

Number 1/2015

ISSN 2357-206X

RESEARCH

REPORT SERIES

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RESEARCH REPORT SERIES 1/2015

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By Dr Giles Dodson



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This publication may be cited as:

Dodson, G. (2015). Advancing local marine protection, cross cultural collaboration and dialogue in Northland. Unitec ePress Research Report Series (1). Retrieved from <http://www.unitec.ac.nz/epress/>

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Cover design by Penny Thomson

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ISSN 2357-206X

Advancing local marine protection, cross cultural collaboration and dialogue in Northland

A research report summarising insights, findings and conclusions from the Unitec Creative Industries and Business Faculty Research and Supervision Committee funded *Cross Cultural Collaboration and Dialogue* research project

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Abstract

This research report summarises findings and observations arising from the *Advancing marine protection through cross-cultural dialogue* project, which examines community-driven, collaborative marine protection campaigns currently being pursued in Northland. This project consists of a series of case studies undertaken between 2012–2014 and draws on data obtained from archival research, semi-structured interviews with campaign participants, and published documents. The aims of these case studies have been to compare different approaches taken towards marine protection in Northland and to understand the composition of effective marine protection campaigns, within the context of collaborative approaches to environmental management and the communicative processes underpinning these engagements. The report provides a number of insights into how contemporary marine protection campaigns have been developed and the place of cross-cultural (Māori – non-Māori) collaboration and communication within these processes.

Introduction

This research report summarises findings and observations arising from the *Advancing marine protection through cross-cultural dialogue* project, which examines community-driven, marine protection campaigns currently being pursued in Northland. This project has developed a conceptual framework which bridges a number of related concerns, broadly spanning the disciplines of conservation studies, the specificities of conservation policy in Aotearoa/New Zealand and including theoretical conceptions of inter-group dialogic engagement. Firstly, the report discusses the broad context in which community driven and participatory conservation takes place and the prominence of adaptive management approaches – in which natural resources are co-managed by community and resource managers on the basis of shared values - within contemporary conservation policy and practice. Secondly, the specifics of the NZ context, in particular needing to view local conservation in NZ through the lens of the politics of the Treaty of Waitangi are emphasised. Thirdly, the project is mindful of critically understanding local marine protection campaigns as communicative processes; as processes of deliberation and negotiation over resource governance and control, grounded in dialogic, cross-cultural engagement. In all instances communicative engagement is located within particular social, political, economic and technological conditions, exerting powerful influence over the overall development of particular collaborations, which are always both local endeavours but shaped by

these broader structural considerations.

Collaboration is a central dimension of contemporary approaches to marine protection. The project finds however, that such collaborations, while of central strategic importance to marine protection campaigners as they seek to engage with mana whenua (customary owners or authorities), are inflected by a range of issues and their local expression. For instance unresolved Treaty of Waitangi grievance or historic experiences of exclusion from local decision-making resulting in difficulties for potential collaborators arriving with shared or agreed values in relation to the marine environment and compounded by campaigners' uncertainty with cross-cultural deliberative process. The report concludes collaboration must be a central dimension of marine protection campaigns, and of local assertions of (community) authority over the marine resources and environment. Central to successful collaboration is the creation of deliberative, dialogic space in which shared values in relation to the marine environment can emerge. However, these considerations are frequently in tension with multiple other imperatives faced by contemporary marine protection campaigners and must be considered in light of the reality of marine protection campaigns as inherently political processes rather than simple or idealised acts of collaboration or cooperation.

Conceptualising marine protection in Aotearoa/New Zealand

In New Zealand community engagement and participation is a central component of conservation authorities' discourse and practice (Department of Conservation, 2004a; Wilson 2005), particularly in relation to tangata whenua involvement. Likewise adaptive management approaches are prominent in the resource management field, with multiple 'partnership' and 'stakeholder' groups and forums wielding significant authority and influence in policymaking, particularly in

areas of fraught and competitive resource management, such as fresh water (Waikato River Authority, 2013; Land and Water Forum, 2010; 2012a; 2012b; Canterbury Water Management Strategy, 2009) and marine protected areas (DOC, 2005b). The move toward collaborative, adaptive management has been described as a paradigm shift (Jenkins and Henley, 2013) in which the politics of resource management and conservation are moderated through stakeholder involvement.

