural framings and the need for the state to acknowledge parallel authorities was highlighted; with insight from Johnson (2008) illustrating the anxiety and fear the state has of losing its positional superiority. Therefore, the state is often more willing to engage in bicultural models because the threat of becoming the minority can be tempered. I also focused on the possibility (or not) of Treaty settlements for rights recognition and the provision of a platform from which the colonised and coloniser can begin to engage in progressive spaces of NRMG.

The concept of self-determination is engaged in this research because it enables me to consider real sites of resistance that expose the fragility colonial discourse, and the ambivalence of the colonial state, to reveal opportunities for Indigenous peoples to be empowered to assert their own authority within their own institutions and practices. As observed by Augie Flera and Paul Spoonley in *Recalling Aotearoa* 'Only the exercise of tino rangatiratanga [Indigenous self-determination] provides tangible evidence of its existence'. Jay Johnson (2008:31) provides an insightful interpretation that inspires the research in the following chapters:

This exercise of Indigenous self-determination does not occur in metaphoric "sites of resistance" but in, as Donald Moore states, "a politics of place 'on the ground.'" By reading the landscape for evidence of the exercise of Indigenous self-determination, it is possible to glimpse places outside of the hegemonic control of the settler-state. These landscapes lie somewhere between the settler and colonized, creating thirdspaces, holes in the fabric of the state that sit outside of this binary relationship.

It is hoped that my research will provide a useful postcolonial analysis of an 'on-the-ground' politics of place

married with critical theory in the form of the third space, considering and making visible specific exercises of Indigenous resistance to western hegemony. This may prove insightful for future direction within productive and progressive spaces of engagement.

## 2.5 Conclusion

Indigenous peoples have been subjected to 'the colonisation of their lands and cultures, and the denial of sovereignty, by a colonising society that has come to dominate and determine the shape and quality of their lives, even after it has formally pulled out' Linda Tuhiwai Smith (1999:7). After contextualising PCT within a NRMG setting (refer 2.1), I focused attention in 2.2 on colonial discourse, considering the ongoing material effects on Indigenous peoples' involvement in the management and governance of land and resources for which they claim inherent rights and interests. This reasserts the importance of PCT in modern postcolonial societies to deconstruct the ongoing processes and effects that continue to subjugate Indigenous peoples in different contexts in various ways. I employed Said's (1978) theory on Orientalism to show the construction of discrete binaries and colonial discourses of othering and stereotyping which position and fix Indigenous peoples, and by default non-Indigenous peoples, in idealised identities – Indigenous as the inferior Other and non-Indigenous as the superior Self. As illustrated in Linda Tuhiwai Smith's quote, colonial discourse continues to have material effects on the lives of Indigenous peoples, despite formal conclusion of 'colonisation' in post-settler societies like New Zealand.

In section 2.3 I introduced postcolonial concepts popularised by Homi K. Bhabha (1994) ambivalence; mimicry; and hybridity; and Spivak's (1987) concept of strategic essentialism. The postcolonial tensions and potential for processes to produce regressive outcomes just as easily as progressive ones was cautioned. Chapter Three will employ a postcolonial critique of ICM to consider how these might apply within a collaborative NRM approach underpinned by neoliberal technologies and possible implications for Indigenous peoples. In Chapters Five and Six I will then apply this analysis to my particular case study in the Kaipara Moana and catchment, to consider whether Indigenous groups are employing postcolonial processes as justified strategies for safeguarding their rights and mediating tribal interests. The agency and determination of Indigenous peoples to resist colonial discourse and (re)assert their rights and interests should not be doubted. PCT in this chapter has shown the fragility of the colonial state; its ambivalence; and progressive potential to destabilise and intervene in colonial discourse. It will be suggested in 6.3 that Indigenous can capitalise on the inconsistencies and contradictions in NRMG policy, institutions and practices to take advantage of opportunities that emerge through Treaty settlements or otherwise. Significant to this particular research is the potential for Indigenous peoples to form strategic alliances with wider community actors and stakeholders to mediate cross-cultural relations and overcome historic colonial legacies.

I explored the concept of the third space in section 2.4 and how this might be relevant to Indigenous agendas to exercise self-determination. Through recognition of the third space mysticism of 'cultural diversity' might be overcome with a more focused consideration of an empowering hybridity within which cultural differences may operate. A 'range of more complex and context-specific realities' can replace homogenous constructions of place and communities (Peterson 2012). It will be argued that postcolonial concepts such as hybridity and third space enable the recognition of the undercurrent of western hegemony at play alongside the contextual, heterogeneous specificities of the case-study site and the specific ICM group. Issues of Indigenous self-

determination will be problematised to reveal the instability of essentialised notions of Indigenous and non-Indigenous peoples. It is anticipated that particular postcolonial strategies can be enacted in the third space through forms of engagement with the dominant power showing the potential to disrupt or take advantage of certain representations, logics and systems to assist in the (re)negotiation of Indigenous roles in NRMG.

Finally, I considered the discourse around Indigenous rights and Treaty settlements as a potential foundation for the mediation of Indigenous rights and aspirations in the postcolonial settings. In order to understand the potential that an ICM approach might offer to mediate Indigenous rights, one must also understand the governance structures that are creating conditions for daily management. Often Indigenous groups find it difficult for their authority to be recognised or guardianship responsibilities to be exercised. It is also difficult to exercise customary and cultural practices. But it is argued that Treaty settlements are being used to re-establish relationships with natural resources. Treaty settlements could be considered an integral step in a process of decolonisation, which Barker and Pickerell (2012) suggest is an experimental act of becoming to which one never knows the outcome.

It should be said that like many efforts to engage in PCT, although such criticisms expose the ongoing marginalisation and exclusion of Indigenous peoples by particular agencies dominated by inherited western institutional knowledge, it is not the intention of this research to vilify the settler-state. The purpose of this critique is to highlight the various contradictions and inconsistencies that actually exist within the legacies of colonisation and consider how western hegemony might be destabilised to enable alternative outcomes. It will be argued that the postcolonial concepts of ambivalence, mimicry, strategic essentialism, and hybridity, (refer sub-sections 2.2.3 – 2.3.5) provide a framework to suggest that asymmetrical power relations inherited from colonisation can be renegotiated. The particular ICM case that is employed for this research will provide an understanding of how Indigenous peoples attempt to reconcile themselves with other participants in bicultural and multi-stakeholder realities, to provide for their own social wellbeing and self-empowerment. This may offer insights and potential policy and/or research directions for Indigenous peoples, states and others involved or interested in bicultural NRMG.

## Chapter 3: A Postcolonial Critique of Integrated Catchment Management

*He kōpu puta tahi, he taura whiri tātou, whiringa-ā-nuku, whiringa-ā-rangi, te whatia e.*

*Issue of one womb, we are a plaited rope, plaited on earth, plaited in the heavenly realm,*

*we will not be severed.*

### 3.0 Introduction

Integrated catchment management (ICM) can be considered a neoliberal technology of governing, which emphasises principles of deregulation, localisation and devolution. As the role of the state in natural resource management (NRM) transforms, the nature of the relations between the state, Indigenous peoples and other

non-state actors is also evolving. Moreover, the recognition among ICM researchers of the importance of accommodating diverse forms of knowledge beyond conventional science provides a means for the (re)assertion of Indigenous knowledge in overcoming NRM dilemmas. In this thesis I argue that ICM offers the potential to destabilise the ongoing marginalisation of Indigenous peoples in NRM, if Indigenous rights and interests as sovereign partners with the state are provided for. The ability for this to be achieved is mediated by the desire of the state to retain or relinquish authority. The current policy and regulatory paradigm continues to be Eurocentric-dominant. However, ICM offers opportunities for Indigenous peoples to act strategically to assert their rights and interests in relation to management of their natural resources. The emphasis of ICM on localisation and devolution provides space for Indigenous to engage in the politics of boundary making and rescaling of catchment and management.

The flax bush in the whakataukī for this chapter is a symbol for the whānau, but it also provides the raw material for many Māori crafts including house and waka building, in fishing and trapping in times past, in rope making. Muka fibre is created from the flax blade by scraping, then twisted together by rolling on the thigh, then plaiting the twists in twos, threes, fours, sixes and eights into ropes that multiplied the strength of their individual strands. *He taura whiri*, a plaited rope, is commonly used as an image for the weaving together of different descent-lines and hapū by able leadership.

In this chapter, I will present a postcolonial critique of ICM and consider the extent to which Indigenous groups are able to renegotiate their position as managers and decision-makers over their natural resources. In section 3.1 I demonstrate how the socio-political construction of catchments influences the ways in which management is undertaken and by whom. This reveals catchments as constituted through multi-scalar relations that are ongoing and continually shape management decisions and actions. In section 3.2, drawing on Bhabha's (1994) notion of ambivalence, I interrogate the relations between the neo-colonial state and Indigenous groups to identify collaborative dilemmas associated with structural and institutional arrangements and environmental practices. Section 3.3 will then consider the opportunities for co-production of knowledge to help address the complexity of wicked problems. In doing this, I reveal the politics of knowledge production and consider the dangers for Indigenous peoples of framing Indigenous knowledge as 'traditional' and the risk of co-option and assimilation by state agencies to fit their agendas.

Finally, in section 3.4 I consider how ICM groups, as intermediaries, might offer potential benefits for Indigenous and wider communities. I demonstrate how boundary organisations can create a third space, providing an effective forum for mediating cross-cultural mediation. This enables both recognition and integration of alternative knowledges within shared spaces while participants are able to simultaneously maintain the agency and integrity of their own culture and knowledge. The significance of boundary agents within the organisation is also discussed. The importance of such organisations becomes apparent in the context of non-statutory arrangements, where the commitment and effort of all groups of place, interest and regulation within the catchment is critical for ensuring positive, long-term outcomes of ICM.

## 3.1.0 Constructing Integrated Catchment Management

### 3.1.1 Introduction

In this section the construction of ICM is critiqued, demonstrating how socio-political contexts influence the ways in which management is organised and undertaken and by whom. The multi-scalar nature of ICM is revealed and the need for integration to improve fragmented jurisdictional management is promoted. Bhabha's (1994) notion of ambivalence I utilised to explore the relations between the neoliberal state and Indigenous groups to identify whether productive spaces of engagement for managing natural resources exist, in particular the potential for Indigenous peoples to be influential in the design and facilitation of an ICM approach. I suggest that opportunities exist where recognition of Indigenous peoples' rights and interests as sovereign partners with the state provides for the ability of Indigenous to exercise management and governance authority over natural resources.

### 3.1.2 Multi-jurisdictional fragmentation – the need for integration

ICM is a western approach to natural resource management (NRM) that is arguably consistent with Indigenous worldviews. It is championed for being a collaborative process that has the ability to account for the interrelatedness between realms and integrate multiple perspectives, providing opportunities for involvement of more marginalised communities and individuals. The origins of ICM stem from the integrated water resource management (IWRM) concept, which emerged in the 1950s (White, 1957 cited in Cohen, Davidson 2011). IWRM was a new paradigm that incorporated human use and the distribution of costs and benefits into the dominant hydrologic model. The potential value and significance of IWRM was reaffirmed at the 1992 Earth Summit, and again at the Global Water Partnership (GWP) in 2000, where the concept was defined as:

a process which promotes the coordinated development and management of water, land and related resources, in order to maximize the resultant economic and social welfare in an equitable manner without compromising the sustainability of vital ecosystems (Mitchell 2005:1335).

Subsequently, many governments, international donors, non-government organisations and various other organisations and groups with water interests have supported the concept (Watson 2014), some even claiming it as a 'nirvana concept' (Molle 2008). Such claims are founded by belief that IWRM or ICM offers greater sustainability of water and environmental resources, producing more equitable economic and social welfare benefits, as reflected in the GWP definition above. Whereas evidence from historical records prove fragmented approaches across jurisdictions and time have produced poor results (Cook 2014).

An integrated, collaborative approach to NRM at the catchment scale has been a recurrent focus of water management and governance literature over the past decade. The 'nirvana concept' (Molle 2008) promoted by some is criticised by others who warn against the assumption, particularly made by government agencies, that IWRM is simply the best way to manage water (Watson 2014). IWRM often obscures socio-political realities of water management and governance that requires significant compromise when operationalised. Often the potential benefits are celebrated before due consideration of fundamental aspects around what should be integrated, how, by whom, or even the possibilities of such integration has been had, often resulting in limited

success when applied (Butterworth, Warner et al. 2010). Assumptions that an integrated approach at catchment scale will result in the best management and environmental outcomes in all contexts is overly simplistic and optimistic; there is no 'one size fits all' and integration needs to be structured within an IWRM or ICM framework that responds to the particular context in which its applied, if applied at all. International examples from settler-states that continue to suffer perpetuating ongoing colonial and modernity discourse such as Ontario (Cook 2014), British Columbia (von der Porten, de Loë 2013) and New Zealand (Memon, Kirk 2012, Memon, Painter et al. 2010) illustrate the complexity of addressing jurisdictional fragmentation. Showing in particular that the presence or absence of certain institutional arrangements can lead to various water governance patterns and outcomes (refer section 3.2), some of which may be innovative and progressive but many that are not (Cook 2014). They argue that calls for integration to improve water management and governance condemned for its fragmentation requires guidance on who, what and how to integrate operationally.

The concept of 'integration' itself is politically charged, being employed to assist certain agendas, providing potentially positive or alternatively negative outcomes. The flexibility or ambiguity of 'integration' is often portrayed as a criticism – that 'integration' can be so broad it becomes meaningless, or alternatively, that this definitional ambiguity can be used to confuse the various other agendas of different participants and appear non-biased or empowering, while actually reinforcing the interests of the strongest partner (Miraftab 2004). Conversely though, 'integration' is also considered to be 'politically feasible, sufficiently positive, suitably ambiguous in heterogenous policy making' (Cohen 2012:2214) which can be interpreted according to different logics stemming from different epistemic groups and manipulated to fit various contexts. Within the assumed power hierarchies inherent in 'integration', there is room for manipulation and movement if the nature of ICM is appropriate. Work by Miraftab (2004) and (Cook, Kesby et al. 2013) highlights that the uncertainty and inconsistency associated with integration creates potential for minorities to negotiate subversive strategies of hybridity. An integrated approach can benefit a community's minorities, if there is appropriate action around the conception of the partnership, the reason for its initiation and implementation, and the power dynamics are addressed in a manner that secures equitable, horizontal power relations (Miraftab 2004). Both the progressive and regressive potentials of integration and the associated ambiguity of an integrated, collaborative approach will be considered in Chapter's Five and Six.

A key opportunity of ICM is the integration of multiple agencies, both governmental and non-governmental, to deliver more cohesive and efficient management where previously this has been lacking. Through the 'catchment' concept, ICM has the potential to enable multiscale integration of jurisdictions and departments, fragmented land and water management programmes and different communities of interest and epistemologies (Memon, Painter et al. 2010). This integration is particularly relevant for transboundary resources such as water, where multiple agencies often share management responsibility within various boundaries. Often the drivers are physical such as the integration of land and water management, or the freshwater and coastal interface, but sometimes they are social. Cohen (2012:2217) notes in her research that 'In New Zealand, for example, the move towards watersheds as governance units "stemmed from a desire to make the array of agencies more coherent"' (Pyle et al, 2001, page 785). While ICM does have the potential to address *ad hoc*, cross-boundary management through multiscale arrangements and address various physical and socio-political issues the reality, as has been outlined, is not always so simple. Gugu and Molin (2015) highlight the complexity of integrated approaches that attempt to incorporate multiple and diverse actors. An increase in diversity can equate to increased complexity of collaborative governance due to the increased number of different needs,

expectations and agendas; such cases may also face the age-old challenge of less trust or more time required for trust building. The ICM approach used as a case study for this research is concerned with this issue of increased diversity and potential challenges as well as the lack of operational guidance pertaining to integration that was discussed earlier. It is argued that more thoughtful critique of how integrated approaches should be structured and applied (refer 3.2.3) and the institutional changes (refer 3.2.4) that are required to support such integration (Cohen 2012) will help to establish more responsive and successful ICM.

Integrated approaches can offer opportunities to create space for new knowledge. Catchment issues often have 'a clash of worldviews' at their root, 'a contest of the relative importance of different value sets, which, when seen as interlinked through an ICM lens, may also open up options for resolution' (Fenemor, Phillips et al. 2011:326). Through integration, a well-organised ICM approach has potential to enable greater recognition of "denied" knowledges. New knowledge production is required in places of scientific uncertainty and where application of monolithic Eurocentric knowledge is challenged, which is often experienced at sites where the environment is degrading and current approaches are failing. Coombes et al. (2011) argue that as environmental crises gain more public attention we can expect the emergence of ontological differences which produce competing aspirations in collaborative management. The shortcomings of historical and current NRM approaches, and the recognition of ecological complexity, results in greater expectation and pressure on states to integrate alternative and just as legitimate knowledges. Scientific privilege has been destabilised by scientific uncertainty, validating and supporting the uptake and application of plural or multiple knowledges in management and decision-making (Coombes, Gombay et al. 2011), presenting opportunities for hybridity and assertion of Indigenous knowledge within inherently colonised settings. Notwithstanding, such changes will not happen over night and there will still be challenges of institutional inertia and the unwillingness of states to devolve real decision-making power even if they do respond to state overload and policy failures by working alongside communities (Cohen, Davidson 2011). Further interrogation of challenges and possibilities for integrating different cultural knowledge systems and the value (or not) of such attempts is discussed in section 3.3.

### **3.1.3 Politics and catchment management – defining the scale, boundaries and management authority**

An ICM approach involves political as well as scientific decision-making, which serves particular management goals and is therefore rooted in social power structures. Through the various transitions of IWRM over time, the watershed or catchment has been maintained as the 'ideal' scale at which IWRM should be implemented (Cohen, Davidson 2011). However, a 'catchment' for an ICM project is not a clearly defined geographical spatial unit – rather a particular 'catchment' is socially constructed in order to fit a particular 'management' approach, which is influenced by scientific, neoliberal and local epistemologies. There are debates around whether a catchment should be bound by its 'natural' contours; by the way it functions as a human utility; or other considerations, such as tribal boundaries. While the 'catchment' tends to be constrained geographically in terms of scale, socio-economic and political boundaries or even terrestrial ecosystems do not often coincide. Human modification of watercourses and 'natural' landscapes including impounding watercourses, and transporting water across large distances, have led to complications around determining boundaries. Tribal boundaries tend to follow 'natural' catchment boundaries due to historical reliance on natural resources for livelihood. However, tribal boundaries may overlap with one another and with council boundaries, which can add to the complexity of determining the boundaries and management of a catchment (Blomquist and Schlager 2005:105). This political



process of boundary-making and rescaling determines what will be included or excluded for integration but also who is involved and who is excluded from the integrated management and governance approach, thus implicating the arrangement of subsequent management authorities. Developing this understanding allows the power dynamics of an ICM arrangement to be assessed through postcolonial constructions of space (Norman 2012), which will be further interrogated below in terms of the politics of ICM and in section 3.2 in terms of collaborative processes between State and non-State actors and Indigenous peoples' engagement.

ICM is usually implemented through collaborative 'management authorities' that have (often limited) devolved management and decision-making authority. The structure and institutions of such a body is critical because a common criticism in water governance literature is that pervasive colonial hegemonies tend to be reinforced through management bodies (Gibbs 2014). New entities are often created such as a single, collaborative management body. This is often characterised as some form of watershed (or catchment) authority, or through cooperative coordination among existing agencies (Blomquist, Schlager 2005). In places where local (and often informal) water management and governance structures are already successfully established, utilisation and flexible inter-coordination of those into a broader management body at higher scales might work better than attempts to reconstruct a suitable management authority from scratch (Butterworth, Warner et al. 2010). Such existing arrangements may provide institutions with experience, knowledge and systems required for effective integrated and holistic management at the local level, which can be built upon as well as existing infrastructure. Constructions of management entities may require Indigenous groups to conform their own governance structures to a more western model. Possibilities might exist for inter-coordination of existent tribal structures, practices and institutions into a higher scale management structure.

In some cases ensuring participation in a management body may force Indigenous to compromise their natural tribal structures and institutions. One approach is the re-scaling of natural groupings in order to fit a management regime based on neoliberal, ethnocentric principles. For some Indigenous peoples this may have already occurred, for example through the creation of a government recognised tribal authority for the purposes of engaging in Treaty-making or subsequent Treaty claims and negotiations, and the new management regime simply reinforces the use and justification of such authorities. Creating new management entities based on neoliberal ideals of creating homogeneous entities that support nationalistic, multicultural calls from colonies such as New Zealand and Australia are inconsistent with Indigenous worldviews. In contrast though, Indigenous groups can employ tactical scaling-up methods, empowering themselves through strategic essentialism (Norman 2012). This contention will be considered through a case study of the Coast Salish Community in North America in the next section and further utilised in my analysis of the particular case study for this research (refer 5.2).

Power discrepancies exist between actors and there are varying abilities to influence the politics of boundary-making and who is involved in management arrangements. Inherited colonial dynamics can mean that Indigenous peoples are more responsive to the politics of boundary-making and construction of management authorities rather than being strongly influential in the process itself. These ambiguities complicate a management approach that is designed to be simple and purely scientific, and opportunities may exist for minorities to destabilise these political processes and participate in the act of boundary-making and establishment of a management structure. Such opportunities may be presented by appropriate recognition of their sovereign rights and interests, which are legislated in policy and laws (refer 2.4.3). Moreover, potential for the recognition of those rights to be involved in the design as well as facilitation of ICM will be interrogated

through a specific case study in which an Indigenous group actually initiated and led the design of ICM in the Kaipara Harbour catchment (refer section 6.2).

### 3.1.4 Potential benefits of rescaling

Projects of colonial resistance and tribal resurgence are increasing, as is recognition of Indigenous peoples' rights and intentions for self-determination (Tuhiwai Smith 2012). Research has shown that the intentional scaling-up of Indigenous identities from individual, smaller groupings into one large, collective entity can benefit Indigenous peoples and aid in political negotiations with 'outside agencies' (Norman, Bakker 2009, Norman 2012). Norman (2012) offers an example whereby the Coast Salish Aboriginal Council have created a forum where individual smaller groupings can unite in a strategic way, reclaiming authority through employment of tactical scaling-up methods. This allows empowerment through strategic essentialism. Authority is achieved, in part, through the 'scaling up' of individual bands and tribes to a singular nation. The people have created a regional council through which they are building intricate networks and collective identities of kin-based communities. They are reconstructing a cultural identity that spans the border and unifying to work more strategically with external agencies and groups. 'Scaling-up' reflects a collectivist worldview based on traditional Indigenous ways of thinking, in opposition to the individualist worldview of today's neoliberal-dominant society. This example demonstrates possibilities for Indigenous peoples, which could be applied in ICM approaches that are also concerned with scaling up to fit large-scale catchments and involve management authorities comprised of diverse actors, including government agencies. For this reason, this example is detailed here, to assist understanding of the challenges *and* possibilities of postcolonial NRM and to inform the research discussion in 5.3 on strategies employed to assert Indigenous involvement in ICM at multiple scales.

The Coast Salish Aboriginal Council (the Council) is a new governing entity created by Indigenous leaders in the Pacific Northwest of North America, to manage and protect resources by and for their people. The Council represents over 70 tribes and is based on traditional leadership. The Council holds annual gatherings where tribal leaders (along with other attendees including governmental officials) discuss complex trans-boundary and multi-jurisdictional resource management and governance issues.

“The objective of the Gathering was to provide a forum for tribal and First Nation leaders to collaborate on environmental issues and share that information with governmental policy makers to assist them in making more protective and culturally sensitive decisions concerning the future of this richly endowed, yet fragile, region that we share, the Salish Sea (Coast Salish Gathering Program, 2008)” (Norman 2012:152).

The Council is consciously drawing on both 'historical connectedness and the shared desire to address issues of environmental degradation' (Norman 2012:144). Shared priorities for the Salish Nation are identified by Salish community leaders at Council meetings and gatherings 'and then brought back to the communities and built into localized efforts' (Norman 2012:148). These points of connection are also places where the Salish leaders can exchange information, as well as reaffirm and revitalize a shared identity.

In this case, the process of scaling-up is occurring in an intentionally postcolonial context. Salish communities are actively engaged in a process of nation building, overriding designated territories enforced on them by colonisers and trying to 'mitigate the historical (and Contemporary) divisiveness of the constructed international

border' (Norman 2012:151) by re-creating governance structures based on traditional territories. The Council is engaging in spatial re-occupation through strategic essentialism and 'performativity of scale' and through cartographic and discursive tools such as 'counter-mapping', media coverage, literature and the development of an environmental action plan which reimagine space and reunify disparate groups. Scaling-up is an active process of 'strengthening the individual tribes and bands to think beyond the limits (geographic, economic, political) that were placed on them during colonial times' and to 'reclaim and rebuild some of the internal control to decision making and governance' (Norman 2012:148). Norman (2012:149-150) argues that the intentional postcolonial discourse that the Salish people are engaged in is 'not an attempt to go back to pre-contact ways, necessarily; rather, their enactment is a deliberate attempt to regain some of the characteristics and strengths of the Coast Salish communities'.

Scaling up, or unification, can attract greater support from external agencies too, as explained by the regional director of the United States Environmental Protection Agency at a Tulalip gathering: "The more unified your voice, the more support we can give you" (Norman 2012:152-153). The director further explained that although the department is "sensitive to the needs of individual bands and tribes, establishing a common position aids in the navigation through large bureaucratic systems" (Norman 2012:153). Intentional scaling-up through creating a single governance entity among Salish communities, and (re)constructing a collective space can play a significant role in organising action, both internally and externally (Norman, Bakker 2009:152-153). Similarly in ICM, intentional scaling-up through creation of unified management and governance entities can aid Indigenous peoples to engage in productive spaces of NRM and to explicitly engage in the politics of scale.

### 3.1.5 Summary

The intention of this section was to describe the concept of ICM and its constituent parts as well as the potential power of ICM as a decentralised, collaborative approach to NRM. The conceptual underpinnings of 'integrated', 'catchment' 'management' were discussed in 3.1.2 and 3.1.3 with acknowledgement of the inherent ambiguities of integration and the politics of boundary making and rescaling of catchment and management. Decision-making of *who* and *what* are integrated and *how* reflects societal power structures. In colonised states positional asymmetries inherited through colonialism often serve to reinforce Indigenous marginalisation. In many cases the state is too eager to implement ICM without adequate attention to the particular context and those fundamental aspects of integration (who, what, how). In such cases, recent water governance literature has shown that the 'nirvana concept' has actually resulted in little success. However, the politics of constructing ICM are uncertain and the process, which is based on neoliberal principles of deregulation, decentralisation and devolution, is open for intervention and (re)interpretation. An ICM approach offers the ability to integrate fragmented management agencies and various communities and knowledge systems, which can be particularly useful for complex water governance situations if given appropriate thought and contextualisation prior to implementation. As shown by the Coast Salish examples there are possibilities in ICM for Indigenous groups to assert their culture, values and self-determination of their interests while engaging in management and governance of large-scale, shared natural resources with state agencies in new and innovative ways.

## 3.2 Ambivalence, contradictions and interstices – Collaborative dilemmas in integrated catchment management

*Newcomer governments claim to be forging historic new relationships with Indigenous nations, relationships based on mutual respect, sharing, sovereignty, and our inherent rights. Economic development, modern treaties, self-government, compacts, revenue-sharing, and co-management have become the watchwords of the 'post-colonial' age. But beyond the words, is the promise holding?*  
(Alfred 2005:45)

### 3.2.1 Introduction

In the current socio-political context, colonial governments claim to be building new relationships with Indigenous peoples to address historical subordination and marginalisation of their rights and interests in NRM. This research intends to analyse a particular case study of ICM (discussed in detail in following chapters), using postcolonial discourse, in order to gauge whether the promise is holding. The ambivalence of colonial and postcolonial relationships can be seen in the processes, context and structures of ICM. Contradictions and inconsistencies in ICM discourse expose opportunities for Indigenous peoples to engage strategies of mimicry and hybridity. Scholars argue that multiple stakeholder platforms (MSPs), such as ICM groups, can provide 'spaces' for participation, addressing power inequities between local actors and centralised decision-makers (Cullen, Tucker et al. 2014). Well-organised MSPs may even offer 'space and fresh air' for alternative capacities and knowledge, and greater possibilities for historically marginalised and subjected communities to assert self-determination (Warner 2006:20). However, outcomes vary and have the potential to be contrary to what is anticipated or hoped by Indigenous peoples and wider communities.

Section 3.2.2 will introduce the process of neoliberalism and its significance for NRM. Literature tends to focus on the alleged adverse effects of neoliberal hegemony but scholars interrogating the postcolonial nuances of projects with neoliberal underpinnings suggest inherent contradictions, which ensue progressive possibilities from within (e.g. refer to Peck, Theodore 2012, Castree 2008). In section 3.2.3 I will focus on power discourse and opportunities associated with ICM, conveying how structural and institutional arrangements influence Indigenous peoples' engagement in ICM. If arranged appropriately ICM can provide opportunities for Indigenous peoples' empowerment, assisting agendas for self-determination. Conversely, weak and/or inappropriate arrangements can serve to reinforce embedded power asymmetries. Finally, section 3.2.4 will reveal the difference between management and governance and the need to have both for effective and empowering ICM.

### 3.2.2 Neoliberal hegemony?

Neoliberal discourse and the role of neoliberalism in NRM has been well documented in NRM literature (Cohen 2012, Memon, Kirk 2012, Castree 2008). For the purposes of this research, 'neoliberalism' refers to:

...trends in political and economic restructuring since the 1970s involving, among other things, privatization, marketization, deregulation, localization, decentralization, and "the state-led encouragement of civil society groups (charities, NGOs, 'communities', etc) to provide services that interventionist states did, or could potentially, provide for citizens (Castree 2008:142, Peck and Tickell, 2002 cited in Cohen 2012:2212).

Much NRM scholarship focuses on the 'apparent hegemony of neoliberalism' and its application and effects. Scholars examining the relationship between environmental rescaling and neoliberalism have contended that the process of rescaling environmental governance is 'politically charged' (refer 3.1.3) and reflects particular neoliberal aspects. As noted by McCarthy and Prudham (2004:279 cited in Cohen 2012:2212):

Neoliberalism entails the construction of new scales ('the global market'), shifting relationships between scales ('glocalization', the alleged hollowing out of the nation-state), and engagement with many scale-specific dynamics, all of which take shape and become tangible in the context of particular cultural, political and institutional settings.

Inherent in these arguments is that neoliberalism is an uncertain process rather than a coherent, stable political order – therefore the effects and outcomes of projects that employ neoliberal logics cannot be pre-determined. Indeed, more recent research has begun to 'de-mythologize it, to play up to its inherent contradictions, and so to argue for the possibility of progressive spaces within the neoliberal project through exploitation of such tensions' (Lockwood, Davidson 2010:389). Peck and Theodore (2012:178) argue that the language of '*neoliberalisation*' provides a signifier for an always-contradictory process, and for an evolving programme of restructuring. NRM and governance (NRMG) reflects this unpredictability and 'is always becoming, necessarily uneven, often contested, and sometimes exercised outside of the state' (Rutherford 2007:292). These considerations are relevant to ICM, which involves physical and metaphorical rescaling and indeed tends to reflect neoliberal ideology. However, as has been suggested in this sub-section and will become apparent in this chapter, neoliberal processes and ideologies do not necessarily restrict opportunities for Indigenous empowerment in ICM entirely.

### 3.2.3 Structure and mandate

A review of ICM literature and initiatives in practice conducted by the Ministry for the Environment in New Zealand showed that ICM can be structured in a way to enable Indigenous peoples' to hold more powerful governance and management positions, and furthermore, such cases are increasing (Ministry for the Environment 2010). However, significant commitment and effort is required in order to destabilise asymmetric power dynamics established through colonial discourse and embedded in NRM, to produce inclusive, innovative and empowering ICM (von der Porten, de Loë 2013). Memon and Kirk's (2012) research on the role of Indigenous Māori in hybrid governance arrangements for Te Waihora/Lake Ellesmere shows that resolving issues of participation and rights is ultimately about challenging and transforming colonial power relations, which the state continues to resist. As conveyed in the previous section, ICM requires rescaling NRM to the catchment scale, which involves the creation of borders and certain jurisdictional and territorial authority over people and places, determining who and what will be integrated for catchment management. These processes are usually dominated by the state, which retains the power to decide whether ICM will be initiated and in what way. This contradicts the positive tenets of ICM, including deregulation, decentralisation and devolution to the local scale (Cohen, Davidson 2011).

Structural approaches for ICM can vary but are usually characterised by MSPs (Cook, Atkinson et al. 2013). In some cases stakeholder processes remain at the level of institutionalised groups, and Indigenous have commonly 'been driven into pragmatic compromises to protect their rights and interests through joint management arrangements' (Mulrennan, Scott 2005:207). In other cases, where resources are limited or there is less desire to be engaged, Indigenous may simply agree to 'nominal' or 'representative' participation (White 1996, 7-9 cited in

Cornwall 2008:273) so that they feel they still retain some power, or that they are taking a step towards an ultimate goal of self-management (Mulrennan, Scott 2005).

Steins and Edwards' (1998:244) definition of a MSP, commonly referred to in the literature, is

a decision-making body (voluntary or statutory) comprising different stakeholders who perceive the same resource management problem, realise their interdependence for solving it, and come together to agree on action strategies for solving the problem.

MSPs are established when a system is not working effectively, providing motivation for disparate actors to engage collaboratively.

Cullen et al.'s (2014) analysis of power dynamics within innovative MSPs for NRM focused on three MSPs established for a research-for-development project in the Ethiopian highlands. They contend that failure to account for power dynamics during the design and implementation of MSPs can result in unsatisfactory outcomes for minorities, with the illusion of increased participation masking replication of the status quo (Gaventa 2006). When MSPs are created in 'unfavourable conditions' (Faysse 2006) issues often continue, and are sometimes reinforced. 'Unfavourable conditions' include high social inequities; a state that is either too strong or too weak to support process and decisions; disorganised stakeholder groups; and lack of funding and technical capacities to implement MSPs. Actors can come together to take collective action to solve common problems and effect desired change. However, Cullen et al.'s (2014) work suggests that even if an innovative and collaborative forum is established, underlying issues causing weak actor linkages in the first place are often overlooked. Due to the mechanics of local government decision-making, representatives are constrained by officials higher up either within their own local bodies, or at the central government level. Cullen (2014) argues that acute awareness of power dynamics and the perceived inability for those representatives to change that dynamic diminishes incentives to innovate, reinforcing the status quo.

Voluntary or non-statutory arrangements arguably enable hidden power dynamics and colonial agendas to persist. A typology of MSPs ranked by influence in research by Warner (2006) revealed that no 'water MSPs' in their study had significant mandate. Actors are able to strategically withhold or contribute knowledge (and resources and funding) as they wish. The extent to which Indigenous communities are included or integrated in collaborative processes is often influenced by formal forms of recognition such as (western) Treaty settlement legislation or other regulatory frameworks that determine where and to what extent sovereignty and customary rights are recognised (refer 3.4.3), and therefore whether the state is obliged to include them or not (Simpson 2010). For example, the National Water Initiative of Australia (NWI) has undergone significant reforms of the water sector for over a decade and sought to recognise the special character of Indigenous interests in water, but even though the reforms have included encouraging and potentially enabling provisions the discretionary nature leaves them open to interpretation and open to non-commitment. Little guidance for water resource managers and authorities that seek to meet the obligations to Indigenous communities, results in little real change (Tipa, Nelson 2008:316)

In many cases initiation of ICM and power distribution through institutional arrangements are considered critical to which agendas are advanced through the platform (Cullen, Tucker et al. 2014). Ambiguity in the ICM



arrangement may enable different actors within the platform 'to appropriate the platform space for their own purposes in order to capitalize on external expertise' (Cullen, Tucker et al. 2014:265), influencing the nature of integration and outcomes for a particular ICM approach. For example, government actors may use an ICM group to achieve government targets and researchers may use it to reach their criteria and targets. More powerful participants, particularly government agencies, can manipulate the MSP to achieve their goals while marginalised actors and less powerful members of communities are less likely to achieve their desired outcomes. In these 'unfavourable conditions' where platforms are likely to be used for 'other' agendas, (Cullen, Tucker et al. 2014) MSPs may not be an appropriate mechanism to address underlying issues. As will be seen in 5.2, motivations, commitment and effort of different actors vary so that some stakeholders, such as government agencies, are able to withdraw or withhold commitment depending on priorities and agendas. This may serve to undermine an approach where various actors are making concerted commitment and effort at the local level.

Furthermore, many collaborative MSPs do not address inherent rights and interests of Indigenous peoples in NRM, 'conceptualising Indigenous peoples as "stakeholders"...fails to appreciate their unique status as original owners of country that was wrested from them by the modern, colonial state' (Porter 2006:no page number). Von der porton (2013) consider collaborative water reform in British Columbia and the relevance of water for Indigenous rights, livelihoods, culture and spirituality. They highlight the conflict between stakeholders and Indigenous rightsholders, questioning expectations that collaborative approaches will be successful if the rights and interests of those people who are expected to participate are rejected or compromised. Indigenous peoples view the lands and environmental resources that are being used as their traditional territorial domain (Barry, Porter 2012), which they have been marginalised and subjected from. If Indigenous peoples perceive the approach as an extended colonial apparatus, then collaboration is unlikely to be successful (von der Porten, de Loë 2013). Therefore, Indigenous rights and interests must be addressed first, and institutions put in place, before collaborative ICM should be embarked on. Nation-to-nation or government-to-government governance may be required for progressive water governance (von der Porten, de Loë 2013:204).

Indigenous peoples have the right, and increasingly the intention, to be involved in decision-making at both management and governance levels. The literature shows that there is a clear difference between 'management' and 'governance'. In their review of the meaning and significance of 'water governance' in comparison with water management, Lautze et al. (2011:4) put it simply that 'water management aims to improve outcomes directly, where water governance seeks to define what good outcomes are and align management practice with those goals'. Governance is considered to be processes and institutions that are used to identify management goals while management agents/agencies then implement the practical measures to achieve those goals. As will be discussed in my findings in 5.2 and 6.4, this distinction is critical when considering the role of Indigenous peoples in NRM, particularly regarding Indigenous rights and intentions to exercise decision-making authority and self-determination.

### **3.2.4 Institutions and practice**

Many case studies illustrate that, in the context of historical dispossession, the only way for the state to restore real trust with Indigenous peoples is to relinquish its institutional, cultural and power dominance (e.g. Kepe 2008, Coombes, Hill 2005). The conceptualisation of institutional arrangements employed by Memon et al. (2010:37) will be applied to this research:

There is wide agreement that the effectiveness of a collaborative approach is contingent on having in place appropriate institutional arrangements that take into account the nature of the problem as well as the social, economic, cultural and political contexts (e.g. Hanna et al. 1996; Verma 2007; Sick 2008). The social science usage of the term 'institutional arrangements' in this context encompasses formal rules (such as statutes) as well as informal norms, roles and operating practices that govern human behaviour and that are so stable, structured and accepted that they can be said to be 'institutionalised' (Dovers 2001).

Interviews conducted by Memon et al. (2010) with six environmental professionals significantly involved in recent ICM processes in the South Island of New Zealand identified key institutional and related factors contributing to the success of these initiatives. Their findings showed that, at the local level, the institutional qualities most likely to produce positive progress included: 'inclusiveness'; 'formal, binding, collective choice rules with a purpose: i.e. promoting fairness, equity...and mutual gains'; 'collaborative, capacity-building leadership'; 'credible commitment to collaboration (i.e. participants willingly direct their power and resources to cooperate in good faith toward mutually agreeable decisions and then to promote, protect and enforce such deals)'; and 'integrating and applying a broad knowledge base' (Memon, Painter et al. 2010:37). However, in a postcolonial context, if the state or policy makers cannot justify the time or cost for effective remedial trust building pre-establishment, then these attributes are unlikely to be present and they should not embark on a collaborative strategy lest risking ineffective collaboration (Ansell, Gash 2008).

A study focused on the progressive potential of a joint management approach in the Taieri catchment within New Zealand's South Island, revealed that capacity imbalances are a key barrier to Indigenous involvement in ICM (Tipa, Welch 2006). Tipa and Welch (2006:388) suggest that capacity issues must be addressed before any claim can be made towards more meaningful Indigenous participation in collaborative NRM approaches or 'equal' partnerships. Their research, and other international examples, contends that partnerships between the state and Indigenous peoples are manifestly unequal in terms of available resources (Tipa, Welch 2006:388). Within a *multiple* stakeholder approach, in which power and responsibility are meant to be decentralised, devolved to the local level and shared, there is even more ambiguity about the state's responsibilities and contribution. The significant challenge of contributing financial resources and support so that communities can build capacity and engage effectively is recognised in today's socio-economic climate. However, such commitment and sharing of local resource benefits is required for successful outcomes (Brandes, O'Riordan et al. 2014:37). Memon and Painter (2010:42) support this contention, arguing that 'long-term, measurable progress requires all stakeholder groups of place, interest and regulation to participate throughout ICM processes at a level that leads to mutual accountability for process outcomes'. Given the arguments already presented in this section, recognising and ensuring the participation of Indigenous peoples, who indeed have special rights as Indigenous peoples, is critical. Memon and Painter (2010) contend that further gains are required in this area, particularly through finding participation incentives for the advantaged in the current system and, equally, providing participation opportunities for those disadvantaged.

Gibbs (2014) proposes the significance of the 'practices' of governing as well as the structure of institutions in her commentary for the New Zealand Geographer's special issue on *Freshwater geographies? Place, matter, practice, hope*. Gibbs (2014) conveys the importance of geography 'practices' and in particular cultural and



historical geographies, which can make a significant contribution through their focus on everyday and extraordinary processes. Postcolonial discourse can reveal more nuanced understandings of place and emphasise 'rhythms of everyday life' (Gibbs 2014:55) helping to identify patterns and diversity. Different ideas, practices and values have implications on priorities and institutions. In response to Castree's (2010:1) call for 'geographies of hope and survival in an age of crisis' and 'invitation to think and provocation to act', Gibbs (2014:59) draws particular attention to the value of Indigenous knowledge, trust and reciprocity in water management and governance suggesting that critics may find hope by looking to and learning from alternative ways of cultivating relationships between people and water places. She recognises the impact that colonial and modernity discourses have had, and continue to have, in shaping institutions, practices and processes for NRM and governance, and recommends looking to Indigenous knowledge to assist understandings and progressive potential, emphasising relationships based on respect and reciprocity. Additionally, Salmond et al. (2014) call for structural change and a cultural project to cultivate 'diverse institutions of care' in freshwater management. They posit that a new focus is required on the philosophical disconnection between people and water, expressed through institutions and technologies of alienation (Salmond, Tadaki et al. 2014:49). Neoliberal mechanisms and processes are framed as challenges rather than limits. This suggests the ability for Indigenous peoples and wider communities to overcome those to realise postcolonial opportunities in transformative long-term relationships between people, water and broader environment. ICM is one possible scale 'of doing water' (Salmond, Tadaki et al. 2014:53) at which to embark on new philosophical interrelationships to ensure the health and wellbeing of both waterways and their communities.

'Action-oriented researchers' have identified the potential for MSPs to mobilise actors into strategic alliances, providing a significant catalyst for new institutions and social change (Butterworth, Sutherland et al. 2008). This may assist efforts by Indigenous peoples to re-negotiate their role in management and governance of common-pool resources. This potential is illustrated in 'The Spirit of Haida Gwaii', a well-known sculpture by a Haida artist Bill Reid portrays 13 passengers of a canoe, drawn from Haida mythology, vying for position and facing various directions yet somehow 'paddles are somehow in unison and they appear to be heading in the same direction' (Tully 2004:28). The emphasis is on being different but together in the same process, and finding mutual vocabulary (rowing) in order to move forward in the same direction. This symbolises the possibility of working together while at the same time recognising, embracing and making use of differences. This is important in ICM where there are multiple stakeholders with various logics and cultural understandings, as will be further discussed in the following section.

Some arrangements at 'grass-roots' level may incorporate government agencies in (re)imagined ways, suggesting the potential to destabilise inherited positional authority. There is an upward trend of NRM arrangements being initiated outside of government, including by Indigenous communities (e.g. Barry, Porter 2012, Swaffield 2013). These types of MSPs provide more responsibility and greater voice for local resource users in managing resources that they have an interest in. In their study of six 'successful' participatory catchment organisations, which are a type of non-governmentally constituted ICM groups that incorporate government in various ways, Cook et al. (2013) explain how all of the organisations (which come from various governmental, scale, political and economic contexts) have surprisingly similar histories – all starting as responses to local issues and dissatisfaction with present and often disjointed governance relative to local priorities. Their study highlights complications between government and non-governmental actors involved in an ICM characterised by deregulation and devolution because 'governments are at once: responsible for the poor

management that prompted creation of the PCOs, a partner seeking to improve land-water management, and a source of direct and indirect funding'. Cook et al. (2013) identify three shared principles that help to address these complicated relationships: trust; collaborative decision-making; and win-wins or mutual benefits – supporting findings from Memon et al. (2010) presented above. Cook et al.'s (2013) findings also show the importance of such groups as two-way bridges between governments and public, assisting the integration of key actors in ICM and contributing to more successful outcomes (refer 3.3.5). Tensions between government and Indigenous and other non-governmental actors and the significance of bridging proposed by Cook et al. (2013) will be further explored in 3.3.5, informing my analysis in Chapter Six. This will assist me to interrogate the possibilities of ICM to mediate cross-cultural relationships and enable Indigenous aspirations for NRM.

Discussed above is the potential for MSPs to provide a forum for multiple actors to work together collaboratively, as illustrated by the metaphor of the Spirit of Haiida Gwaii. But also discussed in this chapter and its predecessor is the need to address Indigenous peoples' rights and interests first, to achieve effective collaboration and ICM. To explore these contentions the concept of the Kaswentha or "Two Row Wampum" is employed, a notion conceived in historical Treaty agreements between the Mohawk nation and European colonisers (Johnson 2008). This concept has been used to inform other interrogations of collaborative management approaches for NRM (e.g. Stevenson 2006) I suggest it is applicable in any NRM approach that involves Indigenous and non-Indigenous peoples and is particularly applicable to integrated management and governance approaches within postcolonial societies.



Figure 3.1: Image of the Two Row Wampum (Source: Stevenson, 2006).

The Two Row Wampum represents two different cultures (indicated by the two solid lines) side by side navigating their own paths down 'the river of life...each with its own laws, customs and traditions, neither trying to steer each others' vessel' (Stevenson 2006:176). Within this analogy are the principles of mutual respect, partnership and the idea of a nation-to-nation relationship in which each acknowledges autonomy, authority and jurisdiction of each nation. This contention affirms arguments presented by von der Porten (2013) in the previous section that a nation-to-nation or government-to-government governance may be required for successful water governance.

Earlier I asserted the need for preconditions to be met prior to engagement in ICM. I propose a diagram to illustrate a potential bicultural approach to ICM. This diagram builds on a simplified version presented by Stevenson (2006:177) whose version represented the Two Row Wampum approach to co-management.

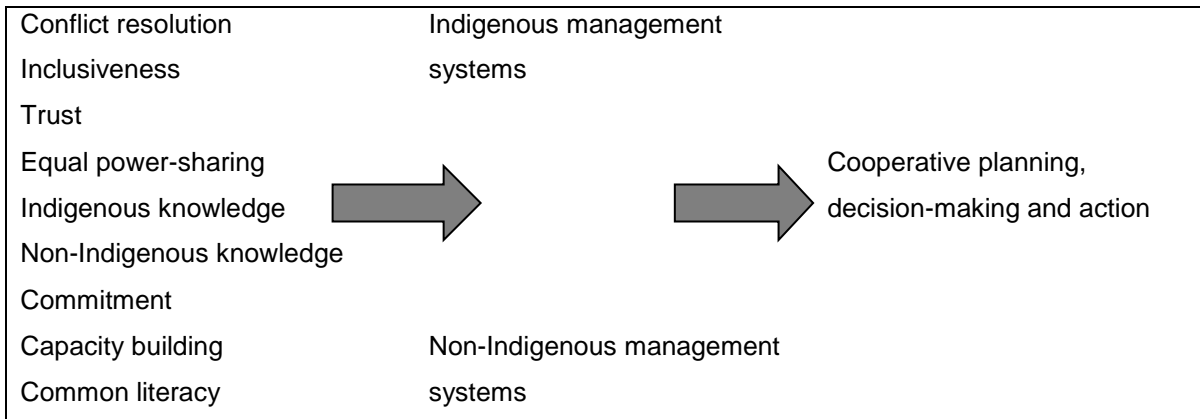


Figure 3.2: Diagram of the Two Row Wampum approach to effective bicultural ICM (including the preconditions required, left column, this list is non-exhaustive but provides a strong indication) (Source: Author's own adapted from Stevenson 2006:177).

I have employed the two different metaphors, Spirit of Haida Gwaii and Two Row Wampum, because I believe they are both useful illustrations of the potential power and benefits for Indigenous peoples of an ICM approach. This will inform my analysis and discussion in Chapter Six (refer 6.3.1).

Miraftab (2004:93) provides a useful analysis for the success and limitations of a supposedly empowering partnership, arguing that 'one must consider in particular the strength of the grassroots and their allied organizations'. Key questions used in the analysis were:

- Was the proposal for partnership initiated, designed, and developed with major impetus from the community sector and thus able to reflect its premises?
- To what extent has the partnership produced benefits for all partners?
- How were the legal, institutional, and financial incompatibilities of participants addressed?

These are important questions that will help guide my analysis in Chapters Five and Six of the limitations and successes of the particular case study used for this research.

### 3.2.5 Summary

This section has explored literature on NRMG underpinned by neoliberal processes and technologies. It has been shown that ICM, although founded on neoliberal principles, is not necessarily regressive and postcolonial opportunities do exist. Section 3.2.3 discussed structural arrangements and mandate issues. ICM is usually established in response to crisis, characterised by a participatory MSP that seeks to integrate actors and provide a space to address power imbalances between local actors and decision-makers (Cullen, Tucker et al. 2014:260). Power dynamics are often hidden and can be reinforced by structural blockages and institutional inertia, particularly in 'unfavourable conditions' (Faysse 2006). Arrangements can be voluntary or mandatory but it was suggested that non-statutory arrangements might enable the state to withhold commitment and sufficient support for processes and successful outcomes that empower Indigenous peoples. In any respect, an ICM approach should meet certain pre-conditions to address historical grievances and power and capacity imbalances. By addressing underlying issues, ICM is more likely to produce long-term environmental and socio-economic benefits.

Significant 'theorising' about innovative MSPs is found in the literature but more study in practice, particularly

focusing on power dynamics, is required (Cullen, Tucker et al. 2014). In Chapter Five, I will analyse the non-statutory nature of a particular ICM approach. The motivations and commitment of the state will be questioned. I will pay particular attention to hidden power dynamics entrenched at higher, centralised levels that influence outcomes for Indigenous peoples, and others involved, at the catchment and sub-catchment level.

The structural and institutional arrangements and practices of ICM groups, and associated governance, is likely to determine the level of influence Indigenous peoples will have over NRM. The ability to make a difference, be efficacious, efficient, and sustainable arguably depends on context, structures and processes (Warner 2007). Literature in 3.2.3 showed that 'water MSPs' tend to lack mandate. Rather than providing mandate, the 'water MSPs' that Warner (2006) researched provided most value through their ability for coordination, alliance-building and/or visioning. Warner's results highlight the issue of non-statutory arrangements, but also the potential benefits related to social capacity building, further supporting literature related to the potential benefits of integration presented in section 3.1. Such benefits can be imagined using the Spirit of Haiida Gwaii metaphor. I suggested in section 2.3.4 that achieving effective ICM requires certain institutions and practices – in particular inclusiveness, trust, collaborative decision-making, capacity building, credible commitment, integrating and applying a broad knowledge base and mutual benefits. Long-term progress will depend on the contribution and effort from all groups of place, interest and regulation to the extent that produces shared liability for process results.

### **3.3.0 Making Space for parallel cultures, knowledge, and management Systems**

#### **3.3.1 Introduction**

As outlined in 3.1.2, an integrated approach to NRM can provide an opportunity for 'subaltern' knowledge to be valued and included alongside other knowledges. A 'clash of worldviews' is often at the root of catchment issues and an ICM approach can offer the potential to interlink different value sets and imagine new options for resolution. Section 3.3.2 will consider the effect that colonial discourse has had on Indigenous knowledge in NRM, showing how binary constructions have positioned Indigenous knowledge and management systems as the inferior 'other', subsequently enabling western knowledge and management systems to claim positional superiority as the 'norm'. However, ICM recognises the value and significance of both ontologies, providing the potential to disrupt and destabilise western hegemony.

An important opportunity offered by ICM is the integration of different epistemologies and the prospect for ICM objectives to align with Indigenous values and interests (Fenemor, Phillips et al. 2011). In section 3.3.3, literature will illustrate that we are currently in an era of scientific uncertainty and 'wicked problems' require the integration of multiple knowledges and co-production of new knowledge to address complex, multi-faceted, and transboundary environmental problems. It will be argued that 'Normal' scientific frameworks are inadequate. More creative, collaborative processes are needed between various actors including Indigenous, communities, and policy makers based on trust, respect and reciprocity. Greater attention should be paid to enacting the kinds of institutions and practices that will enable more prosperous water futures to flourish (refer 3.2.4).

ICM groups can act as boundary organisations, comprised of multiple boundary agents, playing an important bridging function between different participants and their respective cultures, ontologies and epistemologies

when they clash in the contact zone. Literature in section 3.3.4 will show how this bridging function can help to mediate cross-cultural relations, which is critical for successful ICM, particularly in non-statutory arrangements. The space where cross-cultural relations are enunciated can be conceived as a third space (refer 2.4.2) in which innovative ideas and processes can be imagined within the interstitial area between historically disparate actors.

### 3.3.2 Equally valuing dual knowledges

Indigenous peoples struggle to ensure that their knowledge, values, rights and interests are reflected in NRMG. Claims by neocolonial states that recent policy initiatives are more responsive and empowering are therefore a hot topic, closely scrutinised by critics (Memon, Kirk 2012). As will be recalled from 2.2.2 Indigenous knowledge and management systems have been marginalised and subordinated through colonial discourse, positioning Indigenous knowledge as the 'subaltern' and western knowledge as the 'norm'. Scholars contend that despite attempts from modern governments to address colonial injustices, colonial discourse continues to perpetuate policy, elevating western knowledge over Indigenous knowledge in everyday management. In particular, economic interests and private property rights tend to be prioritised above socio-cultural interests and Indigenous rights (Memon, Kirk 2012, Coombes, Gombay et al. 2011, Kepe 2008). My evidence in section 5.3 supports such claims.

Many scholars refer to Indigenous knowledge as being valuable due to its ability to complement science (e.g. Berkes 2008) but it must be recognised that Indigenous knowledge is inherently, and as equally, valuable in itself. Comparisons between the two ontologies are often made to test the ability of Indigenous knowledge in order to corroborate western science, and Indigenous knowledge tends to be considered a secondary choice when quantitative scientific data is unavailable. Such comparisons are both inappropriate and disempowering. There is a substantial challenge for Indigenous peoples to gain legitimate power and to engage in a process where their values, interests and knowledge are perceived as the subaltern.

Hybrid NRMG institutions are heralded to provide a space for participation and agency to Indigenous people. However, postcolonial theorists counter this, arguing that attempts to integrate knowledge and management systems usually result in the subaltern forced to speak through the systems and lexicon of the colonial state in order to increase recognition for their own knowledge and management systems. The outcome is generally a dilution of Indigenous contributions, and/or policy makers resort back to institutions and ideas that they are familiar and comfortable with (Stevenson 2006). As will be seen in 5.3.2, some policy makers and participants in ICM regard Indigenous knowledge and worldviews as 'honourable' (McKinley 2005) and advantageous for more holistic NRM and are therefore willing and even eager to integrate Indigenous knowledge and people into the process. But a sense of unease and discomfort may deter them, or in other cases officials struggle to see the applicability of Indigenous knowledge, potentially alienating indigenes from significant engagement with science and NRM.

As outlined in the previous section effort is required to build capacities (refer 3.2.4). Often there is an over-emphasis on building Indigenous peoples' capacities, perhaps inadvertently reinforcing the notion that the state is the all-qualified, powerful Self. While there is undoubtedly a need for states to assist in such capacity building to enhance the ability for Indigenes to engage in western frameworks and systems, a more in-depth critique might de-center the focus from simply integrating and translating Indigenous knowledge and contributions into a

Eurocentric-dominated approach, to interrogate who is being asked to speak who's language, and on who's terms? Whose systems are being integrated, by whom and with what? (Butterworth, Warner et al. 2010, von der Porten, de Loë 2013).

To be able to practice and exercise Indigenous knowledge and management systems capacity building must be ensured for all participants. Indigenous peoples must be able to practice their ways of caring for their particular environment, within their own belief systems, while also needing to understand western logic and systems in order to work together efficiently. Meanwhile, government staff and other participants need to increase their understanding of how to integrate Indigenous peoples into processes and policy-making (Tipa, Nelson 2008). This will require the de-mystification (refer 3.3.4) of Indigenous knowledge and practices and destabilisation of western science as the 'norm'. Such capacity building will help to overcome discomfort, uncertainty and apprehension about working with people and communities that have been inaccurately and unjustly constructed as the 'subaltern'.

### 3.3.3 Destabilising 'normal' science

The integration of various knowledges and the co-production of new knowledge is important for addressing 'wicked problems' such as land and water management (Clarke, Stocker et al. 2013, Fenemor, Phillips et al. 2011). One of the key advantages of ICM is the integration of multiple knowledges and management systems and the potential to align ICM objectives to Indigenous needs and priorities (Fenemor, Phillips et al. 2011). The current era of scientific uncertainty and increasing demands for 'citizen science' and localised effort offers opportunities for Indigenous engagement (Hill, Grant et al. 2012). 'Normal' scientific frameworks are inadequate for addressing such complex issues; what is required is more creative, collaborative processes between scientists, indigenes and communities to enact institutions and practices that enable more successful environmental, social, cultural and economic outcomes.

Results from a survey conducted on senior scientists over a decade ago, mostly from the United States, showed that many of them considered the most pressing challenges that faced science and society had surpassed their previously accepted conceptual framing. There was a realisation that normal scientific frameworks lacked the ability to address such issues and calls for 'creative forms of collaboration between scientists and society and increased attention to the societal context' (Jasanoff et al, 1997 cited in Berkes 2009:153). Co-production of knowledge has moved from being an attractive idea to a necessity to address knowledge gaps and ensure social justice, in order to address complex problems. As Harris (2007:303) argues, 'coproduction of requisite knowledge requires all parties to recognize that all knowledge is partial and incomplete, that evidence is debatable, and that there are ways of knowing determined by culture, semiotics and values'.

Dialogue and partnerships, and the co-production of knowledge, are driven by mutual needs and benefits (Moller et al. 2009). Potential benefits of the co-production of knowledge include building relationships; increasing social capital; and developing collaborative research partnerships and knowledge banks. These resources can be an important catalyst for attracting funding, resourcing and support for ICM and other NRM approaches, which have already been shown in this chapter to be important aspects to achieve successful outcomes. Boundary organisations and boundary agents can be important instigators and facilitators of research collaborations helping to ensure that the right people are involved to assist with the research and to promote open and flowing

dialogue (refer 3.3.4). These roles can be particularly important when collaborations involve people from vastly different cultural backgrounds with distinctly different epistemologies.

As posited in the previous sub-section, many scholars argue that Indigenous and non-Indigenous knowledge can be complementary (e.g. Moller et al. 2009, Harmsworth and Awatere 2013, Berkes et al. 2008). Bicultural projects can be highly valuable because the different knowledge bases help to tackle difficult environmental issues within varying local socio-political, economic and environmental contexts. Indigenous knowledge tends to consider the environment more holistically and from a more qualitative perspective concerned with a multitude of variables while non-Indigenous knowledge is more focused on a small number of quantitative variables (Berkes 2010). This means there are limitations to the degree of precision that can be used to describe a complex system meaningfully using western science alone. Likewise there are certain limitations to the utility of local knowledge and qualitative methods. As will be seen in 6.1.4, Indigenous peoples may be able to take advantage of the possibilities presented by ICM which include an approach based on holistic, integrated ideologies that are consistent with Indigenous peoples' worldviews. The 'normal' science approaches that characterise state regulatory agencies with NRM responsibilities are inadequate on their own, resulting in interest and support for Indigenous involvement and contribution to NRM. This may provide an opportunity for Indigenous peoples to bring their own values, interests and knowledge to the forum and to capitalise on the insufficiency, and anxiety, of the colonial state.

### 3.3.4 Co-production or co-option?

This section thus far has argued that attempts to integrate dual systems must ensure the integrity of both distinct knowledge systems is retained. I will now turn to focus on some of the risks for Indigenous peoples of co-producing knowledge.

Efforts to try and fully integrate the two knowledges raise concerns because each is developed from culturally distinct spheres of beliefs and values and should retain its own integrity rather than being synthesised (Berkes 2009). Indigenous knowledge, as situated knowledge, tends to be an extension of Indigenous identity representing claims to authority over land and water resources, which may conflict with the dominant western power structure (Palmer, 2004 cited in Weiss, Hamann et al. 2013). Making the effort to recognise the cultural underpinnings of all knowledge bases, including 'supposedly acultural' western science, is integral to a principled approach and helps to ensure that knowledge is not co-opted. Acknowledging the cultural contexts of knowledge bases contributing to an ICM approach, as well as the value of each knowledge base independent of the other, breaks down the power hierarchies inherited from government-dominated power structures that can be detrimental to Indigenous interests (Weiss, Hamann et al. 2013). However, Berkes (2009:154) contends that 'not taking knowledge out of its cultural context is one of the biggest challenges of Indigenous knowledge research'. The perceived lack of cultural context can become a source of power for western knowledge as it tends to be conveyed as the universal truth. Tipa and Nelson (2008) argue that in order to de-center western knowledge and priorities, a redefinition of the relationship between Indigenous and non-Indigenous participants is required to realise a parallel planning and management process and mandate, and to empower Indigenous peoples to fulfil their environmental responsibilities. Their framework for incorporating cultural perspectives in contemporary resource management provides an example of how this can be achieved.



Particular framing of Indigenous knowledge is also a concern for NRM and for decolonisation rhetoric more generally. Often Indigenous knowledge is framed as 'traditional knowledge', implying that it is culturally static and can be temporally located in history rather than reflecting the real, dynamic relationship between Indigenous peoples and their landscapes. Like the processes of stereotyping and essentialising Indigenous peoples (refer 2.2.2), such framing as 'traditional' can be disempowering because it 'mystifies IK and devalues its use as a valid contemporary way of knowing' (Weiss, Hamann et al. 2013:288). Another danger of inappropriate framing rather than sincere acknowledgement of Indigenous knowledge as its own ontology is the potential for non-Indigenous actors to actually mimic (refer 2.3.2), or adopt and adapt, what they interpret as 'Indigenous knowledge' in processes of hybridity (2.3.3), and to use this to their political advantage – for example, as noted above, co-option into environmental policy or strategy without addressing the inherent concerns of the Indigenous actors involved. Non-Indigenous participants (particularly government officials that have certain targets and objectives that dictate how data is used and to what extent) may actively engage Indigenous peoples but then choose to dissect the information given to them and apply it in ad hoc, and potentially tokenistic, ways to simply suit their own needs (Memon, Kirk 2012). In such cases, projects of hybridity are more of 'an avenue for deeply embedded, exclusionary and oppressive discourses, policy frames and power relations' (Barry, Porter 2012).

Co-option is a clear risk for Indigenous when engaging with non-Indigenous peoples, particularly government agencies. Moreover, the importance of acknowledging the political and cultural content of Indigenous knowledge reduces the potential for acts of disempowerment as well as the likelihood of actually addressing wicked problems. Excluding, marginalising or co-opting Indigenous peoples from ICM and other NRM initiatives may actually take 'away the power that could liberate western systems from mere window dressing towards substantial sustainability' (Memon, Kirk 2012:943), potentially limiting the progressive potential of such approaches.

### 3.3.5 Conceptualising boundary organisations as third space

Boundary organisations (BOs) have emerged as a powerful collaborative mechanism in NRM. Over the past two decades they have grown as a popular way of addressing 'wicked problems' which, as discussed in the previous section, cannot be easily solved by 'normal' scientific responses (Clarke, Stocker et al. 2013). BOs are often established to fulfil an intermediary role between knowledge production and decision-making with the aim to achieve co-operation to reach a shared objective or goal. Sometimes organisations are specifically established for this function but at other times this function might exist within a larger organisation (Cash, Adger et al. 2006). Boundary organisations provide an institutionalised space in which long-term relationships can develop and evolve, two-way communication is fostered, tools for management (such as models) are developed and utilised, and the boundary of the issue itself is negotiated (Cash 2001:450). Given these principles the concept is both relevant and applicable to ICM.

The term was proposed by Guston (1999), based on previous work by Gieryn (1995;1999) which considered the notion of 'boundary work' as an explanation of how the divisions between science and non-science may not be final (Carr, Wilkinson 2005:256), but rather a blurred distinction between science and politics (theory inspired by Jasanoff 1996). A key theoretical principle is that BOs exist 'between politics and science' (politics including policy, legislative, management and resource allocation decision-making), a space in which organisations such as 'expert advisory committees, scientific assessments, research management agencies, consensus



conferences, and so on' can materialise (Miller 2001:483 quoted in Carr, Wilkinson 2005:256). Similar to Bhabha's (1994:5) metaphor of the stairwell as an interstitial or liminal space (refer section 2.5), BOs could be conceptualised as a space that provides an in-between opportunity for movement between fixed identities, and opens up the possibility of a cultural hybridity with the potential to entertain difference outside of an assumed hierarchy. Appropriately, Folke et al. (2005) argue that organisations that play this bridging function have the ability to create space for institutional innovations, which could lead to long-term social change.

Associated with 'boundary organisations' are 'boundary agents' (BAs) or knowledge brokers, which are individuals who play a specific, integral role in ICM. According to McNie et al. (2008) BAs play a central role in developing influential relationships, building trust, communicating information needs and bridging the gaps between various participants. The role of BA is not necessarily a formal one, but can be found in a variety of contexts and in some cases may be an informal role that an individual takes on spontaneously, in order to assist with facilitating ICM. As will be seen in 6.3.2, such actors can be critical to acknowledging Indigenous values and interests in a MSP, and for mediating cross-cultural relations.

BOs offer value for Indigenous people and communities because the organisation follows no epistemological hierarchy; and no particular viewpoint has primacy over another (Star and Griesemer 1989:389 cited in Carr, Wilkinson 2005). This suggests that Eurocentric values and systems do not have assumed positional superiority within this space, providing opportunities for Indigenous peoples to propose their institutions and ideas for an ICM initiative without being at an implicit disadvantage. A BO can provide a forum where multiple perspectives participate and multiple knowledge systems converge. Effective BOs can mediate the cultural differences between the actors involved, encouraging them to recognise others' ways of knowing but at the same time enabling them to return to the comfort of their own culture and knowledge practices when necessary. BOs enable different 'institutions, networks and even cultures that put together order and knowledge in very different ways to each successfully sustain its own internal processes while forming productive relationships with one another' (Miller 2001:487 quoted in Carr, Wilkinson 2005:261). For example, in their analysis of BOs as a model for scientists and farmers, Carr and Wilkinson (2005) found that knowledge creation processes were understood to operate within different spatio-temporal and cultural contexts. Interviewees referred to differences in their knowledge base, learning and communication styles - they came from different life experiences and backgrounds and had access to different educational, social and economic opportunities. Difference also existed in the social context in which knowledge production itself occurred between the two cultures. It is argued that these productive processes and outcomes are also possible for BOs that bring together other cultures, including Indigenous cultures. If historic grievances are resolved first, and Indigenous rights and interests are incorporated into an ICM approach appropriately to recognise a bicultural management mandate, then I suggest there is potential for the ICM group to act as a BO that empowers indigenes in NRM.

Those involved in a BO may be able to collaborate on various aspects of NRM including discussion of issues, priority setting for research, restoration planning, conducting surveys, operating grants, educational or advocacy projects and many other programmes of work. Furthermore, it is argued that interaction between Indigenous peoples, scientists, farmers, policymakers and others via a BO can offer improved NRM in particular places through these structures. Carr and Wilkinson (2005) warn though that the idea of BOs is relatively new and under close scrutiny; while BOs can be adopted at a variety of scales they seem to work best where there is a specific issue or project to focus on and where the social scale is small enough for effective interaction between

participants. It is anticipated that the case study for this research involves a catchment, an ICM group, and a specific issue (restoring the mauri of the Kaipara Moana (IKHMG 2011)) of a relevant scale for employment of this conceptual framework. In Chapter Six it will be examined whether the Integrated Kaipara Harbour Management Group acts as a BO and whether there are particular BAs that play important facilitator roles within this group. It will be seen that the group provides an important forum for multiple actors from diverse backgrounds to engage at the catchment and sub-catchment scale, allowing Indigenous peoples to make connections and improve relations between various councils, central government agencies, farming organisations and other industries, and community groups.

### 3.3.6 Summary

This section has shown how colonial discourse has had material effects on Indigenous engagement in NRM. In particular, Indigenous knowledge and management systems have been marginalised and subordinated over time. However, there is growing recognition of the value and importance of Indigenous knowledge in NRM, which has been assisted by decreasing certainty and support for 'normal' western science as a sole solution to complex, multi-faceted 'wicked problems' such as transboundary water management and governance. ICM offers opportunities for Indigenous peoples to engage in NRM, and to contribute knowledge within a collaborative, integrated space – usually characterised by a MSP. It is critical to Indigenous empowerment though, that Indigenous rights and responsibilities are acknowledged and their values and knowledge given equal recognition and mandate as western counterparts.

It has been argued that Indigenous people and communities should not have to compromise their values, interests, or knowledge and management systems to fit western priorities and paradigms. There is a requirement for capacity building for both the colonised and the coloniser so that integration and translation of both systems can be achieved in a fair and meaningful way, being respectful and true to the integrity of both cultures. In this context, my research will look for tears or shifts within a particular ICM approach that could contribute to long-term social change. It will be considered whether a third space is created by Indigenous and non-Indigenous people attempting to approach NRM in a considerably innovative way in the Kaipara Moana catchment and if there is an existence of a boundary organisation that acts as an in-between, interstitial space in which there is an 'overlap and displacement of domains of difference [and] the intersubjective and collective experiences of nationness, community interest, or cultural value are negotiated' (Bhabha, 1994:2).

It is expected that the existence of postcolonial discourse could be quite prominent at this specific site because it involves government agencies and Indigenous communities that have engaged, and continue to engage, in Treaty claims negotiations and settlements. It is anticipated that the historical grievances endured by the Indigenous groups and (unfortunately) essentialised representations of coloniser and colonised and differences therein remain relatively vivid, resulting in real and ongoing impacts of colonial and postcolonial discourse. Recognising the ambivalent spaces of knowledge production in NRM and the tensions that exist between the 'domestication' of Indigenous knowledge versus decolonisation, it is also important to recognise, and give power to, potential transformative opportunities that may also exist – offering progressive potential to disrupt and destabilise western hegemony.

### 3.4.0 Conclusion

Chapter Three was presented in three key themes: the constituent concepts that comprise ICM; potential dilemmas of ICM arrangements; and the challenges and opportunities associated with bicultural knowledge production.

ICM has emerged from the earlier concept of Integrated Water Resource Management, and has been popularised nationally and internationally. In section 3.1 I discussed the concepts of 'integration', 'catchment' and 'management'. Integrated approaches to NRM are championed as providing the means to bring together fragmented management agencies, communities and knowledges. However, in many cases applicants of ICM do not give adequate consideration to the particular context in which it is being applied, usually resulting in little success. Constructing ICM is a politically charged process and often led by state agencies who are able to strongly influence the scale and boundaries of the 'catchment' itself and the 'management' group that will be responsible for implementing ICM. The 'catchment' scale and an 'ICM group' are underpinned by neoliberal principles (refer 3.2.2) which may pose challenges for Indigenous peoples whose management systems are not generally conducted at those scales. Recent critics though (e.g. Lockwood, Davidson 2010, Peck, Theodore 2012), have postulated that the processes and outcomes associated with neoliberalism are full of contradictions and uncertainty, which are not necessarily disempowering for Indigenous peoples. The example of the Coast Salish Aboriginal Council was provided to illustrate potential ways that Indigenous peoples can re-scale tribal identities and management scales in order to advance their role and engagement in NRMG.

In section 3.2 I focused on structures, institutions and practices. Typically, ICM groups are characterised as MSPs (refer 3.2.3), established in response to a crisis situation (or an imminent one). Proponents of ICM expect that diverse actors can resolve shared issues collaboratively when they come together in a MSP process. The reality can be quite complex, and the literature showed that marginalisation and subordination of Indigenous peoples could be reinforced if ICM is applied in 'unfavourable conditions' whereby underlying issues are not addressed. In Chapter Six, I will consider the potential for Indigenous peoples to strategically engage in ICM, even in some 'unfavourable conditions', to expose and challenge hidden power dynamics reserved by more powerful actors. Such tactics may assist with Indigenous peoples' agendas for self-determination. Therefore, like Cullen et al. (2014) I also hope to contribute to empirical studies of MSPs in practice and their potential to provide a site for innovation and mediation of power asymmetries and cross-cultural relations. This will help to answer questions in the literature of whether increased engagement in MSPs simply re-legitimises the status quo or can contribute to transforming patterns of exclusion and challenge power relationships (Gaventa 2006:23).

Substantial effort and commitment is required from all relevant actors within or associated with a catchment where an ICM approach is embarked on to ensure that appropriate institutions and practices are established and utilised (refer 3.2.4). Various aspects were proposed in the literature as being necessary to enable a progressive approach. Trust, collaborative decision-making, and win-wins or mutual benefits are suggested as key principles to mediate complicated relationships. However, in order to address the rights and interests of Indigenous peoples I suggest there are several other key components and a potential method was illustrated by the Two Row Wampum approach to effective bicultural ICM (refer Fig. 3.2). Conflict resolution, whether that is through Treaty settlement or other means, is integral and will help build trust. Other key components include: inclusiveness; equal power-sharing; dual knowledges; real commitment; capacity building; and a common literacy. The management systems of both cultures must then be enabled in order to achieve cooperative

planning and design, decision-making and action. Further attention to NRMG institutions and practices, that address power dynamics and (re)imagine interrelationships between governance, different actors, social networks and institutional framings may provide more progressive potential for Indigenous assertions of self-determination (Gibbs 2014, Salmond, Tadaki et al. 2014, Memon, Painter et al. 2010).

In the final section 3.3, I considered the potential risks and prospects of integrating Indigenous and non-Indigenous peoples' knowledges and management systems. In an increasingly complex world, where land and water management and governance is multi-faceted and transboundary, there is growing recognition of the importance of having Indigenous peoples' involved and the significant contribution that their knowledges and practices can make for more effective NRMG. Additionally, growing acknowledgement of Indigenous rights and interests places more responsibility and pressure on state agencies to involve Indigenous peoples in NRMG. Unfortunately, in collaborative MSP processes such as ICM, there is often too much focus on transforming Indigenous peoples to accept and adopt western logics and systems or to adapt and adopt Indigenous concepts and frameworks to fit western agendas. Both Indigenous and non-Indigenous knowledge and management systems are as valid as each other though – neither being a justified subset or subordinate. It was suggested that capacity building is required for both Indigenous and non-Indigenous peoples to increase understanding and valuing of the alternative epistemology.

This research will highlight holes, tears and shifts in the fabric of Eurocentric-dominant NRMG, and investigate what opportunities might exist within third spaces for Indigenous peoples to (re)assert their rights to self-determination and long-term social change. One such space might be the emergence of boundary organisations, which can offer an initial arena for trust building and conflict resolution from which multiple positive outcomes are possible. The concept of boundary organisations and boundary agents was proposed in section 3.3.5. Scholars contend that boundary organisations can act as formidable mechanisms for collaboration to address 'wicked' environmental issues (e.g. Clarke, Stocker et al. 2013, McNie, van Noordwijk et al. 2008, Cash 2001). Boundary organisations can act as facilitators between different participants including local resource users and various government agencies. They can act as a catalyst to attract resources for the implementation of management, increasing the potential to redirect external forces into opportunities. This is an important aspect for decentralised management approaches that may lack financial and other resource capacities. It was suggested that an ICM group could act as a boundary organisation, providing a space for mediation between diverse actors of different cultures and epistemologies at a catchment and sub-catchment scale. Boundary agents in particular might provide an important intermediary role between different groups and/or individuals. Within these spaces, new institutions and practices can be imagined and trialled possibly leading to the development and implementation of innovative management models and tools. This notion will be explored in my analysis of a particular ICM group (refer section 6.2) paying close attention to the influence and significance of various

actors within the ICM process and the success (or not) of integration and collaboration produced by the overall group in this place and time.

## Chapter Four: Contextual and Methodological Framework

*He maroro kakati tauihu waka tauā.*

*The fish [maroro = flying fish] that fly's across the front of an advancing canoe bound for war-like encounter.*

### 4.0 Introduction

The maroro flying across the front of an advancing waka in the whakataukī above is a metaphoric example for the journey, the encounter that is abound in terms of working to the conditions. Nature provides the indicators of imbalance – that some things are not right with the environment. A key focus is to promote notions of sensitivity to the culture, the social order, the environmental drivers, the markers of growth, well-being and balanced understanding of defining what those things involve.

This chapter introduces the particular research context and methodologies. I chose to employ a case study approach looking at the Integrated Kaipara Harbour Management Group (IKHMG), an integrated catchment management (ICM) group in Kaipara, New Zealand. I engaged with two hapū of Ngāti Whātua (NW), Te Uri o Hau (TUoH) and Ngāti Whātua o Kaipara (NWok), because in this location they hold mana whenua (Māori with territorial rights) and lead the IKHMG. Through this case study, I concentrate on specific histories and geographies, to develop a tempo-spatial understanding of historical power relations and the effects of colonialism.

The contextual framework is presented first, structured in two sections. Section 4.2 includes a broader scale overview of Māori involvement in environmental management; Treaty settlements; and the national environmental framework for ICM. Section 4.3 contains the regional and local management context and a discussion of the historical and contemporary tribal connections and interactions with the Kaipara Moana (KM) and the wider community, which led to the establishment of the IKHMG.

My methodologies focused on positionality, culturally sensitive research, and ethics – incorporating various qualitative methods and perspectives (refer 4.4). Discourse analysis enabled an in-depth understanding of semi-structured interviews with key people from hapū, Crown-agencies, and wider communities. Postcolonial and kaupapa Māori epistemologies informed these methodologies (for example I was guided by the Te Ara Tika Māori ethical framework (Hudson 2010:4) and work by Hingangaroa and Linda Smith (e.g. 2000, Tuhiwai Smith 2012), allowing engagement with Māori participants and enabling them to influence outcomes. Discussion with Māori advisors and participants was important to develop the purpose, design and conduct of the research, and to understand how relationships between the research, researcher and the researched are transformed through ongoing interaction (Fisher 2015).

## 4.1 National Context

### 4.1.1 Introduction

The contextual framework for this research begins by introducing the broader historical and socio-political context that is associated with the particular case study employed for this research. The focus of this research is on the extent to which Indigenous peoples are able to exercise self-determination rights in the management of their environmental resources. I consider in turn, rangatiratanga (4.1.2); the significance of Treaty settlements for collaborative natural resource management (NRM) (4.1.3); how New Zealand environmental legislation gives effect to Māori rights and interests (4.1.4); and policy reforms that are influencing the NRM space within New Zealand (4.1.5).

### 4.1.2 Rangatiratanga

Māori sovereignty rights guaranteed in He Whakaputanga o Nu Tirenī 1835: Declaration of Independence 1835<sup>8</sup> (He Whakaputanga) and confirmed in Article 2 of Te Tiriti o Waitangi are disregarded by the Crown (Mikaere 2011). Due to the (in)convenience of multiple versions of The Treaty and Te Tiriti and the very different interpretations between the English text in which Māori 'signed away their sovereignty' and Māori texts which ensured Tino Rangatiratanga, the relationship between the Crown and Māori is now characterised by the principles of The Treaty of Waitangi (Te Tiriti) hereafter referred to as the Treaty principles, an attempt to marry the two and find similarities in their meanings in order to recognise the partnership between Māori and the Crown. The relationship should be characterised as dual sovereignty because as reputable Māori scholars have explained, devolving the mana of the iwi (tribe) was impossible under Māori tikanga (correct protocols) and the rangatira would have refused to sign any document claiming to have that effect (Jackson 1992:7, Mikaere 2011:131-132). Māori rights are also protected under the United Nations Declaration of Indigenous Rights, to which Aotearoa New Zealand affirmed its support in 2010. However, the Crown and its respective agencies have reinforced their authority granted through the kawatanga principle from Article 1 of the Treaty of Waitangi to make laws and govern in accordance with constitutional process while promises to uphold the Rangatiratanga Principle have not been met.

When rangatira signed the Treaty of Waitangi in 1840 they ceded kawatanga (government) to the Crown but retained tino rangatiratanga (chieftainship) over Māori resources and taonga (Hayward in Tawhai, Gray-Sharp 2011:79). In postcolonial New Zealand, the Crown continues to preserve its authority (kawatanga) and 'to protect kawatanga from the transformational politics of rangatiratanga' while mana whenua are determined to assert sovereignty rights and expand their self-determining autonomy (rangatiratanga) (Maaka, Fleras 2005:97). The significance of rangatiratanga in Māori political struggle reflects a legacy of resentment over the loss of rangatiratanga by coercion, deception or neglect (Maka, Fleras 1998). There is a clear power struggle occurring.

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<sup>8</sup> He Wakaputanga o te Rangatiratanga o Nu Tirenī (He Whakaputanga) is the declaration of Māori rangatiratanga over their lands. Rangatira, in unity as Te Whakaminenga o ngā Hapū o Nu Tirenī (often translated as The Confederation of the United Tribes), declared their rangatiratanga, that the kingitanga and mana resided with them and that they would not cede law making power over their lands to anyone or allow any other government to exist unless permitted and directed by the rangatira in accordance with their laws (Mikaere 2011).

Active and strategic politicising of the Treaty/Te Tiriti, and of rangatiratanga, has enabled Māori to envisage 'a new social contract for living together differently' (Belich 2001:100). Māori are innovating to explore postcolonial alternatives such as co-operative co-existence based on the principles and practices of rangatiratanga.

Rangatiratanga is difficult to define in Pākehā terms, and there is no equivalent translation or concept in the Pākehā worldview. Mead (2003) contends that rangatiratanga, when applied to the political realm, is associated with ideas of sovereignty, chieftainship, leadership, self-determination and self-management. Maaka and Fleras (2005:102) suggest that the scope of rangatiratanga is expansive and could justify various initiatives including Māori empowerment, absolute ownership and control within a Māori idiom, biculturalism and partnership. The Waitangi Tribunal (2011:1-2) provides an interpretation of rangatiratanga in the NRM context, stating:

The Treaty gives the Crown the right to govern, but in return requires the Crown to protect the tino rangatiratanga (full authority) of iwi and hapū in relation to their 'taonga katoa' (all that they treasure). The courts have characterised this exchange of rights and obligations as a partnership.

In a resource management context, therefore, the Treaty allows the Crown to put in place laws and policies to control the sustainable use and development of the environment. But in doing so the Crown must to the greatest extent practicable protect the authority of iwi and hapū in relation the taonga (such as lands, waters, flora and fauna and the ecosystems that support them, wāhi tapu, pā and other important sites), so that they can fulfill their obligations as kaitiaki (Waitangi Tribunal 2011:1-2).

Therefore, one of the continuing Treaty rights held by Māori is the right to exercise rangatiratanga in the management of their natural resources or taonga (whether they still own them or not) through their own forms of local or regional self-government or through joint-management regimes at a local or regional level.

It is an Indigenous prerogative to define how rangatiratanga is understood and conveyed within their tribal territories. For the purpose of this research, the interpretation of rangatiratanga aligns with the description by Te Uri o Hau of The Rangatiratanga Principle: The Principle of Self-Management in their Environmental Management Plan – Te Uri o Hau Kaitiakitanga o te Taiao (Te Uri o Hau Settlement Trust Environs Holdings 2011:22).

The Treaty of Waitangi under Article 2 guarantees to Māori the control and enjoyment of natural resources and taonga so long as they wish to retain them. This includes the preservation of a resource base, restoration of iwi self-management, and the active protection of taonga, both material and cultural. This also extends to the active protection of Māori people in the use of their lands and waters to the fullest extent practicable. Rangatiratanga also includes elements of management, control and tribal self-regulation of resources in accordance with their own customary preferences.

The concept of rangatiratanga will be applied within an integrated catchment management (ICM) context to consider the extent to which mana whenua are able to exercise rangatiratanga in a specific place and time.

### 4.1.3 Significance of Treaty settlements for collaborative management

The role of Māori in resource management and governance is evolving (Office of Treaty Settlements, 2002), and participation appears to be increasing. However, environmental policy, particularly the Resource Management Act (RMA) (1991), has not been the catalyst for change that many Māori expected (refer 4.1.4). Hopes that the RMA would protect kaitiaki interests in mātauranga Māori and taonga Māori have (thus far) not been realised (Waitangi Tribunal 2006:14). Instead, Treaty settlements have been the major catalyst for new partnerships, and Memoranda of Understandings and other formal and informal relationships are also proving effective (Memon, Kirk 2012). The Waitangi Tribunal (1993:152) characterises the RMA as 'fatally flawed' due to its inability to require decision-makers to actually act in conformity with the Treaty/te Tiriti. In contrast, Treaty settlement legislation can (although does not necessarily) impose specific requirements on local government to work with or enable tribal and sub-tribal entities in NRMG, recognising traditional, historic, cultural and spiritual associations of specific entities to the environment, and potentially provide for the exercise of rangatiratanga and kaitiakitanga within their rohe.

New co-governance frameworks for management of natural resources represent a new era in Treaty of Waitangi settlements (White 2012). Under these arrangements, responsibilities for duties, functions and powers under the RMA are vested (to varying degrees) in tribal entities. These arrangements provide insights for KM. For example, the Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act (2010) established the Waikato River Authority, a statutory body that brings together tribal entities with authority over the Waikato River. The Authority is the sole Trustee of the Trust whose role is to fund projects that meet the purpose of the Authority. There are ten Board Members on the Authority, appointed by the river iwi and Ministers of the Crown. The Act grants functions and powers to the Waikato River Authority, and provides for co-management through the development, implementation and ongoing review of an integrated river management plan for the Waikato River and a Waikato-Tainui environmental plan (Te Aho 2010). There is also provision for joint management agreements between local authorities and the Trust to work together to carry out certain duties, functions and powers under the RMA and related to the Waikato River and its catchment.

Although the Crown will not acknowledge or declare full ownership by tribes or sub-tribes, Treaty settlements have resulted in several natural areas recently being designated as legal entities that effectively own themselves but, like the Waikato River, are governed and managed by a Board comprised of Crown and Iwi representatives<sup>9</sup>. For example, the Te Urewera Act (2014) acknowledges Tuhoe as kaitiaki and Tangata Whenua of Te Urewera. The Act removed the status of Te Urewera as a National Park vested in the Crown, and the land became "a legal entity" with "all the rights, powers, duties, and liabilities of a legal person" (section 11(1)). Similarly, the Whanganui River Deed of Settlement (initialed on March 26 2014 but yet to be ratified by Whanganui Iwi) recognises the intrinsic mana of the environment itself and empowers iwi to share management responsibilities. The Deed provides the River its own legal identity, recognising '...the status of the Whanganui River (including its tributaries) as Te Awa Tupua, an integrated, living whole from the mountains to sea...'. (Taranaki Regional Council 2010). The Te Urewera Act and the Whanganui River Deed of Settlement are claimed to be 'a new dawn for conservation management in Aotearoa New Zealand' (Ruru 2014).

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<sup>9</sup> The number of Board members will change from Tuhoe:Crown 4:4 to 6:3 after the first three years.



These Acts recognise the mana of the natural resource itself, the rangatiratanga (and mana) of the iwi involved and also reflect the movement towards collaborative approaches to natural resource governance and management. These arrangements anticipate positive changes to resource management in New Zealand from partnerships. Māori value the protection of the environment, and tribal business and governance pride themselves on taking a long-term, intergenerational view of their place in the traditional tribal area. As Māori involvement increases, the influence of this worldview will also increase. Iwi involvement will be increasingly sophisticated, proactive, and well resourced, utilising iwi management planning strategies and promoting their own proposals. Strategic alliances with Crown agencies are expected to flourish and for some entities 'they will see the local government authority as a junior partner for the first time' (Environmental Defence Society 2007:59-65).

#### **4.1.4 Giving effect to Māori rights and interests – New Zealand regulatory framework**

The purpose of the RMA is to promote the sustainable management of natural and physical resources. However, the main political intent of the RMA has been to reduce regulation of land and water resources in order to expand agricultural exports and increase competitive value in the global economy (Swaffield 2013). This contradiction has weakened the interpretation of the legislation, enabling primary production without sufficiently protecting the land and water resources on which it depends or the cultural values associated with those resources (Memon, Kirk 2012).

Regional and territorial councils also have legislated responsibilities under the Local Government Act (LGA) (2002) to provide for democratic and effective local government that recognises the diversity of New Zealand communities. A 'quadruple bottom line' approach to local resource management is supposed to ensure attention to cultural wellbeing alongside economic, social and environmental wellbeing (Dalziel, Matunga et al. 2006). This approach reflects policy responses to Māori protests during the mid-1970s against the historical exclusion of Māori from central and local planning and legislation (Rikys 2004). Tino rangatiratanga continues to be a rallying call for Māori self-determination.

A hierarchy of tools under the RMA for land use and water management has implications for implementing ICM. National policy and legislation commands the highest regard, applicable in all areas. The National Policy Statement for Freshwater Management (NPSFM) applies to all freshwater in New Zealand and is particularly important for ICM. LGAs are obliged to implement national policy and legislation. Regional councils have management responsibilities across both land and coastal-marine areas while district/city councils only have responsibility landward of mean high water springs.

Both the RMA and LGA are potentially enabling statutes for Māori, requiring decision-makers to 'consider' the Treaty principles of partnership, participation and protection (Forster 2014:72). The RMA provided specific recognition of Māori rights and interests, including special regard to Māori in Part II (refer Appendix A for an outline of relevant provisions). Section 6, for the first time, enabled explicit recognition for cultural values in statutory planning processes, not only the tangible aspects but also "the relationship of Māori and their cultures and traditions with their ancestral lands, water, sites, wahi tapu and other taonga" [section 6(e)]. Section 7 provides for "the exercise of guardianship by the tangata whenua of an area in accordance with tikanga Māori..." emphasising the need to consider Māori worldviews (Tipa, Nelson 2008:317-318).

Effectively though, Part II is a balancing exercise, which is subordinate to the RMA's purpose. The weak incorporation of Māori values to fit the Crown agenda (Bootham 2015) means that Māori perspectives are a consideration to be weighed alongside other considerations, rather than a fundamental institution of the planning system (White 2012). Further limitations to providing for Māori involvement in NRMG include: limits to the application of ss 6(e), 7(a) and 8, absence of compulsion to accord weight to Māori rights and interests and provide meaningful outcomes for Māori; lack of incentives to use section 33 Transfer of Powers (never been used for Māori authorities); section 36B joint management agreements (seldom used); and section 188 (enables iwi as heritage management authorities but never been used for Māori authorities); to provide capacity building and funding initiatives; and lack of central government direction. Accordingly, critics<sup>10</sup> argue that current legislation cannot provide for a shared, bicultural approach to NRMG, or even the opportunity for Māori to manage resources in a manner consistent with their own cultural practices and beliefs (White 2012:13).

Iwi planning documents (IPDs) are an expression of rangatiratanga (Mikaera Miru, Kaiārahi Environs, 20/01/2014). They are written by iwi and hapū to articulate their values, interests, issues and aspirations. These are documents prepared and recognised by an iwi authority and lodged with relevant councils. Regional and unitary authorities have a responsibility to take IPDs into account when preparing or changing regional policy statements and regional and district plans (RMA sections 61(2A)(a), 66(2A)(a), and 74(2A)). There is also a requirement for consultation with iwi during preparation of plans. However, there is no duty to consult on resource consent applications. IPDs are potentially very useful and powerful tools however they are currently under-utilised.

#### 4.1.5 Policy Reforms

Water quality and biodiversity in New Zealand have continued to decline over the past two decades, particularly in rural areas undergoing intensification (Deans & Hackwell, 2008; MacLeod & Moller, 2006; Monaghan et al., 2008). This has led to growing international critique of New Zealand's environmental record (OECD, 2007). The role of agriculture in the national economy has meant that successive governments have been reluctant to implement strong environmental standards or directive policy at national level; instead favouring collaborative and voluntarist approaches that 'empower' communities yet retain decision-making power (Ericksen, Berke, Crawford, & Dixon, 2004). Attempts to improve environmental 'performance' of catchments that include agriculture and rural landscapes have therefore relied heavily upon industry, land manager and community-based initiatives, perhaps providing some explanation for the increasing uptake of ICM.

Current initiatives include reforms of the NPSFM and the RMA. The NPSFM (2014) came into effect on August 1<sup>st</sup> 2014 (Ministry for the Environment 2014). It encourages an ICM approach and gives greater recognition to, and support for, Māori involvement in freshwater management. The NPSFM preamble states:

The Treaty of Waitangi (Te Tiriti o Waitangi) is the underlying foundation of the Crown–iwi/ hapū relationship with regard to freshwater resources. Addressing tāngata whenua values and interests across

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<sup>10</sup> For example refer case law including *Genesis Power Ltd v Franklin District Council* (2005); CNI Stage 1 Report; and *McGuire v Hastings District Council* (Privy Council 2001).

all of the well-beings, and including the involvement of iwi and hapū in the overall management of fresh water, are key to meeting obligations under the Treaty of Waitangi.

The NPSFM recognises that Māori have special rights and interests (unique from stakeholders) that require particular consideration; that water is a taonga; and that ‘engagement with iwi/Māori on water management is part of the Treaty principle of partnership’ (Ministry for the Environment 2014). Regional councils are required to recognise the national significance of freshwater and Te Mana o Te Wai (the mana of the water)<sup>11</sup>, and councils are beginning to adopt more enabling and empowering water management regulations<sup>12</sup>.

The collaborative approach encouraged by the NPSFM envisions iwi, councils, and communities working together to manage fresh water, on a catchment or ‘freshwater management unit’ basis (Land and Water Forum 2012). The recommended approach emphasises collaboration; accommodation of Treaty settlements; and the need for investment to develop the necessary capabilities, capacities and use of information to enable change, including the integration of mātauranga Māori into decision-making processes (Land and Water Forum 2012:viii). However, regional councils have the liberty to implement the NPSFM as they see appropriate, over an implementation timeframe of 11 years.

Both the Auckland Council and the Northland Regional Council have regulatory responsibilities for the Kaipara Catchment, with the regional boundary intersecting directly across the center of the harbour. However there is no provision in the NPSFM directing adjacent LGAs to actually integrate their implementation approaches. The NPSFM includes a National Objectives Framework (NOF) that directs how councils will set objectives, policies and rules for fresh water in their regional plans. It directs LGAs to establish freshwater management units (FMUs) across their regions and identify the values (for example irrigation or swimming) that communities hold for the water in those areas. Identification of FMUs is at the discretion of the LGAs and may not necessarily utilise already existing ICM groups like the IKHMG – the case study for this research that actually includes representatives from both LGAs. While the policy does contain progressive potential in terms of collaborative, empowering resource management, it also contains some concerning policies including enablers for LGAs to ‘opt out’ if implementation is too challenging. The ‘exceptions policy’ allows LGAs to nominate some water bodies to be excused from meeting the national bottom lines. While the national bottom lines for fresh water standards are often lower than current water quality across New Zealand and lower than current limits in some plans. Here, the ‘maintain or improve’ policy is crucial because if the health of water bodies are allowed to decrease below the proposed bottom lines, New Zealand waters are likely to be in a worse state than at present. And finally, ‘Te Mana o Te Wai’ has only been included as a discretionary overarching principle – there are no explicit provisions to ensure incorporation of this concept into implementation.

The RMA reforms are yet to be confirmed and come into effect.

#### 4.1.6 Summary

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<sup>11</sup>This is provided for through a statement up front about the national significance of freshwater and Te Mana o te Wai; a Māori-specific section – D. Tāngata whenua roles and interests and Objective D1; and, integration of Māori interests and values throughout. A subsequent Te Mana o Te Wai Fund has been established to assist iwi/hapū in managing their freshwater resources (Ministry for the Environment 2015).

<sup>12</sup> For example refer sections: 6.3 and 5.2 of the Proposed Auckland Unitary Plan.

This section has introduced the national-scale context relevant to my research. The concept of rangatiratanga was described because rangatiratanga is integral to Māori environmental management and governance systems. Sovereignty, or tino rangatiratanga, is a highly controversial topic in New Zealand and a point of long-standing grievances between Māori and the Crown. Rangatira signed the Treaty of Waitangi or Te Tiriti o Waitangi in 1840, however the Crown did not honour the Treaty/te Tiriti. In many cases historical (and contemporary) claims were lodged by Māori who have since endured, or are currently going through, Treaty negotiations and settlements. Arguably, Treaty settlements are producing greater opportunities for Māori to be involved in NRM than current environmental legislation – despite potentially enabling provisions for Māori interests in the RMA. Policy reforms such as the NPSFM are promoting a more collaborative approach, recognising the importance of the Treaty of Waitangi and of Māori involvement in fresh water management. It is yet to be seen whether this, and other environmental policy and legislation, is empowering for Māori.

## 4.2 Regional Context

### 4.2.1 Introduction

This section narrows the focus down to the regional scale. In section 4.2.2 I will contextualise the Kaipara Moana catchment in which this research is situated. The size and scale of this catchment will be emphasised as well as the ecological, socio-economic and cultural significance of the harbour and catchment. The jurisdictional context will be provided in 4.2.3, illustrating the significant number of management agencies and tribal interests within the area – contributing to the scale factor. In 4.2.4, ngā mana whenua o Kaipara (Māori with territorial rights in the Kaipara) will be introduced, providing a historical and contemporary overview of both Te Uri o Hau and Ngāti Whātua o Kaipara. In particular, I will consider how the two hapū (sub-tribes) interpret and apply rangatiratanga as well as the relevant Treaty context, which includes ongoing negotiations with the Crown regarding the Kaipara Moana. Finally, in 4.2.5, I will discuss the Integrated Kaipara Harbour Management Group (IKHMG) which is the specific ICM group analysed for this research. The form and function of the group will be outlined, and some of the key advantages, and challenges, for mana whenua (compared with typical NRM approaches).

### 4.2.2 The Kaipara Moana and catchment

The KM on the west coast of New Zealand is the largest estuarine ecosystem in the country, the largest harbour in the southern hemisphere, and the second largest in the world (Haggitt, Mead et al. 2008). It is the receiving environment for a catchment of approximately 640,000ha (IKHMG 2011:7), which feeds into the Tasman Sea. The Kaipara, like many other water bodies in New Zealand (Parliamentary Commissioner for the Environment 2012), is still suffering the effects of historic land-uses today due to lagged sediment transport through the sub-catchments as well as impacts from modern day landuse practices.

Today, the Kaipara contains some of the rarest ecosystems in New Zealand including dune systems, seagrass, freshwater and estuarine wetland systems as well as being an important nursery for and provider of seafood (IKHMG 2011). Significant and ongoing ecological degradation and loss is a cause of great mamae (pain), and it affects the mana (prestige/authority) of NW as a people. Restoration of such an ecologically and culturally

significant harbour and catchment is imperative not only to ngā mana whenua of Kaipara, but also to wider communities and even more broadly in terms of the natural-resource based economies in the Kaipara and as the global environment continues to decline.

From north to south, the landscape transforms from a primarily low-density, rural landscape into a more rural-urban setting. The KM is critically important to both Northland and Auckland regions. Two-thirds of Northland's catchments drain into the harbour (Northland Regional Council 2012) and approximately 55% of the total Whangārei District area lies in the Kaipara catchment (IKHMG 2011:21) while Kaipara's popularity as a destination is increasing and tourism and development demands from Auckland are growing (Auckland Council 2013). Economy in the Kaipara was traditionally, and still is, dependent on natural resources – making a healthy ecosystem integral to socio-economic wellbeing.