The inclusion of traditional and indigenous knowledge and authority within existing marine protection frameworks presents a significant challenge for those campaigning for marine protection. A central environmental ethic within tikanga Māori is that of *kaitiakitanga* – both guardianship of the natural environment and resources and their sustainable use (Kawharu, 2000). *Kaitiakitanga* is born of a holistic world-view, in which humankind is not separate from the natural world, as per European dualism, but rather part of it (Marsden, 1992). *Kaitiakitanga* implies the ethics of conservation, preservation and protection. And it is through the tikanga of *rāhui* - to designate a particular area or resource off-limits so as to conserve or protect - that the responsibilities incumbent in *kaitiakitanga* (Marsden, 1992) most closely resemble Western notions of environmental protection. Within a particularly tribal territory the rights and responsibilities of *kaitiakitanga* and of *rahui* are incumbent on mana whenua/moana – the tangata whenua groups who hold customary authority over particular land and sea areas.

The present regime in which marine protection takes place makes no reference to these concepts. The *Marine Reserves Act 1971* provides for the preservation of distinctive and unique marine environments for specifically scientific purposes. Marine reserves are the highest-level of marine protection, akin to national park status. Within marine reserves a strict injunction against harvesting or modifying the environment in anyway prevails. The specific purpose of the *Marine Reserves Act*

1971 therefore potentially impedes the exercise of customary relationships – kaitiakitanga - involving the sustainable use of environmental resources by tangata whenua for social development, central to the development of tino rangatiratanga, or self-determination (Kawharu, 2000). Although since the early 2000s a new Marine Reserves Bill has been in preparation, the framework outlined above currently prevails.

The *Marine Reserves Act 1971* provides for little in the way of devolved or collaborative governance over marine protected areas. The *Conservation Act 1987* does include provision for ‘advisory committees’ to advise the Minister of Conservation in relation to certain conservation areas, including marine reserves. However these bodies have little in the way of real decision-making or governance authority. Indeed the absence of tangible authority and governance outcomes for tangata whenua and the difficulty of reconciling customary practices with the ‘no-take’ protectionist ethic of reserves, remain significant barriers to a greater degree of Māori support for and involvement in marine protection.

Notwithstanding these limitations creative and innovative approaches to marine protection have been experimented with, such as the generational review mechanismⁱ, the combination of marine protection with *Fisheries Act 1996* toolsⁱⁱ to enhance the benefit of marine protection to tangata whenua, and the use of the *Conservation Act 1987* to permit the establishment of ‘Advisory Committees’ to exert influence on the administration of marine reserves. And while there have been some notable successes – for instance at Whangaraⁱⁱⁱ, the present marine reserves framework offers limited scope for collaborative management to flourish.

Since 2005 successive New Zealand governments have articulated a Marine Protected Areas (MPA) policy as the preferred approach to the establishment of a network of marine reserves. This policy promulgates a consensus-based model of marine reserve establishment, through the formation of regional, representative stakeholder fora,

charged with making recommendations to the Ministers of Conservation and Fisheries (Primary Industries) on regional MPA networks. Notwithstanding this shift in policy focus, the *Marine Reserves Act 1971* process, in which applications are made for marine reserve establishment, remains in place.

Attempts to protect the marine environment, such as those described in this report, have to contend with this limited framework. Clearly however, both non-Māori campaigners and tangata whenua in Northland are actively exploring how to work together and how to reconcile and integrate differing worldviews and conceptions of marine protection. Central to these efforts are collaborative, adaptive approaches in which shared community values and aspirations for the marine environment guide marine protection and in which local communities are able to exert authority over the administration of their marine environments.

Adaptive management and partnership discourse in Aotearoa/New Zealand: Collaboration, policy and dialogue

Collaboration

A common theme discussed in recent literature on conservation and public engagement is that of a shift toward a more participatory and inclusive model of conservation development. This theme is discussed in a variety of conservation and resource management contexts, including developing country issues (Twyman, 2000); globalisation (Berkes, 2007); policy and decision-making (Walker, 2007); fisheries management and marine reserve establishment (Granek et al, 2008; Uunila, 2003); and cross-cultural engagement and partnership (Stephenson and Moller, 2009; Bauman and Dermot, 2007; McLean et al, 2009; Cinner et al, 2007).