Pastoral farming is currently the major economic activity using about 60% of land (Phipps 2013:1), and forestry provides a major source of income while fisheries are the dominant marine-coastal use. Sand mining, aquaculture, coastal development and energy generation activities are other uses that rely on natural resources. Restoring the health of the harbour will depend heavily on environmentally sensitive and responsible farming, fishing, development and other business practices. However, as will be seen in the following chapter, mana whenua and wider communities including farmers and fishing communities, require greater support and commitment from the Crown and its agencies to protect, enhance and restore the environment (refer 5.1.5).

#### **4.2.3 Catchment management across multiple agencies**

Catchment boundaries do not match political and administrative boundaries. In the case of KM, one large catchment is managed by multiple agencies that each has its own management approach (refer Appendix B to see the large number of Crown agencies and tribes involved in the management of the KM).

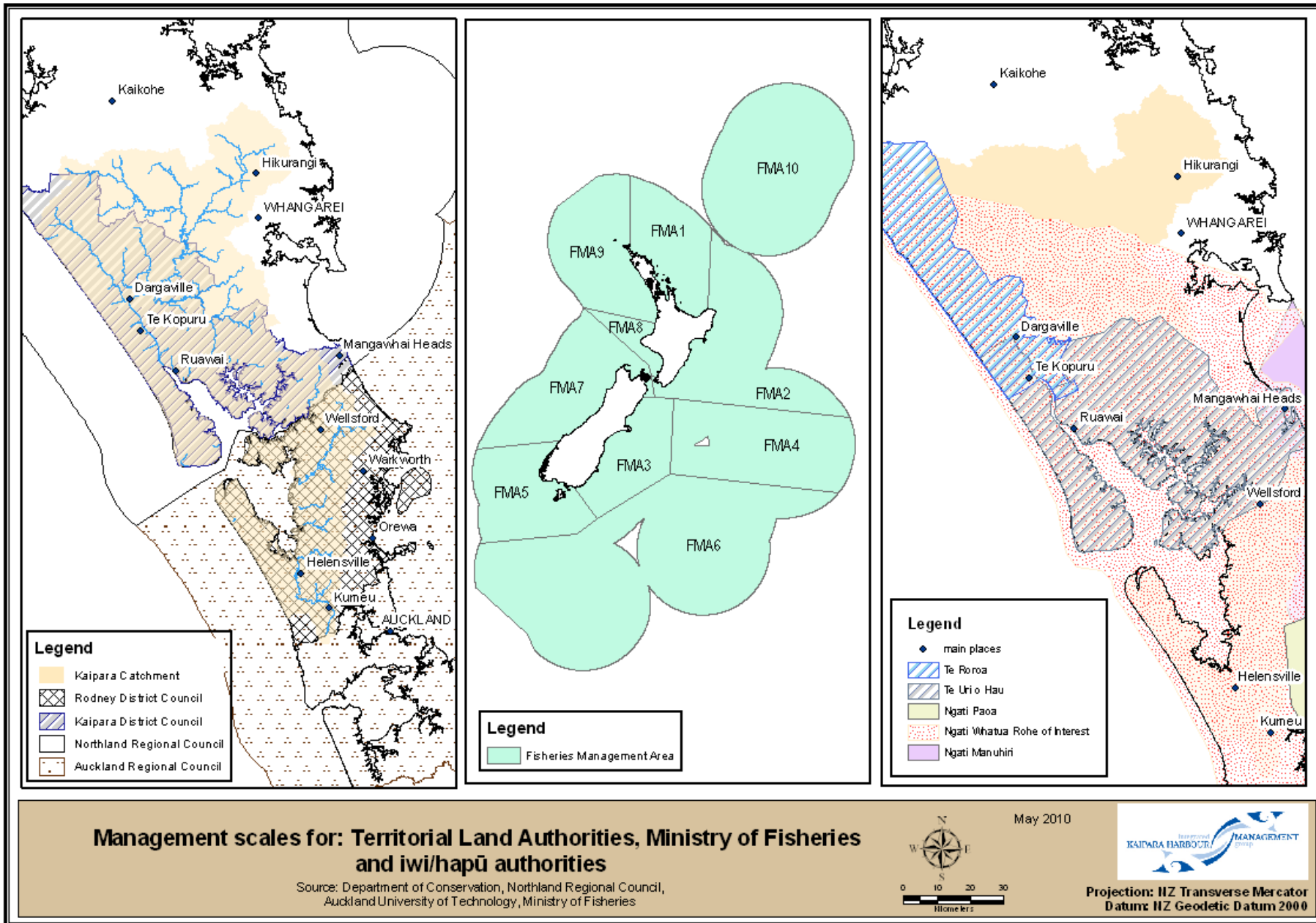


Figure 4.1: Map showing the various cross-sector management scales (IKHMG 2010:470)



Figure 4.1 shows the multiple regional and district councils with responsibilities in the catchment. The middle map showing Fisheries Management Areas locates the KM in the middle of FMA9; the harbour provides a significant ecosystem service as a fisheries nursery (particularly for commercial species including snapper (SNA8), grey mullet (GMU1) and school shark (SCH1) stocks), contributing to the wider West Coast North Island ecosystem (IKHMG 2011:21). This exemplifies the significance of natural resources to this area and the country overall. The third map, on the right, shows the boundaries of various Indigenous tribal entities with interests in the catchment. Tribal boundaries tend to align better with 'natural' catchment boundaries due to historical reliance on natural resources for livelihood. However, tribal boundaries also overlap with one another *and* with council boundaries, adding to the challenge of implementing ICM approaches (Blomquist and Schlager 2005:105).

In areas like KM, where there are common or overlapping interests and jurisdictions, joint projects can address complex issues of mutual concern (Peart 2007:63). A survey undertaken in 2010 by the Auckland Regional Council of international and national best practice for integrating catchment and coastal management, identified partnerships between state and non-state actors as the most effective models for ICM. The report recognised that partnerships based on shared resources and decision-making power are expected to lead to improved environmental outcomes; contingent on building capacity of all parties (Feeney, Gustafson 2010:2) (refer 5.1 and 6.3).

#### 4.2.4 Ngā Rangatira o Kaipara Moana

Several hundred inhabitants are estimated to have occupied the area in the early nineteenth century, attracted by the KM's geography and abundant natural resources (Waitangi Tribunal 2006:11). Clearance of land around the shoreline, along significant routes between Otamatea and Mangawhai and between the Kaipara River and upper Waitematā Harbour, as well as the number of recorded pa sites (Fig. 4.2), marae and middens (Fig. 4.3) located around the KM, clearly indicate the importance of this area to Māori, long occupation, and frequent battles over the district (Waitangi Tribunal 2006:11).

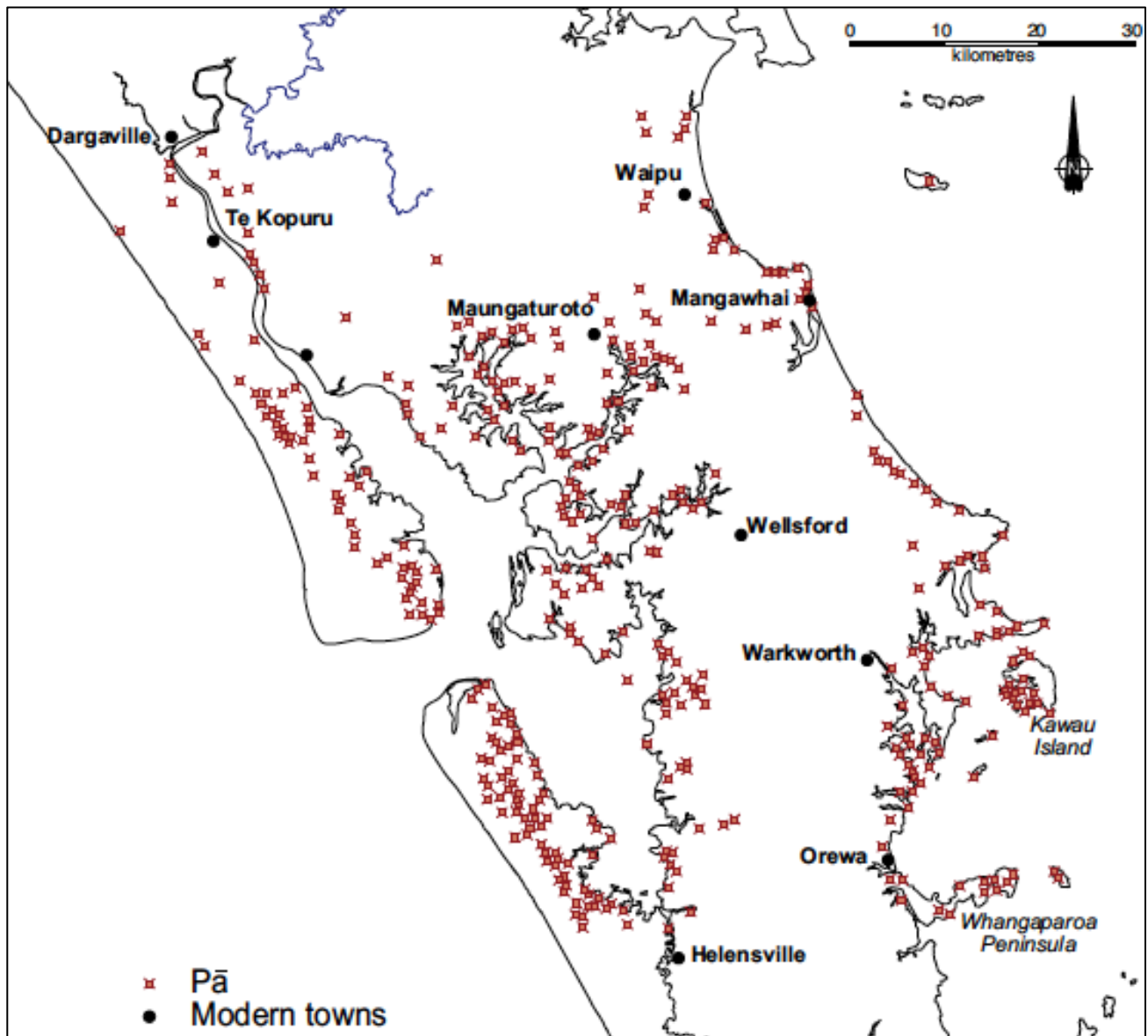


Figure 4.2: Distribution of pā sites in and around Kaipara (Waitangi Tribunal 2006:14)



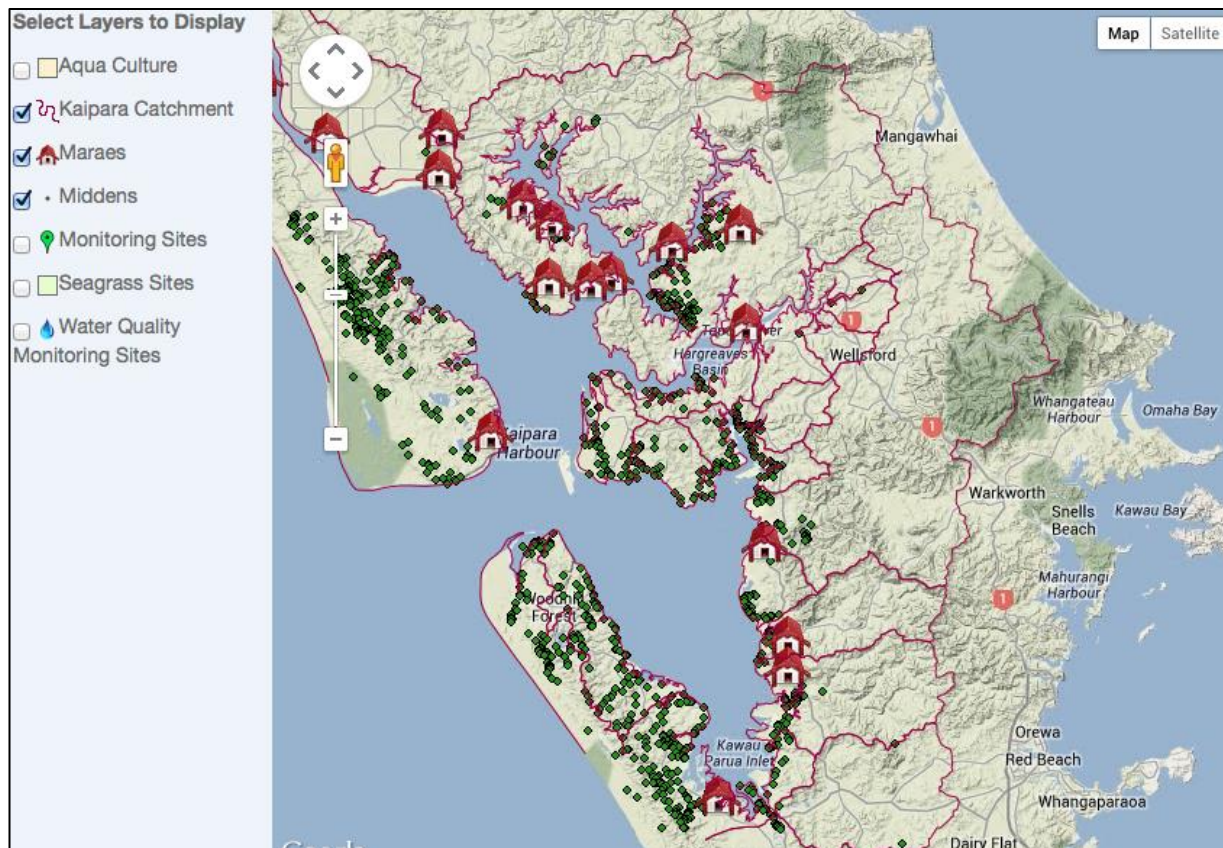


Figure 4.3: Map showing locations of marae and middens around the Kaipara Moana (IKHMG 2015)

Although several tribes surround the KM catchment (refer Fig. 4.1), NW has been identified as holding mana moana/manā whenua over the KM (Office of Treaty Settlements 2014:3).

The rangatira of NW and the Crown have a historical relationship based on reciprocity and continuous mutual obligation. Historically, the Crown actively cultivated the Treaty partnership; NW provided support and protection for colonisers enabling the new colony and port of Auckland to become established. NW gifted land and invested effort into fostering ‘highly personalised relationships’ (Office of Treaty Settlements 2011:20, S2.13), gaining ‘ready access to the Governor...practically a voice in the government’ (Office of Treaty Settlements 2011:20, S2.14).

Contemporary NW retain an ‘inherent right as kaitiaki...to participate in the decision-making processes affecting natural resource management’ (Te Uri o Hau Settlement Trust Environs Holdings 2011:37) within the different rohe of their respective sub-tribes. TUoH and NWoK clearly state in their iwi management plans<sup>13</sup> that key issues relevant to natural resource management (NRM) for both hapū respectively are that their rangatiratanga has not been upheld to its fullest extent. They have no legislated and delegated authority and their ability to exercise kaitiakitanga is constrained by legislation, interpretation and limited Crown capacity to understand the roles and

<sup>13</sup> Iwi planning documents were outlined in chapter four, local government are required to take them into account

responsibilities of kaitiaki. However, as will be seen in section 5.1, the flexible terminology stated in the Deed indicates the ambiguousness enacted in the Treaty claims settlement process. There is no certainty or specific obligations that require those Crown agencies to actually meet or act upon any of the concerns expressed by the Kaipara hapū. These issues will be explored in Chapter Five.

Both hapū have indicated that to uphold rangatiratanga to its fullest extent, they require legislated, delegated authority. This would enable them to fulfil their kaitiaki role proactively through consenting and regulatory powers. Wider aspirations include the transfer of powers under section 33 of the RMA or co-management of the KM. The hapū seek to partner with the Crown and to work with the community to restore the mauri of the KM as well as empower themselves to undertake their own hapū-based resource management. NW continues to apply customary management techniques to protect the mauri of their harbour through maintaining tikanga. Rangatiratanga is central to traditional management methods, which include making NRM decisions according to a hapū territorial basis. Practices include the application of rāhui to conserve food sources. The interests of the Kaipara hapū<sup>14</sup> are culturally and spiritually based but include physical and economic interests in improving their natural resource base to realise its potential guaranteed by the Treaty/te Tiriti. The wellbeing of the harbour is crucial to the wellbeing of NW: 'it is our family member, we are of the same' (Environs Holdings Trust 2013:43).

Most historical Treaty claims of NW hapū have been settled through four existing deeds of settlement (TUoH, Te Roroa, NWoK and Ngāti Whātua o Orakei). Cultural redress for the KM itself is yet to be negotiated. In the meantime, as will be seen in 5.2, NW ensured acknowledgement of their tauranga waka through Te Uri o Hau Claims Settlement Act 2002 which provided a statutory acknowledgement of the relationship between NW and the KM. The deed of settlement established protocols between TUoH and several Crown Ministries and Departments including the (former) Ministry of Fisheries (now Ministry of Primary Industries) and the Department of Conservation as a means to provide good working relationships. However, the loose terminology – the Crown would 'encourage the development of memoranda of understanding between Te Uri o Hau and the Kaipara District Council, the Rodney District Council, the Northland Regional Council, and the Auckland Regional Council' (New Zealand Government 13 December 2000) – provided little guidance or certainty for how relationships would be established and maintained. Further detail is provided in the following section. As will be seen in section 5.1, this flexible terminology, which indicates the ambiguousness enacted in the Treaty claims settlement process, reinforces ambiguity in the now established relationships between mana whenua and the relevant agencies. There is no certainty or specific obligations to require those Crown agencies to actually meet or act upon any of the concerns expressed by the Kaipara hapū, and unfortunately relying on goodwill does not appear to be the overall solution either.

Each of the hapū have interests and claims that are yet to be addressed. The Crown and NW hapū postponed the cultural redress of the KM until appropriate opportunity arose to engage with wider Iwi and hapū groups with shared interests in the KM, and the Auckland Council reorganisation and foreshore and seabed reforms were completed (Office of Treaty Settlements 2014:1). Treaty claim negotiations are currently underway, and the Kaipara Moana Framework Agreement was signed on 18 August 2014. This agreement outlines NW's historical and cultural associations with the KM and provides the basis for cultural redress in relation to the KM (Office of Treaty Settlements 2014:1). The introduction (refer clause 12, Office of Treaty Settlements 2014:2) highlights

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<sup>14</sup> The reference 'the Kaipara hapū' is used in accordance with the IKHMG (e.g. IKHMG 2011:7) of which both Te Uri o Hau and Ngāti Whātua o Kaipara are involved under the leadership of their joint group Ngā Kaitiaki Tai Ao o Kaipara.

NW's 'aspirations' (refer 5.2.2) to reassert rangatiratanga:

Ngāti Whātua wish to establish one body to provide for the consolidated, integrated and holistic governance of Kaipara Moana. Ngāti Whātua iwi seek increased involvement in planning and decision making processes affecting the Kaipara Moana and Ngāti Whātua iwi and to improve the mauri and health of the Moana.

The agreement outlines the proposed establishment of a co-governance body, with equal Iwi and Crown representation, and the associated scope, purpose and functions of that body (Office of Treaty Settlements 2014:5-7). The establishment of the IKHMG in 2005 is also highlighted (refer clause 13, Office of Treaty Settlements 2014:2) because it was led by Ngā Kaitiaki Tai Ao o Kaipara and Te Uri o Hau Settlement Trust tribal elders with other NW concerned about restoring and protecting the mauri of the KM and improving ecosystem health (further detail provided in the following sub-section).

#### 4.2.5 The Integrated Kaipara Harbour Management Group

*Ngā Rangatira state that the mauri of the Kaipara Moana is unhealthy and disconnected. This is causing a serious loss of mana to the hapū. There are restricted opportunities to exercise kaitiakitanga and there are limited socio-economic opportunities for local residents in an area that suffers unemployment, low educational achievement and poverty (IKHMG, 2014:11-12).*

While the Treaty settlement of the KM itself is yet to happen, the Te Uri o Hau Claims Settlement Act 2002 provided the regulatory mechanism to establish a holistic management approach for integrated management that seeks to restore the mauri of the harbour. Following the settlement,

Tangata Whenua and the local community have settled on the view that a sustainable integrated catchment management plan or co-management is the correct mechanism to address the issues to restore the Kaipara Moana in particular to a healthy and productive state (Te Uri o Hau Settlement Trust Environs Holdings 2011:43).

The Kaipara community identified two fundamental causes of the degradation of the KM: the lack of integration and coordination of governance and management; and the isolation of hapū, landowners and communities from restoration opportunities (IKHMG 2014:11-12).

In 2005, TUoH and NWoK tribal elders, Ngā Kaitiaki Tai Ao o Kaipara, gathered together to address the ongoing environmental degradation of the mauri/health of the Kaipara. They established the IKHMG, a non-statutory, multiple-stakeholder partnership combining mātauranga Māori and western knowledge. The IKHMG is recognised as the vehicle<sup>15</sup> to implement obligations between Ngāti Whātua ki Kaipara hapū and Memorandum of Understanding partners under Treaty of Waitangi Settlement obligations in particular giving effect to kaitiakitanga and hapū management plans. The IKHMG is therefore expected to address the concerns related to rangatiratanga outlined in the previous section. A 'vehicle' was required because the Treaty claims settlement

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<sup>15</sup> The IKHMG is led by the Te Uri o Hau Settlement Trust through its Kaitiaki Unit the Environs Holdings Trust and by Ngāti Whātua Ngā Rima o Kaipara.

process resulted in undeniable recognition of the TUoH relationship with the KM<sup>16</sup>. This supports contentions in 2.4.3 that Treaty settlements are providing opportunities for Indigenous peoples to re-negotiate their role in NRM.

The vision of Ngā Kaitiaki Tai Ao o Kaipara is:

Ka mau tonu nga taonga tapu o nga matua tupuna, Koinei nga taonga i tuku iko, na te Atua  
Hold fast to the treasures of the ancestors for they are the treasures that have been handed down by to us  
by God (Te Uri o Hau Settlement Trust Environs Holdings 2011:ii)

The kaitiaki see their role as providing the leadership (rangatiratanga) to coordinate resource management agencies and stakeholders for the future research, planning, policy development and management of the KM and catchment (refer Appendix C for a list of kaitautoko (partners) and interested parties). This leadership grounds and shapes the work of the IKHMG, illustrating a common aspiration of mana whenua for partnerships with government agencies and wider communities.

The IKHMG honours the Treaty principles and strongly commits to strategic environmental action. The IKHMG works towards a common vision of 'a healthy and productive Kaipara Moana' to address issues affecting the health mauri of the Kaipara. The vision is supported by six long-term objectives: 1) To protect and restore native biodiversity, 2) To restore sustainable use of fish and invertebrate stocks, 3) To protect and restore the Mauri of Kaipara, 4) To increase understanding of Climate Change impacts, 5) To promote socio-economic opportunities, and 6) Integrated co-management of Kaipara ecosystems, catchment and harbour.

The IKHMG is a unique example of ICM (Integrated Kaipara Harbour Management Group 2014:10):

- It was established and is led by mana whenua. Their leadership and kaitiakitanga is a critical identifying component of this partnership.
- It draws from both mātauranga Māori and western science in its programme development.
- It is ambitious in scope, covering 640,000 hectares of land and New Zealand's largest estuary, and engaging over two dozen committed partners and members from iwi, government, non-government, community and business organisations.
- It is strongly connected to the local community – farmers, fishers, business owners, local residents and hapū.
- To bring practical effect to its vision, it designs and implements on-the-ground projects and programmes as well as seeks to influence policy, regulation and practice of its partners.

Funding is a major issue. The numerous agencies partnering with the IKHMG who have responsibility (but no statutory obligation) for identifying available funding sources appear unable or unwilling to commit sufficient funding to support this group (IKHMG 2009). However, council representatives noted during interviews the significant value of the IKHMG and the potential cost-savings owed to the work the group does on behalf of councils. Current funding opportunities have arisen from unorthodox partnerships between the Crown and

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<sup>16</sup>As per the Crown in a Statutory Acknowledgement in the Te Uri o Hau Claims Settlement Act 2002.

private industries. For example, a new partnership between Fonterra Collective Ltd (Dairy collective) and Department of Conservation (DoC) formed in 2013, called the Living Waters Programme (Fonterra 2014). The Programme will run restoration projects at five locations across New Zealand, committing \$20 million over 10 years (Conservation Minister Hon Dr Nick Smith 07 March 2013). Each location is chosen for their significant water quality issues and illustration of community effort. According to an interview with the Fonterra Project Manager, the Hikurangi Swamp area in the northern portion of the Kaipara catchment was chosen specifically because of the established and ongoing effort and success of the IKHMG (Tim Bradenburg, Interview, 24/02/2014). Both DoC and Fonterra are partners on the IKHMG and regularly attend meetings; they are aware of the effort of the group as a whole but also of dairy farmers in the Hikurangi. While this presents obvious benefits for the catchment of interest, it also highlights the potentially ad hoc, 'patchwork' affect of targeted approaches like this and suggests the ongoing neglect of less fortunate areas that are not recognised or promoted for such opportunities.

An interim joint political committee addresses governance issues related to the harbour, providing 'oversight and support for the activities of the IKHMG, including advocacy to secure resources for joint initiatives' (Kaipara Harbour Joint Political Committee No Date). Although NWoK and TUoH governance representatives have been invited to be a part of the committee, it is not iwi-led. In fact, mana whenua are skeptical about the value of this committee; despite being a 'governance' committee, the council representatives who attend do not have the authority to make immediate decisions (refer 5.1). Mana whenua representatives do have that mandate and want to see action and progress. It is clearly anticipated by the IKHMG (refer IKHMG's Business Plan 2014-2017), and the Crown and NW (Office of Treaty Settlements 2014) that a co-governance board will be established in lieu of the KM Treaty settlement and that the KMJPC is acting as an interim measure (refer 6.4).

The Kaipara Moana Framework Agreement (2014:5) states that NW Iwi and the Crown intend to establish a co-governance body. The 'Kaipara Moana body' will comprise equal NW Iwi representatives and Local Authority representatives 'to provide for the consolidated, integrated and holistic governance of Kaipara Moana'. Crown agencies may be invited to attend with non-voting rights. The Agreement declares support for the IKHMG, and states that they 'do not seek to replace its role' (Office of Treaty Settlements 2014:2). The influence of the IHKMG is apparent in the Agreement which states that the KM body 'will prepare, consult on, and approve a Strategic Document for the Kaipara Moana' and 'in preparing the Kaipara Moana Strategic Document the Kaipara Moana body must review any plan prepared by the Integrated Kaipara Harbour Management Group and consider whether relevant aspects of its content may be incorporated into the first Kaipara Moana Strategic Document' (Office of Treaty Settlements 2014:10).

#### 4.2.6 Summary

This section contextualised the particular socio-political, cultural and environmental aspects of the focus area for this research. In section 4.2.2 I drew attention to the size and scale of the Kaipara Moana and catchment, and the significance of natural resources within this area which are in decline. Restoration, protection and enhancement of the natural environment is integral to Ngāti Whātua, for whom the Moana is their greatest taonga, and for wider communities as pressure related to primary industries, tourism and housing development increases. However, as illustrated in 4.2.3, there is a multitude of regulatory authorities and other agencies with interests in the Kaipara and past and current management has taken a fragmented and uncoordinated

approach. The scale and complexity both in physical and socio-political regard, conveys not only the challenge, but more importantly the requirement, to establish an integrated management approach in the Kaipara.

In section 4.2.4 I introduced ngā mana whenua o Kaipara – Te Uri o Hau and Ngāti Whātua o Kaipara, both hapū of Ngāti Whātua (often referred to as ‘the Kaipara hapū’ in this thesis). Historical and contemporary occupation was illustrated as was the historical relationship established between Ngāti Whātua and the Crown during colonisation. Ngāti Whātua assisted colonial settlement, and in return were provided with a voice in government. This relationship is based on reciprocity and mutual obligation. But as evidenced, the Crown is not currently honouring the relationship. The Kaipara hapū are struggling to assert inherent rights to uphold and exercise rangatiratanga and fulfil kaitiaki responsibilities due to limitations inflicted by the Crown’s legislation and regulatory system. Nevertheless, the Kaipara hapū remain committed to empowering cultural, spiritual, socio-economic and environmental interests. The Treaty settlement context was also outlined because it is anticipated that tribal interests should be addressed through those.

Ensuring the wellbeing of the Kaipara Moana is integral to the wellbeing of Ngāti Whātua. In section 4.2.5 I focused attention to the IKHMG which was established to address the wellbeing of the Moana and its communities. Significantly, the establishment of the group was promoted and initiated by Te Uri o Hau and Ngāti Whātua o Kaipara with strong support from wider communities. The advantages of this approach for mana whenua were outlined such as: the partnership approach which respects and promotes mātuaranga Māori equally alongside western science; the ambitious scope and significant involvement of multiple and diverse actors; and the strong connections being catalysed. Importantly though, several key issues (which are likely interlinked) were also noted including lack of sufficient and consistent funding, and lack of appropriate governance support. These considerations are significant for my analysis and discussion of perceived postcolonial challenges and opportunities of ICM in the Kaipara in the following chapters Five and Six.

### **4.3.0 Methodological Context – The Qualitative Approach and Discourse Analysis**

#### **4.3.1 Introduction**

The research approach and design that will be outlined in this section is informed by various sources relating to PCT, culturally sensitive and anti-oppressive research methodologies, and kaupapa Māori (Tuhivai Smith 2012, e.g. Hingangaroa Smith 2000, Bishop 2011, Mertens, Cram et al. 2013, Battiste 2011, Berryman, SooHoo et al. 2013, Brown, Strega 2005, Denzin, Lincoln et al. 2008, Hudson 2010). This is intended to help with navigating the sometimes-ambivalent space in which research occurs, and to address potential power asymmetries.

Primary research of a critical qualitative nature was integral to my understanding of how Indigenous and non-Indigenous people and organisations are involved in contemporary NRMG approaches. The case study approach (refer 4.3.2) employing kano ki te kano (face to face) interviews (refer 4.3.3) enabled myself, and the participants, to engage with understandings, interpretation and application of rangatiratanga within a shared, critical space (Denzin, Lincoln et al. 2008). Discourse analysis and interpretation of primary and secondary data



(refer 4.3.4) was conducted with a culturally sensitive PCT lens to enable issues of discrimination, oppression, and social justice to come to the fore (Mertens 2009:282).

In section 4.3.5 I consider the significance of positionality and culturally sensitive research, incorporating a critique of my research experience as a 'hybrid' Māori Pākehā/Dutch researcher, particularly in the early stages. Understanding my positionality and the complexity of intersubjectivities in the research process was important to me personally and this sub-section is included as a personal account and for others who might be similarly interested.

Kaupapa Māori methodology was particularly important to this research process (refer 4.3.6) because it focuses on the experiences of Indigenous Māori in postcolonial New Zealand. According to renown Māori scholar Graham Smith (quoted in Tuhiwai Smith 2012:300), who has contributed extensively to Kaupapa Māori theory, it is related to 'being Māori'; is connected to Māori philosophy and principles; takes for granted the validity and legitimacy of Māori, the importance of Māori language and culture; and is concerned with 'the struggle for autonomy over our own cultural well-being'.

The approach taken was approved by the University of Auckland Human Participants Ethics Committee (Ethics Approval Reference 2013/010820) prior to conducting field research (refer Appendix D).

### 4.3.2 Aim and scope of case study

Postcolonial relationships are not homogenous, differing across time and place in New Zealand and throughout the postcolonial world. My motivations for this research were to observe a case study that illustrates transformative geographies of hope (Mavroudi 2013, Mertens 2009) – a case where Indigenous rights and interests in NRMG are being asserted to an extent that is meaningful to them, and to develop an understanding of how this case has emerged or is emerging from the status quo marginalisation of Indigenous communities.

According to Robert Yin (2013:16) who specialises in case study methodology, a case study is '...an empirical inquiry that investigates a contemporary phenomenon (the 'case') in depth and within its real-world context'. This is particularly useful when 'the boundaries between phenomenon and context may not be clearly set'. A case study approach enabled interrogation and an understanding of a real-world case, providing contextual conditions germane to my research. As will be recalled from 2.1, it is important to contextualise a postcolonial critique in order to avoid the risk of homogenisation, drawing attention to particular relations and complexities at play within a specific spatio-temporal site.

Other researchers investigating the role of Indigenous peoples in environmental management and governance have also used case studies (e.g. Memon, Kirk 2012, Barry, Porter 2012, Simpson 2010, Norman 2012, Tipa, Welch 2006). Within ICM literature, many insights have also come from detailed analysis of specific sites (e.g. Cohen 2012, Cook 2014, Cook, Atkinson et al. 2013, Memon, Painter et al. 2010, Blomquist, Schlager 2005).

For this research, focus is drawn to relationships within a particular NRMG approach (as discussed in 4.2), exploring the nuances of an arguably innovative bicultural management approach. A single case study approach

is therefore warranted because of the attention to relationships required by the methodology. Yin (2013:95) recommends that '[i]f doing a single-case study, choose the case that is likely, all things being equal, to have the most available data sources'. As outlined in 4.3.4 multiple sources of evidence were analysed and support the particular research project.

### 4.3.3 Interviews

Interviews were chosen as a key methodology for this research because according to sociologists Holstein and Gubrium (2003:3) "[p]ut simply, interviewing provides a way of generating empirical data about the social world by asking people to talk about their lives'. Viewed through the epistemology of social constructionism and critical theory, the practice of interviewing constructs the interviewer and the interviewee as active creators of knowledge rather than passive receivers and givers of information. In practice, this means that 'who' the interviewer and interviewee are, will influence the information they exchange. From a critical pragmatist perspective, practitioners can be considered a 'productive source of knowledge', supporting calls for in-depth interviews with relevant specialists within the chosen field to understand the complexities and nuances of the subject (Forester 2012:12).

This research included interviews with practitioners and managers from local government agencies and private industries, and TUoH and NWoK resource management and tribal development experts. Semi-structured, kanohi ki te kanohi (face to face) interviews, using an open-ended interview guide, were conducted with eighteen interviewees (refer Appendix E). This methodology allowed the maximisation of the quality and depth of the data (Denzin, Lincoln et al. 2008). According to Hill (2013:60),

semi-structured interviews were the most sensitive means of gathering data in a Māori context because, first, this form allowed genuine collaboration in a culturally acceptable way. A face to face oral interaction is important in the Māori world, as it reflects the concept of kanohi kitea 'the seen face' (Smith 1999:120) and invokes greater trust.

In alignment with other researchers conducting postcolonial research within a similar context (e.g. Memon, Kirk 2012, Tipa, Welch 2006), recruitment of participants was targeted on the basis of their involvement or association with the IKHMG – the ICM group utilised as the single case study for this research. Potential participants were identified through attendance at the IKHMG's public hui or recommended by members of the IKHMG or relevant hapū authorities. The recruitment process was indirect, requiring consent from employers/managers if potential participants were an employee of a government agency or iwi authority (refer PISs and CFs in Appendices F – I). The manner of approach was also at the discretion of their employer. Under their direction, I contacted potential participants via e-mail or phone.

Following agreement to participate, a PIS describing the purpose and intent of the research and a CF was emailed to the participant. The CF was completed and returned to me by email or in person before an interview commenced. The PIS and CF clearly highlighted potential risks and options regarding anonymity and information collection, use and storage including the opportunity for participants to withdraw from the research at any time as well as opportunities to receive a copy of their interview transcript which they could edit and return to me (within a month of their receipt of it) or retract if desired. Original signed CFs have been stored in a lockable filing



cabinet at the University of Auckland. Data obtained from interviews was transferred onto a password protected hard drive for ease of use, and protection against damage and loss.

Half of the eighteen interviewees identified as being Māori and stated their iwi affiliations. Seven identified as either TUoH or NWoK, one identified as Te Uriori, (a Ngāpuhi hapū in the north of the catchment), while one interviewee identified as Māori from outside Kaipara. As will be elaborated in 4.3.6, participants were invited to offer advice on the appropriate protocols, including the location of the interview. Subsequently, interviews were held in a range of places, mostly in offices or homes, but several were held on or near waterways that connected to the KH (the Wairua River and Mangere River, and the Hoteo River, and the Hikurangi swamp).

#### 4.3.4 Discourse analysis and interpretive discourse

According to linguist Norman Fairclough (2011:33) critical discourse analysis is:

a problem-oriented interdisciplinary research movement, subsuming a variety of approaches, each with different theoretical models, research methods and agenda. What unites them is a shared interest in the semiotic dimensions of power, injustice, abuse, and political-economic or cultural change in society.

Therefore, a critical discourse analysis is apt in a postcolonial theoretical context where interrogation of such issues is indeed an underlying motivation. Mertens proposes in the fourth edition of *Research and Evaluation in Education and Psychology*, that the strength of discourse analysis is the possibility to examine data with an open, questioning mind, attempting to read between the lines 'to determine deeper meanings'. Sociocultural practice, involving issues of power and its implications in wider society can be analysed in the discourse context.

To inform my research and provide an in-depth analysis and critique of the case study (as recommended by Yin (2013)), significant amounts of primary and secondary qualitative data were gathered, including verbatim transcripts of 18 interviews. Secondary sources included national, regional and local government agency plans and reports, reports and documentation from private and community organisations, newspaper and magazine articles, and film documentaries<sup>17</sup>. Photography was also used to support verbal data obtained from participants in the field during interviews.

I utilised QSR NVivo to categorise and organise the primary and secondary data under appropriate headings and subheadings based on key themes emerging from the literature review. Validation of informal material was achieved through triangulation of data with secondary sources (Mertens, Hesse-Biber 2012). I also validated my findings through observations as an attendee of the IKHMG quarterly hui; flagship site visits days (e.g. AVOCA lime company, Whangārei); special workshops (e.g. review of flagship farm programme, Kaiwaka) during 2013-2014; and the inaugural IKHMG two day research symposium at Te Hana Te Ao Marama marae 'Kaipara Moana - Looking back...thinking forward" 15-16 November, 2014.

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<sup>17</sup> For example: The Kaipara affair, 2005, Barclay et al, He Taonga Films; Hyundai Country Calendar, Episode 22, 2015, Working the Tide – documenting the life of a Kaipara fisherman; Hyundai Country Calendar, Episode 21 2014, Milk to the Max – documenting Ben Smith, Hikurangi farmer; Māori Television's documentary, The River Cop, Native Affairs, 2015 – documenting kaitiaki monitoring by Environment River Patrol-Aotearoa; Māori Television's Project Mātauranga, Series 2 Episode 11 documenting the collaborative development of a science resource, Nga Waihotanga Iho, by NIWA; and Water Whisperers Tangaroa, 2010, Gallagher and Coughlan, WickCandle Film.

### 4.3.5 Culturally sensitive research and positionality

Positionality refers to the concept of identity as a marker of our relational positions. Considering positionality helped me to understand the complex nature of participants' intersubjectivities as well as my own identity and influences on the research process (Hoskins 2015). This understanding included considering my existing connections to research participants, my position of power as a government employee, and the reality of inter-cultural differences and similarities (National Health and Medical Research Council 2003).

My journey to establishing research contacts provides an example of considering positionality. As a part-Māori student with Māori supervisors and mentors, and a Māori work environment, I found it relatively easy to establish appropriate research contacts. My thesis supervisor at the University of Auckland already had an established working relationship with the tribal leaders of TUoH. He was able to make introductions and assist as a liaison in the initial stages, helping me to establish a rapport and introduce my research. Connections also existed through my job in the Māori department at Auckland Council, where some of my colleagues belonged to NWoK and were related to potential research participants. These family ties and connections assisted in a similar fashion. One of my colleagues is a kaumātua (respected elder) of one of the tupuna (ancestral) marae. He was very supportive of this research, participating in an interview as well as showing me around his part of the Kaipara. In addition, my position as an iwi representative for my own iwi, Ngāti Tahu, provided a mutual understanding of and respect for the roles we play respectively for our hapū. The CEOs of both hapū also supported this research, providing letters of support (refer Appendix J), ongoing dialogue, and interaction.

My position as an employee of a government agency, researching the relationship of Indigenous peoples and government agencies risked perceptions of bias and conflict. To alleviate possible concerns, I ensured my employment was clearly conveyed in early discussions with tribal leaders and acknowledged on the Participant Information Sheet (PIS) forms for Managers/Employers (refer Appendix F) and Interviewees (refer Appendix G). Some participants seemed to see this position as potentially strategic and advantageous because my work within the council focused on positive Māori outcomes.

My hybrid Māori Pākehā/Dutch identity was both an asset and a cause of anxiety at times. I felt some inner tension or ambivalence with this position within 'hybrid' ethnicities. Although it can be difficult to work within both Māori and Pākehā worlds, there is potential to move flexibly in the space in-between (Webber 2008). Some 'white Māori females' choose to switch between dual identities as situations demand, a process that avoids denying aspects of identity (Webber 2008:31). Some scholars might consider this process further disempowerment of already marginalised peoples because the 'hybrid' does not always emphasise her 'Māori' identity. But there are certain advantages within a postcolonial society of positive movement between identities politically motivated by a desire to improve relationships and understandings (Bell 2004).

Through sensitive consideration of the relationship between researchers and the researched, and the complex politics of representation, power and ethics, the importance of positionality and subjectivity can be acknowledged (Fisher 2015, MirafTAB 2004). Like Fisher (2015), when engaging with Indigenous peoples I found that claiming my mixed ethnicity led to interest and questioning about my ethnic/racial background, which helped to break down barriers. However, I also encountered a sense of anxiety, similar to that reported by Fisher, at being perceived as 'white' when interacting with participants. When attending the public meetings held by the IKHMG, I

would follow tikanga, introduce myself in te reo Māori, and identify my tribal connections. Prior to my mihi I always felt anxious about how other attendees would perceive me.

Māori participants seemed to be more relaxed and open during meetings and interviews once they were aware of my Māori lineage particularly following conversations about my work with Crown agencies and business operators for my own hapū. At times, participants would use second-person pronouns and inclusive plurals to reflect the assumption that 'we' shared similar cultural understandings or that 'our' colonial histories and the past and ongoing impacts of colonisation on our respective tribes were similar. There was a sense of alliance, strengthened because my intention to produce empowering, decolonising research was clearly conveyed. Conversely, during some interviews with Pākehā Crown-agency employees there was a slight sense of caution in some of their answers suggesting a sense of ambivalence related to their position. However, all participants expressed a genuine interest and respect for the 'other' culture, and potential benefits of partnerships were emphasised.

Hybrid Māori/Pākehā identity is valued as a means of coming to terms with our history and negotiating and reconstructing our relationships with each other (Bell 2004:135). 'Hybrids' have potential for "two voices, two languages, two consciousness's, two epochs; being situated at 'the collision between differing points of view on the world' but also 'profoundly productive historically' and 'pregnant with potential for new world views'" (Bakhtin 1981:360). Like Fisher (2015:468), I found that my self-identification as a 'hybrid' Māori/Pākehā Other 'worked to destabilize monolithic constructions of whiteness', and assisted with forming bi-cultural relationships. Since this research focuses on a collaborative management group that comprises of both Pākehā and Māori operating under a 'bi-cultural' approach to NRM, and moving beyond divisive us/them discourse (refer 2.2.2), my hybrid identity is considered an advantage for the researcher and the research.

#### 4.3.6 Ethical considerations

To ensure an ethical approach I employed Te Ara Tika (Hudson 2010) a Māori Ethical Framework (refer Fig.4.4) identifying expectations progressing from minimum standards to good practice through to best practice based on the following principles:

- Whakapapa (genesis and purpose of your research)
- Tika (validity of the research proposal)
- Manaakitanga (cultural and social responsibility)
- Mana (equity, justice and rights).

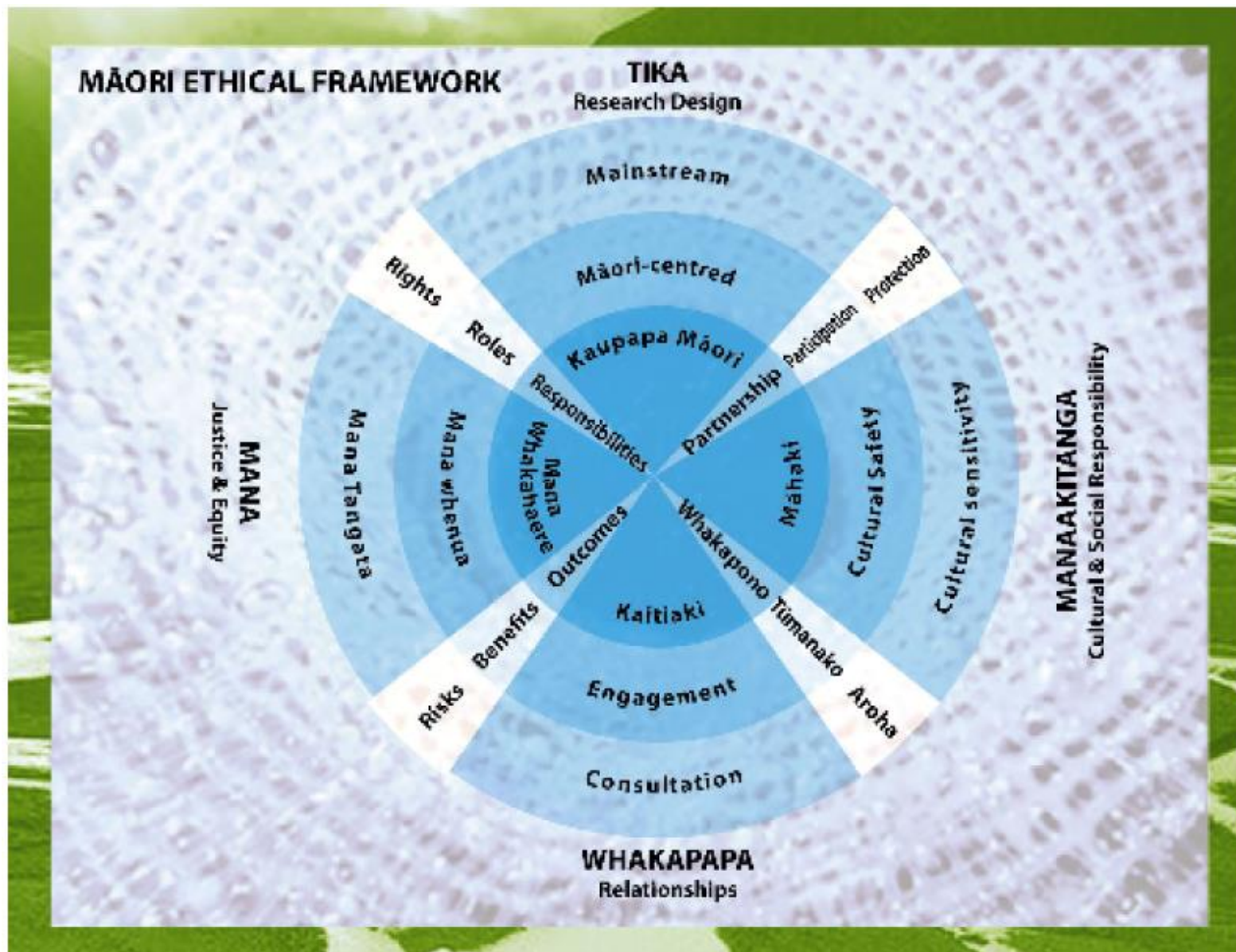


Figure 4.4: Te Ara Tika Māori ethical framework (Hudson 2010:4)

This framework was used to evaluate, from a Māori perspective, the ethical integrity of the research approach, recognising potential limitations and opportunities (Hudson 2010)<sup>18</sup>. Below, I discuss the four principles (as conceptualised in the framework) to provide insight into the ethical considerations of the research project.

Through the principle of 'whakapapa' (relationships) it was possible for myself (researcher) and participants to recognise and claim points of sameness without marginalising or excluding points of difference that arise during informal discussions and interviews (Valentine 2002). Royal (1998) and Pihama (2011) argue that whakapapa is an important analytical tool that enables the researcher to understand phenomena associated with power and relationships and to address power dynamics by exploring those relationships, constructions of power, and layers of knowledge. Hudson (2010:6-8) distinguishes differences between consultation, engagement and kaitiaki (best practice approach). I sought to empower Māori through their leadership and influence over the approach and methodology with intention of providing tangible outcomes of interest to them. Significant time was spent scoping and building relationships (refer Appendix K) founded on 'transparency, good faith, fairness and truthfulness' and ensuring mechanisms for the tribal representatives to have 'a governance role in the planning, development and execution of research as well as monitoring the project through its life cycle' (Hudson 2010:7).

The principles of 'tikanga' and 'kawa' (correct research design) provide the interface for accessing cultural knowledge and experience that can be used to inform ethical deliberations. Tikanga also provides a framework through which Māori can actively engage with ethical issues and consider the effect research may have on their own values or relationships (Hudson 2010:2). Ongoing relationship building with representatives from TUoH and NWoK developed my understanding of their tikanga and kawa, which informed the research approach and design, as well as guiding my conduct through interviews and at hui. However, the time and resource limitations of a Masters project constrained the ability to produce significant transformative change.

The principle of 'manaakitanga' (social and cultural responsibility) is concerned with 'ensuring the mana of both parties is upheld' (Hudson 2010:10) by being attentive to 'cultural and social responsibility and respect for persons'. This project recognised the importance of involving Māori representatives in establishing the goals and benefits of the project and its culturally safe implementation. Research practices were inclusive of Māori values and concepts and enabled appropriate Māori protocols: for example, Māori participants were invited to say karakia to commence interviews so that the interview could be conducted in a culturally safe environment.

The 'power and authority bestowed, gained or inherited individually or collectively' is taken into account through the principle of 'Mana' (justice and equity) (Hudson 2010:13). Clear and appropriate information and communication of potential risks was provided in PISs (refer F – G) and Consent Forms (CFs) (refer Appendices H – I), providing understanding of the requirement for informed consent – a demonstration of respect for mana. Koha (token of my appreciation) were provided to express respect for the mana of Māori and other participants. I recognised the mana (in terms of prestige and authority) of the two hapū that hold mana whenua status over the northern and southern KH, establishing meaningful relationships with representatives of those hapū at the research design/conceptual stage. By acknowledging their mana, their rights and aspirations, Māori participants were able to contribute their own conceptual frameworks and articulate their expectations and aspirations for the topic. These expectations helped to shape the approach, design and implementation of research.

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<sup>18</sup> Refer to Te Ara Tika full document for further detail.