Collaborative management of natural resources by ‘communities’ and state actors should be thought of as adaptive, learning processes in which environmental

problem solving and knowledge generation are central, within the administrative, institutional framework of shared authority (Berkes, 2009a) and, in post-colonial contexts, in which indigenous 'ways of knowing' are complementary to 'conservation science' (Berkes, 2009b; Jacobson & Stephens, 2009; Robson et al., 2009). Carlsson and Berkes (2005) suggest shared management should be understood as a continuum between simple information exchange to fully developed shared governance. Shared, partnership-based or collaborative management implies the sharing of decision-making power and responsibility, whereas *co-governance* suggests the devolution of decision-making imperatives, authority and control to a governance entity combining state or official authority and local, community authority (Singleton, 1998; Carlsson and Berkes, 2005). Partnership should be understood as the processes through which collaborative management is developed and negotiated, and implying the dialogic engagement of partner stakeholders in these processes (Dutta, 2011).

'Partnership discourse' is thus well-established in resource management and conservation literature (Berkes 2009a; 2008; Campbell and Vainio-Mattila 2003; Forgie et al 2001). However as Berkes (2009a) suggests enduring partnership building and final conservation and resource management governance arrangements should not be conceived simply as goal-oriented collaborations or consultation processes. It is here that the 'partnership discourse' popular with policy makers and managers meets the reality of the political and contested nature of resource control; an important consideration in the context of post-colonial Aotearoa/New Zealand conservation and resource management policy.

Policy

The integration of traditional indigenous authority and knowledge is becoming a visible feature within both conservation policy and the post-colonial Aotearoa/New Zealand polity more widely, largely as a

result of the public policy reforms that have resulted from the Treaty of Waitangi settlements process (McHugh, 2005; Hill, 2009). This integration, however, remains an underdeveloped approach within the area of marine protection legislation.

The Treaty settlements process recognises the historic exclusion of Māori from involvement and authority within conservation policy (Waitangi Tribunal, 2011) and a range of innovative conservation governance frameworks and arrangements seeking to redress Māori for historic exclusion are visible in recent settlement agreements (*Ngati Pahauwera Claims Settlement Act, 2012; Te Aupouri Deed of Settlement, 2012; Te Rawara Deed of Settlement, 2012; Tuhoe Deed of Settlement, 2012; Waikato-Tainui Raupatu Claims Settlement Act, 2010*). Such arrangements acknowledge mana whenua, restore the opportunity for customary relationships to be upheld and hold out the promise of a restored treaty relationship between tangata whenua and the Crown. It is out of the treaty settlements process that the most visible and important innovations with respect to conservation governance have arisen. Although developments such as the Waikato River Authority and a new governance board for the Far North's Ninety Mile Beach (Te Oneroa a Tohe)^{iv} indicate the constructive possibilities of shared governance in conservation policy, we should be mindful that these are largely elite processes, involving mandated iwi and Crown negotiators, rather than direct community participation. Furthermore, given the 'one-off' nature of Treaty settlement agreements, the influence of these innovations on wider policy remains unclear.

Outside of the Treaty of Waitangi settlements process, however, the establishment of conservation partnership-based management and governance with respect of the marine environment remains legislatively problematic. The *Conservation Act 1987* requires the Department to "give effect to the principles of the Treaty of Waitangi"^v and this commitment is articulated in DOCs community engagement policy statements (see *General*

Policy 2005a; Consultation Guidelines 2006a). The Department of Conservation also states a commitment to community participation and partnership and has produced internal research publications illuminating this dimension of its operations (DOC 2004a; Wilson 2005). Although strong discursive commitments are visible and institutionally there is willingness to engage more deeply in collaborative processes, the mechanisms through which shared control can be instituted remain weak and unclear, potentially undermining a discursive commitment to the meaningful involvement of tangata whenua.

Dialogue

Collaborative approaches imply a dialogic form of communication between partners, in which respect for the perspectives and culture of the participants and the processes of meaning-making in which these community members engage is central (Dutta, 2011, pp. 37-38). In the context of marine protection, the integration of traditional or customary knowledge and values with scientific knowledge is central to this collaborative process. As Servaes (2008, p. 96) (following Freire, 1993) suggests, dialogic communication forms the normative basis of collaborative engagement. Dialogue is a dynamic, transformative process through which participatory relations are constituted and positive outcomes enabled (Singhal and Devi, 2001). Dialogic engagement is an authentic, reflexive process focused on creating spaces in which the voices of social change participants can be activated and through which structural impediments to change may be overcome.

Phillips (2011) articulates a useful notion of dialogue. The discourse of 'dialogue and participation' that characterises contemporary collaborative, particularly policy focused processes, connotes equitable, democratic relations, in which dialogue and action are directed towards social equity – in our case, shared values and methods of achieving those values in relation to the marine environment (Phillips, 2011; 59). Phillips' (2011;

61) notion, in which dialogue possesses a relational quality, rather than a normative meaning associated with 'discourses of participation and empowerment', brings us to a concept of dialogue familiar to the field of communication for social change – and alerts us to the potential structuring of 'partnership' by elite interests. Here, dialogue and communication are understood as "horizontal processes of information exchange and interaction" (Morris, in Phillips, 2011; 65), as opposed to hierarchical or linear communication, controlled by elites yet promoted as open and participatory. Dutta (2011) argues for the importance of the participatory inclusion of the culturally specific voices of the marginalised in dialogic communication. As Dutta and Basnyat (2008, p. 443) suggest central to empowering dialogic communication is the creation of specific deliberative and dialogic spaces and processes emphasising the agency of cultural participants and their location both within the dynamic context of both culture and structural conditions. In our case these are the historic conditions of marginalisation and colonialism that characterise state-indigenous relations in Aotearoa/New Zealand – which shape engagement in deliberative spaces.

In the context of resource management and conservation, notions of dialogue and processes underpinning dialogue should be critically addressed however. The promise that collaborations, particularly between traditional/indigenous owners and conventional conservation and environmental protection agencies or groups, can produce positive conservation and social outcomes remains powerful, but should be made to withstand critical re-examination (Agrawal and Gibson 1999; Conley and Moote 2003; Coombes and Hill, 2005). For instance it is important not to view participation and community involvement as a simple panacea for resolving historic and persistent issues of grievance, disempowerment or marginalisation. As Berkes (2009a) makes clear, 'goal-oriented collaborations' should not be mistaken for modified institutional frameworks. As others

have identified, the potential exists – especially in the New Zealand context - that indigenous participants are simply co-opted within existing neo-colonial structures, rather than experiencing meaningful empowerment and social change (Coombes and Hill, 2005) – a perception not infrequently held within local communities (Dodson, 2013). As noted above, ‘partnership discourse’ is a central component of contemporary policy, yet whether or not such policy yields durable, effective and culturally appropriate community driven outcomes institutionalising shared visions and values remains uncertain, particularly with respect to marine protection.

To summarise, in New Zealand partnership conservation between tangata whenua and non-Māori groups must be understood as dialogic communication, within the context of Treaty-based relationships and the contemporary discourse of partnership and participation. The question of whether contemporary marine protection campaigns and collaborations offer guidance in terms of advancing marine protection and innovative management possibilities has been a guiding interest of this project and it is to the case study analysis of contemporary campaigns that the discussion now turns.

Case Study One

Partnership and marine protection at Mimiwhangata

Mimiwhangata, located on the northeast coast of the North Island, Aotearoa/New Zealand, is an area of natural beauty, ecological, scientific and cultural importance to both Maori and non-Māori alike. The modern history of both terrestrial conservation and marine protection at Mimiwhangata dates from the 1970s, when the first ecological surveys were conducted and the area’s outstanding natural and ecological features began to be intensively studied and documented (Ballantine et al 1973; Grace 1981). The present Coastal Farm Park was established at Mimiwhangata in 1980, and the existing Marine Park in 1984 (Kerr and Grace 2004).

Given this status, in the early 2000s Mimiwhangata was identified as a prime location in which the Department of Conservation had an opportunity to advance a wider marine protection strategy in Northland. The Northland east coast is both an ecologically high-value marine environment and a region of high intensity recreational and commercial use. From DOC’s perspective, a key dimension of any expanded marine conservation strategy was to ‘get it right’ in relation to collaboration with local Māori. If a marine reserve could be established at Mimiwhangata based on collaborative management/governance principles and founded on a solid, constructive partnership, then this potentially provided both a model and precedent for future marine reserve establishment in Northland (DOC spokesperson, interview, 2012).

In the process of early consultation (beginning 2001) a leadership group quickly emerged from the local tangata whenua/moana, comprised of local elders, concerned both for the local marine environment and wider socio-economic issues facing the area. The leadership group represented the local hapu (sub-tribe) Te Uri o Hikihiki, and focused on the social and economic development of Ngatiwai coastal communities, particularly around Mimiwhangata. Although neighbouring hāpu, Te Whānau Whero, maintained an interest and involvement in deliberations over the marine reserve project, they did not demonstrate or assert equivalent leadership as Te Uri o Hikihiki. In this context, Te Uri o Hikihiki have increasingly come to view marine protection as a credible vehicle for local development (Te Uri o Hikihiki spokesperson, interview, 2012).