Te Ara Tika also promotes the process of ethical review to ensure an ethical process throughout a project's duration:

- Kia tūpato (be careful; consider the value of your research)
- Kia āta whakaaro (precise analysis)
- Kia āta kōrero (robust discussion)
- Kia āta whiriwhiri (determine the appropriate conditions)
- Kia āta haere (proceed with understanding)

All of these aspects were considered. Time and energy was put into interpretation, reflection and construction of meaning throughout the research journey, an important part of anti-oppressive research (Brown, Strega 2005:273). I also considered carefully the tools used and analytical frameworks, with attention to issues of power, control over data analysis, and who benefits from meaning making. Despite assumptions that everyone potentially affected should be involved in meaning making, this is often not possible or of interest to everyone, so the challenge is figuring out how to enable individuals to participate as they wish (Brown, Strega 2005:273-274).

It is important to be attentive to what the communities want for themselves and how the research might benefit them ('kia tūpato' – be careful). During initial scoping, I ascertained the level of community interest in the proposed topic, and whether the communities wanted to be engaged. Due to the historical subjugation of Indigenous epistemologies and ontologies, Indigenous peoples tend to be opposed to the concept of being 'researched', questioning the motivations and value to them of participation in research projects (Berryman, SooHoo et al. 2013). This was reflected in a response from a Trustee of NWoK (2013):

It will be important to **front up** at one of our meetings to make your request to trustees **face to face**. It's **not the first time** students have engaged with trustees in the course of their study. The question is always **what happens to the study and the information gathered** and of **what value** is it to us. People **often feel 'used'** so to speak.

All consulted representatives, highlighting the significance of ethical and meaningful research in postcolonial/colonial contexts, asked similar questions. These responses suggest interview fatigue, particularly among elders, and tensions faced by Indigenous peoples who are often asked to participate in research. Interview fatigue was identified in this research as a symptom caused in particular by ongoing research conducted by Crown agencies. Research fatigue, particularly among Indigenous communities, is often owed to unrealistic and uncoordinated demands for participant time and input (Carter 2010:201) and exacerbated by a sense that there will be little to gain (Reed 2006:2420). I respected representatives' resistance to involving elders, and did not continue attempts to engage kaumātua and kuia. The Acting CEOs and Trustees have a duty to protect their people and look out for their wellbeing. Given the potential adverse effects, I understand their resistance to encouraging widespread involvement.

The principle of 'kia āta-kōrero' (robust discussion) of the practical, ethical and spiritual dimensions of the project with tribal representatives engaged in this research provided 'a foundation to 'kia āta-whiriwhiri' (consciously determine) the conditions which allowed the project to 'kia āta-haere' (proceed with understanding)' (Hudson 2010:5). As noted, considerable time and effort was spent consulting with members of the tribal entities and in

particular Tumuaki/CEOs and Trustees (refer Appendix K for a tabulation of consultees and associated comments). Informal meetings provided an opportunity to present the preliminary topic proposal, discuss and share conceptual frameworks, ask questions, build confidence, and gain support and approval. This process, which continued through ongoing e-mail dialogue, and in person at public IKHMG hui, was integral to the research. For example, tribal representatives influenced the nature and direction of the topic, the list of potential participants and how they should be approached, the use of culturally sensitive material (e.g. iwi planning documents and whakataukī/proverbs), and tikanga and kawa. Tribal representatives also encouraged me to reflect on contributions I could make to my own hapū. I understood an implicit message that Indigenous research should be conducted *by* Indigenous people *for* Indigenous people; and that benefits can be extended beyond the Indigenous community of focus, particularly to the researchers own, as long as it is empowering 'our' people. During these discussions and reflections my identity as 'Māori' became more apparent and I felt more strongly the shared need for decolonisation and colonial resistance.

My desire to provide something valuable for the tribal entities involved was clearly articulated to the representatives who provided their support (refer Appendix J). The intention to conduct active, meaningful research and the reality of doing so can be difficult to reconcile, because there can be 'complexities around speaking, hearing and understanding what 'valuable' might even mean' (Lloyd, Wright et al. 2012:1082). Smith (cited in Battiste 2011:13) argues that if a researcher is genuinely 'in it' for the community then they are accountable to both the academic institution *and* 'the communities in which we are located'. He concludes that 'if Indigenous academics, despite the burden, are not accountable to both community and academy, then they ought to be!' (Hingangaroa Smith cited in Battiste 2011:13). During this research, I felt a sense of commitment and connectedness (promoted by Bishop (2011)) and an obligation to deliver something meaningful. Undeniably I feel accountable to my colleagues and contacts, to the two hapū and the wider Kaipara community due to the relationships formed during this research and my understandings of various circumstances and hardships that individuals and groups have had to face in relation to the KH and catchment. I truly hope that my research contributions do, indeed, provide some benefit.

#### 4.3.7 Summary

This section introduced the methodological context which took a similar approach to other researchers currently undertaking postcolonial research, and critiques of ICM. In section 4.3.2 I justified the use of a single case study which enables an in-depth interrogation of phenomena within real-world contexts. By focusing on a specific case I could analyse relationships between Indigenous and non-Indigenous participants to develop an understanding, from a postcolonial perspective, applicable to ICM and broader NRM discourse.

In section 4.3.3 I discussed the use of semi-structured, in-person interviews. This methodological approach allowed me to produce empirical data about the social world. My process for interviewing was outlined, including identification and engagement of 18 participants and implementation of interviews using open-ended interview guide. My analysis of primary and secondary data using critical discourse analysis was discussed in section 4.3.4. Discourse analysis allowed me to interpret my data, critiquing it with an open and inquisitive mind, to develop deeper understandings within my particular research context but which may also be applicable to wider fields.

Finally, in sections 4.3.4 and 4.3.5 I explored the cultural sensitivity, positionality and ethics of my research. My approach was informed by postcolonial, anti-oppressive and kaupapa Māori epistemologies. Examples of my positionality were provided by my journey to establishing research contacts, as well as engagement with various participants. I believe that my identity as a 'hybrid' Māori/Pākehā Other may assist research within a postcolonial context, which considers complex relations and intersubjectivities of Indigenous and non-Indigenous peoples in NRMG.

The Māori ethical framework Te Ara Tika was employed to help guide my research and ensure that I was taking a culturally sensitive and appropriate approach. I provided an in-depth discussion about my engagement within this framework, explaining how my research process related to each of the key principles that underpin Te Ara Tika. Careful consideration of these principles was integral to ensuring that the research outcomes were meaningful to the researched as well as the researcher.

#### 4.4.0 Conclusion

This chapter addressed the contextual and methodological background for this thesis. At a national scale, a hierarchy of legislation, frameworks and agencies influences the role of Māori in NRMG. The RMA is the hallmark of New Zealand NRM but despite potentially empowering provisions, it has failed to provide for effective and meaningful partnership, participation and protection. Current policy reforms and Treaty settlements are placing greater emphasis on Māori rights and interests in NRMG, providing more hope that future NRMG will meet (and go beyond) Treaty obligations. Regionally, the Kaipara Moana has great significance to iwi, communities, other stakeholders and the regional and national economy. The health of the Kaipara Moana has been in steep decline causing growing concerns from communities, and increasing pressure for management agencies to respond. Te Uri o Hau Claims Settlement Act 2002 led to the establishment of the IKHMG, which is the instrument for the Crown and its agencies to address Treaty obligations to the Kaipara hapū. The IKHMG has provided a foundation for building better and stronger relationships, enabling the various to address NRMG in a more cohesive and strategic manner. My research findings, discussed in the upcoming chapters, provide further insight into the relationships being tried and tested between representatives of Crown agencies and mana whenua as well as communities and other stakeholders.

The later part of this chapter focused on the methodologies and epistemologies that inform this research. PCT, anti-oppressive research, and kaupapa Māori methodologies were fundamental because my goal was to perform culturally sensitive, meaningful research. My positionality to the participants and research was discussed in detail, as these are important considerations for an ethical and subjective research process of this nature. Qualitative methods including a case study, semi-structured interviews, and discourse analysis were adopted to enable focus on a particular context and the processes occurring therein. These methodologies provided an opportunity to develop a depth of understanding about the people involved, their relationships and the intricacies associated with management and governance of the KM at this time. Throughout this research process, Te Ara Tika, a Māori ethical framework was used to ensure checks and balances were taken to maintain integrity and confidence in my work and of those involved. As conveyed, to me personally, an ethical approach, which engaged the communities of interest and sought to empower them as an essential part of the process, was a critical component – hence the substantial attention drawn to these sections.



# Chapter 5 – Critiquing the Postcolonial Challenges of Integrated Catchment Management

*He puāwaitanga harakeke, he rito whakakī whāruarua.*

*In a flourishing flax plant the rito, the new innermost leaves, are supported by outer leaves  
to become strong and then contribute to the growth of the whole plant.*

## 5.0 Introduction

Postcolonial literature has called for more careful critiques of ‘allegedly progressive cases’, which consider potential causes for optimism but are also attentive to possible ‘limits to their capacity to transcend colonial relations’ (Coombes, Johnson et al. 2012:1-2). In the next two chapters I respond to such calls. In Chapter Five, I pay close attention to the challenges of and limitations to Māori involvement in an allegedly progressive integrated catchment management (ICM) case, revealing that hidden power dynamics and structural blockages entrenched at higher levels (Cullen, Tucker et al. 2014) maintain power disparities between colonial governments and Indigenous Māori, which subsequently inhibit successful outcomes at the catchment and sub-catchment level.

In section 5.1 I suggest that the underlying issue of unequal power dynamics, marginalisation, and exclusion of mana whenua from natural resource management (NRM) decision-making has not been addressed through the Integrated Kaipara Harbour Management Group (IKHMG) because of ambiguity of its establishment, structure and (lack of) mandate. Instead, the non-statutory nature of the multiple stakeholder platform (MSP), and the absence of appropriate governance, enables power inequities to persist. Section 5.2 explores ways in which NRM has been rescaled to address the degradation of the Kaipara Moana, revealing that ICM does not necessarily ‘fit’ with hapū and whānau tikanga or ways and scales of management. This misalignment complicates engagement and results in different outcomes for different hapū, undermining the overall ICM approach, which requires the involvement of all people within the catchment. Finally, in section 5.3 I consider the contradictions in current NRM policy and regulatory systems that recognise the values, concepts, and rights of Indigenous peoples yet do not provide for them to be exercised. I contend that the deliberate failure of colonial governments to honour the parallel planning and management mandates anticipated in the Treaty/Tiriti persists, reinforcing marginalisation and exclusion of mātauranga and tikanga Māori from NRM (Matunga 2000) and constraining progressive potential of ICM.

In this chapter, I question assumptions that ICM is inherently empowering. Findings suggest that the ability for mana whenua to exercise rangatiratanga over the management and governance of their environmental taonga remains inhibited by colonial systems and processes. In Chapter Six I contrast this pessimistic assessment by examining the contradictions and hybridities that *do* exist in management and governance of the Kaipara Moana catchment. This illustrates that Indigenous efforts to reconcile themselves with other actors in multicultural realities and provide for their own social and cultural wellbeing are real and significant, and triumphs at the local level may influence further successes at the higher level. I highlight the agency and determination of Kaipara hapū who take advantage of postcolonial opportunities within ambivalent neo-colonial spaces to (re)establish

their rights to exercise rangatiratanga over their environmental resources and taonga, which have been compromised by colonial governments.

The whakataukī for Chapter Five, symbolises a strategy for sharing information. Nature was often referenced as a source of inspiration for promoting key ideals and principles from a Māori context. It is important that these key characteristics and behaviours are able to be transferred from one generation to the next. The pā harakeke [flax bush] provides an excellent example of intergenerational growth where the rito [young leaves in the middle of the plant] replace the parent leaves, and they in turn are replaced by new shoots as a means of preservation.

Existence in familiar conditions does not exclude the acceptance of new conditions or new information to stimulate and sustain growth. It does suggest the presence of a conscious decision-making process that needs to take place in order to consider how new material might contribute positively or adversely to growth. The articulation of hopes and aspirations of Māori that Māori knowledge and ways of understanding the world can continue to flourish and be part of the future is very real.

## 5.1 Multiple Stakeholder Platforms – Spaces for participation?

### 5.1.1: Introduction

Literature in 3.1.2 discusses ‘the need for integration’ and suggests ICM approaches are commonly employed reactively, triggered in response to an existing issue or an imminent one (Fenemor, Phillips et al. 2011). In 4.2.2 I outlined the importance of natural resources to the Kaipara communities, for socio-economic and environmental reasons and alluded to the need for the Crown and its agencies to actively support the restoration, enhancement and protection of the Kaipara. In this section, I argue that several interrelated issues triggered the Crown to engage in the establishment of the IKHMG. Specific issues include: institutional inertia; farmers in need of greater support; a furious fishing community and ongoing frustration and anger from mana whenua at being alienated from their natural resources and taonga. The Treaty settlement for Te Uri o Hau Treaty in 2002 concluded the IKHMG establishment. Despite the ongoing importance of these issues, I suggest in this section that Crown involvement in the IKHMG may be a façade - a platform for Crown agencies to give the appearance of addressing integrated management when in reality little is being done to address the underlying issues. Meanwhile, due to ambiguity in the establishment and implementation of the IKHMG, the participation of Ngāti Whātua in the management and governance of the Kaipara Moana has been limited to an advisory role, inhibiting intentions to exercise their decision-making and authoritative rights, expressing rangatiratanga to its fullest extent<sup>19</sup>.

The loose terminology in Te Uri o Hau Settlement Deed reflects the ambiguity in the Treaty claims settlement process. The Deed contains no specific obligations on Crown agencies to act upon any of the concerns expressed by the Kaipara hapū. The structure and institutions of the IKHMG have not resulted in the vesting or delegation of authority that the Kaipara hapū expect. I propose that this is no accident; rather, the establishment of the IKHMG and the Crown’s ‘commitment’ to this group could be considered ‘politics of distraction’ employed

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<sup>19</sup> As defined by Ngāti Whātua o Kaipara in their Iwi Management Plan

by the Crown (Hingangaroa Smith 2000). From this perspective, it is suggested that for all of the progressive tenets of ICM this specific arrangement does not mediate the specific intention of Ngāti Whātua and right to self-determination. A non-statutory, multiple stakeholder ICM approach has been employed to 'distract' the Kaipara hapū and wider community who are engaged in this process from the real issue which is re-instating hapū rights to exercise rangatiratanga and kaitiakitanga in the management of the Kaipara Moana, its tributaries and ecosystems.

In sub-section 5.1.2 I reveal how increasing pressure from ngā mana whenua o Kaipara and communities to respond to environmental and/or socio-political crises may have triggered the Crown to become engaged in ICM. In 5.1.3 I affirm arguments that understanding, and dealing with power dynamics in MSPs and within ICM approaches is critical if such groups are to be successfully inclusive, innovative and empowering (von der Porten, de Loë 2013, Cullen, Tucker et al. 2014, Cohen, Davidson 2011). MSPs are heralded to bring together various stakeholders with a 'common problem' to exchange knowledge and resources and take collaborative action to solve those common problems. The IKHMG (2011:10) claims that its approach 'engenders an innovative solution that considers traditional (mātauranga Māori) and western knowledge models', guided by four principles: kaitiakitanga; integrated ecosystem-based management; manaakitanga respect; and co-management. In section 5.1.4 I show how progressive intentions can be undermined by non-statutory arrangements, which enable the state to temper its commitment. This contention is reinforced in 5.1.5 where I expose funding and capacity issues for the IKHMG that threaten its sustained existence. These issues are particularly concerning given the scale and significance size of its kaupapa and the value it brings to the Kaipara – environmentally, socially, culturally and economically. Finally, in section 5.1.6 I suggest that the ambiguity of this ICM arrangement, which stems from the uncertainty of the Crown's Treaty obligations, including local government Treaty obligations, has led to unclear management and governance culminating in a governance gap.

## 5.1.2 Triggering a Crown response – integration as a solution for crisis

MSPs are usually established to address a system that is not working effectively (Cullen, Tucker et al. 2014:261). ICM in particular, is often adopted reactively in response to real or perceived crisis (Memon, Painter et al. 2010:40). Primary and secondary findings indicated that the Kaipara was at a point of interconnected cultural, environmental and social crisis. First and foremost, Ngāti Whātua demanded recognition of their tino rangatiratanga after years of exploitation regarding the Kaipara Moana as documented in their Treaty claims:

...there is about 7,000 letters written by Uri o Hau/Ngāti Whātua to the Crown...the letters talked a lot about urupas, and pas around the Kaipara Moana being desecrated being bulldozed down to make way for housing...a lot of letters were about the Kaipara Moana - it was about the lack of fish, they'd been watching the decline of certain fish, they'd been watching certain what they call the Māori Oyster Reserve legislation where any Māori could come in from anywhere in NZ into Uri o Hau reserves and take oysters and go home. They didn't need a permit. You just had to be Māori...Lands and Survey, they'd taken our urupa - yeah it might look like sand country but a lot of our battles have happened up in there. There's a lot of our people buried there... these people [who wrote the letters] carried the hurt. And it came to a stage, and I said to Uri o Hau 'what do you want to settle? There's been bugger all settlements and we need to put the past behind us'. And when I'm looking at those letters and listening to Hana having to

translate it and it made me realise where they were after 100 years of abuse. They had the highest treasure in their lives sitting on their back doorstep and it was being taken away from them (Willie Wright, co-chair of the IKHMG, 20/02/2014).

The poor health of the Kaipara Moana revealed the inadequacy of Crown agency management approaches. Ngāti Whātua and the wider community were becoming increasingly vocal in conveying the magnitude and significance of the issue:

...we are at a crisis - the harbour is at a crisis...I've experienced that in communities. I've experienced it with Golden Bay, in the west coast of the south island, I've experience it with Pike River...there's a spirit from within that you've got to be pretty hardy to come out of it...You start to identify that there is integrated management within communities but nobody's really identified it...and this harbour if you want to put it quite bluntly, we are experiencing the Christchurch earthquake, we are experiencing a Pike River, people are going to die out of this if we don't change. We've got time to change, those people didn't but they are reflecting on it (Ben Smith, JV Farms: Owner and Manager, 20/02/2014).

Nationally and internationally<sup>20</sup>, the Kaipara was becoming known as a place of contestation and protest. These actions were exemplified by the outrage from the Tino Pai fishing community at unacceptable commercial fishing practices. These practices included inappropriate fishing right in front of a marae belonging to a Te Uri o Hau hapū, within their customary fishing area, prompting the community to seek a rāhui<sup>21</sup>. The interviewee below indicates the significance of these events in triggering Crown participation in the IKHMG:

...when we first promoted the application of rāhui, what happened out of that was the Ministry of Fisheries sent a guy called Richard Farnslow. They sent him north and his directive was 'you deal with this issue, you put this fire out on the Kaipara'. Because...there was a warzone on the Kaipara. People in parliament were talking about all the shit that was happening in the harbour. People shooting at commercial fisherman. It was a warzone, 'hell we need to get up there and sort it out (Mikaera Miru, Kaiārahi Environs, 20/01/2014).

Other protests highlighted by interviewees included proposals for 'a nuclear powerstation', aquaculture ventures, (Brenda Steele, Chair Rodney Local Board, 07/02/2014), and tidal turbines to be placed at the mouth of the harbour. The turbine proposal resulted in a 'powerful beach protest at Pouto attended by over 200 members of local hapū and community'. A rāhui was placed on this occasion too, 'over the Kaipara Moana on behalf of the tribe and everybody there, which signalled and rippled out to the nation' (Richard Nahi, Kaipara Connexions Charitable Trust: Trustee and Kaikorero, 21/01/2014).

These examples provide insight into the triggers demanding a response from the Crown to engage collaboratively when the opportunity was presented through the Treaty settlement process. Establishment of a shared forum was achieved (as outlined in 4.2.5), but contentions in the literature indicate that even if the

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<sup>20</sup> The Kaipara Affair documented this injustice and controversy winning first place at the International Film Festival in Canada in 2005.

<sup>21</sup> Unfortunately the rāhui was lifted after two years, despite strong support from communities and the National Institute of Water and Atmospheric Research (NIWA) to maintain it due to low fish stocks. There continues to be a strong desire from Ngāti Whātua and the local fishing community for collaborative management of the fishery. However, New Zealand fisheries legislation does not currently enable formal arrangements for local management or co-management (IKHMG 2010).

establishment of a shared forum is successful, many fail to address underlying issues that cause weak actor linkages in the first place (Cullen, Tucker et al. 2014, Cohen, Davidson 2011, Faysse 2006). The following subsection interrogates whether this case study supports or contradicts this literature. In particular I question whether the IKHMG has addressed underlying issues of power disparities between the colonial government and hapū related to NRMG.

### 5.1.3 Meaningful response and opportunity for participation?

MSPs are decision-making bodies (voluntary or statutory) that bring together various actors who perceive a shared resource management problem, realise that a collaborative approach is required for solving it, and can work together to agree on a vision and strategies for addressing the issue (Steins, Edwards 1998). However, the potential for MSPs to create 'space' for participation by minorities, and address power inequities between local actors and decision-makers (Cullen, Tucker et al. 2014) depends on the extent to which power dynamics are accounted for in the design and implementation of an MSP. In the case of the Kaipara Moana, the response to pressure from the Kaipara hapū and wider communities from Crown agencies and local government was to establish the IKHMG as a non-statutory MSP, in the form of an ICM group. The non-statutory nature suggests that insufficient attention was paid to the implications of different management and governance structures in the inception of the project. I suggest that while the voluntary aspect may attract Crown agencies that are cautious to commit resources, statutory arrangements are required for more meaningful outcomes. Otherwise, the ambiguity of a non-statutory approach whose role and function 'does not to direct the executive roles of its constituent parties nor the conduct of their respective functions duties and powers' (IKHMG 2009) could actually undermine collaboration, particularly in the absence of an appropriate overarching governance group.

As discussed in 3.2.3 and 3.2.4, MSPs are often promoted as a way of ensuring different groups, including those traditionally marginalised, are involved in the process. However, the definition and implications of the term 'stakeholder' is contentious (Porter 2006). The principle of 'inclusivity' implies that participants are all equal, providing no special regard for the rights and responsibilities of Indigenous peoples in NRM, and continue to subordinate Māori authority.

I think there is...probably still a big leap to get there [to enable hapū to exercise rangatiratanga]...sort of on the path. I think there's, from a council's point of view, there's so many different stakeholders that are involved in any decision-making process and that there's a need to take all those views into account (Bruce Griffin, Northland Regional Council: Land Management Advisor, 21/01/2014).

However, setting the IKHMG in a Treaty partnership context exposes the weakness in this statement. Within their Treaty settlement, Te Uri o Hau and the Crown explicitly acknowledged<sup>22</sup> the compromises and sacrifices Te Uri o Hau have had to make for the benefit of all New Zealanders; and that the loss and prejudice they have

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<sup>22</sup> The Deed of Settlement to Settle Te Uri o Hau Historical Claims 2000, Clause 1.6 – Mutual Acknowledgements: Te Uri o Hau and the Crown acknowledge:

(a) That the Settlement represents the result of extended negotiations conducted in good faith and in a spirit of co-operation and compromise;  
(b) The difficulty in assessing redress for the loss and prejudice suffered by Te Uri o Hau;  
(c) That it is not possible to fully compensate Te Uri o Hau for all loss and prejudice suffered;  
(d) That this forgoing of compensation by Te Uri o Hau is intended to contribute to the development of New Zealand; and that, taking all matters into consideration (some of which are specified in this clause 1.6), the Settlement is fair in the circumstances.

suffered will not be fully compensated. I argue that this recognition should extend to recognition of the rights of mana whenua and Indigenous peoples of Aotearoa, distinct from the values and interests of other stakeholders. The persistent assumption that Indigenous peoples are 'stakeholders' without special rights supports the belief that the same principles of engagement can be applied to Indigenous people in a MSP arrangement and still result in successful outcomes (von der Porten, de Loë 2013:4). Griffin's response confirms that Māori values and rights are unlikely to be prioritised within this shared, non-statutory collaborative space, and underlying issues of power disparities and suppression of Indigenous rights and interests are unlikely to be addressed by the current approach.

The notion that multiple stakeholders can come together to address a 'common problem' holds implicit challenges for mana whenua. Emphasising 'inclusive' approaches fails to appreciate the depth and breadth of aspirations held by Indigenous peoples and the significance and difference of their parallel knowledge and management systems (Porter 2006). In fact, an inclusionary MSP approach may contradict Indigenous interests because the aim is to address 'common problems'. The degraded health of the Kaipara Moana can be considered a 'common problem', that all participants can resonate with and easily connect to, but expressing rangatiratanga and enabling kaitiakitanga are not 'problems' common to all participants. Indeed, the literature suggests that MSPs tend to neglect concepts of Indigenous rights and self-determination (von der Porten, de Loë 2013).

Interestingly, the IKHMG appears to contradict this suggestion. Participants engaged in the IKHMG have tried to address this issue, through developing a shared long-term objective 'to protect and restore the mauri of the Kaipara' (IKHMG 2011:21), and various principles and strategies that concern kaitiakitanga and mātauranga Māori. Inherent in this objective is the role of rangatiratanga and kaitiaki who will utilise their mātauranga Māori and tikanga, or cultural monitoring to measure whether the objective is being met. However, simply including the term 'mauri', which is superficially quite easily translatable<sup>23</sup>, does not necessarily mean that all stakeholders understand or will make an effort to understand the spiritual and cultural meanings that underpin this concept. Furthermore, the number of different stakeholders and the reinforced superiority of western worldviews within the current institutional context, suggest that non-Māori stakeholders are unlikely to prioritise this objective, especially given that they are under no mandatory requirements to prioritise any particular outcomes.

Ambiguity in the ICM arrangement has enabled different actors within the platform to use the platform to progress their own agendas. Interest and involvement in MSPs can be seen as 'an attempt to appropriate the platform space for their own purposes in order to capitalize on external expertise' (Cullen, Tucker et al. 2014:265). The non-statutory and collaborative MSP nature of the arrangement enables this misuse. For example, government actors may use the IKHMG to achieve government targets and researchers may use it to reach their criteria and targets:

...while there is a number of MoUs that have been established, because the IKHMG is non-statutory, there are minimum obligations on local government to participate in the process and it is only those committed officials that support the kaupapa that have really come on board the project or the process committing of the IKHMG...the objectives from her work programme sort of dove-tail into something in the

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<sup>23</sup> For example in some contexts the IKHMG associates 'health' with 'mauri' (e.g. IKHMG 2011, IKHMG 2011:6) but more commonly as 'life force' (e.g. IKHMG 2011:7).

Kaipara. In most cases you have officials with over-lapping interests that might be interested in certain things within the committee. Ideally what you would want is feedback to work stream managers with regard to uptake of policy – that is probably how I see things. The IKHMG is a good sounding board for how to adopt or manage policy. So my perspective in my research proposal there is around utilising IKHMG to get better freshwater management policy in that National Objectives Framework area, so that is how I see things working a bit better (Shaun Awatere, Landcare Research: Researcher, 16/01/2014).

It is possible that dominant actors, particularly government agencies, can use the MSP to achieve their goals while marginalised actors, hapū and less powerful members of communities are less likely to achieve their desired outcomes. In these 'unfavourable conditions' where platforms are likely to be used for 'other' agendas, (Cullen, Tucker et al. 2014) MSPs may not be an appropriate mechanism to address underlying issues.

#### 5.1.4 Limitations of a non-statutory approach

ICM has the potential to integrate work across government agencies. However, Porter (2006:no page number) highlights the limitations and challenges of non-statutory bodies that are 'necessarily founded only on the fragility of the attitudes and goodwill of individuals within the bureaucracy'. Her postcolonial critique of a planning initiative in western Australia between non-Indigenous planners and Indigenous land claimant groups demonstrated that:

Whilst there have been shifts in the interpersonal power relations of this group, by virtue of the structure of the group and its co-operative nature, this does not address the more pressing question of structural power relations (between the state and Indigenous peoples), where nothing has really changed (Porter 2006:no page number).

It is important to examine the actors who created the MSP, because in many cases initiation is considered critical to how power is distributed and which agendas are advanced through the platform (Cullen, Tucker et al. 2014). The reality is more complex in the Kaipara example, where iwi promoted and led the collaborative approach. I refer to Willie Wright (co-chair IKHMG, 20/02/2014) here, because he was the Te Uri o Hau Treaty claims manager for this settlement. Wright is the co-Chair of the IKHMG.

Wright had been trying to establish an integrated approach with state agencies and communities for years prior to the final Deed of Settlement and introduction of the legislation but it was the settlement that made the difference. He explained how, during their claims research, kaumātua and kuia decided to call a hui because there were multiple issues regarding the Kaipara Moana and they wanted to hear the perspectives of their people but also wider communities. The hui was called in 1996 at one of their tupuna marae in Otamatea, and it was 'packed out with both Māori and Pakeha' including Māori from other parts of the country. At the end of the hui, there was agreement to work as a community collective outside of the Treaty process to address these issues. They decided to lead a hikoi on the harbour, both Ngāti Whātua o Kaipara and Te Uri o Hau, which was attended by scientists and council officials. In closing the hikoi they discussed 'where to from here?' The regional councils were given three months to consider this, and then Willie expected a response.

...from sitting on the water in a boat looking back to the shore and we thought this is not going to work. We knew it was a massive catchment and we were just too scared but we knew we had to do something...we knew you just cannot look at the Kaipara Moana in isolation from the land base and the catchment itself (Willie Wright, co-chair IKHMG, 20/02/2014).

After three months they called him in and said "Willie, we cannot do this". "Why can't you?" "It's outside our statutory responsibilities". Rather than being disheartened and walking away Willie, who had 'built up a good rapport with people, with government agencies etc.' through the claims process said 'ok leave it with me' – Willie acknowledged in his interview that 'they are really nice people I don't blame individuals, it's just the system'. He decided that the only way was to go through the negotiation and 'use Te Uri o Hau to start it'.

So after legislation I utilised the protocols and MoU with council and then they came on board. So, one, they wanted to get involved, and two, they couldn't do it from their perspective "oh well might as well do it from Māoris then!". As soon as the legislation came out, 2002 we settled, then I used the legislation, it's protocols and MoUs to nail it (Willie Wright, co-chair IKHMG, 20/02/2014).

This discussion is significant because it illustrates the frustrations iwi and hapū have with state agencies and the challenge of transforming entrenched siloed, behaviour and inefficient management practices into sustainable and integrated management. It also highlights the influence of the Treaty settlement process on Māori involvement in NRM as was acknowledged by interviewees.

It was really through the esteem and mana that guys like Willie had that I think that was one of the reasons why Te Uri o Hau were able to lead the process...the other factor is that they were post-Treaty settlement and they brought back in a number of MoUs with local government which helped formalise the relationship with local government, in terms of who was going to lead the process. In terms of getting local government buy-in that was probably a key factor. Having a post-Treaty settlement iwi, a mandated iwi for the area in terms of resource management. And if you are a local government official, you will know that it goes a long way if you have got a statutory requirement to work with someone (Shaun Awatere, Landcare Research: Researcher, 16/01/2014).

Awatere notes that government agencies (Memoranda of Understanding (MoU) partners) knew they had a responsibility to do *something* to fulfil Treaty settlement obligations. I argue that government agencies were willing to engage in the IKHMG because it offered an option with minimum statutory requirements. Even though the government did not initiate the IKHMG, they still maintain authority because government funding and regulatory powers are critical to its existence and effectiveness. The settlement in 2002 did not include the construction of a funding mechanism for restoration, despite acknowledgement of the loss and prejudice Te Uri o Hau suffered. As will be seen in the following sub-section, Ngāti Whātua remains reliant on the government's financial processes and support:

In my mind it is more kaitiakitanga than rangatiratanga. I know the two have connections but the guardianship concept of looking after resources for future generations is really what the IKHMG is really all about. It is not so much 'we must control and make all the decisions'; it is a collaborative model. It is probably a recognition of the times and who actually holds the resources and at the end of the day local



and central government have got the law and the money and all that so its a way I suppose of progressing those things, but not really rangatiratanga...(Tim Brandenburg, ex-DoC Area manager, 24/02/2014).

Interviewees contended that the IKHMG's non-statutory nature was indeed a 'drawcard' for Crown agencies because as evidenced in the terms of reference<sup>24</sup>, there is little 'real' commitment required. Unfortunately, but not unexpectedly, Crown agencies have not shown subsequent willingness to make any real commitments to policy change or to provide substantial funding or resourcing to empower this community initiative. Non-statutory arrangements also present the risk that government agencies could use the platform as a façade – committing a small amount of funding to illustrate that they are making *some* contribution to social and environmental wellbeing in the Kaipara, while effectively maintaining the status quo and advancing hidden agendas such as prioritising investment and effort elsewhere (Cullen, Tucker et al. 2014).

### 5.1.5 Lack of capacity and funding

In section 3.2.3, Faysse (2006) notes that 'unfavourable conditions' – such as a lack of capacity and funding – can reinforce issues of power asymmetry in MSP. Addressing Māori capacities for participation is a pre-requisite for meaningful collaborative processes. Work by Tipa and Welch (2006) highlights capacity imbalances as a key barrier, which must be addressed before any claim can be made towards more meaningful Indigenous participation in collaborative NRM approaches or 'equal' partnerships. In the current socio-political context, partnerships between the state and Māori are manifestly unequal in terms of available resources (Tipa, Welch 2006). Within a *multiple* stakeholder approach, in which power and responsibility are meant to be decentralised, devolved to the local level and shared, there is even more ambiguity about the state's responsibilities and contribution. Long-term, successful ICM requires everyone with a responsibility or the potential to cause an impact to be positively involved, and inequities to engage need to be addressed (Memon, Painter et al. 2010:42). Government agencies as well as private industry are particularly important to provide 'putea' and resourcing. The need to secure funding sources is reflected in uncertainty around resourcing arrangements for the IKHMG:

When we look at the IKHMGs budget, yeah it may be that the best focus immediately are the long-term plans and how the IKHMG could fulfil roles for councils and Crown agencies and all that. Of course that does help with the putea. That could actually be the anchor but I still believe that its the Winstones – the quarries, the private companies who take say sand, \$5-\$10k a year is not going to hurt them one bit. What that does is make them feel responsible and obligated too. "Yes we are allowed to take profit from them, we are allowed to take sand and that to build Auckland, and so yes we do believe we owe something back towards that community" or a nursery or something. Everyone has got to fit in. It is a jigsaw. You have got fisheries, you have got birds, you have got environmental issues, then you have got statutory obligations, then you have got humans and animals and pets all that – it is a jigsaw. All we are doing is slowly putting that jigsaw back together again (Willie Wright, co-chair of the IKHMG, 20/02/2014).

However, what is provided by government to support the work of the IKHMG is seen as insufficient:

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<sup>24</sup> The IKHMG Terms of Reference (IKHMG 2009) formalises in good faith, the commitment of the parties to the Terms of Reference. The Terms of Reference is not intended to create legally binding rights or obligations or to fetter the exercise of any statutory responsibilities or duties of the respective parties. The IKHMG will report back to parties governance levels as necessary and appropriate and to the wider stakeholder group and participants.

They can influence government by putting it in their annual plans; so much money should go to the Kaipara to do restoration and those kinds of things. That is where their influence could happen but it never happens. They basically struggle to get \$20k out of the councils to fund the IKHMG. I think they operate it on something like \$80k per year. Which basically keeps Leane [IKHMG coordinator] going and the work that she needs to be doing (Tracy Davis, Ngāti Whātua o Kaipara Trustee and Treaty negotiator, 20/02/2014).

Perhaps conveniently for the Crown, which has a history of neglecting the Kaipara, the uncertainty in the establishment of the IKHMG meant there was and still is no requirement for any specific putea or contribution. The Crown continues to withhold adequate funding, capacity building and empowerment of kaitiaki and other stakeholders in the catchment – and expenditure on its environmental sustainability responsibilities in the Kaipara<sup>25</sup>.

Councils and other organisations are large, hierarchical organisations with multiple demands, competing interests, and political cycles – all of which influence the level of commitment, involvement and funding in the IKHMG:

...councils that have got different resources and commitments. I think Northland has struggled at times because they've got so many harbours, and they might say 'Is Kaipara our priority?'. So there's competition for priority and resources. Councils have limited resources, limited ability to fund and help contribute. That's been a big challenge over the years, getting everyone equally on board to support it (Alison Stilwell, Auckland Council: Principle Planner, 10/02/2014).

As Warner (2006) observes in 3.2.3, within a voluntary MSP, government agencies ultimately have the flexibility to commit or withdraw as they wish. When asked whether Stilwell felt everyone was equally on board now, her response further highlighted the flexibility government agencies have to commit or withdraw as they wish:

I think so actually, such as they can be. Kaipara District Council has always got somebody there. Whangarei District Council has got on board. They have said 'we should be a part of this, part of our catchments in the area'. So I think everyone is...well when I say that MPI have disappeared, which is a key player, so they have disappeared from the table (Alison Stilwell, Auckland Council: Principle Planner, 10/02/2014).

In this response, the suggestion that 'everyone is on board' is followed by the contradictory recognition that a key Ministry with interests and responsibilities in this area had 'disappeared'. 'Such as they can be' also highlights the ability for agencies to decide the manner and degree of their involvement (or not) and the possibility to withdraw depending on priorities. The Ministry for Primary Industries have significant vested interest in a healthy harbour. As shown in 4.2.2, the Kaipara is a snapper nursery and the catchment has substantial forestry and farming investment. This situation is unsettling because it illustrates how governments retain the desire to determine policy but devolve costs and responsibility for implementation (Cook, Atkinson et al. 2013).

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<sup>25</sup> For example the Auckland Council's "Auckland Plan" committed to developing a marine spatial plan for the Waitematā, Manukau, Whangateau and Kaipara Harbour's. After spending millions on a marine spatial plan for the Hauraki Gulf though (which includes the Waitematā Harbour), Auckland Council has formally deferred spatial planning for the other three harbours in its Long-Term Plan 2015 – 2025(Auckland Council 2015)

Recognition of the shared benefits of ICM is required to support successful outcomes (Brandes, O’Riordan et al 2014). Although the Crown has a contractual obligation to partner with mana whenua and actively protect their interests under the principles of the Treaty/Tiriti (refer 4.4.1), a healthy harbour and catchment offers mutual benefits for both Treaty/Tiriti partners and *all* community and participants involved. These benefits may be far-reaching, given the goods produced from primary industries in the area for national and international consumption. Discussion at one of the IKHMG’s quarterly hui focussed on a common theme that agencies should reflect their interests in the area by committing resources:

If councils and other agencies really want to see mauri returned then they should contribute enough money; the Kaipara is a proven snapper nursery now, so what is that worth to industry? Money must be invested into catchment restoration to ensure that there is healthy habitat for fish to sustain this industry; likewise for farming and forestry, they depend on a healthy and sustainable environment (Anonymous – Observation, IKHMG Quarterly Hui, 2014).

Interviewees emphasised how difficult it is for the IKHMG to sustain itself financially, and in terms of capacity, demonstrating the effect of having no statutory requirement to ensure funding and commitment. Consequently the group is under-valued and under-resourced. Memon and Painter (2010) consider the concept of ‘participant incentives’ which highlights that quite conveniently for government agencies, it is the hapū organisation with the incentive of ‘kaitiakitanga’ that shows the most commitment and sense of obligation to restore and protect the harbour. Te Uri o Hau Settlement Trust enterprise Environs Holdings Limited is the administrator and the organisation most involved with day-to-day management. Participants suggested that the core members were over-stretched and at risk of burn out. The two quotes below consider what sort of things the IKHMG needed in place for it to work ideally:

It needs capacity – triple – like three of me [coordinator], yeah. And money – financially being supported. We get nothing for the size that the kaupapa is and some investment in the strategic RMA documents even other plans and policies as well, recognition for the strategic plan of action, reciprocal recognition, fisheries, conservation, hapū management plans. And then some statutory recognition maybe a zoned Kaipara Moana Act (Leane Makey, IKHMG coordinator, 28/02/2014).

...councils have to think what it is worth to them in terms of staff time and money; if we actually had to go out individually and talk to these people, groups, or individually pull together some of Leane’s work, or if we had to start from scratch for the marine spatial plan without all Leane’s research. Councils might say ‘well we do this sort of ourselves as part of our work’ but then you think, but how would you be doing it? If you had to go and do all this consultation and research, and all of the time, staff, resources, money that you’d have to spend to do that. You’ve already got all this information sitting there – what is that worth to you? (Alison Stilwell, Auckland Council: Principle Planner, 10/02/2014).

Literature confirms that financial resources are needed to engage Indigenous people and build their capacity to participate. This is a significant challenge in today’s economic climate but commitment and sharing of local resource benefits is required for successful outcomes (Brandes, O’Riordan et al. 2014:37). I suggest that acting reasonably and in good faith; actively protecting Māori interests; enabling Māori to retain rangatiratanga over

their resources and taonga; and remedying past breaches of the Treaty/Tiriti<sup>26</sup> places a legal and moral obligation on the Crown to provide financial support to restore the greatest taonga to Ngāti Whātua – the Kaipara Moana. A healthy harbour and catchment offers mutual benefits for both Treaty partners and *all* communities and participants involved in ICM, including benefits from primary industries that rely on environmental health and sustainability, providing further impetus for a resistant government to fulfil its responsibilities and invest. Recognition of the need for financial support and the mutual benefits that can result from collaborative approaches is included in the amended National Policy Statement for Freshwater Management (NPS-FM) (described in 4.1.4). This suggests that Crown institutions may be evolving. The Land and Water Forum specifically recommended an ICM approach to the New Zealand Government, emphasising collaboration, accommodation of Treaty settlements, and the need for investment to develop the necessary capabilities, capacities and use of information to enable change, including the integration of mātauranga Māori into decision-making processes (Land and Water Forum 2012:viii). Findings in this sub-section have clearly indicated that further effort is required to invest in developing capabilities and capacities.

### 5.1.6 Mandate – governance gap?

I suggest that there are broader power dynamics at play that will influence the potential of the IKHMG's innovative objectives and strategies to collaborate effectively, empower rangatiratanga and create a space for kaitiakitanga. As already implied, recognising rangatiratanga can be considered an obligatory part of the Treaty partnership, but the Crown frames rangatiratanga as an iwi 'aspiration'<sup>27</sup> requiring political will and support from respective government agencies for realisation. This framing (refer 3.3.4) enables the colonial government to maintain its carefully constructed positional superiority, with the assumed authority to dictate whether this outcome is fulfilled or not. Vague policies, or in this case vague Treaty settlements, do not make explicit the degree of power sharing intended in decision-making. Gibbs (2014) warns that pervasive colonial hegemonies tend to be reinforced in collaborative bodies, and even within an iwi-initiated ICM approach, the government maintains decision-making authority and colonial laws and governance continue to be privileged. This institutional, cultural and power dominance needs to be challenged to restore trust with Indigenous peoples (Kepe 2008, Coombes, Hill 2005), and to enable effective collaboration.

The hierarchical social and political environment of colonial government affects those who deal with it, as well as those who work inside government agencies. As a result, 'Māori agency in NRM continues to be burdened by historical forces of institutional inertia' (Memon, Kirk 2012:955). Local-level government officials involved in the IKHMG do not have the power to make strategic decisions. Due to the mechanics of local government decision-making, representatives are constrained by officials higher up either within their own local bodies, or at the central government level (Cullen (2014)).

Although Cullen (2014) suggests that a lack of power diminishes incentives to innovate, the IKHMG does not seem to lack innovation. However, I suggest they lack the ability (power) or governance support to enable implementation of innovative approaches. For example, Te Uri o Hau have developed their own environmental

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<sup>26</sup> Treaty principles include: the treaty set up a partnership, and the partners have a duty to act reasonably and in good faith; the Crown has freedom to govern; the Crown has a duty to actively protect Māori interests; the Crown has a duty to remedy past breaches; Māori retain rangatiratanga over their resources and taonga and have all the rights and privileges of citizenship. Tino rangatiratanga includes management of resources and other taonga according to Māori culture. Taonga include all valued resources and intangible cultural assets (Hayward 2014).

<sup>27</sup> Refer to the Ngāti Whātua Iwi and the Crown Kaipara Moana Framework Agreement 18 August 2014, 15(d).

program (Environs Holdings Trust 2013), where kaitiaki learn how to assess the mauri of the Kaipara Moana using qualitative methodologies (including kōrero, waiata and cultural health index indicators) and quantitative methodologies (such as water quality test kits) within their own framework based on Atua domains. This program ties directly into the IKHMG's objective 'to protect and restore the mauri of the Kaipara' (IKHMG 2011:21). The purpose of this cultural framework is to empower and up-skill kaitiaki to enable kaitiakitanga, share mātauranga, and establish a tribal kaitiaki/environmental-monitoring group. Their long-term goal is to establish 'a whole of Kaipara environmental reporting program that sits alongside contemporary kaunihera driven programs and assists with the tribe's knowledge-base' (Environs Holdings Trust 2013:4). Te Uri o Hau has explicitly stated their intentions to employ this cultural monitoring framework<sup>28</sup> for implementation of the NPSFM within their rohe (Environs Holdings Trust 2013:26). The IKHMG, co-chaired by Te Uri o Hau and Ngāti Whātua o Kaipara, lodged a formal proposal supported by Manaaki Whenua Landcare Research and the IKHMG kaitautoko (partners) with regional councils for freshwater management of the whole Kaipara Moana catchment utilising cultural monitoring frameworks. This is a bold and innovative partnership approach that no other agency group has attempted yet.

We formed a proposal called Freshwater Futures [which was presented to Auckland Council and Northland Regional Council] which talks about a process because naturally it is all about cleaning up the receiving environment - isn't it? And the receiving environment is the harbour. The area where the IKHMG has not worked before is policy change or implementation, so it is new ground and some of it is threatening as well. It takes it out of the hands of being Council-led and Government-led to collaborative forums leading it...why not trial it on a partnership that has been around for seven years? And who looks at a whole catchment and a harbour - but it is the size that is the challenge, and the scale of it. And then Northland Regional Council is trialling it [the NPS-FM] doing a pilot in the Mangare. Totally new area, no previous relationships, no data gathering, all dairy farms but then they have invited representatives from the hapū so essentially they are starting something that could take seven years to where we are already at. We have got the visions, we have got the aspirations and the outcomes, the objectives, we have done the data collection, and we have got a collaborative forum. We will just rock on with that one by ourselves (Leane Makey, IKHMG Coordinator, 28/02/2014).

As Treaty partners the Kaipara hapū expect to see their position in freshwater decision-making as co-management partners at a minimum (Environs Holdings Trust 2013:5). However there has been no indication from council decision-makers thus far that they will utilise this forum and devolve decision-making authority to them for NPS-FM implementation or any other substantially innovative policy or implementation programs. This example illustrates colonial government denying the 'subaltern' the ability to exercise rights to kaitiakitanga utilising mātauranga Māori. The IKHMG is able to make recommendations and operate a 'sounding board' (Awatere, 16/01/2014), within current frameworks but, without decision-making power or governance support, has little power to take action to enact new and innovative management approaches upon which the IKHMG bicultural kaupapa is predicated.

Ambiguity in the Crown's initial 'direction' to its respective agencies<sup>29</sup>, to engage in relationships with the Kaipara hapū has resulted in on-going ambiguity in the management and governance of the Kaipara Moana. This is

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<sup>28</sup> Currently, local government 'State of the Environment' reporting does not support or include cultural health monitoring.

<sup>29</sup> Refer to the Te Uri o Hau Deed.

highlighted in the following response from a council representative regarding what she sees as some of the major challenges of this large-scale ICM approach.

Well it has taken a long while as you know. I think one of the things we have grappled with over the years was the Terms of Reference. I can remember conversations about “well what is the purpose of this group, what is it really achieving, what is the point of it, do we really need it, don’t we just tell each other what we are doing, isn’t that enough?” So there were meetings to draft up a proper Terms of Reference, and to start with even getting the agendas formally run. I think actually figuring out how the group runs, what it is trying to do has been challenging and there has been teething over time sorting out those aspects of things (Alison Stilwell, Auckland Council: Principle Planner, 10/02/2014).

Governance is processes and institutions that are used to identify management goals, while management agents/agencies implement practical measures to achieve those goals (Lautze, De Silva et al. 2011:4)<sup>30</sup>. Iwi expect involvement in both management and governance but the arrangement that has emerged from the Te Uri o Hau settlement has resulted in only a management group with limited real influence over NRM decision-making. In fact the IKHMG is not formally a ‘management group’ but is an advisory and advocacy group. There is no overarching governance group to define the outcomes and align management processes and institutions across the various agencies to achieve the IKHMGs goals:

...the IKHMG have always made it clear that they are at a management level and they would really like a governance group to look to, to umbrella them, or to give them guidance and funds of course. We did have a brief discussion and I’m not sure we went into it too deeply but we needed to have the conversation as to whether we actually approved of the IKHMG, as it is. I imagine there’s a bit of tweaking to do, but essentially they are doing the work on the ground and they are doing quite good work (Margaret Kawharu, Ngāti Whātua o Kaipara Trustee, 13/02/2014).

The uncertainty of the IKHMG’s roles, responsibilities and authority serves to weaken the potentially powerful NRM approach the IKHMG offers, exposing the Crown’s ambivalence. This limits the power that both hapū can assert in NRM as the IKHMG is the current vehicle to exercise kaitiakitanga within an integrated approach. In comparison, the commitment made or proposed by the Crown to other iwi in recent Treaty settlement arrangements (Waikato Tainui, Whanganui, and Tuhoe) was outlined in 4.1.2 and provides much greater certainty; provision for iwi relationships with environmental resources and taonga; and commitment to both management and governance groups including funding and decision-making. This comparison highlights the inadequacy of the Crown’s commitment in Kaipara.

More recently, local government agencies with authority over the Kaipara established the Kaipara Harbour Joint Political Committee (KHJPC), a pseudo ‘governance’ committee<sup>31</sup>, to ‘address’ the governance gap evident in the Kaipara. Unfortunately this committee has led to further frustration for the Kaipara hapū, not least because the involvement of the hapū seemed to be secondary.

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<sup>30</sup> Of course this is a western conceptualisation of governance and management, which does not cleanly translate into Māori terms but that debate is not one to be had here.

<sup>31</sup> The Kaipara Harbour Joint Political Committee’s Terms of Reference states that its objective includes to ‘Promote effective integrated management of the Kaipara Moana and its catchments by councils and iwi for present and future generations until a formal governance structure is determined. Their responsibilities include (5) Contribute each organisation’s governance perspectives on various options for the management of the harbour, noting that this would not commit any organisation to a particular course of action.

The reason why that group first came about it was a focus towards the governance of the harbour and it was an after-thought, it was really governance perspective from local government, from regional government and local government. And the after-thought was “oh we will include the iwi”. So we went along, well the first representatives went along to the meetings a couple of years ago and it was, we were just on the back foot (Mikaera Miru, Kaiārahi Environs, 20/01/2014).

Local government are also reluctant to address issues of governance, considering structural innovations as ‘Treaty settlement’ issues to be addressed by central government and constraining discussion to operational issues:

But what has actually happened was, now that we have come back and sat down around the table again they have been saying “well we are not here to do a Treaty settlement” and we say “well we are here to do a Treaty settlement, you should be governance people and not operational people because this is how this whole entity came together in the first place” [referring to Te Uri o Hau settlement]. And this is the confusion of the Crown, they talk about coming together in a governance arrangement and then they send out their operational staff. So we have got members at the governance level sitting down around the table with operational staff trying to talk about governance matters. “What the hell are you doing here? This is bullshit, you talked about a governance – we are here as governance representatives and you are operational, get the bloody council to send the governance people here to have a governance meeting with us and stop wasting our bloody time”. Anyway, we got past that because first of all it was confrontational and we decided that look we are going to go off and do the Treaty settlement, regardless of what NRC, Whangarei Council, KDC say. We are going to go and do that because the harbour used to belong to Te Uri o Hau and so the hapū are going to go collectively and do a Treaty settlement. We have embarked on that journey and they have accepted that “yeah, Te Uri o Hau, Ngāti Whātua, you go and do your Treaty settlement and what we will do in the meantime is we will continue to talk about operational matters”. “Ok” because operational matters need to be dealt with. At the governance level we are having that conversation with the Minister of Treaty settlements (Mikaera Miru, Kaiārahi Environs, 20/01/2014).

Memon and Kirk (2012) highlight that resolving issues of participation and rights is ultimately about challenging and transforming colonial power relations. The hierarchical nature of local government is incongruent with the authority of iwi and hapū, yet they have to work within this framework because the Crown’s assumed positional superiority is normalised in today’s society. The ‘governance’ space created here with the KHJPC to address the issues outlined is clearly not the place for the exercise of rangatiratanga. Mikaera’s account of the incapacity of the governance committee to address governance issues resonates with the concept of ‘politics of distraction’, providing insight into how little power Crown agencies are really willing to devolve. However the clear dissatisfaction with the ‘governance’ committee and decision to transfer effort to the Treaty settlement to advance towards rangatiratanga show that the hapū are not easily distracted. Further strategies that are employed by Ngāti Whātua to destabilise this inequity will be discussed in 6.3.

This section, 5.1, suggests that the government’s support and participation in the IKHMG was a reluctant response to increasing pressure and demands from ngā mana whenua o Kaipara and communities, which required very little real commitment or obligation on their part to address the structural issues identified. This

response aligns with neoliberal philosophies to devolve activities to communities, but highlights the contradiction in devolving responsibilities with resources. ICM could potentially be a source of containment to appease the politically charged communities of the Kaipara Moana while other agendas are prioritised. There are multiple challenging aspects of a non-statutory, MSP arrangement and it is clear that altering power dynamics is no simple feat. Destabilising colonial governments' sense of sole-authority and changing embedded colonial inequities is a complex, arduous and extensive process. Findings supported contentions in the literature in Chapter Three that non-statutory arrangements appeal to state agencies that are not truly willing to devolve power, and this same nature serves to weaken the potentially powerful NRM approach by creating uncertainty of commitment and subsequent outcomes (refer 3.3).

I suggest that there is a 'governance gap' in the current NRM arrangements for Kaipara Moana. The distinction between management and governance is critical when considering roles that mana whenua intend to play in NRM. I argue that the ability to exercise rangatiratanga in relation to decision-making regarding the Kaipara is inhibited by the absence of space for rangatira within a governance structure. The absence of governance constrains the IKHMG's potential management outcomes, and the potential for Kaipara hapū to exercise kaitiakitanga.

## **5.2 Imbalanced scales – cultural politics of scale**

### **5.2.1: Introduction**

In section 5.2 I contend that ICM founded on neoliberal principles is contradictory to traditional tribal management around the Kaipara, creating tensions and challenges for Ngāti Whātua assertions of rangatiratanga. Management and governance arrangements that involve such a vast area and number of agencies, organisations and individuals complicates hapū and whānau assertions of rangatiratanga and place-based NRM. This affirms arguments in the literature posed in Chapter Three that ICM is not inherently participatory (Cohen 2012). Crown mechanisms, particularly Treaty settlements, cause imbalances in the abilities between different hapū to participate. Similarly, the mana and authority of individual hapū is not equally empowered across the catchment because different groups are settling at different times and with varying settlement 'packages'. An ICM approach is required to restore the mauri of the harbour due to the delicate interconnections between ecosystems and between the natural, human and spiritual worlds (Tipa, Welch 2006) but seems unlikely to succeed while these politics of scale are at play. My research makes a contribution to this wider body of water governance literature, which argues that there is a greater need for closer consideration of interrelationships between governance, water and social networks (power) and the influential role of institutional framings and scalar constructions in these processes. I follow Norman (2012) in particular, who identifies the need for further attention to cultural politics of scale.

In section 5.2.2, I describe challenges for hapū to participate in decision-making over NRM at scales that are meaningful to them, arguing that the Crown is aware of Ngāti Whātua 'aspirations' to exercise rangatiratanga within their rohe and acknowledges the benefits that this would provide; yet has constructed barriers for implementation. In section 5.2.3 I further suggest that the Crown's acknowledgement of the customary rights of Te Uri o Hau related to the harbour and catchment, prior to acknowledgement of other hapū, has resulted in Te Uri o Hau taking greater responsibility and leadership on behalf of other iwi and hapū to address the degrading



health of the harbour. This unequal treatment has resulted in inter and intra-tribal complications and tensions over responsibilities and authority. In 5.2.4 I argue that the Crown's influence over the capacity for hapū to participate has repercussions for who is included and who is excluded, which areas of the catchment are receiving integrated NRM and which are not. The Crown's primary authority and control undermines the ICM approach which requires the involvement of all actors across the catchment. This critique provides a postcolonial perspective on the study of transboundary NRM.

## 5.2.2 Crown constructions

In the previous section (5.1) I suggest that the Crown's Treaty claims negotiations and settlement process are legitimising the Crown's simultaneous acknowledgement and denial of Ngāti Whātua rights and responsibilities to manage and govern the Kaipara Moana. Sub-section 5.2.2 will further explore the ambivalence of the Treaty negotiation process and how this process may restrict the exercise of rangatiratanga and kaitiakitanga at scales that are meaningful to Ngāti Whātua.

The Kaipara Moana Framework Agreement ('the Agreement') between Ngāti Whātua Iwi and the Crown was signed on 18<sup>th</sup> August 2014. This document sets out the basis for cultural redress in relation to Kaipara Moana. The Agreement states that 'Restoring and protecting the mauri of the Kaipara, and improving the environmental health of Kaipara Moana, is of utmost importance to Ngāti Whātua' (clause 13). In 4.2.4 I explained that there are five Ngāti Whātua hapū that are recognised as having mana whenua/mana moana over the Kaipara Moana and its catchment. The Crown has acknowledged their associations and relationships with the harbour in various ways in each of their historical settlements thus far but 'full and final' cultural redress of the harbour has been delayed. As will be seen in 6.3 I contend that cultural redress has been delayed because the Crown opposes any real return of authority or decision-making power over the harbour. The Agreement is a total contradiction of the Treaty/Tiriti partnership. The Crown acknowledges Ngāti Whātua associations and relationships with the harbour and their responsibilities and rights as kaitiaki, while at the same time it constructs their rights to exercise rangatiratanga and decision-making over the harbour as 'aspirations' rather than rights (Office of Treaty Settlements 2014:4):

Acknowledgements:

15. The Crown acknowledges:

- a. the very strong associations of Ngāti Whātua iwi with Kaipara Moana;
- b. the responsibilities and rights of Ngāti Whātua as kaitiaki;
- c. Ngāti Whātua iwi have outstanding historical Treaty claims relating to the Kaipara Moana;
- d. the Ngāti Whātua aspiration for more effective participation in decision-making processes affecting the Kaipara Moana, and to protect and enhance the environmental well-being and cultural integrity of the Kaipara Moana;
- e. the benefits that will result from the involvement of Ngāti Whātua in decision-making processes on Kaipara Moana including assistance in promoting a more integrated approach to the management of the Kaipara Moana, bringing important perspectives of iwi with mana moana to the table and empowering Ngāti Whātua to carry out their role as kaitiaki;

I suggest that the Crown framing of Māori decision-making rights over their environmental resources and taonga as an 'aspiration' (clause d) is an attempt to sustain positional superiority. This exposes the Crown's ambivalence because, while decision-making rights are framed as an 'aspiration', masking its significance as an Indigenous right, the Crown has also stated what benefits will result if Ngāti Whātua *is* involved in decision-making (clause e). The result reinforces the construction of Māori as a 'subaltern' who can 'aspire' to increased

participation but are not inherently entitled to it, like the colonial government. The Crown has no right to deny Ngāti Whātua (or other iwi) those rights or to deny all New Zealanders of associated benefits. The community supports a collaborative approach and wants to restore the mauri of the harbour and catchment. Ironically, the only obstacle preventing the realisation of that 'aspiration' and benefits is the Crown itself.

### 5.2.3 Territorial mana and responsibility

Despite the postponement of the Treaty claims negotiation process by the Crown, obstructing Ngāti Whātua iwi from exercising decision-making rights over the Kaipara Moana, I suggest that the people of Ngāti Whātua have found mechanisms within the Crown's frameworks to destabilise the Crown's power over their ability (or not) to fulfil kaitiaki responsibilities within their individual rohe.

Each iwi and hapū maintains its own particular traditions, and holds mana over particular places and areas. However they all share an inextricable bond to the environment through whakapapa that derives from Māori stories of creation, particularly to the waterways (Te Aho 2010:285). There are overlaps and interconnections between iwi and hapū, and Māori have the potential to be involved in NRM at multiple scales (Tipa, Welch 2006) but this will only work if appropriate recognition of mana and authority within each particular area is provided. All Ngāti Whātua descend from the tupuna Haumoewarāngi. They are all connected to the Kaipara Moana, through occupation and associations proven in earlier settlements, and have obligations to protect and sustain the harbour as kaitiaki (Office of Treaty Settlements 2014), although different iwi/hapū have stronger associations and responsibilities within particular areas (refer Fig. 4.1). For example, Te Uri o Hau has mana whenua/mana moana in northern Kaipara and Ngāti Whātua o Kaipara in the southern area. These boundaries are reflected in mātauranga and tikanga relating to resource management:

...each family had their areas. Our family had a creek known as Farrell Creek and only our family could harvest there. Other families had their areas and they would go there to harvest their stuff. So it was kind of a sustainable practice (Tracy Davis, Ngāti Whātua o Kaipara Trustee and Treaty negotiator, 20/02/2014).

This obligation has been handed down for generations and ties the people to that place. An iwi/hapū/whānau cannot simply construct an area of interest to focus management attention; they have a responsibility within a particular area<sup>32</sup>. If they cannot exercise their kaitiaki responsibilities then the leadership of their rangatira is affected as well as their mana as a people.

When we talk about customary fishery practices...we are talking about something called rāhui. What is a rāhui? A rāhui is an assertion of a hapū's mana. The mana of a hapū over an area to go out there and under the leadership of their rangatira, bang to place that rāhui over that area to protect the resources for the benefit of the hapū. Simple...No one is allowed to go in there until such time as the hapū go down there they remove that rāhui from that resource so that hapū can come in there and harvest from that resource. This is hands on. This is what our ancestors have been doing for hundreds of years...They were connected to those resources because they knew that the livelihood of their village depended upon

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<sup>32</sup> Refer The Kaipara Report and the particular Waitangi Tribunal reports of respective hapū for further insight.

looking after those resources. They guarded them, jealously guarded them. Hapū living over here were not allowed to come over here and help themselves to the resources of this hapū here (Mikaera Miru, Kaiārahi Environs, 20/01/2014).

This discussion of rāhui illustrates the strength of the connections that different whānau and hapū have around the harbour and the centrality of rangatiratanga to traditional management, including decision-making according to territorial basis.

The Crown's creation of regional and local boundaries and authorities, and various conservation areas and boards, all with differing rules and legislation based on western systems has marginalised iwi and hapū spatial understandings. Similarly, Treaty claims negotiations processes that require iwi to identify an 'area of interest' or join a 'natural grouping' raise issues of neo/colonialism, power and privilege (Clayton 2000, Harris 2001, Evans 2006 cited in Norman 2012:141). The political project of 'spatial occupation' and territorialisation creates complications for each Ngāti Whātua hapū (as well as other iwi and hapū within the catchment) to fulfil their kaitiaki responsibilities within their particular rohe. However, the Kaipara is a shared taonga for all Ngāti Whātua. Reflecting the fact that 'restoring and protecting its mauri' is a shared responsibility of utmost importance to them all, iwi and hapū realised the need for an upscaled collaborative approach to address the degrading mauri and health of the harbour:

Willie was quite active in the nineties with trying to get some type of collaborative effort going amongst iwi and the community in order to manage outcomes better for the Kaipara Moana. So he started off, was involved with creating this kind of pan-Ngāti Whātua kaitiaki group called Ngā Kaitiaki Tai Ao and they were probably the first kind of pan-regional group that was concerned about the management of the Kaipara Moana outside of central government, local government agencies...and I'd say they were probably the first entity that looked at the Kaipara Moana as an entire system. Because they were made of representatives from Te Uri o Hau, as well as Ngā Rima o Kaipara, so Ngāti Whātua as a whole (Shaun Awatere, Landcare Research: Researcher, 16/01/2014).

The Te Uri o Hau iwi environmental planning document (Te Uri o Hau Settlement Trust Environs Holdings 2011:25) outlines that:

Kaitiakitanga requires the recognition and empowerment of kaitiaki as the implementers. The role of kaitiaki would traditionally belong with a particular whānau or person or where tribal processes nominate kaitiaki in relation to a particular resource.

Drawing boundaries for ICM is a political process (Blomquist and Schlager 2005), and iwi and hapū have consciously upscaled to construct a catchment which makes sense within their Ngāti Whātua o Kaipara worldview. To ensure their authority in decision-making and role as leaders of the IKHMG, Te Uri o Hau have scaled up their role as implementers from the whānau/marae level to a level that encapsulates the rohe of Te Uri o Hau hapū<sup>33</sup> and even beyond. To ensure an integrated approach across the whole harbour, it was also necessary to strengthen kinship ties with Ngāti Whātua o Kaipara who hold mana whenua and mana moana in the southern Kaipara. They also managed to scale up to the iwi level through developing particular projects

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<sup>33</sup> Refer Te Uri o Hau Kaitiakitanga o te Taiao (Te Uri o Hau Settlement Trust Environs Holdings 2011).

through Ngāti Whātua. Some tensions between the two Ngāti Whātua hapū were described during interviews due to the Treaty settlement process because the settlement provided a statutory acknowledgement of the mana of Te Uri o Hau and tribal interests over the whole harbour which does not align with iwi/hapū scales of authority and NRM. As an outcome of different settlement timelines and complex relationships across hapū and iwi, Treaty settlements to date have not been equally empowering for all iwi and hapū with interests and decision-making rights within the Kaipara catchment. However, it was acknowledged by interviewees from both Te Uri o Hau and Ngāti Whātua o Kaipara that due to their earlier settlement Te Uri o Hau were more ready to engage in ICM, and Te Uri o Hau were there to represent the interests of all Ngāti Whātua, not just themselves. This realisation has informed a strategic approach to Ngāti Whātua settlements related to the Kaipara:

...see I could not use south Kaipara because they did not have settlement. So when we had the negotiation what we did with south Kaipara we put a statutory acknowledgement around the whole harbour. Now I know it has caused a bit of conflict between Te Uri o Hau and south Kaipara...anyway, 'til they were ready to go to the Tribunal or negotiate, we blanketed the whole harbour using Te Uri o Hau the biggest hapū of Ngāti Whātua, to secure Ngāti Whātua's tauranga waka so to speak (Willie Wright, co-chair of the IKHMG, 20/02/2014).

This statutory acknowledgement forced the councils to realise that Ngāti Whātua had mana over the Kaipara Moana:

In the past they used to talk to any Māori and “oh Māori have given consent” sometimes the system might have been a bit sort of skewed but at least now...the bureaucracy and others actually know who's who and ok this is Kaipara Moana we should actually go and talk to Te Uri o Hau and south Kaipara, talk to Ngāti Whātua.

Interestingly, although successful in raising local government awareness and engagement, this strategy may have reinforced neoliberal ideals of monolithic entities (refer section 3.2.2) – single, exclusive entities which the Crown finds convenient to deal with, rather than reflecting the complex reality and contradictions that exist for different Māori groupings or individuals that must be acknowledged by resource managers for effective and empowering ICM. The quote suggests that Te Uri o Hau did not necessarily want to claim authority over the whole harbour but the Crown's process meant that there was little choice except to compromise to fit the Crown's systems. Te Uri o Hau had to counter the Crown's tactics of settlement with their own strategy, done in partnership with Ngāti Whātua o Kaipara, to provide security for Ngāti Whātua tauranga waka. Ngāti Whātua o Kaipara could then be recognised as co-leaders of the ICM approach, because Te Uri o Hau recognised their shared rangatiratanga over the harbour – despite the Crown's attempts to create division amongst the hapū.

#### **5.2.4 Equal responsibility but unequal capacity**

Cohen and Davidson (2011:2) show that the 'infinitely nested' nature of catchments incorporates a vast range of scales and areas, from a small creek to a large harbour, and that these catchments are often incongruent with other natural system or socio-cultural boundaries. To be successful, large-scale ICM requires attention to waterways and environment at multiple scales, as well as to natural and socio-political and cultural interconnections and interdependencies. As has been illustrated already, iwi and hapū have territorial mana and

responsibilities, so ICM and the concept of devolving responsibility to a constructed 'catchment' management group contradicts hapū or marae-based management if only one or two hapū have the ability to be involved. Figure 4.1 (Chapter Four) showed that there are many iwi and hapū with tribal interests in and around the Kaipara Moana too. Empowering all iwi and hapū within the catchment to fulfil their kaitiaki responsibilities is therefore required.

As will be recalled from 2.3.4, one issue with process of hybridity is that different participants have different capacities to be involved. Hapū in the Kaipara Moana catchment have different capacities and abilities to participate:

I know with two of the main hapū that I deal with, Te Uri o Hau and Ngāti Hau, Te Uri o Hau has had their settlement and they have established Environs and they have got that greater resource going in there and efforts while Ngāti Hau are still waiting sort of further back along that process and because of that I think they don't have the same amount of clout, or strength. It was something that was really good to see at the last flagship site, hui, wānanga that we had at Ben Smith's place there was representatives from several of the maraes the Ngāti Hau maraes from further up the river. To me that is something that is critical is that initially the project is being driven by Ngāti Whātua Te Uri o Hau about estuary health and there is Ngāti Hau have their own projects going around water quality in the upper catchment. You know, ICM is really bringing both of those together...I think it is [hapū involvement] evolving and I think it's something that really needs to happen and again it's just from my perspective that there's recently been a bit of a view from Ngāti Hau that they haven't been involved as much as they could (Bruce Griffin, Northland Regional Council: Land Management Advisor, 21/01/2014).

There are many reasons why hapū and whānau in the catchment might be less involved. Iwi and hapū are contending with a large number of overlapping environmental, cultural and other issues ranging from freshwater management plans; iwi management plans; development and commercial enterprises; and various other strategies and workloads. Meanwhile there are Treaty claim negotiations and settlements occurring and there are likely to be times when iwi and hapū are not ready or have capacity to engage in an ICM approach. Griffin refers to a particular hapū, Ngāti Hau, who are landowners at Poroti Springs near Whangarei and are currently in the middle of a court battle with the local councils, disputing over-allocated water use rights and expanded plans for a water bottling factory.

Millan Ruka (Environmental River Assessor, 20/01/2014), of Ngāti Hau descent, reported the devastating effects this has had on his hapū, exemplifying their limited capacity and ability to be involved in the IKHMG:

It has drained us. Drained people's lives, and our finances, and our resources...the only thing we have got left is that [Poroti Springs], and they are [Northland Regional Council] continually eating into it by five year consents, we have just been through the courts to 35 [maximum consent period – 35 years]. It is devastating eh...over-allocation...Yeah it is a pretty depressing subject, wasted up a lot of people.

The collective actions of the Crown and its respective agencies that continue to disregard Indigenous rights mean that many Māori communities are fighting an arduous battle to assert their rangatiratanga and to protect their natural resources and taonga. There is a limit to how many issues and processes any iwi or hapū can

contribute to in any place or time. Te Uri o Hau clearly has more capacity in the Kaipara catchment, at this time, as a result of its earlier Treaty settlement, while the capacities of other hapū vary significantly. The IKHMG as an ICM group is an open MSP which all iwi and hapū with interests in the catchment are welcome to be involved with but there is a need to increase capacities for all interested hapū to be equally involved (refer section 5.1) so that they can fulfil kaitiaki obligations for their area of interest firstly, and contribute towards increasing the mauri of the harbour overall (for the benefit of all including not least the environment itself). Te Uri o Hau cannot restore the mauri of the Kaipara single-handedly and the ICM approach will not be successful without everyone's participation and support.

## 5.3 Challenges of implementing a bicultural framework within a Eurocentric paradigm

### 5.3.1 Introduction

By recognising different worldviews, integration has the potential to create space for new knowledge, including space for Indigenous knowledge, which has been denied. However, the extent to which this potential is fulfilled varies. Taking a postcolonial critique, this section uses the current management scenario in the Kaipara catchment to reveal the contradiction in current NRM policy and regulatory systems in which Māori values, concepts, and rights are recognised yet not provided for in practice. Scholars argue that colonial governments deliberately fail to honour the parallel planning and management mandates anticipated in the Treaty/Tiriti, reinforcing marginalisation and exclusion of mātauranga and tikanga Māori from NRM (Matunga 2000; Memon and Kirk 2012). This deliberate exclusion challenges the progressive potential of NRM approaches such as the IKHMG.

Section 5.3.2 shows that Māori knowledge, values, and interests in NRM have been marginalised and subordinated through colonial discourse over time, positioning Māori management systems as the subaltern 'other' and European systems as the self-appointed 'norm'. This marginalisation has resulted in a general lack of understanding by resource managers (but in some cases outright denial) of Indigenous rights to management and decision-making over natural resources (Amoamo 2011), demonstrating the asymmetric power dynamics between western and Māori knowledge and management systems. Within this context, section 5.3.3 considers the challenge of actually integrating dual knowledge systems to create a potentially empowering bicultural kaupapa. De-centering western priorities, knowledge and tradition is required so that anticipated parallel planning and management mandates can be realised. Section 5.3.4 investigates how the colonial government uses its positioning to prioritise neoliberal values and private interests over Māori values and interests within the catchment – and the wellbeing of the environment. Although the Resource Management Act 1991 (RMA) recognises Māori environmental values, the ability for Māori to exercise rangatiratanga within the legislative framework is constrained due to weak regulatory and policy frameworks and Crown disinclination to develop necessary processes and mechanisms to support integration of dual knowledge systems. Instead, iwi and hapū must rely on advocacy and advisory mechanisms to promote their values and concerns about water quality and environment. Chapter six will consider ways that rangatira, community and management agencies are utilising the IKHMG to destabilise colonial claims to superiority, and assertions of traditional Eurocentric management, through exposure of inconsistencies within the current neo-colonial management regime.

### 5.3.2 Marginalisation and subordination of mātauranga Māori

As will be recalled from section 2.2.2, colonial discourse has led to power disparities between western and Māori knowledge systems. Eurocentric superiority has been privileged over time but there is a growing 'need' for integrated and collaborative processes due to the insufficiency of western science in and of itself to address and solve complex, real-world problems. New and rapidly increasing attention, particularly from Crown agencies, on integration and collaboration accentuates the need for liberating research and focus on developing appropriate processes and mechanisms for co-production of NRM plans, policies and programmes that empower Indigenous peoples (e.g. Waitangi Tribunal 2011, Bishop 2011, Tipa, Welch 2006, Porter 2006, Harmsworth, Young et al. 2011).

Colonial processes which intentionally marginalised Māori belief systems and kaitiakitanga have led to the seeming absence<sup>34</sup> of Māori management systems in NRM. Colonial legislation to marginalise mātauranga Māori reinforced the positional superiority of western science. For example, as will be recalled from 2.2.2, the Tohunga Suppression Act 1907 which deemed practices by a tohunga to be an illegal act effectively demonised traditional Māori management systems based on kaitiakitanga, having a significant effect on tribal tikanga and transference of mātauranga to future generations (J. Chetham, Environs Holdings Ltd, pers.comm., May 2009). Over time this marginalisation has led to the common belief that NRM as predicated in the RMA and exercised by Crown agencies is 'normal'.

Similarly, Europeans arriving in Kaipara disregarded Māori management systems, and led to ignorance of the potential benefits of bicultural management under what quickly became colonial rule:

If they had had a closer look they would have understood that our resources were incredibly abundant purely because of our spiritual connection to the environment. That is what held these resources in abundance...that spiritual connection we had to Atua was absolutely paramount at maintaining our resources. They were fearful of the gods, and so those protocols that they had that connected them to those gods and to those areas were religiously maintained – karakia to clear the way with the gods before they went to those grounds, karakia to give thanks for the children of Tangaroa, the first fish given back to Tangaroa. All these sorts of protocols and things were embracing the spiritual connection to the Atua, but what it did was it maintained fear of depletion of those resources that there would be retributions from the gods (Mikaera Miru, Kaiārahi Environs, 20/01/2014).

Māori management and governance is shaped by traditional mātauranga (knowledge) and tikanga (protocols) 'based on spiritual beliefs, ancestral precedent and a profound relationship with the natural environment', traceable to their descent from the Atua (Mikaere 2011:127). The efficacy of such a system was ensured through the exercise of rangatiratanga, which Moana Jackson (1992:5) defines as 'a total political authority'. Central to the exercise of kaitiakitanga, which aims to regulate and sustain environmental, social and cultural wellbeing, is an understanding of the Māori belief system and inherent values (Minhinnick 1989, Crengle 1993). Small shifts in mauri of any part of the environment through use or misuse results in changes in the mauri of directly related components, which could eventually lead to degradation of the whole system (Marsden 1975, Marsden, Henare 1992).

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<sup>34</sup> Māori systems of management are of course still practiced, but the contention is that it is limited in the every day; marginalised by the current neo-colonial management system.



The mauri of the Kaipara Moana has been severely degraded, a state that the IKHMG (guided by Ngāti Whātua as well as broader communities) attribute to the lack of integration and coordination of governance and management and the isolation of hapū, landowners and communities from restoration opportunities (IKHMG 2014). From within this crisis and acknowledged failure comes the opportunity to promote mātauranga Māori within the interstices revealed in the destabilised western NRM paradigm (Reimerson 2012). The creation of space to enable the exercise of rangatiratanga and kaitiakitanga in line with their mātauranga and tikanga is integral to the restoration of the mauri of the harbour.

### 5.3.3 Challenge of integrating mātauranga Māori

The need to co-produce knowledge to ensure social justice and to fill knowledge gaps, and the value of bicultural co-production highlights the benefits of integrating Indigenous worldviews (Moller et al 2009). IKHMG addresses the challenge of integrating western science and mātauranga Māori through a bicultural kaupapa that acknowledges the partnership between Māori and the Crown, as per Tiriti o Waitangi/The Treaty of Waitangi and Te Uri o Hau's Treaty settlement. All IKHMG kaitautoko have committed to a partnership and to a process of utilising both traditional Māori philosophy and western science philosophy to manage the Kaipara as a holistic system. The importance of utilising mātauranga Māori, especially tikanga rooted in the philosophy of kaitiakitanga for the management of the Kaipara, is emphasised throughout IKHMG documents and activities. This approach is intended to challenge Treaty partners to think beyond common practices that merely co-opt mātauranga Māori into planning processes to work together to develop more 'creative forms of collaboration' (Jasenoff et al 1997 cited in Berkes 2009) that explore the interface between knowledge systems. However, there are two key issues; firstly, the lack of understanding of mātauranga and tikanga Māori in current NRM institutions; and secondly, the ambiguity for the level of recognition and provision in government policy and regulations for decision-making and exercise of rangatiratanga.

As shown in previous sections, a key barrier to integrating knowledge for more holistic management approaches is the current authority held by local government authorities and lack of shared understanding between those agencies, iwi and hapū in relation to NRM, mātauranga Māori and the role of kaitiaki (Tipa, Nelson 2008). Through creation of legislated management frameworks and authorities under Crown law, councils have inherited the Crown's assumed power and authority to dictate how the Kaipara Moana, its tributaries and surrounding land will be managed. Yet, compared to Ngāti Whātua who have occupied the Kaipara for generations the councils are only newcomers and their staff have little knowledge or likely commitment in comparison to mana whenua who are intrinsically connected to that place and environment. Conversely, Tipa (2006:316) explains that Māori find it challenging to engage with current NRM systems that are based on Eurocentric belief systems that excludes them from participation. This marginalisation is compounded by the lack of understanding and appreciation by resource managers of mātauranga and tikanga Māori held within Māori communities. Māori participation in NRM is therefore limited within the current NRM paradigm:

They [councils] do not even know what mātauranga Māori is to even embrace it. It is so important, there is no point in going on about all this other stuff about how we all work together and blah blah blah mātauranga needs to be defined, it needs to be articulated and it needs to drop down into the management practices of the IKHMG (Mikaera Miru, Kaiārahi Environs, 20/01/2014).



To be able to practice kaitiakitanga and ensure that mātauranga in relation to the environment is sustained iwi, hapū and whānau must be able to practice their traditional ways of caring for their particular environment, within their own belief systems and through application of their own, unique tikanga. Mātauranga cannot be considered a subset of western knowledge and attempts to integrate dual systems must ensure the integrity of both distinct knowledge systems is retained. Therefore, a redefinition of the relationship between Māori and non-Māori participants is required to empower iwi and hapū in their kaitiaki responsibilities (Tipa, Nelson 2008:316). This research suggests that an element of mysticism persists around Māori knowledge and tikanga, posing a potential barrier to integration. Non-Māori actors in NRM may suffer a level of discomfort, uncertainty or apprehension about working with the 'other'. Non-Māori participants described apprehension about what mātauranga is, what level of knowledge is required for engagement in an iwi-led approach, and how Crown agency representatives should engage with Māori:

[My colleague] asked if I would like to take over the role and I was really keen; a little bit apprehensive because I thought, 'do I have enough mana whenua knowledge/te reo for the role...I felt a bit nervous that I wasn't up to speed enough culturally, but I was really keen to get involved because I have all these connections with the Kaipara and have a personal interest and care/ love for the place. So I was keen to be involved from that aspect but a bit apprehensive when I first started...There had been a meeting at Otamatea marae just before I took over and I was a bit nervous if the first thing I was to do was go onto a marae, especially if you were you expected to speak to matters...I just wondered if I was competent enough to attend these hui (Alison Stilwell, Auckland Council: Principle Planner, 10/02/2014).

While such feelings demonstrate respect and value for tikanga Māori, this response also indicates potential for limited engagement to persist, due to a lack of confidence. Fortunately in this case the representative overcame her apprehension and did engage in the bicultural process, later describing the IKHMG as 'the way of the future'. This response supports the need for further work to demystify mātauranga and tikanga Māori and to build understanding and capacity within government agencies (Tipa, Nelson 2008). In order to exercise rangatiratanga, iwi and hapū authority to apply mātauranga within a particular place must be understood and recognised by councils who acknowledge the contribution that their mātauranga can make. Truly integrated management approaches will require the Crown and its agencies to make space for Māori, and Māori knowledge and management systems, in meaningful ways.

Despite efforts from local level NRM representatives to engage in innovative and potentially transformational bicultural approaches, Māori are not participating 'on their own terms', and the colonial government still has the power to assert a western management system (Tipa, Welch 2006). As outlined above and in 4.2.5, the IKHMG is non-statutory and relies on the goodwill of participants. Literature in Chapter Three identifies the risk to Indigenous agency of provisions that are discretionary and therefore open to interpretation (refer 3.2.3 and 3.2.4).

I suggest that in the case of the Kaipara Moana, the IKHMG is acting as a 'bridging organisation' (Clarke and Stocker et al 2013), filling a role between knowledge production and decision-making. The IKHMG attempts to change the institutions of partner agencies to be more holistic and to regard mātauranga Māori equally with regard to the Kaipara through all of its plans, strategies, processes and conducts. The IKHMG includes a

strategy to meet their long-term objective of restoring the mauri of the Kaipara Moana that provides guidance for kaitautoko on how they can resolve the fundamental issues contributing to the loss of mauri (IKHMG 2011:22):

To resolve these issues, restoring the mauri will require decision-making, planning and policy to be informed by Mātauranga Māori; be undertaken in collaborative partnership approach and hapū have the capacity to participant and practice kaitiakitanga. Mechanisms to achieve this are through understanding the cultural values of Kaipara land-seascapes, hapū management plans, customary title and building capacity.

The IKHMG Integrated Strategic Action Plan, sections 12 and 13, even outlines key tools and responsibilities and key assumptions of the IKHMG which kaitautoko have committed to in the Terms of Reference. Innovative provisions within both sections challenge New Zealand's current policy and planning rhetoric. To achieve the long-term objectives, 'the IKHMG parties must utilise the following key tools or responsibilities – that is the parties must mainstream them across their work relevant to the Kaipara Moana, catchment and ecosystems' – the tools/responsibilities are Kaitiakitanga; Community-led initiatives, Innovation; Partnership; Information and Knowledge; and Regulation & Policy. Section 13 sets the expectation that the IKHMG guiding principles will be reflected in IKHMG parties' work programs and decision-making relevant to the Kaipara Moana and its catchment over the duration of the Plan (2011-2021) (guiding principles are kaitiakitanga, integrated ecosystem-based management, manaakitanga and co-management); and states that there are co-governance aspirations for the Kaipara which will be realised in future Treaty settlement negotiations.

Although bridging organisation are considered to offer value for Indigenous people because of their non-hierarchical nature (Star and Griesemer 1989:389 cited in Carr, Wilkinson 2005), the flexibility of the collaboration also limits certainty of resource. It is important to note that the responsibility of mainstreaming kaitiakitanga and meeting these assumptions is optional, and rests on the goodwill of Crown agencies. Interviewees indicated that while Crown agency representatives (including council) were often increasing their own understandings of kaitiakitanga and other Māori concepts and perspectives, and their respect and value of those, they were sceptical as to whether these organisations were embracing the bicultural kaupapa:

Yeah, a lot of it probably varies from individual to individual within a particular organisation...and I suppose how you sell that to the organisation and how you personally view it when you are involved at a personal level...definitely with the representatives that are working with the IKHMG, I see it all the time. I am not always 100% sure what is happening within the inner working of the council, and everyone has a different world view or approach to it, but I think overall yes (Bruce Griffin, Northland Regional Council: Land Management Advisor, 21/01/2014).

Interview participants considered that councils continue to neglect their Treaty partnership duties and prioritise other interests. Although the value of the intent of the IKHMG's bicultural kaupapa was adamantly promoted and acknowledged by participants, it was limited by its non-statutory nature (refer section 5.1.4), and had little effect in changing power dynamics:

Through that Terms of Reference...I think it's a new idea. Particularly in resource management; and a lot of it has to do with the willingness of local government and central government to share power and until

that is realised then we're not going to get bicultural planning. To a degree I think we're seeing it being implemented in Waikato through the Waikato River Authority. I'm just impressed with anywhere that you have a governance that shares power, now that's probably the key thing for me, is power dynamics. Until the power dynamics are realised then you're probably not going to get bicultural planning (Shaun Awatere, Landcare Research: Researcher, 16/01/2014).

Awatere argued that only a legislated agreement with supplementary institutional support will ensure behaviour change:

It is just a conflict in values...maximizing your own well-being is different from the kaitiaki perspective which is more about ensuring that the future well-being of future generations is maintained. Whereas kind of a rationalist thinking is kind of about take what's there now in order to satisfy your immediate well-being. Otherwise someone else is going to come along later on and they are going to take if you don't. The problem with an open-access resource without regulations and controls to manage that open-access resource...Unless there is values instilled into people to actually look after that resource and care about others then you are going to get free-ride behaviour as theory suggests will happen...with regard to managing natural resources I think that we move towards something that is more sustainable. Something being a framework, a legislative framework, or values-based framework in order to change behaviour, as well as education (Shaun Awatere, Landcare Research: Researcher, 16/01/2014).

These findings demonstrates the challenges to get real commitment and support for integration of dual knowledge systems, particularly when there is no statutory directive for such processes and outcomes. Following this, I explore some of the on-the-ground challenges mana whenua face when attempting to re-establish NRM and monitoring within the Kaipara catchment, using knowledge and methodologies that sit outside the 'normal' NRM approaches.

#### **5.3.4 Challenge of empowering kaitiakitanga on the ground**

One of the key advantages of ICM outlined in 3.3 is the integration of multiple epistemologies and the potential to align ICM objectives to Indigenous needs and priorities (Fenemor, Phillips et al. 2011). Literature illustrates that we are currently in an era of scientific uncertainty and the integration of various knowledges and co-production of new knowledge is critical to address complex, multi-faceted, transboundary problems such as water governance. 'Normal' scientific frameworks are inadequate; what is required is more creative, collaborative processes between scientists, indigenes and communities based on trust, respect and reciprocity that focus on enacting the kinds of institutions and practices that will enable more prosperous water futures to flourish (Gibbs 2014). These collaborative, creative processes should work towards recognising parallel planning and management processes and mandates (Tipa, Nelson 2008), offering a substantial opportunity for Māori to increase involvement in NRM. However, as has been described, asserting rangatiratanga requires recognition and acknowledgement of the role of kaitiaki and the contribution that their mātauranga makes in an ICM approach. The integrity of both system of knowledge must be maintained (Berkes 2009), yet in this sub-section I argue that the Crown continues to marginalise Māori management systems in favour of neoliberal ideologies including private property rights. This marginalisation is possible because government agencies have not yet

created space for the exercise of kaitiakitanga or the integration of mātauranga Māori within typically westernised NRM.

Integrating various knowledges and co-producing of new knowledge is important for addressing wicked problems (Clarke, Stocker et al. 2013). Chapter three included evidence from scholars that Indigenous and non-Indigenous knowledge can be complementary (e.g. Moller et al. 2009, Harmsworth and Awatere 2013, Berkes et al. 2008) and that bicultural projects can be highly valuable because different knowledge bases help to tackle difficult environmental issues within varying local socio-political, economic and environmental contexts. Prior to the IKHMG's inception Crown agencies responsible for NRM in the Kaipara had no baseline data about the harbour but a surge of research interest followed the inception of the IKHMG, providing opportunities for Te Uri o Hau and other hapū in the catchment to be involved in research. The co-production of research is often considered to be progressive (refer section 6.3 for further discussion of progressive aspects) but postcolonial discourse warns of the potential for regressive outcomes. There are challenges and risks for iwi and hapū involved in research and management collaborations with Crown Research Institutes (CRIs) and councils (and other stakeholders), because western science and frameworks remain the 'norm' and mātauranga Māori is often 'tacked on', framed as 'traditional' rather than evolving, or co-opted for other agendas (Weiss, Haman et al 2013).

Section 5.1.3 showed how research and NRM authorities may even show interest and engagement in MSPs such as the IKHMG to appropriate the platform space for their own purposes in order to capitalise on Indigenous knowledge and expertise rather than from a genuine motivation for empowerment of Māori and wider communities in NRM. Other risks in iwi committing to research partnerships include: withdrawal of CRIs/councils if priorities change and funding expires (which has been the case in the Kaipara concerning some mātauranga Māori related research); dominant influence of CRIs/councils on research topics and methodologies, - not all projects/programmes have actually included mātauranga Māori or kaitiakitanga; and issues related to ownership and/or use of knowledge:

Everyone is quite happy to come to do some research and put some funding in, NIWAs [National Institute for Water and Atmospheric Research] the same. The problem I have with it is, it is their research so they take it away. No one sees it – the community do not see it. They are still back to doing the visual check and that is what we need to try and change. We need to actually be more open with all that sort of that information...[NIWA] will only do projects if they have got funding to do projects and again that information will sit with them, it will not come back to the community. So we need to empower our communities and support the IKHMG to be our mini NIWA for the Kaipara only. That is what I envisage and would love us to be working towards. That they are the mini NIWA... and all that information is staying in the Kaipara Moana and we are educating everybody and we have got the resources...Yep. I think if we could get some apprenticeships with NIWA that would be a great start.... I think there is room for us to still be bringing in traditional practices from an iwi point of view of management for land and water but that programme needs to be driven by our people by Te Uri o Hau and Ngāti Whātua and that's going to take some time...(Brenda Steele, Chair Rodney Local Board, 20/01/2014).

Recognising these risks, Kaipara hapū are engaged in co-partnership research programmes with Crown Research Institutes and other stakeholders but they are also focused on hapū-based programmes that are

specific to hapū values and intentions (refer Te Uri o Hau Settlement Trust Environs Holdings 2011, Ngati Whatua Nga Rima o Kaipara Trust No Date). The Kaipara hapū are currently exploring ways that they can increase their hapū-based NRM practices and processes. One example is school-based and marae-based training, which includes the Te Uri o Hau Cultural Education Trail, and Marae Biodiversity project. Part of this project focuses on the implementation of Ngā Waihotanga Iho<sup>35</sup> a bicultural estuary monitoring toolkit, which seeks to be a tool that enables mātauranga Māori, and western science to be applied to monitoring programmes; and the testing of the Te Uri o Hau environmental monitoring framework with their kaitiaki to monitor the mauri of the Kaipara Moana.

...One of the other things that I am involved with, with my project is re-establishing kaitiakitanga at the marae level – empowerment of hapū at the hapū level. This office is a statutory acknowledged office; it dropped out of the Treaty settlement. It has no land, it has no maunga, and it has no marae. It is purely a statutory entity that upholds the mana of the Treaty on behalf of the hapū. The real decisions in terms of management are the decisions to be made by the hapū at the hapū level. My programme with these schools, as it turns out there are four secondary schools within our statutory area of interest, each of those schools is situated beside a tupuna marae. We have 14 marae, four of them are ancestral marae and beside each ancestral marae is a high school. Those are the high schools that I actually work with for my programme and so the thing is to connect those high schools to that marae within their area of interest so the kids, way into the future will go backwards and forwards to that same ancestral marae doing this programme, the mātauranga Māori...on the IKHMG what has actually happened is, one science teacher from Ruawai college brought along a half dozen science students, so there is already engagement from students in that IKHMG, so it is functioning already as a learning curve for students. I am also in a process of locking in these two kaitiaki because we are training up two kaitiaki from each of these ancestral marae and the IKHMG these kaitiaki are going to come to the IKHMG field days as part of their learning. Into the future I can see them exercising tino rangatiratanga at that forum because those two kaitiaki will be the ones from that particular area that have the mana over that rohe and it will be them standing up and welcoming, and facilitating those hui at those flagship sites within their area of interest around those marae. These kaitiaki are very important for the future of all of this stuff (Mikaera Miru, Kaiārahi Environs, 20/01/2014).

Again, colonial agencies have resisted the mātauranga Māori - Miru and Te Uri o Hau have struggled to get the monitoring programme accepted into the New Zealand secondary school curriculum as part of the National Certificate of Educational Achievement (NCEA) (Bruce Griffin, Northland Regional Council: Land Management Advisor, 21/01/2014).

Te Uri o Hau recognises that 'due to the bounding relationship between kaitiakitanga and tino rangatiratanga, opportunities must be created that will nourish this relationship' (Environs Holdings Trust 2013:5). Projects such as the Cultural Education Trail, Marae Biodiversity, and the monitoring programme with schools will assist them to (re)establish traditional concepts, values and knowledge equally in a contemporary context next to western concepts and values, as a normal basis for living which according to Garth Harmsworth, researcher at Manaaki Whenua Landcare Research, is required for Māori culture to survive (Environs Holdings Trust 2013:6).

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<sup>35</sup> Ngā Waihotanga Iho: Estuary Monitoring Toolkit was developed by NIWA in collaboration with Ngāti Hikairo at Kawhia and Ngāti Whānaunga at Manaia (Hauraki) over ten years.

The Waitangi Tribunal (2011:584) claims that protection and transmission of mātauranga Māori is a shared responsibility between Māori and the Crown. Demonstrated here are several efforts post-settlement iwi Trusts are making to deliver their responsibility and simultaneously highlights the lack of effort the Crown is making to hold up its end of the bargain. It is disappointing that these findings support my argument in section 5.1 that iwi and hapū are limited to advocacy roles rather than having equal recognition and weighting to western-science based tools or processes.

### 5.3.5 Prioritising neoliberal interests and ‘pollution rights’

Eurocentric management systems asserted a humanity-nature dichotomy, which over time this has led to the normalisation of environment as subordinate to humanity. This split between people and our environment allows nature to be valued in economic terms within western NRM, rather than the metaphysical and intrinsic value understood by Kaipara hapū. In brief, private property rights are elevated above the right to exercise kaitiakitanga (Memon, Kirk 2012, Coombes, Gombay et al 2011, Kepe 2008). In this sub-section I contrast the previous cases, which highlighted the lack of institutions in place to account for cultural monitoring and/or integration of mātauranga Māori in freshwater monitoring with an example that illustrates the institutions that *are* in place to protect private property rights over and above environmental and cultural wellbeing.

Section 4.1 outlined New Zealand’s national policy and regulatory frameworks including recognition in the amended NPSFM of the Crown’s obligation, under the Treaty (Tiriti) to address Māori values and interests across all of the wellbeing’s, and including the involvement of iwi and hapū in the overall management of fresh water. The contention here is that the ambiguity and contradictions in current regulatory frameworks enable Crown agencies to neglect those duties, and prioritise economic wellbeing in a way that does not address Māori values and interests across all of the wellbeings.

The purpose of the RMA is to safeguard environmental, social, economic and cultural wellbeing yet there is evidence of institutional and operational negligence from the Northland Regional Council (NRC) when protecting water quality, encroaches on private property rights. Millan Ruka, a representative of Environment River Patrol-Aotearoa (ERP-A) operates river monitoring and reporting on the state of the local rivers as explained in. Millan who represents ERP-A and his hapū, Te Uriroroi, attends IKHMG to engage with other stakeholders, including councils and farmers. While he has formed some strategic positive relationships with individuals, Millan notes that there are still institutional challenges that limit the effects of local monitoring based on kaitiakitanga:

I do get a lot of sideline stuff from individuals. "Millan you're doing a great job - keep it up" and even from the top too but in actual written response or even physical response, very little. I think because of the mechanisms of their structures, they cannot align themselves with anybody; it is too much of a hot potato...(Millan Ruka, Environmental River Assessor, 20/01/2014).

Ruka’s monitoring and reporting revealed that the regional council had no processes in place for dealing with landowners whose farming practices were causing detrimental environmental effects. Millan describes the response from the NRC to a report that showed six dead cattle in the water along the Wairua River:

At first they were reluctant, but when they did [respond] they did not know where to go and did not know who the farmers were. They should know all of that eh? All dairy farms are registered. They can work with WDC [Whangarei District Council] to find out who the owners are, especially when there is a given detrimental effect, and ear-tags for the cows. They had no coordination to sort it out, none at all. I had to really step it up to get them to respond. At the same time we had a farmer that was really one of the worst polluters I think you'd find in the country, by way of grazing his cows on the side of the Whakapara River, which is a northern arm of the Wairua River. Well, they were impacted by the photos - pretty unprofessional comments that I got from them, and yet as they worked their way through to try and do something about it, they struggled to even find who the farmer was and then found out that it was two farmers and that it was a dairy farmer. One of them may be - confirmed. But still couldn't do anything about it. Then finally they said, "it's a floodplain, they cannot fence it". So my argument then was "does that authorise them to continue farming with detrimental effects?" Then there was a lot of emails over that particular report, must have been #6 or #7 report after nearly four or five months of reporting, and then I really realised that they had no logistical planning for dealing with that sort of thing because no one had ever really reported you know.

As of August 2015, Ruka has provided over 100 reports to the NRC. But rather than utilising the information in the reports or learning from ERP-A's monitoring and reporting processes the Chair of NRC has minimised the power of the information:

The council takes reports seriously but often evidence he [Ruka] supplies of cattle defecating or dead in waterways is not enough to act on – from a legal standpoint, just because a cow is standing in a river doesn't mean they are defecating in it. A photo two weeks ago, to the point of prosecuting someone for having an animal defecating in a waterway is quite a big legal stretch (Stevanon 2015).

The Chair uses the rhetoric of 'balance' to justify the Council's inaction, telling Native Affairs that:

Fencing is expensive. From council perspective, they are in a balancing situation where they have to balance the need for environmental maintenance and improvements **against** the affordability for the community (Stevanon 2015).

The quote illustrates how the council pits the environment and affordability against each other in a purely economic sense. As Ruka points out, there is no clear consideration of environmental costs or the potential social, economic and cultural costs of allowing unsustainable farming practices to degrade the river.

This is an example of mātauranga Māori generated through active kaitiakitanga being ignored. Ngāti Whātua o Kaipara clearly articulate the relationship to water, and issues around pollution from a Māori cultural perspective (Ngati Whatua Nga Rima o Kaipara Trust No Date:29).

Papatūānuku (the waterways are seen as her veins) and the mauri of waterways have historically been compromised in various ways within local government water management approaches. Cultural offence caused by practices such as sewage and effluent discharge, the damage to and loss of mahinga kai and damage to the health of those who rely on that mahinga kai are often not considered by regulatory

regimes and/or not understood. The loss of cultural wellbeing caused by degradation of the mauri of the waters and the cumulative effects also come a poor second to the necessity of granting water allocation permits for applied industry purposes.