Commencing in 2002 DOC and Te Uri o Hikihiki undertook a lengthy engagement process.^{vi} The project partners held an ongoing series of ‘working group’ meetings and other hui (meetings) continuing until 2004 and including neighbouring hapu (sub-tribe), Te Whanau Whero. In these discussions the need for some form of marine protection at Mimiwhangata was quickly agreed.

The form that protection should take and the governance of that institution – a central concern for Māori - quickly emerged as the focus for tangata whenua, as they sought the meaningful restoration of authority over the area and involvement in its management.

As a ‘no-take’ area, a marine reserve at Mimiwhangata would mean real consequences for local people, as the enduring customary rights of tangata whenua to fish and gather seafood would be curtailed and possibly extinguished – an intolerable and unacceptable measure for many Māori and a violation of the ethic of kaitiakitanga (Kawharu, 2000).

Nevertheless, as part of the dialogue, a senior kaumatua and local leader made a public statement at Mimiwhangata in which he expressed his concern over the degradation of the local marine environment and the depletion of fish stocks, and in which he called for a rāhui – a tikanga Māori form of temporary closure - over the Mimiwhangata area for a period of 25 years (DOC, 2004b). This declaration of a rāhui by a senior kaumatua was considered of fundamental importance both to DOC, as an expression of support for their policy, and for local people, for whom purposeful traditional leadership was evident. Although ‘rahui’ possess only very limited statutory status^{vii}, the public enunciation of this measure carried significant customary and cultural importance. This public declaration permitted legally sanctioned marine protection measures to be meaningfully endorsed in culturally appropriate and resonant terms (Working Group Minutes, PAS-01-06-03, NLW-2; 11/3/04).

For tangata whenua, the ultimate marine protection co-governance/management body and decision-making process controlling the Mimiwhangata reserve required deliberation spanning several years (2002–2006) (Mimiwhangata Progress Report, PAS-01-06-03, NLW-4; 24/07/03). Importantly, Te Uri o Hikihiki envisioned a governance structure in which ultimate authority and decision-making responsibility rested with them. Presently, however, the involvement of tangata

whenua in marine reserve management is weakly provided for in legislation.^{viii} In practice ‘advisory committees’ meet from time-to-time to provide feedback and direction to the operational managers of a reserve – the Department of Conservation. For Te Uri o Hikihiki, although having an advisory role, such as that provided by section 56 of the *Conservation Act of 1987*, may have provided some degree of involvement in reserve management. However, this measure fell short of tangata whenua’s expectation that their authority be fully recognised and presents a significant barrier to collaborative, adaptive marine protection on the basis of shared values and integrated knowledge systems:

When we started asking for te tino rangatiratanga [self-determination/governance], which is to be in governance, we were only offered the means [sic] the vehicle they call the section 56 committee...that gave us a voice that would always outweigh the minority, but the governor – that wasn’t us [sic] (Te Uri o Hikihiki spokesperson, interview, 01/05/12).

It is important to note also the delicate balance that existing governance frameworks required project partners to maintain. As the then DOC Area Manager emphasised, the Department’s pragmatic approach to establishing joint governance rested on achieving a workable arrangement within existing frameworks and using that as a foundation upon which to build support for more progressive forms of reserve governance over time. Although officially ‘advisory boards’ possess limited authority, in practice these bodies can be important vehicles for tangata whenua involvement and trust building institutions (DOC Spokesperson, personal communication, 31/07/2012).

Ultimately, it was decided by consensus among project partners that Te Uri o Hikihiki would be a joint applicant with DOC in the formal application process.^{ix} The question of governance remained unresolved.

Nonetheless, the tangata whenua partner identified being a joint applicant as a firm opportunity to advance their strategy for hapu empowerment and development, with a clear vision of restored kaitiakitanga (guardianship) and enhanced rangatiratanga (self-determination) at the top of their agenda (Te Uri o Hīkīhiki Spokesperson, interview, 01/05/12). Furthermore, both parties recognised that if traditional relationships and authority were restored through innovative governance frameworks, a powerful sense of local empowerment would be achieved, while also delivering marine protection outcomes. A *Marine Reserve Proposal: Community Discussion Document* was jointly launched by DOC and Te Uri o Hīkīhiki in December 2004.