Ruka's work and the excerpt above highlight the struggles for iwi and hapū to exercise their rights and ensure their interests and knowledge are respected within the current regulatory regime. Māori rights and interests (and environmental protection) are subordinated to 'pollution rights' (Memon, Kirk 2012:944) such as industrial practices that cause environmental degradation. Furthermore, Māori advocates can be denigrated and subject to discrimination. The Māori Television documentary related the description of Ruka by a district councillor as 'one of those coconuts in a hollowed out canoe who should just go down the river and float out to the pacific and go back to his island'. These findings indicate that at least some of those authorised with decision-making responsibilities in NRC do not value mātauranga Māori and are *not* really serious about working with Māori and the wider community to protect and enhance water quality. Other efforts to assist local government through kaitiaki practices have also been ignored. Ruka explained that his hapū offered planting by way of koha to support the NRC's new Wai Ora freshwater programme, which prioritises water restoration efforts into five 'priority' catchments in Northland for management and funding<sup>36</sup>. Instead of accepting the contribution from the hapū and incorporating that into their management approach, the agency emphasised the importance of soil testing and other measures over fencing and riparian planting – although the hapū felt that fencing and planting was the biggest issue to be addressed.

This sub-section demonstrates the challenges for Māori to assert their authority and to determine management practices and subsequent effects on their environmental resources and taonga, in both theoretical and practical ways. The findings in this section illustrated that despite effort and 'commitment' from state agencies to the IKHMG, hapū-based, empowering initiatives do not get wider uptake or application. The IKHMG has clear intentions for a parallel planning and management system but the key assumption that kaitiakitanga principles will filter back to councils and be valued the same way does not seem to be transforming institutionalised and deeply embedded marginalisation of Māori knowledge and management systems. I argue that this is due to systemic failure and institutional inertia – hapū undertake cultural monitoring but there is no incorporation yet into regional and national state of the environment reporting; and there is no tangible way to incorporate mātauranga Māori within current systems. If local government agencies are not making more of an effort to meet their responsibilities to protect and sustain mātauranga Māori as Treaty/Tiriti partners and under their 'commitments' as per the IKHMG Terms of Reference then this provides support for Ani Mikaere's claims that the colonial system is still on a path of cultural domination.

## 5.4 Conclusion

This chapter responded to calls in the literature for sensitive critiques of Indigenous peoples' capacities to transcend colonial relations through seemingly progressive cases. By evaluating the challenges posed by ICM, which is championed as a fairer and more empowering approach to NRM, I exposed several ongoing limitations to Māori involvement. In section 5.1 I conveyed the multi-dimensional nature of power, and the perception that

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<sup>36</sup> This prioritisation process itself is problematic – refer section 5.2 which considers the 'nested nature' of catchments and the need to enable mana whenua to practice kaitiakitanga at scales that are meaningful to them).



some forms of power, particularly higher up, are well camouflaged within processes and hierarchy. The Treaty settlement between the Crown and Te Uri o Hau in 2002, alongside multiple other pressures, motivated central and local government agencies to engage in an ICM arrangement. However, the ambiguity of the Treaty settlement has enabled the continuation of entrenched subordination and marginalisation of its Treaty partners in NRM. The Crown has attempted to maintain positional authority and decision-making power through the establishment of a non-statutory, ICM group based on neoliberal technologies. Furthermore, the absence of an overarching governance group enables government agencies to direct funding and capacity building efforts elsewhere, as their agendas and priorities demand. Neglect to address disparities currently prevents the IKHMG from operationalising many of its innovative objectives and strategies, effectively reducing 'the power that could liberate western systems from mere window dressing towards substantial sustainability' (Memon, Kirk 2012:943).

Cultural politics of scale were interrogated in section 5.2, exploring the challenge for mana whenua to engage in ICM in ways that are meaningful to them. Despite Crown recognition of Ngāti Whātua 'aspirations' to exercise rangatiratanga within their rohe and the far-reaching benefits therein, rights to be involved in decision-making over the Kaipara Moana are still not addressed. Rescaling of NRM to the catchment scale misaligns with whānau, hapū and iwi tikanga and management scales, affirming literature in Chapter Three that ICM is not inherently participatory. Examples highlighted the importance of territorial-based management, which has been passed down through tribal ancestors and the leadership of their rangatira, connecting them to particular places and resources. Ngāti Whātua has strategically rescaled their own role as implementers to ensure involvement in ICM – strengthening inter-tribal relationships to combat disparities in rights recognition and empowerment influenced by the Crown. However, different groups have different capacities for involvement. Historical subjugation of mana whenua from their land and taonga enabled the government to assume positional superiority, causing mana whenua and other communities to rely on government commitment and effort for NRM. This section illustrated the significance and influence of Treaty settlements and other government-directed politics on mana whenua capacities, arguing that timing and outcomes of differential settlement packages are influential. Therefore, I support arguments that further consideration of cultural politics of scale (Norman 2012) is required as well as more attention to interrelationships between governance, different actors, social networks and institutional framings (Gibbs 2014, Salmond, Tadaki et al. 2014, Memon, Painter et al. 2010).

In section 5.3 it was contended that current government policy and regulatory systems reinforce colonial discourse because they are based on and emphasise western knowledge, protecting assumed colonial authority. Despite recognition of Māori values, concepts and rights the legislation underpinning NRM in New Zealand allows them to be compromised, rather than ensuring they can be exercised as the Treaty partnership expects. Mātauranga and tikanga Māori has been subordinated and marginalised over time, resulting in a lack of understanding and confidence by resource management authorities. There is generally no incentive for resource managers to increase their understanding or honour the parallel planning and management mandates anticipated by the Treaty/Tiriti. I suggest that a de-centering of western priorities, knowledge and tradition is required, and a redefinition of the relationship between Māori and non-Māori participants, to empower iwi and hapū in their kaitiaki responsibilities. Such effort might be a first step for working towards the realisation of a national parallel planning mandate that empowers rangatiratanga.

In conclusion, successful ICM requires all parties with a regulatory or obligatory responsibility, or potential to cause an impact, to support the approach – which requires certain capabilities. Institutional changes and multi-

dimensional strategies are required as is development of adequate capacities for both non-Indigenous and Indigenous actors involved in order to enable more meaningful outcomes. Such inequities seem to be embedded at a higher level but the IKHMG is playing an important role in exposing those dynamics and the 'politics of distraction' at play, which will be considered in greater detail in Chapter Six. It is certainly likely that the IKHMG, in its current state, will produce significant short-medium term successes – indeed it already has – but appropriate governance, effort and commitment is required to ensure mana whenua are involved in decision-making and that the IKHMG's objectives and plans to restore the mauri of the Kaipara Moana are operationalised.

## Chapter Six: Postcolonial Opportunities of Iwi-led Integrated Catchment Management

*He pua ki te whata he oranga mō āmuri ake.*

*Seeds in the storehouse a hallmark of future well-being.*

### 6.0 Introduction

Chapter five outlined colonial attempts to maintain the Crown's positional superiority in today's natural resource management and governance (NRMG). Ongoing challenges to Māori self-determination were apparent in colonially dominant structures, institutions and regulatory frameworks. In Chapter Six, I contrast how Ngāti Whātua employs postcolonial strategies within integrated catchment management (ICM) discourse to disrupt assumed colonial authority, progress tribal interests, and exercise authority.

The whakataukī for this chapter reminds us of the importance of building a capital base along with an annual granting programme for the purposes of improving the well-being of communities of the environment - the *seeds in the storehouse*. Population well-being outcomes and reducing population inequalities is a strategic priority in need of collaborated leadership. Unsurprisingly, these priorities are also those of the government, and are vital to the well-being of people who are directly affected by sub-optimal wellbeing disparities. The planned intentions for these priorities must focus on how to enable the human, financial, and technological resources necessary to enhance the well-being metrics of people of the environment over time... *a hallmark of future well-being*.

I will use Bhabha's (1994) concepts of ambivalence, mimicry, hybridity and third space to show how mana whenua are using postcolonial strategies within ambivalent neo-colonial spaces as justified tactics for safeguarding rights and mediating cultural aspirations. Uncertainty and contradictions exist in current NRMG, and the ability for Indigenous peoples to take advantage of the fragility therein is revealed, assisting Indigenous peoples to address power on its own terms. By destabilising western hegemony and imposed power inequities, mana whenua are creating space for new relationships to (re)emerge based on reciprocity, trust and mutual valuing of bicultural knowledge, tenets that may be required to improve future environmental governance (Gibbs 2014). While no universal solutions exist, and negotiating a transcultural present is challenging, this case study illustrates the postcolonial possibilities of alliance-building, responsible co-existence and autonomous care, and confirms that 'small triumphs in Indigenous attempts to reconcile themselves with other participants in

multicultural realities, or to provide for their own social wellbeing, are real and significant' (Coombes, Johnson et al. 2012:7).

By taking advantage of uncertainties and contradictions in state-led management and governance of the Kaipara Moana and catchment, Ngāti Whātua have strategically positioned themselves as leaders of an ICM approach. Destabilisation of the state's claimed authority and leadership creates a site for innovation where historically entrenched power disparities are displaced and alternative positions and new structures of authority and political initiatives emerge (Bhabha 1990). While the current space has not allowed for tino rangatiratanga as self-determination, I argue that rangatiratanga can be conceived as a way of acting which can be expressed in different ways, including through strategic hybridity and alliance building where this is possible. Accepting compromises over the strict expression of 'tino rangatiratanga' can be conceptualised as a pragmatic approach in which Ngāti Whātua are expressing rangatiratanga in the way that they can, in current management and pseudo governance forums. At a practical level, it will be shown that rangatiratanga may mean that iwi, hapū, marae, and individuals initiate projects that advance the interests of their people or themselves, that follow their tikanga, and that respect their mātauranga. They exercise their agency by only participating in projects that acknowledge their mana, rights and responsibilities, or ones that have progressive potential. In this case, Te Uri o Hau have expressed their rangatiratanga by first initiating, and then participating, on their own terms, in ICM for Kaipara.

Underlying these benevolent outcomes are themes of western hegemony that continue to undermine Ngāti Whātua attempts to exercise rangatiratanga to its fullest extent (refer 5.1). These themes are most tenacious at higher governance levels. Strategies employed by Ngāti Whātua expose hidden power inequities and disrupt hegemonic traditions, highlighting the failure of the current management approach, and providing a platform to express and advance tino rangatiratanga. Ngāti Whātua is leveraging off outcomes emerging from the IKHMG such as increased trust, understanding and improved cross-cultural relations, to gain support to establish an appropriate bicultural governance arrangement. It is argued that this governance arrangement is necessary to provide overarching support and direction for the IKHMG to deliver innovative strategies and programmes at the operational level. While the IKHMG may not provide space for rangatiratanga to be exercised to the fullest extent, it does offer opportunities for Ngāti Whātua to become substantially more involved in NRMG and progress tribal empowerment over time.

## **6.1 Rights recognition and empowering spaces**

### **6.1.1 Introduction**

This section applies postcolonial theory (PCT), as discussed in Chapter Two, and affirms claims made in section 3.2 that ICM offers opportunities for Indigenous communities to empower themselves through several postcolonial strategies – initiating ICM processes; claiming a role through strategic essentialism; and mimicry of government structures to engage effectively.

In section 6.1.2 I reflect on the natural resource management and governance (NRMG) gap in Kaipara which has provided an interstice for Ngāti Whātua to intervene in the fragile and inconsistent state-led NRMG, to initiate an integrated management approach. It is argued that the Te Uri o Hau Treaty grievance claims, and

corresponding pressure on the Crown, created a crisis. This political crisis was compounded by the socio-ecological crises described in Chapter Five. It is in the clash of cultures at crisis points that postcolonial opportunities often emerge (Huddart 2006). Drawing on Bhabha's (1994) concepts of strategic essentialism and mimicry, in 6.1.3 I illustrate how Ngāti Whātua has ensured that tribal mana is recognised and provided for in ICM. ICM is based on neoliberal technologies of deregulation, devolution and rescaling. Such processes are not inherently participatory but I argue that Ngāti Whātua have employed postcolonial strategies to ensure they have played a leading role in determining the structure of the IKHMG, and subsequent management approaches and institutions support and enable their role as kaitiaki.

By adopting western administrative models and positioning themselves as the administrator for ICM, Ngāti Whātua have empowered themselves as a management authority. This tactical 'mimicry' has built trust, confidence and buy-in, fostering hybridity, and at the same time ensuring recognition and leadership at multiple scales. State involvement has been re-structured from superior power to equal partner, supporting discussions about how the state can continue to be involved in NRMG but in reimagined ways (e.g. Salmond, Tadaki et al. 2014, Cook, Kesby et al. 2013, Warner, Wester et al. 2014).

In section 6.1.4, I consider the opportunities for Indigenous peoples in engaging with western management systems that are complementary to Indigenous management systems, such as ecosystem-based management. While ecosystem-based management is a western concept, it is arguably complementary to Māori management frameworks such as "ki uta ki tai", which was conceptualised by Ngāi Tahu, a tribe in the South Island. Ngāi Tahu describe "ki uta ki tai" as 'a comprehensive, culturally based "mountains to the sea" natural resource management framework' (Te Runanga o Ngai Tahu, 2003 cited in Tipa, Nelson 2008:315). This framework fits well with western management agencies that are seeking more holistic, integrated management approaches. I suggest that essentialist representations of Indigenous peoples as 'tie[d] to the earth as "natural" environmentalists' can be tactically employed to support Indigenous cultural and environmental aspirations, in this case restoring the mauri of the Kaipara Moana. Scholars such as Amoamo (2011) endorse this perspective, arguing that contemporary Māori actors can strategically engage with stereotypes that represent Māori in a way that can be advantageous to their overall self-empowerment.

### 6.1.2 Counter-acting Crisis

As will be recalled from 2.3.5, Huddart (2006) argues that crisis points often produce revolutionary outcomes, based on past grievance. Fragmented, adhoc and institutionally inert management by state agencies has created environmental and socio-cultural crises in the Kaipara, resulting in a clear need for an integrated, holistic management approach. The IKHMG provides a space for various stakeholders to come together and address this issue. For example, struggling farmers in the Kaipara catchment express frustration with government agencies who continue to increase regulatory pressure but offer little assistance:

...we had a flood... and the water got de-oxygenated and we had had a real bad run. We were looking to take the district council to the High Court for the mis-management of things. We were right at the end of our tether...I found out from Millan about this quarterly hui down in Kawakawa about what IKHMG was standing for... So I picked up some dead eels that were chopped up from the pump, because I thought 'right, I am sick of these bastards going away and hiding in a room and not actually listening to

farmers'...we had been able to present the dead eels, and people started to realise that we - as farmers - were absolutely pissed off. 54% of the Whangārei district falls into the Kaipara Moana but they do not give a toss...but all of a sudden he realised that what I had been saying was the truth...All the figures that were being quoted from the Kaipara Moana on the impact of farming on the northern Kaipara basically fell 99% back to this catchment and it was embarrassing (Ben Smith, JV Farms: Owner and Manager, 20/02/2014).

Ngāti Whātua have also expressed ongoing frustration with the fragmentation and poor coordination between agencies, limited effort, and the lack of resources to manage the harbour. Minimal response from the Crown and its agencies to the degrading Kaipara environment has resulted in a lack of confidence in state-led management from wider Kaipara communities. All research participants emphasised the desperate need for integration – and many compared the fragmented efforts of state management agencies with Māori who were seen as intuitively thinking and acting holistically. As will be recalled from 5.2.3 Māori are able to think in this way due to whakapapa that creates an inextricable tie (Te Aho 2010) to all of the catchment's sub-units. Whereas the Crown and its local government agencies struggle to think holistically about the harbour and its catchments because they lack this cohesiveness and the philosophical institutions (Salmond, Tadaki et al. 2014).

Although relevant agencies were apparently aware of the potential benefits of ICM, they had refrained from taking a proactive approach:

That issue of integration has been something that has existed in people's minds for a long time so maybe the timing was partly to do with why it worked out (Tim Brandenburg, ex-DoC Area manager, 24/02/2014).

In fact, ICM is commonly employed reactively, triggered in response to an existing issue or an imminent one that requires a whole of catchment approach to address it (Ministry for the Environment 2010).

I suggest that the time was finally 'right' for an integrated approach because the pressure from Ngāti Whātua and wider communities to respond could no longer be ignored. This pressure was partly linked to the settlement of Treaty grievances and the perceived threat to colonial authority (refer 2.4.3). In the New Zealand context, I argue that Treaty settlements occur at points of conflict or crisis, and therefore have the potential to result in new opportunities. In the case of Kaipara, a Treaty settlement was the catalyst to establish the Integrated Kaipara Moana Management Group (IKHMG), a bicultural approach to environmental management based on the Treaty partnership.

Following the Te Uri o Hau settlement in 2002, Ngāti Whātua and wider communities agreed an ICM approach led by Te Uri o Hau on behalf of Ngāti Whātua. 'Mana', integrity, and well-respected leadership made it difficult for the Crown to object to the iwi-led approach. Ngāti Whātua were able to organise and facilitate a collective hui, something that government agencies had failed to do, despite the rhetoric of integration.

Getting people to the table is the first challenge, and keeping them there. Getting them to the table requires somebody with the pulling power. It is either moral or legal or a combination of both with authority. It is not always easy for one authority such as one council or one government department to pull all of those different organisations into meeting in one place. Te Uri o Hau had that ability because they had had a Treaty settlement, they had gone around and got a whole lot of Memoranda of Understandings

from different local authorities, they had other protocols other than the Department of Conservation attached to their Treaty settlement. Plus they had their own networks to call on and they invited everybody, they were not picky or choosy, they sent this message out to everybody. They included industry, the sand mining people and said 'look we want you to come along and to contribute to this'. It was very open. The initial meetings were well facilitated; they brought in a professional facilitator, which helped (Tim Brandenburg, ex-DoC Area manager, 24/02/2014).

The fragility of the state's authority and leadership illustrated above reveals that a power vacuum had emerged in Kaipara. This gap provided an opportunity for Ngāti Whātua to assert their authority and to initiate the ICM process through Indigenous leadership<sup>37</sup>. The actions of Ngāti Whātua affirm literature in Chapter Three that suggests the uncertainty and innovation associated with integration creates potential for minorities to negotiate subversive strategies of hybridity (Miraftab 2004, Cook, Atkinson et al. 2013), offering opportunities for Indigenous empowerment.

### 6.1.3: Western models – Indigenous leadership?

Adopting western models has assisted Ngāti Whātua to take the position as administrators of the IKHMG. The IKHMG Terms of Reference (IKHMG 2009:3-4) clearly articulate that Ngā Kaitiaki Tai Ao o Kaipara (the joint leadership group between hapū, marae o Ngāti Whātua, Te Uri o Hau and Ngāti Whātua o Kaipara) has the following administrative roles and responsibilities:

#### 5.0 IKHMG Roles and Responsibilities

#### 5.2 Ngā Kaitiaki Tai Ao o Kaipara.

- a. Convene the IKHMG
- b. Convene the wider stakeholder and interested parties Hui
- c. Service the respective meetings and ensure that minutes are distributed, confirmed and actioned to the extent possible.
- d. Administer funding, budgets and the Project Coordinator position through the Environs Holdings Trust.

Strategically 'scaling up' their kaitiaki role (refer to sections 3.1.4 and 5.2.3), Ngāti Whātua has constructed a 'suitable' group to fulfil administrative functions, addressing power on its own terms (Said 1994, Ashcroft 2001). Rather than being incorporated into western frameworks, tribal representatives are utilising these frameworks to position themselves in a role of administrative control, destabilising the normal power dynamics of state agency administration. Te Uri o Hau Acting Chief Executive Officer, Deborah Harding (18/12/2013), explained that it is important to:

pitch the IKHMG going into the future, and look at partnerships...we need to partner up so we can get those bigger contributions for the IKHMG...we need to get a bit more serious and professional about who we are and what we look like into the future.

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<sup>37</sup> The Te Uri o Hau Treaty settlement provided the regulatory mechanism for the group's establishment. Formally, the IKHMG is the vehicle to implement obligations between Ngāti Whātua ki Kaipara hapū and Memorandum of Understanding partners under Treaty of Waitangi Deed of Settlement obligations particularly giving effect to kaitiakitanga and hapū management plans. The IKHMG is led by the Te Uri o Hau Settlement Trust through its Kaitiaki Unit the Environs Holdings Trust and by Ngāti Whātua Ngā Rima o Kaipara.

Co-Chair Willie Wright (20/02/2014), also of Te Uri o Hau, discussed the importance of his role being thorough and transparent – ‘crossing the t’s and dotting the i’s’.

Now I want to review internally before I take it into the public arena - whether it is a marae or wherever because I want us to thrash it out - if there is somebody in the room who believes that we have not performed then I want to hear about it. It is not going to be helpful to be fighting in-house out in the community. I will probably call all the governance people, all the mayors and all that, into the same room - as we normally do at the marae once a year and then nail down objectives.

Interviews with council representatives confirmed that, from their perspective, proficient administration and facilitation has been key to the continued success of the IKHMG:

...there is a structure and professional way of dealing with it...It is really important how you manage the group and then what you do after that, how you feedback to the group, what other opportunities you provide at the time to involve the group. So those things I think were quite well done...a good beginning where you invite lots of people and a clear structure to be going on with. There were regular meetings, well facilitated, minutes circulated early at the end of meetings sent out to people, opportunities to participate - meetings were moved to different locations rotated around in a shared way or different organisations hosted alternatively. I think a combination of those things, if you list those things they would probably line up quite well with what is the best practice for doing something like this (Tim Brandenburg, ex-DoC Area manager, 24/02/2014).

Brandenburg indicates that the IKHMG has provided a platform for Ngāti Whātua to prove that iwi administration and facilitation can be ‘best practice’. Comparison with Memon, Painter and Weber’s (2010) analysis and discussion of the key challenges confronting ICM, and potential ways to combat those challenges, supports this claim. For example, rotating the location of hui ensures opportunities for mana whenua to host government agencies and other IKHMG members on their marae, under their kawa and tikanga. Sharing the role of host means that responsibilities do not always fall on the same hapū. Hosting on marae or at tribal offices can contribute to mediating cross-cultural relations and diffusing the mysticism that continues to be associated with Māori culture and practices (refer 5.3.3). These hui have built trust, understanding and valuing between participants. Other events have included IKHMG symposia held on marae, and site visits to Māori-owned flagship farms, as well as site visits to Pākehā-owned flagship farms facilitated by local hapū representatives.

Within this ‘best practice’ approach to collaborative management, Ngāti Whātua reinforce their leadership through the role of Chair, which is shared between Ngāti Whātua o Kaipara and Te Uri o Hau. Reserving the role of Chair for local iwi, in tandem with the bicultural kaupapa, is recognised as ‘one step in shifting the power balance’ (Shaun Awatere, Landcare Research: Researcher, 16/01/2014). Employment of western models and neoliberal technologies to increase Māori opportunities in hybrid partnerships may not instinctively seem empowering. However, these examples demonstrate how mana whenua have determined their participation in NRMG at multiple scales, to create roles that are meaningful to them (refer 5.2).

Through a postcolonial lense mimicry (refer 2.3.2) can be conceptualised as a strategic method employed by the subaltern to mimic the structures of power in an act of colonial resistance, instead of assimilating into

nothingness (Lacan 1978, Bhabha 1994). These strategies can invert colonial paradigms of state-led NRM to empower iwi and hapū as leaders and administrators, creating a 'slippage' of the coloniser-colonised binary (Bhabha 1994). The adoption of western models by Ngāti Whātua to strategically increase involvement in NRMG, while maintaining agency, can be seen as an empowering process that increases recognition of tribal mana and rangatiratanga.

#### 6.1.4 Engaging western concepts

Ngāti Whātua have engaged in ecosystem-based ICM, an inherently western management concept, because it offers opportunities to empower Indigenous worldviews, values and management systems. It is arguable that ecosystem-based ICM aligns with and is complementary to 'traditional' Māori worldviews and management systems (Tipa, Nelson 2008). Both approaches are holistic concepts that are attentive to integration and interdependencies. For example, the conceptualisation "ki uta ki tai" is promoted by Ngāi Tahu as 'a comprehensive, culturally based "mountains to sea" natural resource management framework' (Te Runanga o Ngai Tahu, 2003 quoted in Tipa, Nelson 2008:315).

In the case of Kaipara, the ecosystem-based management approach, within a bicultural management framework, emerged from two parallel but not disparate backgrounds.

[The IKHMG coordinator] had this kind of vision of ecosystem-based approach, which was an area that she had been studying. And then I was very much in the space of bicultural planning having done my thesis and the work by Hirini Matunga had been promoting (Shaun Awatere, Landcare Research: Researcher, 16/01/2014).

I argue that the similarities between Māori worldviews and ecosystem-based approaches make it useful for mana whenua to engage in ICM approaches. Shared concepts such as holism make it easier for each culture to operate within its own structures, and for co-production to occur between parallel organisations, reflecting a Treaty-based partnership. However, this benevolent rhetoric is positioned carefully, bearing in mind Johnson's (2008:39-40) contentions in 2.4.3 that state's may be motivated to increase inclusions of 'conceptual regulators' such as bicultural frameworks within current institutions as a means to protect western hegemonic control. Further analysis of the way that this is addressed by the IKHMG follows in the next section, suggesting that the address of Treaty partnership principles and equal valuing upfront helps to ensure Indigenous empowerment within the process.

The identification of 'traditional' worldviews is also problematic. Emphasis on Indigenous environmental connections fits well with colonial constructions of Māori (refer 2.2.2). In fact, government agencies are increasingly interested in Indigenous knowledge because Indigenous communities are expected to understand the way flora and fauna inter-relate and how ecosystems work as a whole (Tipa, Nelson 2008:316). But there is no single, unified Māori worldview or perspective, and essentialising Indigenous peoples as "natural" environmentalists' can lead to exclusion from modernity and justify continued marginalisation in settler societies. However, 'a turn to tradition', which engages an emphasised appreciation of culture-environment reinforced by non-Indigenous, has been strategically adopted by many iwi (Panelli and Tipa 2007 quoted in Tipa, Nelson 2008:315) because it supports a strong role for mana whenua in NRM.



The Kaipapa is the catchment and the harbour and just the size of it has been hugely challenging, except for Māori - except for Ngāti Whātua. This is their family member, you cannot chop the knees and arms off and just look at the head. It is never been a challenge for them only for the other partners and their scales of management and the mismatches between how regional councils, district councils their scale of management, how the Crown look at it, how the iwi look at it and then farmers and fishermen. That is how they look at the harbour and so how we bring all that together and move forward with our vision – so that is the strength of the Flagship programme is that we bring in all those scales from right down here from where the fishermen fishes and the farmers farm in the paddock to the whole harbour, to where the government manages and where ecosystems function as well (Leane Makey, IKHMG coordinator, 28/02/2014).

This 'turn to tradition' can be considered 'strategic essentialism' (Spivak, 1987) (refer 2.3.3) which is 'necessary to express the effects of colonial and neo-colonial oppression', suggesting that Indigenous peoples can employ representations to both renew their sense of cultural value and integrity as well as imagine the newly emergent postcolonial nation. The example of the Coast Salish peoples presented in 3.1.4 also highlighted how Indigenous peoples can strategically engage representations to support overall tribal and sub-tribal empowerment.

The recognition of the benefits of Māori worldviews encourages connections to place and water, and philosophical change (Salmond, Tadaki et al. 2014), to be consistent with a bicultural kaupapa that embraces Māori leadership and utilisation of mātauranga Māori. Alison Stilwell reflects on this point:

I think it is part of the iwi-driven/led approach, the world-view that everything is integrated and connected and I guess that has been the great thing about it, and now in our resource management we say that too. That is our real challenge that we are trying to grapple with between NPS freshwater, coastal – dealing with land use and earth works and trying to connect all that...I think from mana whenua perspective, that has always been...everything is connected everything is whole and they could never really accept or work within the split jurisdiction of this is land, this is water, this is coast, and still grapple with the fact that fisheries is pulled out and primary industry manages that...They have always said 'we all need to be at the table because the Kaipara is split jurisdictionally, the catchments huge and whatever you're doing affects Kaipara'. So I think that has been the really positive thing about it really. We may have eventually got there (integrating across jurisdictions) but not anything like we have with IKHMG (Alison Stilwell, Auckland Council: Principle Planner, 10/02/2014).

Without the IKHMG, Stilwell questioned the extent to which integration could be achieved:

I think we would be doing our cross-regional discussions but it would be interesting to know (if we did not have IKHMG) would we be doing so much integrated research with northland, would we be integrating our research programmes, would there be NIWA focus so much on the catchment stuff, would we have that Hoteo Project gaining momentum? (Alison Stilwell, Auckland Council: Principle Planner, 10/02/2014).

It is evident that the establishment of holistic, integrated ecosystem-based ICM was influenced by recognition and admiration of the iwi worldview and their leadership. The power of utilising the marginalised Māori worldview, in contrast to the silent and siloed colonial government, is clearly visible. I suggest that non-Māori may also feel inferior for lacking the holistic, interconnected epistemology often associated with Māori (as can be noted in the quotes above) but with such clear advantages in engaging with Māori and utilising mātauranga Māori it is difficult to reject the approach, particularly within a bicultural framework. This reflects the anxiety of the settler-state of a 'slippage' and subversion of leadership in terms of knowledge and approach (refer 2.2.3). Leveraging off this contradiction, Ngāti Whātua have been able to assert the need for a holistic approach and tie regulatory agencies into an approach that empowers mana whenua. Support and space is created for kaitiaki to apply mātauranga Māori, within a broader management framework in which responsibilities are shared with well-resourced Crown agencies. Management approaches that utilise Māori ways of knowing seem to be increasing in acceptance and application:

It has never seemed to me to be precious or pretentious [the bicultural framework], the kaupapa is something that people readily understand... it is about restoring the health of the harbour and its life force its mauri so that is a very easy concept for pretty well everybody to get their heads around...as soon as you explain it to them the life force of things, people understand that concept I think, once it is explained. Quite frankly a lot of kiwis have heard that word [mauri] and that and it does not require a lot of explanation...I think a lot of community Landcare type projects have a similar approach. They do not express it the same way although that is probably changing. I think maybe a lot of community projects now, they can see the sense of using that language and using that kaupapa or that way of describing things because it does it so neatly and those concepts are not alien for them at all so it is a great kiwi way, of telling the story (Tim Brandenburg, ex-DoC Area manager, 24/02/2014).

This quote suggests that non-Māori can understand and incorporate Māori terms and concepts into NRM projects and programmes 'if they are explained to them', therefore requiring Māori participation. The response suggests domestication of Māori concepts whereby communities are adopting Māori terms and concepts to tell a 'kiwi story', perhaps reinforcing a sense of ambivalence and anxiety about increased attention to Māori perspectives and disruption of power dynamics. Rather than being a regressive aspect though, this may contribute to the decolonising of collaborative environmental spaces (Barry, Porter 2012). As highlighted in other responses above, the IKHMG is based on a strong respect for mātauranga Māori. Rather than seeking to co-opt Indigenous knowledge I contend that there is a desire from non-Māori to work *with* mana whenua to understand and utilise mātauranga to improve NRM, thereby preventing meaning and significance of the concepts from being overlooked or lost in translation. With this view, opportunities are being created whereby non-Māori are looking to Māori leadership to assist with NRM, revealing how strategic essentialism can be advantageous and assist Indigenous communities in progressive acts towards iwi, hapū and whānau empowerment and self-determination (Amoamo 2011:1260, Barry, Porter 2012).

## 6.2 Mediating cross-cultural relations and decolonising spaces

### 6.2.1 Introduction

By initiating the IKHMG, Ngāti Whātua has challenged colonial claims to superiority through exposure of

inconsistencies and shortcomings within the current neo-colonial management regime. In Chapter Five I discussed how ICM is characterised by multiple stakeholder platforms (MSPs), and collaborative governance and decision-making processes, meaning that iwi and hapū cannot independently determine governance and decision-making processes within that forum. Tensions associated with MSPs including power dynamics and discourses were considered in section 5.2. In this section I argue that the potential for an ICM group to act as a bridge between dual cultures, knowledges and worldviews is integral to reconciling those tensions. I demonstrate how ICM can provide a forum for cross-cultural mediation, creating a space where participants collaborate to achieve a shared vision of a healthy and functioning harbour while retaining their own cultural agency and authority. I argue that this productive space is a third space in which new relationships can be enunciated and enacted. This research responds to calls (Gibbs 2014) for examples of water governance that reveal the place and context of NRM practices as well as structures and institutions, and illustrate alternative approaches to relationships; valuing of Indigenous knowledge; trust; and reciprocity.

In sub-section 6.2.2 I will build on the previous section which discussed the bicultural framework based on mātauranga Māori and western science engaged by the IKHMG, to reveal how the adoption of this bicultural kaupapa has created a 'third space' (Bhabha 1994). New ways of relating to one another and managing the harbour and catchment are imagined and enacted in this space, disrupting the status quo. Historical grievances are addressed up front through the IKHMG's structure and institutions. A partnership approach acknowledges Treaty obligations, and mutual respect and trust is evident, enabling positive outcomes to emerge from hybridisation. Section 6.2.3 will analyse the cross-cultural relations between the various parties when they clash in the contact zone and grapple with the kaupapa, showing how processes of hybridity help to mediate asymmetrical power relations and marginalisation of Māori, enabling the reconstruction of relationships (refer Chapter Five). Section 6.2.4 will demonstrate how the bridging mechanism provided by the IKHMG has increased awareness of the collaborative iwi-led approach. Each participant acts as an advocate, gaining support and attracting opportunities for hapū within their rohe, including increased knowledge production, and increased funding and commitment.

## **6.2.2 Bicultural kaupapa – re-envisioning natural resource management**

Section 2.4 showed the value of using the 'third space' as a metaphorical tool to confront the dialectical view of colonial relations (Johnson 2010). Bhabha's (1994) PCT on third spaces, interstices and enunciation is particularly powerful for exploring acts of colonial resistance. This section considers the IKHMG as an opportunity to envision an alternative approach to NRM where there is an 'overlap and displacement of difference [and] the intersubjective and collective experiences', particularly community interest and cultural value, 'are negotiated' (Bhabha 1994:2). A bicultural ecosystem-based ICM approach recognises its historical contexts, and underpinning Treaty obligations, but is not constrained by cultural differences. Rather than framing differences as problematic or constructing identities as oppositional and fixed, cultural differences are valued and engaged to enable meaningful co-production of knowledge and NRM. Collaboration helps to address the contention in 5.3.3 that a redefinition of the relationship between Māori and non-Māori is required to empower iwi and hapū in their kaitiaki responsibilities (Tipa, Nelson 2008). Through redefinition, the ambiguity of the Te Uri o Hau Treaty settlement can be replaced by useful guidance and mechanisms to exercise kaitiakitanga and rangatiratanga might in practice.

As will be recalled from section 2.4.3, projects of colonial resistance and Indigenous resurgence demonstrate various ways that Indigenous researchers and communities are striving for cultural survival, self-determination, and social justice. For example, 'envisioning' is a powerful strategy employed effectively by Indigenous peoples to bind people together politically, encouraging them to rise above depressing circumstances and imagine a more optimistic future (Tuhiwai Smith 2012:153-154). I contend that such strategies are not limited to Indigenous peoples, but that the various IKHMG kaitautoko including Indigenous, government representatives, local businessmen and others are involved in a (re)envisioning project together, with the ultimate common vision being 'a healthy and productive harbour' (IKHMG 2011). Each agency advocates for its own interests and outcomes, but a shared vision binds them together. Therefore, iwi, hapū and whānau can utilise multi-agency, multi-cultural projects, such as the IKHMG, to work towards their wider aspirations and empowerment.

The IKHMG recognises that successful bicultural management and outcomes for the harbour requires re-envisioning the status quo. This means re-defining the relationship between Māori and non-Māori and the institutions and practices used to achieve that vision:

I think peoples' understanding of what "integrated" means for the Kaipara [is the biggest challenge]. So they have to learn that it is integrated, it has to be defined for its own place and so our definition for the Kaipara is the use of mātauranga Māori, traditional Māori knowledge, and western science knowledge of management and planning for that and what that means...It always will be [a challenge] because the RMA is the dominant paradigm in which New Zealand manages the environment. That is the bible and that is all they see, "RMA", well we do not work in that space so that has been a challenge (Leane Makey, IKHMG Coordinator (28/02/2014)).

We have done it ourselves, we have created ourselves, and we have created a plan - a strategic plan and our own vision and principles and built a lot... Most of our time has been spent in building our partnership, understanding each other, and our relationships. We have not been out there going "hello look at us look at us, this is what we are doing, doing, doing" it has been more about building trust, relationships and understanding each others' perspectives. Then how we come together as a group and we have to leave that baggage or who we are at the door. When we come together this is how we work. That has been the biggest challenge in finding ways in which we move forward collaboratively and then being accepting of the hapū as the leaders of it, and the community, they sit there born from the community (Leane Makey, IKHMG Coordinator (28/02/2014)).

Postcolonial strategies employed to disrupt western hegemony are clear. Third spaces are where 'the polyphony of colonial resistance operates' (Ashcroft 2001:124), and are a site for 'elaborating strategies of selfhood – singular or communal – that initiate new signs of identity, and innovative sites of collaboration, and contestation in the act of defining the idea of society itself' (Bhabha 1994:2). Makey's response shows agency and innovation 'we have created ourselves'; envisioning 'our own vision'; and the effort spent on acknowledging and addressing cultural and institutional differences. Hybridity occurring in the third space is also exemplified, when Makey describes how the group has to transcend their histories and roles, to work together in an agreed way. This 'coming together' disrupts binary thinking and reveals hybrid realities (refer section 2.3.3), allowing the group to establish 'new structures of authority, new political initiatives' (Bhabha quoted in Rutherford 1990:211). Co-Chair

Willie Wright also describes a neutral environment where everyone is treated equally. He works to destabilise hierarchies so that the community, led by Ngāti Whātua, take responsibility for the management of their harbour.

I want to bring the Kaipara Moana back alive again, as it was like back in that map<sup>38</sup> there, sustained good communities. There is nothing wrong with centralising stuff but at least allow those people, not the people that sit on a seat in Wellington, but those people in the community to run it manage it and you [government] fund it. I have seen that happen so many times, 'hang on, no, I am in charge here I am sitting on a seat in Wellington, I am a white boy, you will listen to me boy' that is not going to happen again. So the people we have in the room now – it is just amazing. I have the historical knowledge, I have the passion to keep it together. There is a historical reason, a background reason, not only for Uri o Hau Ngāti Whātua but also for the community. People like the [local government officials involved in the IKHMG], they have got the smarts and they can understand, and I try to say 'look come and make this an example, keep the jargon to yourself'...everybody feels comfortable. What I try to do is that everyone is important and it does not matter what position you hold. Everybody has an opinion. You never know, you might learn something from that person - you do not know who they are; you do not know what their history is.

Putting aside prejudices and imagining an alternative, collaborative working relationship is crucial to address shared NRM concerns for the Kaipara. Tracy Davis, Ngāti Whātua o Kaipara Treaty negotiator, was a co-Chair for the IKHMG in its early days. His recollection of management at that time provides insight into why hybridised processes are critical to overcoming institutional inertia:

They [councils] were all working in their silos but there was a lot of duplication going on and they did not realise that there were other groups doing the same things. So by us sitting around that table in that forum people were able to say "hey we are doing this sedimentation work in this area" and others could say "oh yeah we are doing it in that area too". There is a lot of wasted resources...I guess when I first got in there the analogy that I liked to use was that everybody was in their own waka and they were all going their own different ways, and they were banging into each other a lot of the time...iwi as well...So what we were trying to get them into was yeah they could all be in their own waka but preferably all going in the same direction. We tried to get them into that whole thing saying "well with your planning documents and everything like that it is all purposes to restore the harbour". There was really good commonality around that, and we could work out what needed to be put into the planning documents to achieve that so that work started to happen...We did a workshop one day and we tried to get them all in the same waka...It was all around that line that delineated the northern Kaipara and the southern Kaipara. What we did in the south did not reflect what happened in the north and they are the same so we said it is really important that we have the same plans going right across in the same direction (Tracy Davis, Ngāti Whātua o Kaipara Trustee and Treaty negotiator, 20/02/2014).

MSPs offer the possibility for alternative capacities, knowledge and different approaches, which Warner (2006:20) argues 'can bring space and fresh air to an overloaded governance system' (refer 3.3), achieving a more holistic and dynamic decision-making process than through state-led action alone. Mobilising multiple stakeholders can be a significant catalyst for social change towards increased control over management of

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<sup>38</sup> Wright is referring to a historical map of the Kaipara drawn in 1858, part of Pandora's survey, which was a ship that came in from England. He found this map (one of only two in existence) in archives when he was claims manager for Te Uri o Hau and was able to take two photocopies of it.

common-pool resources for minorities. Davis' analogy of the different waka resembles 'The Spirit of Haida Gwaii' (refer 3.2.5), in which multiple passengers of a canoe, vying for position and facing various directions, manage to paddle in unison and appear to be heading in the same direction (Tully 2004:28). The IKHMG provides a forum in which multiple stakeholders work together in a shared process, and find mutual vocabulary through the shared vision and strategy, in order to progress in a single direction. However, I employ another metaphor which reflects the earlier part of Davis' quote, the Two Row Wampum. This envisions two canoes side by side, representing two sovereignties, heading in the same direction but neither trying to control the other. I refer to this second metaphor to emphasise the importance of the IKHMG approach which, although is a MSP, acknowledges and utilises two cultures, worldviews and knowledges equally. Read together, I suggest that the two canoes symbolise the two cultures, and while the participants are willing to get into the same waka and integrate where necessary for example sharing a vision, objectives and desired outcomes, they also maintain separate hulls to preserve and advance the knowledges, institutions and practices of each culture – He waka hourua, he waka eke noa; a waka with two hulls bound by a common kaupapa.

Putting aside historic grievances and cultural differences was acknowledged as the group's biggest challenge. It is refreshing and inspiring to learn that rangatira, government agencies and communities remain determined to grapple with this challenge, accepting the hapū as leaders born from the community, and finding ways in which they can move forward collaboratively. Ngāti Whātua agency and commitment to cultural survival and empowerment is shown through re-envisioning NRMG, proving the power of Indigenous peoples to change their course and set new directions, despite historical marginalisation and oppression. By occupying this interstitial space the IKHMG reveals progressive potential where rights, values and knowledge of Māori are recognised and empowered in environmental management.

### **6.2.3 Transculturation and hybrid opportunities**

Alliance-building is another strategy used by iwi, hapū and whānau to work towards Indigenous wellbeing and empowerment within a multi-agency, multi-cultural envisioning project. Building cross-cultural relationships based on mutual respect, trust and reciprocity is integral in the context of non-statutory arrangements (refer 3.3.4). The commitment of the state and all stakeholders with interests in the Kaipara Moana catchment is critical for supporting mana whenua aspirations to restore the mauri of the harbour. In this section I build on the notion of the IKHMG as a 'third space', to focus more on the contact zone itself and how parties negotiate this uncertain space to enhance cross-cultural relations and empower Māori involvement in NRM.

Ngāti Whātua representatives argue that collaboration is long overdue, whether it is fishing, industry or resource consents. Since the 1990's, both Ngāti Whātua and Kaipara communities have recognised that neither has the resources on their own, but that their thinking is on the same track. A series of Ngāti Whātua hui held at the seven major marae gave representatives the mandate to 'go for it!' and work together (Willie Wright, co-chair of the IKHMG, 20/02/2014). The IKHMG provides an effective forum to collaboratively address the complex cultural, socio-political and environmental issues in the Kaipara Moana and catchment, and for mediation of cross-cultural relations to occur, as acknowledged by interviewees:

It has pulled everyone together that has got jurisdictional or just an interest, Mana Whenua, Forest and Bird, sometimes the local farmers show up. Some time back you would not have expected to see those people there. So I think it is becoming a forum that people are starting to know about, and is for everybody who has got an interest, or cares about the Kaipara, so it is great like that. It is also making everyone think about the Kaipara as a whole...Where else would you go before to say those things or talk about those things?...Everyone is grappling with it, so you are sharing where you are at and what you are trying to do, so that is another strength, because we all want to try and pull together...Definitely [a mechanism for mediating cross-cultural relations], I do not think that it is always easy, at times it has been a bit difficult and people have questioned the merits, whether it is worth the time and money, staff resources, etc. It is hard to get it (collaboration) to work and get everyone on board but I think a group like the IKHMG provides the forum to try and make that happen. As I was saying, there are now farmers turning up raising issues, or other people turning up at meetings – I think that is showing different cultures, different users, starting to use it as a forum to try and talk about things (Alison Stilwell, Auckland Council: Principle Planner, 10/02/2014).

While participants with different historic (and contemporary) backgrounds may be expected to clash in the contact zone, it seems that the IKHMG provides a sufficiently neutral platform on which unexpected relationship building can occur. The Flagship Farm Programme is one example where the IKHMG has catalysed opportunities to disrupt historic relations and bridge cross-cultural (and cross-tribal) relations.

The innovation of Flagship Farms have challenged norms and catalysed new cultural understandings, providing interstices for Indigenes. Section 6.1 documented the challenge made by Ben Smith, a farmer from Hikurangi Swamp, on behalf of his farming community and the local pan-tribal hapū collective, to council representatives at an IKHMG hui. Smith highlighted the impact that poor NRM is having on the culturally significant tuna populations in the (remaining) Hikurangi Swamp. Smith's farm was the first farm to have other non-Ngāti Whātua hapū invited to facilitate a Flagship Farm open day, providing an opportunity for their mana to be recognised and acknowledged by the wider IKHMG and attendees:

...that day with the blessing and the opening and everything like that...I basically broke down in tears...That was the part that blew me away - was [representatives of local hapū] being present. It still does now. You kind of feel honoured to have them. I just feel like tangata whenua - you know, we are guardians of this. I suppose that is the biggest thing, is I have realised if the fifth generation and the sixth generation are to be farming anywhere in New Zealand, I hope it is here, but if they are to be farming we have got to get more connected with the history and gain an understanding...We owe it to past generations to actually get on and figure a way to walk forward on the same path... And some days, quite regularly now when we are at the financial edge, you get down...Emotionally this is a huge support - sharing your story within Māoridom is a huge support and it makes you realise that as a culture they have shared tears for generation upon generation upon generation and when they get a white farmer who stands beside them with understanding a little bit about...I can empathise with the pain... To be acknowledged by somebody like Millan and all the iwi leaders up here is...unbelievable. Why do they talk to the white fella?...We drained the bastard - if you wanted to put someone in prison for life, in America you would be in prison for life for the environmental impact we have had. In Missouri they would shoot you for doing this stuff.

A genuine respect for the local mana whenua is clearly evident. Smith's responses suggest the internalisation of guilt associated with his family's conversion of the swampland. He is also experiencing pain and frustration, creating a sense of empathy:

I can see how aggrieved Māoridom has been with Pākehā politics. After experiencing the other side of it, my empathy for what they have been through since the signing of the Treaty actually makes you realise that we are only just starting to deal with this stuff that they have dealt with for generations (Ben Smith, JV Farms: Owner and Manager, 20/02/2014).

After generations of the local hapū having a very limited role in managing the Hikurangi Swamp, mutually beneficial opportunities are beginning to emerge. Smith discussed his Integrated Farm Plan (refer Appendix L), emphasising the incorporation of hapū into the social, cultural, environmental and economic components. He explained that there was going to be an elver operation which would involve the local hapū, which would provide multiple, mutual benefits. When asked whether Smith thought the bicultural kaupapa employed by the IKHMG was unique his response concluded that it was common sense and all communities should be adopting such an approach.

It is like the Edmonds Cookbook. It is actually what should be in every community's kitchen of 'how to' – here is a recipe that actually does make bread (Ben Smith, JV Farms: Owner and Manager, 20/02/2014).

Folke et al. (2005) argue that organisations and agents that provide a bridging function have the ability to create space for institutional innovations, arguably contributing to long-term social change. The IKHMG quarterly hui is one example of an 'institutional innovation'. Evidence suggests that the way the IKHMG is structured has influenced the way government agencies understand the role of Indigenous in NRM, ultimately providing support for mātauranga Māori and mana whenua management systems:

The other thing the IKHMG have very properly put in place, although I was a bit surprised to see that we were struggling with it at that one meeting they had in our [Ngāti Whātua o Kaipara] office...was the equal validity of mātauranga Māori and western academic science (Margaret Kawharu, Ngāti Whātua o Kaipara Trustee, 13/02/2014).

Other participants have also commented on the two points raised by Kawharu. First, it is asserted that the group validates both knowledge systems equally. Secondly, participants feel that, on occasion, some presenters are challenged by the bicultural kaupapa. Kawharu is referring to the reaction from the wider IKHMG participants when a particular presenter failed to appropriately consider mātauranga Māori when discussing a proposed quantitative River Values Assessment tool.

I was present at this hui, and observed that a heated debate began about the inappropriateness of quantitative tools for measuring Māori values. Mana whenua representatives putting this position were strongly supported by several other Māori and non-Māori council and research institute representatives. One Auckland Council representative asked what NRC would do to bridge the gap now that this limitation had been identified. It was agreed that this hui would be used to start a further conversation with those undertaking monitoring, to encourage them to consider other models. Finally, a Ngāti Whātua o Kaipara kuia challenged the draft resolution



for the minutes, stating that it was not sufficient because it needed to ensure equal weighting for both worldviews to meet the IKHMG kaupapa. This challenge was unanimously supported and another Auckland Council representative suggested that this matter should be elevated to the 'governance' level (the Kaipara Moana Joint Political Committee) (refer 6.3.2). The kuia reminded the attendees that 'you are in our whare, we are of equal standing, nobody is above us' and if they did not want to embrace it then leave! She gave an apology to the presenter who accepted it and said that no offence was taken. The feeling in the room subdued and felt amicable again. In the six public hui that I attended this was the only time that such a debate occurred.

I contend that this event exemplifies the commitment of parties to the bicultural kaupapa of the IKHMG. While the presenter, who had not attended an IKHMG hui before, failed to acknowledge the kaupapa initially, he certainly left the hui with an acute awareness of the importance of mana whenua and mātauranga Māori. This event was an opportunity for mana whenua to confront government policies and behaviours that marginalise Māori knowledge, and to disrupt those norms, illustrating how the IKHMG provides a space for mana whenua to express their perspectives and role as kaitiaki without being criticised. Support for mana whenua and the bicultural kaupapa from government agency representatives who *are* regular participants reveals how postcolonial strategies can transform those people who work within the 'third space', creating new allies and alliances.

#### 6.2.4 Boundary Agents

An important component of mediating cross-cultural relations is boundary agents who can act as cultural mediators (refer 3.4.3). Boundary agents or knowledge brokers can be integral to developing relationships, trust-building, communicating information needs and bridging the gaps between various stakeholders (McNie, van Noordwijk et al. 2008). The role can be an informal position that an individual takes on spontaneously in order to assist with facilitating ICM, or a more formal position

In the example of the strategic cross-cultural alliance formed between Ben Smith and the local hapū, a fortuitous meeting between a hapū member and the farmer was the catalyst for Smith to attend the IKHMG meetings and to become involved as a Flagship Farmer:

I remember the first day that Millan and I met and he gave me a hongī. For me that was instrumental because I had only ever done that as a Board of Trustees member, in a formal situation...Millan calls me the guardian of the swamp (Ben Smith, JV Farms: Owner and Manager, 20/02/2014).

Since this meeting the relationship between the farmer and the local hapū has strengthened. Smith's involvement in the IKHMG has also led to significant funding opportunities (refer following sub-section) and his work as a boundary agent has influenced the wider farming community who are eager to learn about his experiences with integrated management. Kawharu reflected:

Yeah it was really great to find these other people like Ben. If you can get that then you are on a winner because they are the persuaders of their own kind, their own community (Margaret Kawharu, Ngāti Whātua o Kaipara Trustee, 13/02/2014).

Similarly, in the example where the NRC officer was challenged at a quarterly hui, a Māori researcher from a Crown Research Institute played an integral mediation role as a boundary agent, acknowledged by several interviewees. The researcher addressed the presenter and the mana whenua representatives. He broke down the technical language used by the presenter, and explained the quantitative tool in a way that the Māori attendees understood, while also explaining to the presenter that other cultural frameworks exist. He provided detail on several cultural monitoring models, and gave a whakataukī (proverb) to highlight one qualitative measure of the importance of the Kaipara Moana to Ngāti Whātua, emphasising the importance of whakataukī, and waiata (songs/story-telling) as qualitative measures to complement quantitative models:

I did not want to shoot him down completely. Some of it is still useful. But when they present it, it has got to be in a way that says here is...a useful tool that can help alongside all the awesome stuff that you are currently doing. But because they are an expert and official they tend to go in with the approach of here is my way of doing things. But I know the people that are pioneering that tool (RIVAs) and the thinking that goes on behind it and it is very much a quantitative-based exercise...But they need to understand that people are much more complex than that. Not everyone is rational and makes decisions that are based on what outcome is best for me as a person (Shaun Awatere, Landcare Research: Researcher, 16/01/2014).

A Ngāti Whātua interviewee reinforced the importance of people with cultural understanding working across boundaries:

He [Shaun Awatere] is really important because he is a Māori scientist and he can speak both languages really. Scientists have their own language as well...and they have been really supportive [Manaaki Whenua Crown Research Institute], he has been really supportive with that whole process and the kaupapa (Tracy Davis, Ngāti Whātua o Kaipara Trustee and Treaty negotiator, 20/02/2014).

These examples show how influential particular participants can be for facilitating processes of hybridity. The next sub-section emphasises the significance of the IKHMG overall as a 'boundary organisation', working across cultures and structures to raise environmental and cultural awareness and to attract support, commitment and funding to help realise mana whenua aspirations for the Kaipara Moana.

## 6.2.5 Catalysing capacity and funding opportunities

Capacity and funding are recognised as key challenges to fulfilling mana whenua rights and responsibilities as kaitiaki and rangatira in the Kaipara (refer 5.1.5). National research directives that claim to address Treaty obligations to Māori<sup>39</sup>, and growing interest in mātauranga Māori, promise opportunities to empower mana whenua through providing research capacity, and funding. Often opportunities are fragile because research priorities change and funding can be halted (refer 5.3). However, mana whenua and other communities in the Kaipara are increasingly benefitting from research opportunities and outcomes since the inception of the IKHMG.

It is useful to note that support and seed funding from a CRI enabled the initiation of the IKHMG:

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<sup>39</sup> For example refer the Waitangi Tribunal's recommendations in Wai262.

After the establishment of Ngā Kaitiaki o Te Tai Ao and the settlement for Te Uri o Hau which occurred in 2002, it was about that time which really cemented in the place of government policy their role as Treaty of Waitangi partners for that area... One of the earliest catchment management programmes for New Zealand, the ICM project for Motueka, was coming to the end of its funding life and it was quite timely that [the Te Uri o Hau Chair] put out the call to his contacts within Landcare Research to say we want to have something similar for the Kaipara Moana. He came and met briefly with us here and we went up to Whangārei and talked further about how to spread the kaupapa of ICM into the Kaipara (Shaun Awatere, researcher Manaaki Whenua Landcare Research, 16/01/2014).

The iwi and the CRI subsequently secured funding for the Kaipara kaupapa, enabling the two initial IKHMG establishment hui to take place (Shaun Awatere, researcher Manaaki Whenua Landcare Research, 16/01/2014). This event highlights is the agency of Te Uri o Hau, whose Chair sought out the initial funding and research opportunity, and from this action a well-established and nationally recognised ICM approach has evolved.

Awatere (16/01/2014) discussed continued support and commitment for the Kaipara kaupapa, including future research possibilities related to mātauranga Māori and tikanga. Possible research would consider collaborative processes, and could potentially provide useful insight into successful co-management:

We are looking at...identifying what do collaborative process look like in terms of iwi and hapū – about the freshwater management. It just might be that it is the IKHMG and the process for collaborative management of the Kaipara. Hopefully we will get into issues that go beyond that and talk about the governance, talk about statutory rights...What we are probably more interested in is what are the key processes and statutory requirements, from an iwi perspective, so they might talk about well we have got to have mandated processes, got to recognise that we are in partnership.

Research opportunities that draw attention, and increase awareness, of Māori rights and interests can assist Indigenous peoples in their resistance against colonial hegemony. Research partnerships have been useful for the IKHMG and Ngāti Whātua in multiple ways. One of the most valuable outcomes is the significant amount of research and data collection. A baseline has been established where previously data was scarce, increasing awareness of the issues affecting the harbour and attracting subsequent attention to how it is (mis)managed. An initial step for the IKHMG was the substantial information review and gap analysis to outline gaps within three knowledge-bases (Mātauranga Māori, biogeophysical, and socio-economic). The subsequent report and development of The Kaipara Atlas – an integrated online database<sup>40</sup> assists with achieving the IKHMG's vision, guiding principles and long-term objectives. For example, prior to the gap analysis, 'monitoring was all regionally focused, it was not whole harbour holistically focused'. Monitoring has since tripled in the harbour and been established in multiple rivers draining into the harbour (Leane Makey, IKHMG Coordinator, 28/02/2014).

Attracting researchers and funders was not difficult:

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<sup>40</sup> The Kaipara Atlas includes over 1000 references including published, books, unpublished reports, peer reviewed papers and journal articles, electronic media (e.g. DVD, CDROM), legal proceedings, and maps; and a Geographic Information System (GIS) database (using ESRI ArcInfo) to store and organise all spatial information acquired. Associated with this, a Microsoft Excel database was developed to store and organise the associated metadata ("data about data", such as who owns it, how it was collected, attributes). Maps showing the locations of marae and middens provided in Chapter Four (refer 4.2 and 4.3) are an example of the information provided in the Atlas.

we had them at the table and so it was just a matter of having discussions to fill the gaps that were missing. That really put IKHMG in a really good position to lobby and ask for required research, to add value (Leane Makey, IKHMG Coordinator (28/02/2014)).

Evidence-based knowledge is politically persuasive, and the gap analysis, which included collaborative research by IKHMG members, has resulted in further funding and effort. Working from an agreed baseline, the IKHMG kaitautoko can channel their research and monitoring towards achieving kaitiakitanga and long-term outcomes. These outcomes, which are important objectives for progressing wider Ngāti Whātua aspirations for tribal wellbeing and empowerment, include: to protect and restore the Mauri of Kaipara; promote socio-economic opportunities; and integrated co-management of Kaipara ecosystems, catchment and harbour.

Multiple research partnerships have engaged formally with Te Uri o Hau and Ngāti Whātua o Kaipara through the IKHMG, including other projects between NIWA and the Ngāpuhi hapū collective Ngā Kaitiaki o Ngā Wai Māori focusing on tuna populations in the upper catchment. Some opportunities though, have been more informal and organic.

As a council we do not use the estuary monitoring kit for any of our sampling...[but] I was really interested to work out how it would work for community groups that were involved in different estuary projects, for people who are concerned about the health of their estuaries. Then I got talking to [NIWA] and they said that Te Uri o Hau had already been involved with it. So Mikaera was keen to roll it out as part of his programme working with schools, so my involvement has really been that, helping Mikaera and not really from the council end adopting it (Bruce Griffin, Northland Regional Council: Land Management Advisor, 21/01/2014).

This example indicates how the IKHMG can provide opportunities outside of the status quo. In this case the iwi is leading the work with the community and the council representative is leveraging off his connection through the IKHMG to find a way to be involved and enhance opportunities for communities. Within this partnership, actors are not necessarily bound by institutional roles and practices.

Another informal outcome resulted from a kaitiaki training day run by Griffin with Mikaera:

I was talking to the two representatives of the Waikaretu marae, which is right down at the Pouto Peninsula and they were asking about the water quality in the dune lakes there. I mentioned that we monitor them each month and they were interested in what we are doing so I suggested that [the council monitors] would probably be more than happy, if you guys want to accompany them on monitoring runs...and I mentioned the harbour and the guys from Otamatea marae said that would be great because they see the council boat out there sometimes and wonder what they are doing. So, I brought it back here [to council] and talked to the monitoring department and they said yeah they would be happy to (Bruce Griffin, Northland Regional Council: Land Management Advisor, 21/01/2014).

Griffin views these relationships as mutually beneficial:

I think to me the other great thing is that the council monitoring guys, they might not realise it, but they will get different ideas and perspective. They are showing the kaitiaki what they do but at the same time they are likely to hear well what is happening up that creek, the water comes out of there always stinks, or something else that the monitoring guys might be completely unaware of. Just getting that local on-the-ground perspective (Bruce Griffin, Northland Regional Council: Land Management Advisor, 21/01/2014).

In 5.3.4 Mikaera Miru described the significance of kaitiaki training for hapū empowerment, because those kaitiaki will be the ones with mana exercising rangatiratanga in the future. The Acting Chief Executive of Te Uri o Hau supported this statement, noting that the various opportunities related to research and knowledge-production are enabling a 'knowledge-based rangatiratanga':

Rangatiratanga leadership around being really good advocates for the moana, for the whenua around that moana, and being active about it as well. Because if they [local kaitiaki] are active and influential kaitiaki then they are going to have that ability to be self-righteous, to make some really good decisions around their marae, because they are going to have that capacity...and it is happening within a two-world sphere. Which is really important too. Some of our own can be put off by western science and some of our own thrive on western science. We want the opportunity for our tamariki, our community members to actually understand a mātauranga Māori approach and when you get to that stage then you will have complete rangatiratanga. And that is a knowledge-based rangatiratanga (Deborah Harding, Acting CEO Environs Holdings, 18/12/2013).

The past 'decade of research, partnership-building, awareness-raising and practical effective solution-finding' (IKHMG 2014) has proven both valuable and influential. These findings affirm theoretical arguments that co-production can result in multiple benefits including relationship building, increased social capital, and developing collaborative research partnerships and knowledge banks (see Chapter Three). These outcomes have enabled the IKHMG to become 'the central force in initiatives to clean up the Kaipara Moana and improve its productivity' (IKHMG 2014) and to attract multi-million dollar investors, because 'everybody wants to get on board. People do realise that this is the only way that you are going to manage the Kaipara Moana' (Willie Wright, Chair of IKHMG, 20/02/2014). Wright reflects on the high profile of the IKHMG, noting that:

It strikes me that [the IKHMG] has gained a lot of profile, often outside of the area. So we have had a couple of things, one was when Fonterra and DoC announced their Living Waters programme and they selected the different catchments around the country, they made the comment that one of the reasons that they selected the Hikurangi Swamp and the Kaipara Moana was that IKHMG was already active and had already brought community partners together. At the last sub-committee meeting a few months ago there was a woman there from the Sustainable Business Network...They act as a coordinating agency between companies that are wanting to fund environmental work and projects that are underway, and again she approached IKHMG just because she knew of them, she had heard of them, and thought the fact that there is already an organisation there that would help with that side of things...(Bruce Griffin, Northland Regional Council: Land Management Advisor, 21/01/2014).

Again, the role of individuals was emphasised as a key factor to increase awareness and interest in restoring the Kaipara Moana. Ben Smith leveraged off his connections with Fonterra to secure the partnership fund, and Tim

Brandenburg, who in the past represented DoC on the IKHMG, is now the Fonterra Project Manager for the Fonterra/DoC partnership project delivery in Kaipara:

I feel that along with the other farmers that have got direct ownership of the properties...we basically have got a pretty integral key relationship in order to develop some of those relationships between organisations like Fonterra, like Dairy NZ, like Federated Farmers – they would be organisations that would not comfortably walk onto a marae and be readily accepted. I have been invited to be an advisory member for Northland Federated Farmers and I know the reason for that is because of the IKHMG. Because all of a sudden they are sitting in an education process as a Dairy NZ employee and all of a sudden "oh whoa, Ben actually knows that elder" or "he feels free to talk about what Auckland Council are doing, or NRC, how does he know all of that information?" That is a key role to understand (Ben Smith, JV Farms: Owner and Manager, 20/02/2014).

Smith has also been featured on Māori Television and the high-rating Country Calendar on prime time television. Other participants have raised awareness through appearing on television and radio shows (refer 4.3.4). These findings reinforce the importance of the intricate web of networks and relationships in catalysing opportunities for co-production.

In conclusion, I suggest that the IKHMG is comprised of multiple boundary agents that provide various bridging roles, which are all important to gaining support and commitment to the iwi-led ICM approach. This pattern emerged during research and is important because it assists to address mana whenua rights and interests at multiple management and governance scales.

## 6.3 Reversing the colonial gaze

### 6.3.1 Introduction

The progressive nature of the IKHMG at the management level is undermined by its non-statutory nature and lack of adequate overarching governance. In Chapter Five, I critiqued the underlying issues for mana whenua attempting to exercise rangatiratanga over NRM at the local level in the Kaipara catchment, exposing the prevailing influence of hidden power dynamics and structural blockages at higher levels (Cullen, Tucker et al. 2014). This section will explore the postcolonial strategies employed by Ngāti Whātua to utilise the IKHMG as a mechanism to expose inherent power disparities at higher levels.

In section 5.1 I reported evidence of colonial ambivalence, suggesting that the Crown might use the IKHMG as a façade to appear committed to the Kaipara and to fulfilling Treaty obligations to Ngāti Whātua. In sub-section 6.3.2, the lens is reversed, revealing that mana whenua themselves use the IKHMG as a mechanism to both progress their own agendas and to expose hidden agendas and power inequities entrenched in state-led management and governance. This exposure has forced the Crown to respond through the creation of a governance group. In sub-section 6.3.3 I analyse the governance group that has been created by the Crown to support the IKHMG, suggesting that this quasi-governance committee fails to empower mana whenua in decision-making or to guarantee sufficient support and commitment to the restoration of the Kaipara Moana. Furthermore, I show how the Crown clearly identified the need for a statutory plan for the harbour over a decade

ago, and that the Crown has made promises and acknowledgements of future co-governance with Ngāti Whātua; yet little real progress has occurred.

In 6.3.4, however, I argue that the Crown can no longer deflect attention away from the underlying issue of asymmetric power dynamics at the governance level. The Kaipara Moana Treaty negotiation is forcing the Crown to confront its lofty words and promises regarding a co-governance arrangement for the Kaipara Moana. Ngāti Whātua are leveraging off the success of the IKHMG to show that bicultural partnership approaches are effective and meaningful. Through the IKHMG, Ngāti Whātua has proven leadership capabilities, gained the support and confidence of the Kaipara communities, and established meaningful relationships with them, local government agencies and local boards, therefore making it difficult for the Crown to maneuver its way out of an appropriate outcome. The agency of the colonised and the fragility of the Crown is revealed as the colonial 'gaze' is reversed, providing optimism for a progressive and empowering outcome for Ngāti Whātua as the management and governance of the Kaipara continues to evolve.

### 6.3.2 Destabilising colonial agendas

This sub-section contrasts the discussion of non-statutory MSPs in 5.1, as mechanisms which can serve to protect hidden agendas of powerful participants while subordinating those of minorities, with the finding that Ngāti Whātua are using MSPs to expose and critique those agendas. The IKHMG shows how a MSP can advance the interests and agendas of the 'have-nots', while gaining support from other stakeholders to empower Indigenous rights and interests, showing progressive opportunities for rangatiratanga. Through resisting marginalisation, and asserting mātauranga Māori within the IKHMG space, Ngāti Whātua are influencing the colonial government and other stakeholders with their culture and knowledge system. Through this lense, this ICM approach accords with the literature presented in Chapter Three, which proposed the potential construction of a 'positive site for the exercise of Indigenous self-determination' (Lane & Hibbard, 2005; Zaferatos, 2004). Over time, the iwi is gaining support and momentum for iwi involvement in NRM and exercise of rangatiratanga, whether performed explicitly or not:

Rangatiratanga is an inherent part of it; it is an essence of this whole organisation because it embraces all of those Māori values cultural values...When we talk about application of rāhui, rolling those out is embracing rangatiratanga. Leading the IKHMG, that is an expression of rangatiratanga, having chairmanship or co-chairmanship of the Kaipara Moana political group that is another expression of rangatiratanga. The whole programme IKHMG kaupapa embraces rangatiratanga...I guess when people talk about tino rangatiratanga they expect to see some chiefs sitting over there, or somebody over there with a chief you know with all these natives running behind him "what are they doing ooh they are attending a meeting and ooh they are doing some fishing..." but this is the incredible thing about Māori people is that we do not have to be putting these great big things up there to say this is our tino rangatiratanga, we are actually out there doing it. And our active engagement in these programmes is us upholding our tino rangatiratanga...what is happening is, our mana is growing and growing and growing. It's like a pendulum. When Ranginui Walker coined the phrase 'European Expansionism has been predicated on nation destroying' – so true. Europeans came here and they just created that pendulum of power and they just wrest it right up here and it has been way up here with Europeans totally in control.

What is actually happening is that the pendulum is swung back down again because pendulums...sooner or later it is going to swing (Mikaera Miru, Kaiārahi Environs, 20/01/2014).

As Miru notes, acts of colonial resistance and decolonisation are not necessarily overt or confrontational. Assertions of Indigenous agency are being made in multiple ways, in everyday work. Through transculturation in the contact zone, government officials and other stakeholders are being exposed to the forms of rangatiratanga that can be expressed within the limits of the ICM 'third space' These acts provide a potential model for other iwi and hapū in similar circumstances to follow:

I guess I was really interested in the integrated approach and the IKHMG because it is led by Ngāti Whātua, which is pretty special...I do not think I have seen another group operating in this manner. You have got agencies, stakeholders, hapū/iwi representatives, and even the switch over to the Auckland Council and how much they took on board the importance...I think too that other iwi could be looking at something similar as to what the IKHMG has achieved. And I think that this could be used as a real prime leadership kaupapa for others to follow.... Because when you have got a number of inter-agencies that are working towards the better management way of kaitiakitanga and working with hapū and working with iwi, I think that is really great...You now have not only the IKHMG but you also have the Kaipara Harbour Joint Political Committee...[and] the management group can actually bounce off the particular leadership that is in that forum (Richard Nahi, Kaipara Connexions Charitable Trust: Trustee and Kaikorero, 21/01/2014).

Nahi's response highlights the potential for ICM to integrate dual knowledge systems and cultures, but also alludes to the importance of leadership at the governance level. Power dynamics are multi-dimensional, and successful change in power inequities requires understanding about each of the levels of power as well as the interconnections (Gaventa 2006). Chapter Five revealed the challenges of institutional inertia and the persistence of colonial governments to block participation of Indigenous peoples in NRM at multiple scales, but particularly governance and decision-making levels (refer 5.1.5). The translation of Indigenous rights, values and interests into council planning documents and policy by officials participating in the IKHMG at a local level results in substantial dilution of those rights, values and interests, often due to decision-makers higher in the hierarchy (refer 5.3.5). Awatere reflected on the difficulty of maintaining commitment to bicultural management from a governance level to an operational level, and into planning documents:

The Terms of Reference for IKHMG sets an alternative, which really challenges people to think in multiple ways. The next step is, how do you operationalise those high level values of kaitiakitanga, ecosystem-based management, manaakitanga...? The council representatives go back to their own councils and get absorbed back into the council stuff, maybe some of that gets lost...Otherwise it is like [a council representative] comes into the meeting and says her bit lalalala and then goes back and does whatever and does not really listen to what others are saying...I think...that is probably what has slowed down the IKHMG quite a lot, some of the officials from local government have not [had] the authority and mandate that they [need] for making decisions. I know that Willie [the co-Chair] was really frustrated at one meeting 'is there anyone here from the council that can make a decision?' (Shaun Awatere, Landcare Research: Researcher, 16/01/2014).



However, while local level representatives of colonial governments may not be able to solve problems of power inequities and representation at higher levels (refer 5.1.6), MSPs can increase the visibility of such power dynamics and the need to address imbalances and institutional blockages (Tucker, Le Borgne et al. 2013, Cullen, Tucker et al. 2014).

Establishing appropriately designed interconnected MSPs at multiple levels with connected strategies is a possible way to address power blockages (Cullen, Tucker et al. 2014). Ngāti Whātua appears aware of this strategy, and I argue that the IKHMG has acted as a mechanism to expose this issue. For example, in 5.1.6 I discussed the intention and proposal of Te Uri o Hau and the IKHMG to act as the core implementers of the National Policy Statement for Freshwater Management (2014) within the Kaipara Moana catchment. This multi-scalar arrangement could address both management at the local level and governance at the higher level, helping to 'unblock' decisionmaking through a collective voice to influence policies and processes that regulate NRM in Kaipara. Local government decision-makers with other priorities stopped the proposal, ironically illustrating the need for an appropriate governance body to reflect the integrated nature of the IKHMG.

In this context, the following sub-section considers the potential of the Kaipara Moana Joint Political Committee (KHJPC) to act as a governance level MSP, focussing on the ability of the current KHJPC to address issues of power and rangatiratanga.

### **6.3.3 Exposing weak governance and colonial ambivalence**

In section 5.1.6 I argued that the IKHMG's ability to operationalise innovative management approaches based on a bicultural kaupapa is restricted because of colonial structures and institutions. Without decision-making power or governance support, the IKHMG plays an advisory role, limited in practice to making recommendations and facilitating relationships.

There have been positive shifts in power relations between the IKHMG kaitautoko but greater issues of structural power relations (between State and Indigenes) have not been addressed despite the structure of the group and its cooperative nature. I argue that ambiguity of the ICM arrangement stems from the uncertainty of the Crown's Treaty obligations, and the Treaty obligations of local government. At the time, no governance support or regulatory 'teeth' were provided for the IKHMG raising suspicions that this might be another example of the Crown's 'politics of distraction' (Hingangaroa Smith 2000). I argue that the KHJPC can be seen as a 'missed opportunity' to address structural power relations at the governance level.

Local government agencies with responsibilities in the Kaipara catchment have been aware of the need for clear management and governance of the Kaipara Moana for nearly ten years (at least). A review of coastal policies for the Kaipara Moana conducted by the Auckland Regional Council in 2007 (Kirschberg 2007) made medium-term and long-term recommendations for future management. The proposed medium-term option was a non-statutory joint harbour plan, and the proposed long-term option was a statutory joint harbour plan. Legislative provisions for councils with jurisdiction over the harbour to align and develop a single integrated plan are outlined in the report (Kirschberg 2007:54). Potentially, Ngāti Whātua could be incorporated into this arrangement through delegated of power to the iwi authority, or a transfer of powers to a statutory committee.

Indeed, Te Uri o Hau and Ngāti Whātua o Kaipara contend that their rangatiratanga cannot be exercised to its fullest extent until they have legislated or delegated authority. Their ability to fulfil kaitiaki responsibilities is constrained by legislation, interpretation and limited Crown capacity to understand that role and responsibility (refer Chapter Five). Legislated, delegated authority is required to be proactive and effective kaitiaki and Treaty partners with the Crown. The Kaipara hapū are committed to working in partnership with the Crown and communities to restore the mauri of the Kaipara Moana while at the same time seeking to empower themselves to undertake hapū-based NRM.

The government acknowledges this position, and has promised to work with Ngāti Whātua to create new governance arrangements. In a speech given by the Minister for Treaty of Waitangi Negotiations Hon Chris Finlayson at the third reading of the Ngāti Whātua o Kaipara Claims Settlement Bill (05/06/2013) he committed to address the Kaipara Moana:

I look her [Naida Glavish] in the eye and I say: “I know we have unfinished business. We have the harbour.” She said to me some years ago that we have to deal with issues relating to the Kaipara, and I am very keen to get on to those. I give her and Ngāti Whātua my undertaking...It is important work, not to do a deal but to do a settlement with Ngāti Whātua in relation to the harbour.

Establishing a statutory co-governance authority with delegated and legislated authority would give credence to the Crown’s promises and empower Ngāti Whātua to have real influence in writing the rules and methodologies used to manage and control effects on the Kaipara Moana:

To actually get dual or bicultural management of the Kaipara Moana itself, you would need to actually have a board or a committee with statutory powers around the Harbour itself with representatives from those different local government agencies, and iwi (Shaun Awatere, Landcare Research: Researcher, 16/01/2014).

I argue that the establishment of the KHJPC provided an opportunity to proactively adopt an appropriate governance mechanism. Indeed, during the drawing up of the Terms of Reference Ngāti Whātua proposed a co-governance structure:

We worked fairly solidly with all of Ngāti Whātua representatives and [solicitor] proposed a model of Oneroa-a-Tōhē, adapted it, put it in front of us and we worked it and re-worked it into a Kaipara Moana Board proposal...By the time we got to the Committee we thought we were firing ahead with the solution. They [councils] were overwhelmed at how prepared we were and actually we pushed them too far. They just could not handle it. They came up with all sorts of excuses as far as I was concerned about their mandate, they did not have jurisdiction to accept something like this. They needed more time to think about it. I think actually we caught them, and that they just had not got that far (Margaret Kawharu, Ngāti Whātua o Kaipara Trustee, 13/02/2014).

Kawharu explains that Ngāti Whātua saw the establishment of the KHJPC as an opportunity for councils to proactively engage in the design of an effective governance structure, rather than having a co-governance structure imposed by the Crown through Treaty settlement:

We tried to persuade them [councils] that instead of going to the Crown...we were trying to do them all a favour by trying to figure it out with them first...To work with them about these ideas, and get them to think as laterally as they could and get some agreement over what we could do and could not do. So that by the time we got to the Crown we could say to the Crown - 'Look we have already done the consultation with the councils and they are happy with this so all you have to do is rubber-stamp it'. Otherwise we go to the Crown, we have all of our issues, and then they start going back to the councils. So we thought we would short-circuit it. But actually in the end when they put up such a fuss, we said 'Well blow you! If you do not want to do it and you cannot do it because you are not mandated, your obligations are to your council and so on and you cannot overstep that, well we will go sort it out with the Crown and we will let the Crown tell you'. But that is exactly what they were complaining about! They were saying 'Well, we do not want a "fait accompli"' - which is what happened with the Tamaki Collective settlement (Margaret Kawharu, Ngāti Whātua o Kaipara Trustee, 13/02/2014).

My interview with an Auckland Council Rodney Ward Councillor confirms Kawharu's assertion that local government was not prepared to consider delegating or transferring power. Despite the Chief Crown Negotiator attending a KHJPC meeting and explaining that 'the intention is to recommend to Cabinet that a co-governance arrangement be established' and that 'the Minister for Treaty Settlements, Chris Finlayson, want[ed] to sign the framework agreement with Ngāti Whātua before the election' (KHJPC Minutes 16/07/2014), the government agencies were not prepared to consider the proposal put forward by Ngāti Whātua:

I know at one stage a Terms of Reference slip was drawn up that did actually basically say we handed the governance over, and that was not going to happen so we have to be careful that everybody's interests are worked through. This is not a Treaty settlement, this is not a regulatory body – this is a group of people who have got together because they know something has got to happen. What it morphs into in the future I do not know but what I am dealing with is the now (Penny Webster, Councillor for the Rodney Ward, 27/02/2014).

It is evident that state representatives themselves are aware that the quasi-governance KHJPC is inadequate. The KHJPC is an interim measure 'until a formal governance structure is determined' (Kaipara Harbour Joint Political Committee No Date). The uncertainty and ambivalence of the state in lieu of the pending Treaty settlement is clear. Government agencies know 'something has got to happen' in response to the governance gap, but are adamant that a co-governance structure is 'not going to happen' outside of a Treaty settlement. Despite the recommendation of the ARC in 2007, and the Ngāti Whātua proposal, the governance group established was given no real mandate and no formal role for Ngāti Whātua has been established. As a consequence, the KHJPC is a collaborative but non-statutory non-decision-making group, reflecting the contradictions of its function and the uncertainty over what it is trying to achieve:

In the early days of Auckland Council, the mayor was invited to go to a meeting up there and he agreed it would be a good idea to do something on a formal basis...It has been formalised with a Terms of Reference...You would not call it a joint working party, it is a governance group. And when I say governance it is not that we 'govern', it is that we are from local councils. So, what we are trying to do is get information and align as much as possible our consents - what you can and cannot do, that sort of

thing...It is not a decision-making body... I think basically what we are trying to do is get a handle on what is going on, what is happening around the Kaipara, how rules and regulations and councils impact on the Kaipara (Penny Webster, Councillor for the Rodney Ward, 27/02/2014).

The Crown appears to value inclusivity and provide opportunities for iwi involvement but at the same time keeps iwi and hapū power contained. The KHJPC does not sufficiently address the issues associated with a non-statutory MSP including capacity and funding, governance, or the rights and interests of Ngāti Whātua and the wider community, in regards to restoring the Kaipara Moana (refer 5.1 for further detail). This regressive governance arrangement undermines the principles of the IKHMG, namely the Treaty partnership, the bicultural kaupapa, validation of both knowledge systems, and iwi leadership.

...Working alongside everybody in the community and rallying them to the cause and getting agreement and working together for the common cause. I think that is showing rangatiratanga, I think that is showing leadership, based on good values of kaitiakitanga and making that accessible and understandable. I think that is an exercise of rangatiratanga at its best. I do not think the Kaipara Moana Joint Political Committee anywhere near gives us that opportunity. We are completely hamstrung by not being equal. They are all council people, they are operating by council ways of behaving and we are not in the picture. We come along as an invited guest to the meeting. We have no standing in their regime and then they want us to help?! So that puts a lot of our people off 'oh you want us – we are sitting here hour after hour, giving our values, giving our ideas, giving giving giving, and what do we get for it? No power, no validity – just thank you very much'. Useless! That will not carry on too long, that is tantamount to a slap in the face. 'Oh thank you Mana Whenua, *thank* you for your contribution, see ya later'. That is not what we want (Margaret Kawharu, Ngāti Whātua o Kaipara Trustee, 13/02/2014).

Despite this depressing persistence of colonial domination, the KHJPC does reflect some of the gains made by Ngāti Whātua through the IKHMG. For example, Councillor Webster acknowledged the bicultural kaupapa, and other participants reflect that tikanga is the norm at KHJPC meetings. Richard Nahi and other participants suggest that, despite its shortcomings, the KHJPC has provided good leadership.

The move to establish the KHJPC was a step initiated by the Rodney Local Board Chair who is also of Ngāti Whātua descent.

In the meantime [while waiting for the Crown to progress the Kaipara Moana Treaty negotiation] Brenda Steele [also of Ngāti Whātua descent] came along and said that she got on the Local Rodney Board, and she rang me and said 'we are having a discussion about the harbour we are going to Kaiwaka, come and have a listen'. So I did...she persuaded the Rodney Local Board to meet with the Northern Regional Council, and I think Whangārei District might have appeared and Kaipara District Council. So they had this preliminary meeting between the councils in February of either 2011 or 2012...and Len Brown came along, a bit late but, and then Graeme Ramsey managed to sort of Chair it. We kept fairly quiet because we were conscious that the councils wanted to test whether they could collaborate because they have got different jurisdictions. They thought they could but then they kept turning to us and saying 'well then where does that leave iwi?' because some [councils] have Memoranda of Understandings with different iwi. We were sort of tasked to go back, that is probably where it got a lot of momentum, to go back and see what

iwi had to say about it...and I think the upshot from memory, would have been that we do have a Forum where Ngāti Whātua comes together and we could bring representatives from each of the relevant parties to the table and we would like to do that to meet the relevant parties of the councils. So like you have different councils and jurisdictions and so do we. And we have been formed like that through the Treaty claims process. But together we form Ngāti Whātua and we have the mana whenua and that seems an appropriate representation from our side to meet you all over there. And I think that is how we got started and out of that got formed this Kaipara Moana Joint Political Committee (Margaret Kawharu, Ngāti Whātua o Kaipara Trustee, 13/02/2014).

Like the Coast Salish Aboriginal Council (refer 3.1.4), this response illustrates Ngāti Whātua agency, and the importance of the intricate web of relations. The Chair of Rodney Local Board has the ability to 'straddle both worlds' (Webber 2008), and is strongly incentivised to bring this MSP together at the governance level. Due to Steele's connections with Ngāti Whātua representatives, they were invited to the preliminary meeting and subsequently to join the Committee. Also shown in this response is the increasing expectation of iwi involvement in NRMG forums, which provided an opportunity for the Ngāti Whātua Forum to become engaged, raising the profile and power of their existence as an iwi collective. Active engagement in processes of hybridity and simultaneous resistance to the committee's authenticity as a governance body, given the lack of iwi involvement, reinforces the agency of Ngāti Whātua, taking a subtle but significant step towards self-determination.

However, despite some good intentions, the KHJPC does not provide a suitable governance committee to provide leadership and ensure commitment to, and sustainability of, the IKHMG in its efforts to restore and maintain the Kaipara Moana. While the IKHMG is producing sophisticated and compelling business plans and annual work plans, which the KHJPC can take and socialise with their respective agencies, responses showed that there is no great confidence that the KHJPC will secure the effort and commitment the IKHMG needs. The KHJPC Terms of Reference includes its objectives to "Promote effective integrated management of the Kaipara Moana and its catchments by councils and iwi...until a formal governance structure is determined", to 'Provide oversight and support for the activities of the Integrated Kaipara Harbour Management Group (IKHMG), including advocacy to secure resources for joint initiatives' and to 'Contribute...governance perspectives on various options for the management of the harbour...' (Kaipara Harbour Joint Political Committee No Date). But there is still no commitment or forecast for increased funding or support. Ngāti Whātua and all those involved are 'on hold' while they await the outcome and future direction from the Ngāti Whātua Treaty claims negotiation with the Crown.

In conclusion, the IKHMG has successfully achieved a bicultural kaupapa at an operational level but they need appropriate governance for NRMG for the Kaipara Moana to be truly successful. All research participants suggested that a co-governance arrangement would eventually be established through Treaty settlement. This arrangement would clearly separate management and governance roles and provide more efficient and effective bicultural management of the Kaipara Moana:

Well this [statutory] board will be the governance for the operational stuff underneath which is the IKHMG. What we have done is we have put the cart before the horse. We have done all this research at the operational level but we have got no governance entity over the top of it to umbrella it. So the Treaty settlement structure will sit over the top of the IKHMG to manage it into the future...That is another

expression of tino rangatiratanga to say that yes we are leading right from the top (Mikaera Miru, Kaiārahi Environs, 20/01/2014).

The Chief Crown Negotiator has reported to the KHJPC that a co-governance arrangement is likely, providing hope and expectation to Ngāti Whātua and the Kaipara communities.

### 6.3.4 Evolving constitutional values and progressive potential

Earlier sections have shown how the IKHMG and KHJPC are mechanisms to exercise and progress rangatiratanga. This research supports Fahlander's (2007:22) theory that most hybrid efforts are not revolutionary in and of themselves, but long-term social change is possible as a result of many small tears or shifts in the social fabric. Slow but steady progression over time may be necessary to calm the fears of the colonial settler state of their Indigenous counterpart, whom they have marginalised and subordinated in NRMG for so long:

I think anything to do with change, you have to allay fear, so if you are prepared to work alongside people and communicate well, I think you build relationships. And that is the essence of some of the Māori values, is to work on relationships and things will happen from there. I think that is probably universal to be honest that is where it works (Margaret Kawharu, Ngāti Whātua o Kaipara Trustee, 13/02/2014).

Willie Wright (co-chair of the IKHMG, 20/02/2014) who negotiated the Te Uri o Hau settlement explained that the fear of the colonial settler society is founded on a misunderstanding that Māori are trying to take everything away:

I always wondered whether it was the right thing to do to come back and do this [act as a Treaty negotiator]. It has changed my life; it has certainly changed my philosophy – that is why my phone is unlisted. I used to have pranksters threatening my life, years ago [when doing settlements] because they were afraid. Māori wants this and Māori wants that. Until iwi settled, Uri o Hau I use as an example, and then Pākehā out there in the community go 'oh is that all it is about, that has not affected us at all'. 'I told you it was not going to make a difference, this is between us and the Crown', 'oh we thought you were going to take our land off us'. So there is still a lot of ignorance out there.

Wright suggests that settlement challenge colonial stereotypes and constructs, resulting in a change of national identity and dynamics:

The role of Māori in environmental management is changing due to settlements but so are the constitutional values of New Zealanders; that is what Treaty claims are all about. I have always said that I have been here for a thousand years and I will be here for another thousand, so get used to me because I am not going away and every year my daughters and granddaughters will have kids, so get used to it, let us just move on. Forget about the crap and who is supreme and who is not supreme (Willie Wright, co-chair of the IKHMG, 20/02/2014).

These evolving constitutional values and cultural norms are resulting in greater expectations for Māori to be actively involved in NRM:

It is not asserting tino rangatiratanga; it is actually standing on the platform that we were never taken off. The system took Māori off the platform. And so yes Māori are going to enhance their mana as always and I suppose the word 'assertion' may be a better word for it but I actually see it from, I think communities are looking for it now. I think communities are looking for Māori to step up (Willie Wright, co-chair of the IKHMG, 20/02/2014).

Other Ngāti Whātua members also proposed that Treaty settlements contribute to an increasing role for mana whenua in NRMG and growing support from communities, indicating intentional postcolonial strategies and potential opportunities:

Yeah definitely [the role is changing] and I think the Treaty settlement process is contributing to that. It has given validity to the exercise of authority from mana whenua and is now exercised through post-settlement governance entity, which is enshrined in legislation; we are playing their own game. If we have got legislation and they have got legislation then the power balance is being redressed – I think that might well creep up on people unawares of it all. We, I think Māori, these settling organizations have to be a little bit careful how we exercise that and for Ngāti Whātua, nui tonu – in principle – we have a kaupapa that is not necessarily the same for other iwi, but we have a very strong kaupapa of having invited the Crown and its representatives and the early colonial office into Tamaki and into working alongside us...we have a history of partnership, and if we are true to our tupuna we ought to continue to live by that...if you were to be true to the words of the tupuna and their intention, if we have agreed to a settlement then I would have thought that we could return to that original intention and live by it....And I think that is an appropriate way to go (Margaret Kawharu, Ngāti Whātua o Kaipara Trustee, 13/02/2014).

Kawharu asserts that fear of iwi participation in NRMG is unnecessary. Partnership, based on shared respect and reciprocity, characterises the 'original intention' and historical relationship between Ngāti Whātua and the Crown. Ngāti Whātua peoples are conscious that there are advantages to working together strategically. In some circumstances, like the IKHMG, it benefits Ngāti Whātua to utilise the resources and tools of local government through partnership:

I think it is a fantastic project, and it is the future. It is the future because it engages the local iwi, it engages Mana Whenua, and it brings together all those statutory bodies. And those statutory bodies have a whole heap of toolboxes and in those toolboxes are the tools for *Mana Whenua* to look after our environment. So it is a powerful liaison between local iwi and local government. It is at the core of our working relationship into the future...we are going to do a Treaty settlement and that is going to drop down to the management of the Kaipara Moana. And the focus for us is having a 50:50 arrangement with the Crown. What is the point in taking over something...we need a toolbox to fix it all up. The Crown has got toolboxes up to the hilt. Bring those toolboxes to the forum and we will use all those toolboxes that each one of these statutory bodies has to help us fix up the harbour (Mikaera Miru, Kaiārahi Environs, 20/01/2014).

Some councils with regulatory authority in Kaipara also see the benefits and are supportive of both co-management and co-governance (Leane Makey, IKHMG Coordinator (28/02/2014)). The Crown has set precedent with statutory arrangements being incorporated into cultural redress in other settlements such as Waikato River and Te Urewera, reinforcing expectations that a co-governance arrangement for the Kaipara Moana will be established through the Ngāti Whātua Treaty negotiation with the Crown. At the same time, the Crown continues to perform its colonial gymnastics reinforcing the Crown's ambivalence and fear about sharing resources and power:

I think [the Chief Crown Negotiator] is trying to steer everybody away from that [the redress that Tūhoe got for Te Urewera] but that is what we are pushing for...He is scared to give us that power. The thing is that it is only going to do the Kaipara good, and the community. That is what I said to him last week, about the restoration fund, just explaining that this fund is not coming to Ngāti Whātua, it is coming to the communities around the Kaipara because they are the ones who will actually be able to access that fund. There could be work schemes around the Kaipara to do the work that needs to be done. If you do a 15-20 year plan to get the thing planted yeah that is a reasonable timeframe. If you can manage that farm say if that fund is gathering interest and we distribute the interest then it could be a way that it stays around without having to top it up (Tracy Davis, Ngāti Whātua o Kaipara Trustee and Treaty negotiator, 20/02/2014).

The Crown should not ignore that Ngāti Whātua have leveraged off the IKHMG to prove their ability to partner and provide effective and fair leadership. Communities and other stakeholders have confidence in the iwi and support their leadership. Precedent for co-governance has been set and it is argued that if the Crown were to be true to the Treaty partnership and the historical partnership based on respect and reciprocity then there is no other option but to establish a co-governance arrangement through negotiation. However, the justice of a negotiated settlement is debatable (refer 2.4.3). Ani Mikaere (2011:116-117) argues the bitter injustice of Treaty negotiations in which 'claimants are typically presented with a 'take-it-or-leave-it' bottom line, with the Crown prepared to negotiate on minor matters only'. Further steps are taken by the Crown to ensure that the impact of Māori concepts on the Crown's law remains negligible or the courts or both interpret them restrictively. Mikaere argues that this approach allows the manuhiri (guests) to neither dictate the manner that things should be done, in the tangata whenua domain, and that negotiation that perpetuates this approach cannot adequately deal with injustices of the past nor hope to find resolution. What is required from the manuhiri, the Crown, 'is a leap of faith', to trust in the tangata whenua.

In the case of Kaipara, placing trust in Ngāti Whātua would illustrate for tangata whenua and wider society that the colonised and coloniser can reimagine a relationship that is not constructed around power asymmetries. So far, (in)decisions and poor management have allowed the Kaipara Moana to reach crisis point (refer 5.1.2). Participants in this research contend that an equitable co-governance arrangement would provide benefits for all New Zealanders, and that communities expect mana whenua to take their place on the platform that the colonial system took them off - yet they never forfeited. The colonial government should be true to its promises and work with their Treaty partner in genuine Treaty-based partnership, rangatira ki te rangatira, for the empowerment of mana whenua and the benefit of all New Zealanders.



## 6.4 Conclusion

In this Chapter, I have conceptualised the third space created within the IKHMG, and explored the postcolonial strategies of mimicry, strategic essentialism, and hybridity. I have critiqued the tensions and opportunities that emerge for mana whenua to assert rangatiratanga within this particular site of ICM. By focusing attention on the ideological constructions, ontologies and logics that structure and mediate cultural negotiation, I have exposed the fragility of colonial discourse and the asymmetric power dynamics between the Crown and Ngāti Whātua, and presented transgressive opportunities within that relationship. Ngāti Whātua engages in postcolonial strategies to advance their cultural and socio-political agendas. The IKHMG provides a mechanism to mediate cross-cultural relations, illustrating the potential of ICM to increase cultural understanding and to form valuable strategic alliances, leading to funding and capability building opportunities. Some cross-cultural exchange occurs during processes of hybridity but the agency of the Indigenes to uphold the mana of their people is maintained.

The limitations of ICM to enable self-determination are acknowledged. However, I argue that the IKHMG is a catalyst for greater autonomy, providing a mechanism to express iwi leadership and facilitation, which has been supported and celebrated by participants. The IKHMG has set up the iwi in a powerful position to negotiate a co-governance arrangement with the Crown for shared responsibility and authority over the Kaipara Moana. But while mana can be asserted and rangatiratanga exercised in multiple ways within collaborative, co-management and co-governance spaces this still results in a compromise:

Full rangatiratanga would be self-determination. With that statutory body, I would see it more as a consensus decision-making...you have got Crown and you have got other governance – it is not Māori. Rangatiratanga is Māori making decisions for Māori; I see it as, not Pākehā making decisions for Māori, with Māori (Tracy Davis, Ngāti Whātua o Kaipara Trustee and Treaty negotiator, 20/02/2014).

However, it is acknowledged by Ngāti Whātua that partnership and reciprocity were principles instilled by their tupuna:

We want partnership for the people, all the people that live around the Kaipara, for the health of the harbour itself the taonga that it is and the mauri of that harbour (Tracy Davis, Ngāti Whātua o Kaipara Trustee and Treaty negotiator, 20/02/2014).

I suggest that Treaty-based, bicultural and iwi-led ICM enables mana whenua to express rangatiratanga as much as possible within in that space - whether that be knowledge-based rangatiratanga, leadership, or the placing of rāhui - but it is not self-determination. In the context of Treaty-based management and governance over a shared resource such as the Kaipara Moana, rangatiratanga to the fullest extent requires delegated, legislated authority of decision-making to Ngāti Whātua so that the iwi can influence policy-making, resource consenting and other regulatory and non-regulatory aspects that affect the harbour and their people.

Perhaps rangatiratanga, to its fullest extent in terms of self-determination, is only exercised within 'Māori' spaces:

Within our space, on our land, our maraes, within the land that we own we have rangatiratanga over that' and there is a tension because iwi do still 'want to have rangatiratanga over the resources that we

can access that we always have done and the ability to be there to access them' (Tracy Davis, Ngāti Whātua o Kaipara Trustee and Treaty negotiator, 20/02/2014).

In conclusion, Treaty-based bicultural management offers the destabilisation of western hegemony and opportunities for kaitiaki to fulfil responsibilities over a shared resource. Treaty-based bicultural governance could offer further destabilisation of deeply entrenched power inequities and hidden agendas at the higher, more centralised level, providing further opportunities for rangatira to create greater space for kaitiaki and to progress towards wider iwi, hapū and whānau wellbeing and empowerment.

## Chapter Seven: Rangatiratanga, Cross-cultural relations and Postcolonial Opportunities

*Waikāretu te ākītanga o Rongomai tahuri waka whakarere wahine.*

*Waikāretu, where Rongomai met his demise – overturned vessel widowed wife.*

### 7.1 Rangatiratanga and Integrated Catchment Management

#### 7.1.1 Introduction

This thesis explored the context, discourses and interrelationships amongst and between Indigenous and non-Indigenous peoples and organisations in the Kaipara Moana catchment. A postcolonial critique enabled an examination of the power dynamics at play within a specific place-based environment, at multiple scales.

The final whakataukī for this thesis pertains to Waikāretu, an area now referenced as the marae at Pouto, which was the area of the Kaipara Moana where Rongomai was killed by his brothers-in-law. When his relatives recovered his body, the shredded appearance of his flesh was determined to have been the results of the Araara (Trevally) fish consuming his flesh. Accordingly, descendants of Rongomai have been known to refrain from eating the Araara out of respect for their tupuna. This whakataukī reminds us of the importance of learning from our histories and acting within that knowledge.

This research employs Bhabha's concepts of ambivalence, mimicry, hybridity, and third space and Spivak's strategic essentialism, to interpret and understand the challenges and opportunities of ICM for Indigenous people within an arguably post-colonial context. This research has been set within a framework focussing on 'rangatiratanga' – the assertion of Indigenous governance and authority over environmental resources and taonga – within a Crown-Māori relationship defined by Te Tiriti o Waitangi / the Treaty of Waitangi. My four objectives were outlined in Chapter One, which were utilised in my research analysis to support my two key aims, and address my overall research question: To what extent does ICM address mana whenua rights to assert rangatiratanga over their environmental resources and taonga?

This section is structured according to my two key aims, to provide a logical conclusion and response to the overall question. My first aim was to examine whether iwi-led ICM provides a platform to advance rangatiratanga. Three important themes emerged: ICM and Indigenous peoples; advancing rangatiratanga; and lack of capacity and funding. My second aim was to investigate if ICM can be employed as a mechanism to mediate cross-cultural relations between Māori and non-Māori. Again I consider three key themes: relationships between local government and hapū; relationships between central government and hapū; and evolving biculturalism. Within those themes the effect of Treaty settlements was particularly significant.

### 7.1.2 Potential for iwi-led ICM to provide a platform to advance rangatiratanga

Consideration of ICM and rangatiratanga shows that the opportunity to proactively adopt a bicultural governance model for the Kaipara Moana was not taken up by local government agencies. In section 5.1 I conveyed the ambivalence of Crown agencies, including local government, who have 'committed' to ICM but within certain parameters – the resulting IKHMG is a non-statutory, multiple stakeholder platform that seems to be maintained by the effort of passionate and committed officials at the local level, and goodwill. The underlying issue of hidden power dynamics and structural blockages at higher levels restricts the IKHMG's ability to achieve the shared objectives and vision. Consequently, I argue that there is a gap between management (the IKHMG) and appropriate, overarching governance support (currently non-existent). Section 6.3 outlined the opportunity for local government agencies to establish co-governance with Ngāti Whātua for the Kaipara Moana. However, only a pseudo-governance committee (albeit joint to some degree and certainly a step in the right direction) was established. Findings showed that this committee is only intended to be interim, and that all participants are awaiting the outcome of the Crown and Ngāti Whātua Treaty negotiation for the Kaipara Moana. The general expectation expressed by interviewees and recorded in the Kaipara Moana Framework Agreement 2014 was that a co-governance arrangement would be established as a result – bidding the question, why wait for a "fait accompli"?

An ICM approach has given rise to a number of opportunities to exercise rangatiratanga. Overall, mana whenua have increased their involvement in NRM since the inception of the IKHMG. The Te Uri o Hau Treaty settlement 2002 was argued to be the key instrument used to establish the IKHMG, after earlier resistance from local government agencies prior. This settlement added to already significant pressure from the iwi and wider communities to address a perceived crisis in Kaipara (refer 5.1). The Kaipara hapū positioned themselves as co-leaders of the initiative, and Environs as the administrators (refer 6.1). Their professional and effective leadership was considered to be critical to the initial and continual success of the IKHMG. Ngāti Whātua has been able to ensure that the tribes mana is recognised in the IKHMG, the Treaty-based partnership and bicultural kaupapa have been key to this. Similarities between Māori worldview and ICM mean it is useful for iwi to use integrated approaches, and the IKHMG has presented an opportunity to 're-envision' NRM, in a way that not only improves understanding of an integrated, holistic system but also begins to address power dynamics. The IKHMG provides a neutral platform on which to build new relationships and progress tribal rights and interests.

Postcolonial analysis shows that Ngāti Whātua employs a number of postcolonial strategies to advance rangatiratanga, by identifying and filling spaces in NRM. These strategies include engaging essentialist

representations to strengthen justification for involvement and for integrated (holistic) approach and mimicry of western structures to create a 'suitable' body for administration (refer 6.1). These strategies show that rangatiratanga can be expressed in different ways, within the limitations of the 'third space' created by ICM. These compromises show the pragmatism of the hapū to work within the existing system, while continuing to push the boundaries of that system. In this case study, Te Uri o Hau have clearly expressed their rangatiratanga by first initiating, finding funding and research opportunities, and then being an active participant in the ICM for Kaipara. Ngāti Whātua clearly recognise the benefits of working strategically with government and communities.

Furthermore, Ngāti Whātua has advanced rangatiratanga by engaging on their own terms and setting their own parameters for the ICM approach. While the decision-making process within the IKHMG is by consensus, it was claimed that sharing position as Chair of the IKHMG between Te Uri o Hau and Ngāti Whātua o Kaipara, in tandem with the bicultural kaupapa, is 'one step in shifting the power balance' (refer 6.1.3). Formal recognition of the value of mātauranga and tikanga also supports rangatiratanga, as the exercise of both must be implemented by the specific hapū (knowledge and practices are place-based and vary between different hapū/iwi). However, this recognition does not seem to extend beyond the current IKHMG forum, and again the findings highlight the challenges of institutional inertia linked to hidden power agendas and structural blockages at higher levels. These barriers were exemplified by specific examples in 5.3, of attempts to assert hapū based kaitiakitanga within current Eurocentric-dominant paradigms. Another aspect considered was how Ngāti Whātua have not only reinforced their mana whenua/mana moana, but also influenced which other iwi and hapū have been included in the IKHMG. The ICM group is an open forum which invites the attendance of all Māori with an interest however, the establishment of the IKHMG through the Treaty settlement ensured the tauranga waka of Ngāti Whātua and the Kaipara hapū first and foremost. This arrangement reflects their rights and interests in the Kaipara Moana, however, given growing recognition of the need for all people with an impact on the Moana to be involved the need for other iwi and hapū to be integrated is also growing. Participation from other mana whenua from the wider catchment is encouraged, offering further opportunities for them to also advance their rangatiratanga within their rohe, although participants were mindful of the limited capacities of some groups, which needs to be addressed for them to be able to participate effectively.

Finally, advancing rangatiratanga of the Kaipara hapū was clearly related to the ability of Ngāti Whātua to leverage off the collaborative nature of the IKHMG to make gains through Treaty settlement. Evidence for this was provided through secondary data including the Kaipara Moana Framework Agreement 2014, and primary data (refer 6.3). The positive outcomes produced by the IKHMG over the last decade provide the opportunity for Ngāti Whātua to make the case for joint governance for the Kaipara Moana through Treaty settlement. Not only has the IKHMG proven their ability and the benefits of collaborative, integrated management, but also the effectiveness and merit of bicultural approaches. Strong community support and expectations for Ngāti Whātua to provide a governance role gives credibility to the value and need for rangatiratanga within NRMG. Such credibility is obvious to mana whenua, and to many others, but repeated assertions of rangatiratanga and evidence of the effectiveness of hapū management seems necessary for the Crown who has been intent on exercising 'politics of distraction' for as long as they can.

From the findings in this research, I perceived several key limits on the success of this ICM approach in Kaipara Moana. In 5.2 I discussed the challenge for mana whenua to assert rangatiratanga in NRMG at scales that are meaningful to them. Critique of the ambitious scale of the IKHMG, shows that the geographical catchment

crosses many social and political boundaries within Ngāti Whātua. The inclusion of many hapū within the IKHMG boundaries complicates the expression of rangatiratanga by each hapū, a complexity which is compounded by the unequal recognition and resources of hapū. Hapū appear to be overcoming these complexities by consciously 'upscaling', focusing on Kaipara Moana as a shared taonga for all Ngāti Whātua, and their shared whānaungatanga as a basis for a collaborative approach. Varying capacity by hapū to act as kaitiaki in their part of the catchment limits the success of the ICM approach, which aims to empower all hapū, across the catchment. Therefore, there is a tension between the ICM approach, and the intent of hapū to exercise kaitiakitanga at scales that are meaningful to them. This capacity is linked to whether hapū have or have not yet settled claims with the Crown. The literature contends that successful, large-scale ICM requires attention to waterways and environment at multiple scales, and that all actors of place, interest and regulatory responsibilities are needed to participate in processes at a level that leads to mutual accountability for process outcomes. This research suggests that funding and resourcing capacities of all hapū and iwi within the catchment need to be addressed so that they can fulfil kaitiaki responsibilities for their area of interest firstly, and contribute to the restoration of the mauri of the Kaipara Moana overall.

A lack of financial resources was evident, making it difficult for the IKHMG to operationalise their business plan and progress towards the restoration of the Kaipara Moana. I suggest that lack of capacity and funding, also affects the ability to exercise rangatiratanga and the success of ICM (refer 5.1). Findings showed that the IKHMG clearly suffers from a lack of funding. Unlike more recent settlements, the Te Uri o Hau settlement did not include a funding mechanism to support the restoration of the harbour. This means that Ngāti Whātua, and the IKHMG, are dependent on ongoing funding provided by government agencies. Because of a lack of a committed funding stream, the IKHMG does not address the unequal access to resources by the Crown and hapū. The fact that this inequity has not been addressed raises risks for the long-term success of the ICM. Moreover, government agencies vary their level of commitment according to their priorities and capacity, which means that several agencies with strong interests in the catchment are not regular attendees at IKHMG meetings (refer 5.1.5). The burden of administration and management falls on Te Uri o Hau, whose staff feel undervalued and overworked. The history of colonial exploitation in the Kaipara area, and the ongoing Treaty relationship between the Crown, local government, and hapū, means that the Crown has a legal and moral obligation to support the restoration of the Kaipara Moana financially. Further effort is required to invest in developing capabilities and capacities.

### **7.1.3 Investigating the potential for ICM as a mechanism to mediate cross-cultural relations between Māori and non-Māori**

The second key aim investigated cross-cultural relationships. Under this aim, I discuss cross-cultural relationships between hapū and local government, hapū and central government, and the evolving nature of bicultural spaces. Unfortunately, findings showed that there was a lack of real response from local government to Indigenous initiatives. This included a lack of response to the IKHMG itself, in terms of 'filtering' the innovative, bicultural objectives and methodologies within individual kaitautoko agencies to enable effectiveness (e.g. refer 5.3.5). Other examples included the limited response to the intentions of hapū and the IKHMG to act as implementers of the National Policy Statement for Freshwater Management within the Kaipara catchment, which would have enabled different hapū and whānau to fulfil kaitiaki responsibilities within their specific rohe as scales and in ways that are meaningful to them. I also discussed the example of Environment River Patrol – Aotearoa,

which endeavours to practice kaitiakitanga by patrolling and monitoring waterways within the catchment, providing detailed and useful reports to local government agencies and other organisations for them to act on. However, there has been little or no response to these initiatives by local government.

The clear intention of the IKHMG to honour the parallel planning and management system is predicated on the key assumption that kaitiakitanga principles will be adopted back into councils and be valued the same way. But institutionalised and deeply embedded marginalisation of Māori knowledge and management systems has not yet transformed. The research suggests that this situation is due to systemic failure and institutional inertia – hapū efforts to conduct cultural monitoring are not supported by subsequent incorporation into regional and national state of the environment reporting; and there are no tangible examples of incorporating mātauranga Māori within current systems of local government NRM. In these cases, mātauranga Māori generated through active kaitiakitanga is being ignored. There are limited examples (refer 6.2.5) of where government agencies have responded positively, in significant but small ways – for example providing training support and opportunities for kaitiaki to go out on the council monitoring boat – rather than changes in policy or transformation in practise. As shown by the key examples above, councils tend to want to do their own thing instead of capitalising on resources that are available. Agencies had been aware of the Freshwater Futures proposal from the hapū and IKHMG, and the well-established integrated approach of the IKHMG but had not acted proactively. As the Waitangi Tribunal (2011:584) have shown, protection and transmission of mātauranga Māori is a shared responsibility between Māori and the Crown, but the Crown is not upholding its end of the bargain.

Another important consideration influencing the interrelations between hapū and local government is the effect of Memoranda of Understanding. Initially, iwi attempted to encourage local government to lead an integrated management approach in Kaipara Moana. However, local government felt that such an approach was outside their statutory responsibilities (refer 5.1.4), leaving it up to iwi to promote and lead the collaborative approach. Subsequently engaging regional councils in an iwi-led approach was assisted by the Memoranda of Understanding between iwi/hapū and local government required in the Te Uri o Hau Treaty settlement. However, these Memoranda do not explicitly provide for power-sharing or funding arrangements and the ambiguity of such arrangements has resulted in ongoing frustration from mana whenua about engagement from local government, particularly at a governance level.

With respect to relationships between hapū and central government, I argue that the ambiguity of responsibilities and mandate (refer 5.1 and 5.2) and the voluntary nature of the IKHMG appealed to Crown agencies because it meant they could commit (or withhold) funding, resourcing and effort as per government agendas and priorities. A lack of statutory compulsion to engage has undermined collaboration. Findings indicated that there is uncertainty at all levels about the extent to which government agencies can (or will) commit. Although the non-statutory nature means that participants are 'in it because they care', goodwill at the local level does not, unfortunately, translate into policy change at the national level. As a result, I suggest that Crown involvement in the IKHMG may be a façade to cover the ambivalence of the Crown's commitment to bicultural management and governance. The ambiguity of the Treaty settlement process, and the variability of Crown participation in implementing the IKHMG has effectively limited the participation of Ngāti Whātua to an advisory role.

The third and final theme to consider in relation to the potential for ICM to mediate cross-cultural relations is evolving biculturalism. An important pattern emerged in my analysis of the role of individuals as catalysts, boundary agents and activists within an intricate web of relationships (refer 6.2). In ICM, boundary agents cross disciplines and organisations; in bicultural ICM, boundary agents may also act as translators between Māori and non-Māori worldviews, or raise awareness within their community of issues. This research indicates that the IKHMG itself is a boundary organisation, acting as a bridge between dual cultures, knowledges, and worldviews. Within the IKHMG, there are a number of individuals who work as boundary agents; many examples were noted in the findings. Some examples of catalysts included Willie Wright (initiated collaboration), Shaun Awatere (cultural intermediary) and along with Leane Makey (both initiated idea of a bicultural kaupapa), and Brenda Steele (governance group). Boundary agents include Ben Smith (farmers and rest of community), Tim Brandenburg and Ben Smith (acquiring funding through new partnerships), Bruce Griffin (participating in training kaitiaki); Shaun Awatere (research funding). And a key example of an activist was Millan Ruka (continuing to point out degradation), an important role that is (unfortunately) still required due to institutional inertia and resistance to ensuring adverse effects of 'pollution rights' are ceased. Together these roles are integral to the success of the IKHMG, particularly given its voluntary status and lack of overarching governance provision.

As shown in 6.2, it appears that there is a desire from non-Māori to work within Māori concepts, and that non-Māori are able to work with concepts within the Ngāti Whātua worldview, if Ngāti Whātua are involved appropriately in 'translating' or explaining that mātauranga. 'Envisioning' NRM for Kaipara Moana has involved not just Ngāti Whātua but the wider community, focusing on a shared vision for the harbour. Through the IKHMG, non-Māori have been exposed to expressions of rangatiratanga within the limits of the 'third space'. In an interesting parallel to Māori concepts of kaitiakitanga (guardianship) and turangawaewae (place of standing), the motivation of committed Pākehā individuals appears to be linked to personal connections to the Kaipara Harbour. My analysis also showed that there is a commitment to valuing both knowledges equally, with findings showing that both Māori and Pākehā participants defended this principle when it was challenged.

I suggest that my findings and the discussion above illustrate how my research responds to calls (Gibbs 2014) for examples of water management and governance that reveal the place and context of NRM practices as well as structures and institutions, and examines alternative approaches to relationships; valuing of Indigenous knowledge; trust; and reciprocity. In doing so, I have investigated potential causes for celebration while simultaneously being attentive to possible constraints on the capacity to transcend colonial relations. In reflecting back to what has been and deconstructing postcolonial discourse, I have been able to understand and convey ongoing influences of colonial discourse and acknowledged that the past lives on in the present. But I have also been able to explore and discuss the agency of Indigenous Māori and the possibilities that are born of contradiction, messiness and historical influence. Me hoki whakamuri, kia ahu whakamua, ka neke – In order to improve and move forward we must reflect back to what has been.

To conclude, I respond to my overall research question – To what extent does ICM address mana whenua rights to assert rangatiratanga over their environmental resources and taonga? I contend that in this particular case study ICM has enabled mana whenua to assert rangatiratanga rights to a significant extent, in multiple and diverse ways. ICM has offered a mechanism for Ngāti Whātua to destabilise western hegemony and create opportunities for empowerment. This has not yet resulted in tino rangatiratanga, in terms of self-determination, to the extent envisaged by Kaipara hapū. However perhaps ICM is not the appropriate space for the exercise of

*tino* rangatiratanga. Rather, that may be reserved for 'Māori' spaces rather than collaborative spaces which inherently mean compromises by all parties involved. It is argued though, that mana whenua can maintain their cultural integrity and agency within these shared, hybrid spaces because the ability to collaborate within the same waka and progress together for the Kaipara Moana can also mean retaining their own knowledges, institutions and practices – He waka hourua, he waka eke noa; a waka with two hulls bound by a common kaupapa.

In section 5.1 I described how the IKHMG emerged out of crises, as is the case with many ICM approaches. This origin presented the opportunity for mediation of cross-cultural relations within that contact zone (refer 6.1). The political crisis of Treaty settlement claims compounded by socio-ecological crisis in the health of Kaipara Moana revealed the failure of the Crown's approach to NRM, and the opportunity for Te Uri o Hau to propose a different approach with support from wider communities. The communities' support has been significant, illustrating the challenge for and incapacity of various individuals and groups to address environmental issues on their own. The leadership shown by Ngāti Whātua was well received and supported as they had the ability to bring together diverse stakeholders, when government agencies had not been able to. This leadership assisted others to face their own crises in a collaborative way. Given these insights in this section, I propose that my overall research question could in-fact be inverted to question the extent that mana whenua themselves, through exercise of rangatiratanga, actually enable ICM?!

## 7.2 Implications for policy

Chapters Five and Six provides insight into how the Crown and its respective agencies could improve the way that they approach ICM and potentially NRMG more broadly.

Postcolonial critique reveals that Māori concepts and practices are 'recognised' but not 'provided for' in current NRM policy and regulatory systems. The emphasis on integrating worldviews has resulted in the development of a bicultural kaupapa to underpin the IKHMG, encapsulated within the Terms of Reference. However, it appears that the effectiveness of this kaupapa is limited by a lack of understanding of mātauranga Māori and tikanga, and by the vagueness of requirements to implement kaitiakitanga and rangatiratanga in government policy and regulation. Councils must also acknowledge the contribution that mātauranga Māori can make to resource management, and although the IKHMG documents reflect the value placed on mātauranga Māori within the group, it is unclear whether commitment to the bicultural kaupapa extends beyond the individuals involved in the group to their organisations. Cultural interests get compromised because the RMA implies a 'balancing act'. Although the Proposed Auckland Unitary Plan references the IKHMG, there has been limited recognition of the IKHMG in other district and regional plans. In practice, local government appears to give more weight to 'economic' private property rights, including upholding permissions granted by farmers to discharge pollutants into water, than to the 'cultural' rights of kaitiakitanga and rangatiratanga.

Current policy reforms may offer more positive prospects for Māori and non-Māori to collaboratively restore, enhance and protect fresh water and wider environments. I propose that this research contains initial learnings for people wanting to implement ICM under the NPSFM. The Resource Management Act (1991) 'recognises and provides for' the unique relationship of Māori but, as shown in this case study, is ineffective because this cultural imperative is given less weight than economic imperatives. There is a similar risk that the NPSFM, which



promotes the role of tāngata whenua in freshwater management, may be similarly ineffective. For example the Te Mana o Te Wai principle requires tāngata whenua involvement, and includes several useful provisions, but lacks any implementation mechanism. My research has argued the rights, and shown the intentions, of mana whenua leadership and decision-making within NRMG – particularly in regards to water management and governance. It has also shown the value of and ability to adopt bicultural kaupapa for ICM. I suggest that parties implementing the NPSFM must utilise the resources and initiatives available, and connect with mana whenua within their regions to envision greater progressive potential and better environmental outcomes.

The importance of bicultural governance was demonstrated. Research suggests that current governance arrangements undermine the Treaty partnership, the bicultural kaupapa, efforts to validate both knowledge systems, and crucially, iwi leadership. A post-colonial critique of the governance arrangements for the Kaipara Moana suggests that broader power dynamics affect the ability of the IKHMG to empower hapū to exercise rangatiratanga and kaitiakitanga. The discourse of colonial privilege relegates rangatiratanga to an ‘aspiration’, while hierarchy within government agencies disempowers local-level government officials from making decisions which could support local expressions of kaitiakitanga. These structural issues have not been addressed through current IKHMG governance arrangements. At the local government level, the Kaipara hapū assert their right as Treaty partners to be equal participants in decision-making about Kaipara Moana, but local government has not indicated any willingness to share decision-making authority with the IKHMG. Local government states sharing power is a ‘Treaty settlement’ issue to be addressed by central government. At central government level, the Crown has not explicitly directed its agencies to engage with the IKHMG, and has made an inadequate commitment to Kaipara Harbour. Hapū expectations to be involved in both management and governance have been limited by the fact that the IKHMG remains a management group, and that the ‘governance’ role is played by a collection of representatives from local government who consider themselves to be ‘coordinating’ rather than ‘governing’ the process. This pseudo-governance committee have only included hapū as an ‘afterthought’. This ‘governance gap’ limits the effectiveness of an integrated approach to NRM, and limits the power that hapū can assert within that approach.

Some participants suggested that a statutory body is required; many felt it likely that a joint governance body will be established through the upcoming Treaty settlement for the Kaipara Moana. This outcome was also anticipated in the Kaipara Moana Framework Agreement (2014). Establishing a statutory body would fulfil the Crown’s promises to address governance issues. Placing trust in Ngāti Whātua would also demonstrate the ability to reimagine a relationship between colonised and coloniser that transcends colonial power dynamics. This would honour the parallel mandate expected in the Treaty/te Tiriti, and the relationship between the Crown and Ngāti Whātua that was built on trust, reciprocity and mutual gains during colonisation.

### 7.3 Implications for research

Reflecting on these findings, I propose several potential avenues for future research on Indigenous rights and interests in ICM and co-governance of shared resources. Utilising a postcolonial critique, my findings uncovered many different nuances in these concepts (refer Chapters Five and Six). I suggest that smaller scale, more in-depth studies that look at each of the distinctions discussed would make an important contribution to postcolonial, and ICM literature.

For example, in section 6.2.5 I highlighted the potential for research collaborations between Crown Research Institutes (CRIs) (and others) and mana whenua to assist with capacity and funding issues, particularly given the Crown's growing interest in mātauranga Māori. However, my scope did not allow for in-depth interrogation of the nuances of knowledge production between hapū and CRIs. Research focused on the efforts of Te Uri o Hau to build their own capabilities to fulfil kaitiaki responsibilities, within their own spaces such as on their marae – I suggest that investigating the delivery of kaitiaki training would be an interesting and valuable insight and could assist the hapū with their endeavours, if conducted appropriately. In a similar vein, in section 5.3.2 I suggested the need for further work into de-mystifying mātauranga Māori and tikanga. There is a need to increase understandings and capabilities of government agencies, including local government. This may be an initial step in a national parallel planning mandate that empowers rangatiratanga in NRMG.

More research into the heterogenous nature of the state would also be valuable. I acknowledged that local level actors were committed and high-level actors were soles committed, due to compromises resulting from a multitude of agendas and pressures (refer section 5.1.4). Research could investigate what makes local level actors more committed? I alluded to the potential significance of the connections to the Kaipara for both Māori and non-Māori, suggesting that there is an interesting parallel to Māori concepts of kaitiakitanga (guardianship) and turangawaewae (place of standing), which seemed to motivate many of the committed Pākehā individuals in this research. I also emphasised the inadequacy of a non-statutory approach to achieve empowering and successful ICM, due to hidden power agendas and structural blockages higher up. What causes those blockages and how can they be overcome? It seems seriously regressive to have to rely on statutory arrangements to address Indigenous peoples rights and interests in local initiatives, particularly when it involves decision-making at a governance level. Surely, the Crown is sophisticated and mature enough to envision alternative ways and to trust, and truly believe in the benefits that it recognises in bicultural arrangements (refer section 5.2.2). The scope of my research did not allow an in-depth interrogation of the real complexities of relationships at different levels and potential challenges and opportunities for Indigenous peoples. Therefore this aspect could benefit from further analysis.

Finally, there is a potential opportunity to further investigate the complex intra and inter-tribal relations in the Kaipara Moana catchment (and inter/intra government agency) and their effects on achieving successful ICM. My research was limited to those actors who are involved in the IKHMG or associated with governance of the Kaipara Moana, and I suggest that it would be valuable to extend the scope and involve a wider range of participants to include those who are not directly involved in order to explore the diversity of Kaipara mana whenua and broader communities and the potential roles for these groups in achieving successful ICM.

## **7.4 Reflections on this research**

My research represents a sincere attempt to offer in-depth analysis of the nuances and complexities associated with ICM in a postcolonial context. In Chapter Four I stressed the importance to me of conducting culturally sensitive research and ensuring that outcomes have tangible benefit for the communities involved, to the best of my ability. I hope that this research provides a useful body of work that contributes to the political and environmental agendas of Ngāti Whātua. Potentially it may also provide useful insights for other iwi and hapū, and I consider that my research may also be useful for Ngāti Tahu and Te Arawa, the hapū and iwi with whom I have strongest whakapapa links. At the same time, I acknowledge that my potential to make a significant

contribution, and to 'give back', is limited – not least because of my student researcher position and the limitations of Masters level research.

In this research I advocate for an iwi-led ICM approach and the work of the IKHMG which I earnestly believe is a progressive initiative that simply lacks the governance required to ensure the necessary funding, resourcing and commitment for operationalising the many innovative objectives and methodologies. It is hoped that my insights for the Crown and its agencies is considered in-depth by these agencies. The potential opportunities and transformations that could be achieved if institutional inertia and entrenched colonial hangovers are actually addressed and overcome could be immense, offering benefits for not only mana whenua but also all communities, which as findings suggest Ngāti Whātua desire (refer section 6.3).

Postcolonial theorists have advocated the need for amateur intellectuals to come out of specialised cliques and assume an active public role in which the critic is politically active within the real world. In doing so, the critic provides a voice of opposition, speaking for the people to the centre of power, 'all the while located at a probing, uncomfortable distance from it' (Chakrabarti 2010:11). This is the role of 'worldliness', played by the public intellectual. There is a certain ambivalence about my position as a public servant working for the Crown and one of its local government agencies – working within departments and units focused on Indigenous outcomes, yet critiquing government processes and institutions through this research. However, I endorse the position of postcolonial theorists referred to above. I believe it is important that the colonial government is critiqued and exposed in the 'real world' as this may contribute in some small way to much needed postcolonial transformative change. In doing so, I do not intend to vilify the state but rather expose the weaknesses and hypocrisies of colonial rule, so that they may be recognised and addressed, allowing us to progress towards a more equitable, just and effective postcolonial form of NRMG that acknowledges Indigenous rights and interests but from which all citizens are empowered and can benefit.

*He waka hourua, he waka eke noa.  
A waka with two hulls bound by a common kaupapa.*

## Appendix A: RMA Sections 6, 7 and 8 – Giving effect to Māori rights and interests

Section of RMA 1991: Part II	Clause
S 6 Matters of national importance	In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall recognise and provide for the following matters of national importance: (e) the relationship of Māori and their culture and traditions with their ancestral lands, water, sites, waahi tapu, and other taonga
S 7 Other matters	In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall have particular regard to — kaitiakitanga...
S 8 Treaty of Waitangi	In achieving the purpose of this Act, all persons exercising functions and powers under it, in relation to managing the use, development, and protection of natural and physical resources, shall take into account the principles of the Treaty of Waitangi (Te Tiriti o Waitangi).

## Appendix B: Agencies involved in managing the Kaipara Moana and catchment

Agency Type	Agency Name
Tribe	NW (5 different sub-tribes, 2 with primary interests in harbour and catchment) Te Kawerau a Maki (interests in south-west catchment) Ngāti Wai (interests in adjacent eastern catchment) Ngāti Paoa (interests in adjacent south-eastern catchment) Ngāti Manuhiri (interests in eastern catchment) Ngāpuhi (interests in adjacent northern catchment)
Central Government	Ministry for the Environment Department of Conservation Ministry of Primary Industries
Regional Government	Auckland Council Northland Regional Council
Local Government	Kaipara District Council Whangārei District Council Far North District Council
Government Research Institute	NIWA Manaaki Whenua / Landcare Research

## Appendix C: IKHMG Kaitautoko Partners & Interested Parties (adapted from IKHMG 2009)

Agency Type	Agency Name
Tribal Entity	Te Uri o Hau Ngāti Whātua o Kaipara Te Rūnanga o Ngāti Whātua Te Roroa Ngāti Whātua Ōrākei Nga Kaitiaki o Nga Wai Māori (pantribal North)
Central Government	Ministry for the Environment Department of Conservation Ministry of Primary Industries Te Puni Kokiri Northland and Auckland Conservation Boards
Regional Government	Auckland Council Northland Regional Council
Local Government	Kaipara District Council Whangārei District Council Far North District Council
Government Research Institute	NIWA Manaaki Whenua / Landcare Research
Community Group	Forest and Bird Kaipara Harbour Sustainable Fisheries Group Conservation Volunteers New Zealand Landcare Trust Community Matters – The Pacific Development and Conservation Trust (government funding) Otamatea Harbourcare Group Guardians of the Kaipara Taporā Land and Coastcare Group
Business	Fonterra Cooperative Ltd Federated Farmers Dairy NZ North Power Carter Holt Forest Resources Firth Industries Ltd Kaipara Water Transport Mt Rex Shipping Ltd Winstone Aggregates McCallum Bros Ltd

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**UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE**

29-Nov-2013

**MEMORANDUM TO:**

Dr Brad Coombes  
Environment

**Re: Application for Ethics Approval (Our Ref. 010820)**

The Committee considered your application for ethics approval for your project entitled **Evolving management and governance of Kaipara Harbour**.

Ethics approval was given for a period of three years.

The expiry date for this approval is 29-Nov-2016.

If the project changes significantly, you are required to submit a new application to UAHPEC for further consideration.

In order that an up-to-date record can be maintained, you are requested to notify UAHPEC once your project is completed.

The Chair and the members of UAHPEC would be happy to discuss general matters relating to ethics approvals if you wish to do so. Contact should be made through the UAHPEC Ethics Administrators at [humanethics@auckland.ac.nz](mailto:humanethics@auckland.ac.nz) in the first instance.

All communication with the UAHPEC regarding this application should include this reference number: **010820**.

*(This is a computer generated letter. No signature required.)*

UAHPEC Administrators  
University of Auckland Human Participants Ethics Committee

c.c. Head of Department / School, Environment  
Dr Wardlow Friesen  
Miss Lara Taylor  
Dr Karen Fisher

Appendix E: Research Participants

Organisation	Name of Interviewee	Description	Location	Date
Environs Holdings Ltd, Te Uri o Hau Settlements Trust	Deborah Harding	Acting CEO	City office	18/12/13
Manaaki Whenua / Landcare Research Institute	Shaun Awatere	Māori Researcher for Crown institution	Manaaki Whenua office	16/01/14
Environs Holdings Ltd, Te Uri o Hau Settlements Trust	Mikaera Miru	Kaiārahi – Cultural Heritage Trail	Trust office	20/01/14
Environment River Patrol – Aotearoa	Millan Ruka	Environmental River Assessor, Kaitiaki and member of Te Urioroī (hapū of Ngāpuhi, northern Kaipara catchment)	Hikoi across Whangārei (in car) and Wairua and Mangere Rivers (in canoes)	20/01/14
Northland Regional Council   Te Kaunihera A Rohe O Te Taitokerau	Bruce Griffin	Land Management Advisor	Council office	21/01/14
Kaipara Connexions Charitable Trust	Richard Nahi	Trustee & Kai Korero	Hoteo River and home	21/01/14
Te Uri o Hau / Rodney Local Board	Brenda Steele	TUoH member/Local Board Chair	Council office	7/02/14
Auckland Council   Te Kaunihera o Tāmaki Makaurau	Alison Stilwell	Principal Planner, Unitary Plan, Regional & Local Planning	Council office	10/02/14
Auckland Council   Te Kaunihera o Tamaki Makaurau	Anonymous	Specialist Coastal	Takapuna Beach	10/02/14
NWoK	Margaret Kawharu	NWoK Trustee	University room	13/02/14
IKHMG / TUoH (NW)	Willie Wright	Chair of IKHMG/TUoH member	Home	20/02/14
JV Farms	Ben Smith	Farm owner and manager	Home and Hikurangi swamp	20/02/14
Kaipara District Council	Mark Shreurs	Policy Analyst	Council office	21/02/14
Fonterra	Tim Bradenburg	Ex-DoC Area Manager, Kauri Coast 2002-2007 and Warkworth 2007- 2013	Fonterra office	24/02/14
Auckland Council   Te Kaunihera o Tamaki Makaurau	Councilor Penny Webster	Councilor for the Rodney Ward and ex-Mayor of (former) Rodney District Council	Council office	27/02/14
IKHMG	Leane Makey	Coordinator of IKHMG	Home	28/02/14
NW	Tracy Davis	Trustee and KH Treaty settlement negotiator	Britomart café	08/05/14

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### **PARTICIPANT INFORMATION SHEET for interviews** (Manager/Employer)

**Project title:** Evolving Management and Governance of the Kaipara Harbour

**Researcher:** Lara Taylor

My name is Lara Taylor. I am a Postgraduate student in the School of Environment, at the University of Auckland. I am conducting research on integrated catchment based environmental management and governance, with a particular focus on involvement of Maori communities where they are actively involved in management and governance of a particular resource or environment. I am also a part-time contractor at the Auckland Council. Although this position may be perceived as a conflict of interest, I believe this role is complementary to this research.

You are receiving this Participant Information Sheet because you are the employer/manager of a suitable research participant(s).

The research is concerned with how tangata whenua and other land users within a catchment are approaching environmental management and governance in the current socio-political climate. I am particularly interested in how and why the integrated catchment management approach was established in the Kaipara Harbour, who was (and is) involved, and what barriers emerged during its implementation. I want to understand how barriers were overcome and if the implemented project is consistent with the aspirations and agendas of the associated community. I am interested in additional issues that research participants consider relevant to the overall purpose of the research.

I would appreciate the opportunity to invite your employee(s)/staff member(s) to participate in this research project. Participation in the research involves your employee(s)/staff member(s) sharing their perspectives and experiences about the governance projects in which they have been involved. This will require a project researcher to conduct an interview with your employee(s)/staff member(s) in person. To conduct the interview, I must first have your permission for the employee(s)/staff member(s) to participate, and an assurance that their decision to participate will not affect their employment status. This assurance can be given by signing the attached Consent Form. Interviews will be recorded (optional) using a digital audio recorder, and will be 1-2 hours in length. If suitable, the interview will be during usual working hours. Otherwise, a time outside of work hours can be arranged if that would be more convenient for you and/or your employee.

#### **Project Procedures**

This research will employ a qualitative study design, relying on the perspectives and experiences of individuals involved with management and governance of the Kaipara Harbour. I would appreciate the opportunity to interview your employee(s)/staff member(s), but they are under no obligation to participate.

It would be desirable to record the interview on a digital audio recorder. However, this can only happen with your permission, and the permission of your employee(s)/staff member(s). The recorder can be turned off at any time during the interview. In such an event, the project researcher will take hand-written notes during the interview.

The audio recording of the interview will be transcribed in full by the researcher. Both audio recordings and transcripts will be treated as confidential and stored digitally under password protection. Information and findings attained through interviews will be used for a report of key conclusions to the iwi concerned with this research and may also be used for the publication of academic/journal articles, as well as for this Masters thesis. The information obtained during interviews will be stored in a secure manner for a period of 6 years, at which time digital copies of the transcripts and recordings will be deleted. Consent forms will be kept separate from the data and stored in a locked filing cabinet in the office of the principal investigator. They will be retained for a period of 6 years, and then they will be shredded.

#### **Right to Withdraw from Participation**

Participation in this study is voluntary. Your employee(s)/staff member(s) has the right to withdraw from participating at any time during the interview. They also have several opportunities following the interview to withdraw any data traceable to them from the research. First, they have the right to withdraw their data up to 1 month after the interview date without explanation. Second, a digital file of their recorded interview and a copy of their transcript will be offered to the participant

and they have one month following receipt of their transcript to review and edit any information and return this transcript to the researcher, or alternatively they can withdraw their data.

### **Anonymity and Confidentiality**

The project researchers intend to maintain the confidentiality and privacy of participants during the research process. Consequently, you and your employee(s)/staff members(s) will not be identified by name, unless that is approved by yourself and the research participant. In cases where a participant

does not want to be named, they will be given the choice of having information attributed to a pseudonym or to their role/job/position title in the project or community. However, it must be emphasised that the anonymity of participants cannot be fully guaranteed because community members may be able to identify individuals from a role/job/position title or because there may be few possible sources for the information they will provide within their community. Likewise, we recognise that individual participants may unwittingly reveal or share collectively-owned information. While I cannot safeguard against that possibility I will ask all of the participants to consider whether they have authority to share the information they will provide, and I also offer several mechanisms for feedback and reinterpretation in case participants recognise afterwards that they should not have shared certain information.

Thank you very much for your time. If you have any queries or wish to know more please phone me at **02102532087** or email me at **ltay065@aucklanduni.ac.nz**. You may also contact Brad Coombes, who is the principal investigator, by phoning him at **(09) 3737599 x88455 or 021 2686733** or by email at **b.coombes@auckland.ac.nz**.

### **Contact Details and Approval Wording**

#### **Researcher: Lara Taylor**

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For any queries regarding ethical concerns you may contact:

The Chair, The University of Auckland Human Participants Ethics Committee, The University of Auckland, Office of the Vice Chancellor, Private Bag 92019, Auckland 1142. Telephone 09 373-7599 extn. 83711.

APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 29/11/2013 for (3) years, Reference Number 010820.



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**CONSENT FORM for interviews**  
(Manager/Employer)

**THIS FORM WILL BE HELD FOR A PERIOD OF 6 YEARS**

**Project title:** Evolving Management and Governance of the Kaipara Harbour

**Researcher:** Lara Taylor

- I have read the Participant Information Sheet. I understand the nature of the research, and why my employee(s)/staff member(s) has been selected to participate in the project. I have had the opportunity to ask questions about the research. These questions have been answered to my satisfaction.
- I agree to my employee(s)/staff member(s) participating in this research. I will ensure that their participation or non-participation in the research will not affect their employment status.
- I understand that interviews will each take between 1-2 hours to complete.
- I consent / do not consent to the interview being conducted during work time.
- I consent / do not consent to the use of the employee(s)/staff member(s) name in the research if that is their desire.
- I understand that if the employee(s) or staff member(s) use their job title, it may mean that the organisation will be associated with the research.
- I consent / do not consent to the use of the employee(s)/staff member(s) job title in the research.
- I understand that my employee(s)/staff member(s) can withdraw at any time during the interview. I understand that they can withdraw any information traceable to them up to 1 month after the interview(s) without giving a reason.
- I agree / do not agree to the interview being recorded on a digital audio recorder.
- I understand that my employee(s)/staff member(s) will have the option to have a digital file of their recording sent to them (if recorded) and their transcript. They then have the option to edit and return a copy of the transcript, within one month of receipt of that transcript, to the researcher to use instead of the original transcript. This is also another opportunity to withdraw any information traceable to them without giving reason should they choose to.
- I understand that the information will be stored in a secure place for a period of six years, and that at the completion of the 6 year period all data will be destroyed.
- I understand that the data and/or findings may be used at a later date for academic journal purposes or be the subject for future publications and/or presentations.

Name (please print clearly) \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

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Private Bag 92019  
Auckland 1142, New Zealand

### **PARTICIPANT INFORMATION SHEET** (Interviewees)

**Project title:** Evolving management and governance of Kaipara Harbour

**Researcher:** Lara Taylor

My name is Lara Taylor. I am a Postgraduate student in the School of Environment, at the University of Auckland. I am conducting research on integrated catchment based environmental management and governance, with a particular focus on involvement of Maori communities where they are actively involved in management and governance of a particular resource or environment.

I am also a part-time contractor at the Auckland Council. Although this position may be perceived as a conflict of interest, I believe this role is complementary to this research.

The research is concerned with how tangata whenua and other land users within a catchment are approaching environmental management and governance in the current socio-political climate. I am particularly interested in how and why the Integrated Kaipara Harbour Catchment Management Group was established, who was (and is) involved, and what barriers emerged during its implementation. I want to understand how barriers were overcome and if the implemented project is consistent with the aspirations and agendas of the community. I am also interested in additional issues that you consider relevant to the overall purpose of the research.

You have been selected as a potential participant due to your involvement with environmental management and governance of the Kaipara Harbour. If you are an employee and you have been selected because of your work role, your employer has given assurance that your participation or non-participation will not affect your work or employment status.

#### **Project Procedures**

This research will employ a qualitative study design, relying on the perspectives and experiences of individuals involved in collaborative environmental governance. I would appreciate the opportunity to interview you, but you are under no obligation to be interviewed. The interview will take place at a time and location suitable to you. The interview will take between 1 and 2 hours.

It would be desirable to record the interview on a digital audio recorder. However, this can only happen with your permission, and the recorder can be turned off at any time during the interview. In such an event, the project researcher will take hand-written notes during the interview.

The audio recording of the interview will be transcribed in full by the project researcher. You will be offered a digital file of your recorded interview and a copy of the transcript and you will have the opportunity to edit any information and return a copy to the researcher to use, within one month after receipt of your transcript. Both the audio recording and the transcript will be stored securely under password protection. Information and findings attained through interviews will be used for a report of key conclusions to the iwi concerned with this research and may also be used for the publication of academic/journal articles as well as for this Masters thesis.

The information obtained during the interview will be kept in a secure manner for a period of 6 years. For analytical purposes, copies of the recordings and transcripts will be stored digitally under password protection. The information obtained during the interview will be kept separate from the consent form. All consent forms are to be stored in a locked cabinet on University premises, in the researcher's office. All consent forms will be kept for a period of 6 years, and shredded at the completion of the 6 year period. Digital copies of the recording and transcript will be deleted after a period of 6 years.

#### **Right to Withdraw from Participation**

You have the right to withdraw from participating at any time during the interview. You also have several opportunities to withdraw any data traceable to you from the research. First, you have the right to withdraw your data up to 1 month after the interview date without explanation. Second, you have the opportunity to review your interview transcript and have one

month following receipt of that transcript to edit any information and return this transcript, or alternatively you can withdraw your data.

### **Anonymity and Confidentiality**

The project researcher intends to maintain the confidentiality and privacy of participants during the research process. Consequently, you will not be identified by your name, unless you give approval for this to occur. Rather, participants will be identified by their role/job/position title or, if you prefer, I will attribute interview material to a pseudonym. However, it must be emphasised that the anonymity of participants cannot be guaranteed fully because community members may be able to identify individuals from a role/job/position title or because there may be few possible sources within your community for the information you will provide.

I recognise that individual participants may unwittingly reveal or share collectively-owned information. While I cannot safeguard against that possibility I ask all of our participants to consider whether they have authority to share the information they provide, and I also offer several mechanisms for feedback and reinterpretation in case participants recognise afterwards that they should not have shared certain information.

Your participation in the research is kindly appreciated. If indicated in a consent form that I will discuss with you before the interview commences, you may request a digital copy of the final report(s) to be delivered by email, or a loosely bound copy to be delivered by post.

Thank you very much for your time. If you have any queries or wish to know more please phone me at **02102532087** or email me at **ltay065@aucklanduni.ac.nz**. You may also contact Brad Coombes, who is thesis supervisor, by phoning him at **(09) 3737599 x88455 or 021 2686733** or by email at **b.coombes@auckland.ac.nz**.

### **Contact Details and Approval Wording**

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APPROVED BY THE UNIVERSITY OF AUCKLAND HUMAN PARTICIPANTS ETHICS COMMITTEE ON 29/11/2013 for (3) years, Reference Number 010820.

**CONSENT FORM**  
(Interviewees)

**THIS FORM WILL BE HELD FOR A PERIOD OF 6 YEARS**

**Project title:** Evolving Management and Governance of the Kaipara Harbour

**Researcher:** Lara Taylor

- I have read the Participant Information Sheet. I understand why I have been selected to participate in the research. I have had the opportunity to ask questions about the research. These questions have been answered to my satisfaction.
- I agree to take part in this research.
- I understand that I am free to withdraw at any time during the interview and that I can withdraw any information traceable to me up to 1 month after our interviews without giving a reason.
- I agree / do not agree to the interview being recorded on a digital audio recorder (please circle chosen option).
- I understand that I have the option to have a digital file of the recording sent to me (if recorded) along with the interview transcript. I then have the option to edit and return a copy of the transcript, within one month of receipt of that transcript, to the researcher to use instead of the original transcript. This is also another opportunity to withdraw any information traceable to me without giving reason should I choose to.
- I wish / do not wish to receive a digital file of the recording and I wish / do not wish to receive a copy of the interview transcript and ask that you send them to this email address or postal address (please circle chosen options):  

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- I understand the interview will take between 1 and 2 hours to complete.
- I understand that if I have been selected because of my work role, the interview will only take place if my employer has signed a consent form and has assured that my participation or non-participation will not affect my work role or employment status.
- I consent / do not consent to the use of my name in the research (please circle chosen option).
- I consent / do not consent to the use of my role in the community or my job title (as appropriate) in the research (please circle chosen option).
- I understand that if I do not consent to use of my proper name or my job title/community role the researcher will attribute a randomly selected pseudonym to information I provide so that my identity is not revealed in research outputs.
- I understand that if I choose to have information I provide attributed to my role in the community or to a pseudonym and not to my name, I may still be identifiable.
- I understand that the data and/or findings may be used at a later date for academic journal purposes or be the subject for future publications and/or presentations (please circle chosen option).
- I wish / do not wish to receive a digital copy of the final report and subsequent academic journals and ask that you send them to this email or postal address (please circle your chosen option):  

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- I understand that information collected during the interview will be stored in a secure place for a period of six years and that at the completion of the six year period all data will be destroyed.

Name (please print clearly) \_\_\_\_\_

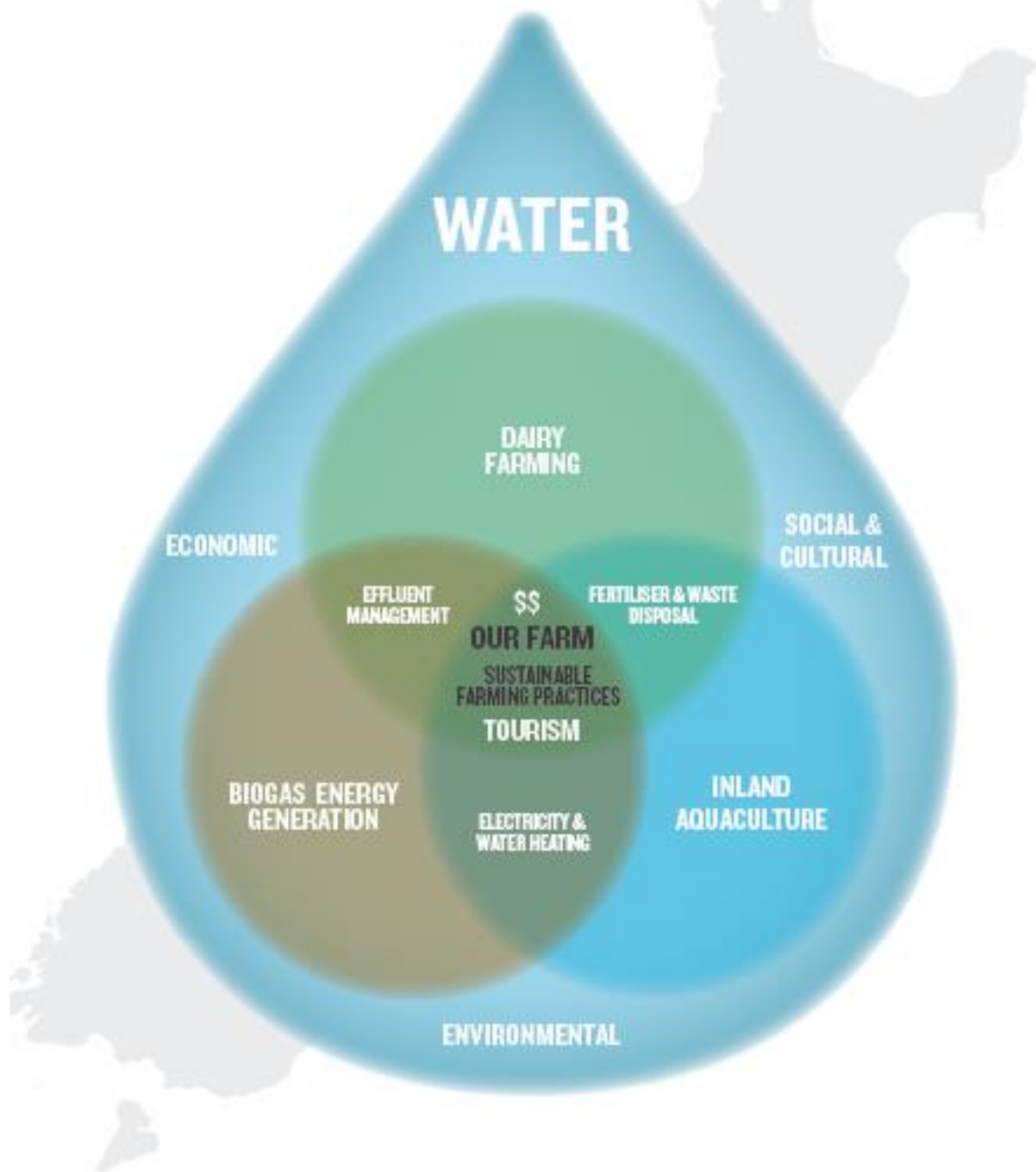
Signature \_\_\_\_\_ Date \_\_\_\_\_

Appendix K: Preliminary consultation with representatives or members of tribal entities

Name	Position	Method	Comment
Michael Steedman	Kaiārahi – Science, University of Auckland / NW	Kanohi ki te kanohi (face to face)	Researcher had an established working relationship – researcher was a Tuakana/mentor for the Science Faculty, a programme managed by the kaiārahi. He provided a mentorship role due to his position at the University and because he affiliates to NW.
Leane Makey	Coordinator IKHMG / Te Uri o Hau Environs Trust	Kanohi ki te kanohi	Following attendance at a public IKHMG hui in Kaiwaka, 06/03/2013, the researcher met with the coordinator to discuss this research topic and confirm IKHMG's interest in this research.
Jason Fox	Acting Tumuaki (CEO) NWoK	Kanohi ki te kanohi	Informal meeting set up by the kaiārahi (referred to above). Conceptual frameworks were a key topic of discussion e.g. researcher and participant discussed potential topic including considerations of the potential benefits for NW as well as the researchers own hapū, Ngāti Tahu. His initial support was offered and request for a research proposal to add to the Trust Boards agenda and to organise a meeting with several Trustees involved in KH management. Given this was a busy time with the NWoK land Treaty settlement, my proposal did not make the agenda but the Chair of NWoK gave his preliminary approval/support for me to proceed. Jason connected the researcher to the Trustees involved in the management of KH via e-mail.
Trustees NWoK	Trustees NWoK	E-mail	Researcher e-mailed research topic proposal and message to the relevant Trustees. The researcher was encouraged to attend IKHMG hui held 07/112013 in Te Awaroa/Helensville at the NWoK office. At this meeting the researcher met several of the Trustees and the Chair of NWoK as well as the Acting CEO and Heritage advisor from Te Uri o Hau. Following this hui, the researcher was invited to meet with one of the NWoK Trustees (Margaret Kawharu) to discuss the topic further.
Margaret Kawharu	Trustee NWoK	Kanohi ki te kanohi	Informal meeting to discuss the topic and the research process. The participant had recently completed her own Master's thesis focused on the NWoK Treaty settlement process. Conceptual and contextual frameworks were discussed. The participant gave her approval/support and extended an invitation to the researcher to attend and observe a Treaty settlement negotiation between NWoK and the Crown regarding the KH.
Deborah Harding / Mikaera Miru	Acting CEO / Heritage Advisor Te Uri o Hau (TUoH)	Kanohi ki te kanohi	Once interest in the topic was confirmed, it was important to contact the Tumuaki/Acting CEOs of TUoH and NWoK to seek their support and approval. The researcher set up a meeting with the Tumuaki & the Heritage Advisor of TUoH at their offices in Whangārei where the researcher presented her proposed topic and conceptual frameworks.
Haahi Walker	CEO NWoK	Kanohi ki te kanohi	Researcher was invited to observe Treaty negotiations held at the NWoK offices. Researcher met with the CEO and other Trustees and discussed the topic. The CEO gave his support and kept in regular contact with the researcher.



# Integrated Farming Solution



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