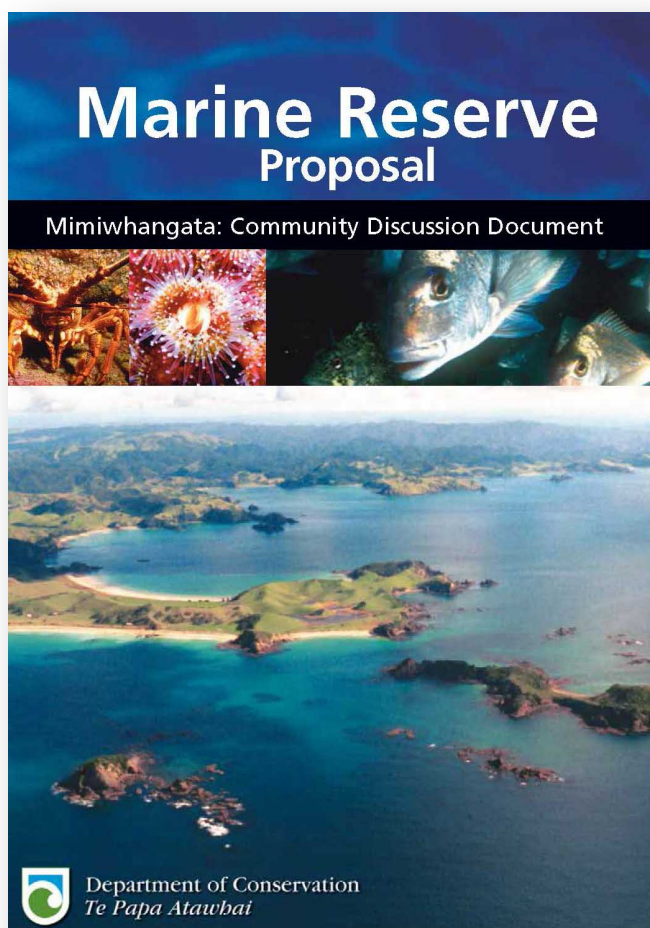


Figure 1.
DOC (2004b) Marine Reserve Proposal Mimiwhangata
 Community discussion document

In spite of these efforts and the establishment of a strong, focused partnership, ultimately the marine reserve campaign has been put on hold. On one hand unanimous community support was not achieved among tangata whenua at Mimiwhangata; serious reservations remained within Te Whanau Whero over the ultimate governance and authority structures that would establish the proposed reserves. On the other hand, and more crucial to the reserve application, was the 2006 decision to place the application to establish a marine reserve at Mimiwhangata ‘on hold’ as a result of the promulgation of a broader Marine Protected Areas (MPA) Policy by the New Zealand Government, a political decision taken at senior level within the Department of Conservation. Marine Protected Areas policy provides comprehensive policy for the whole marine environment and an integrated, consensus-based approach to marine reserve establishment. While it is intended to institutionalise collaborative and adaptive management approaches toward marine protected areas, this policy has to a large extent halted the establishment of government agency sponsored marine reserves on high-use/high-value coastlines, such as the Northland east coast.

Case Study Two

Fish Forever – campaigning for a network of no-take marine reserves in the Bay of Islands^x

Fish Forever is an autonomous ‘working group’ of an umbrella organisation Bay of Islands Marine Park Inc. (BOIMP) providing an integrated organisational structure for a number of community organisations. The guiding vision of the BOIMP is “healthier seas, healthier communities” (Fish Forever, 2014).

Since its establishment in 2010 Fish Forever has been actively and specifically promoting the establishment of marine reserves in the Bay of Islands/Ipipiri. New Zealand. The Bay of Islands/Ipipiri is an area of national and international significance as a tourism and recreational centre, focused on marine

recreation and sightseeing. The Bay of Islands/Ipipiri is profoundly significant historical area, as the 'birthplace of the nation', as the venue for the first encounters between Māori and Europeans – notably, the Treaty of Waitangi was signed at Waitangi in February 1840.

Fish Forever's campaign has recently reached an important juncture, with the public release of a proposal document discussing and proposing the establishment of twin marine reserves in the Bay (Fish Forever, 2014). This document represents five years work by a small, committed campaign team and offers an alternative campaign model to that described at Mimiwhangata. Fish Forever are a non-state organisation, nor do they have a *formal* relationship with tangata whenua. Fish Forever is a grassroots, community organisation in the 'Meadian' mode; a small group of thoughtful, committed citizens and environmental advocates, willing to dedicate time and energy to a campaign, and who feel strongly that the depletion the fish stocks and degradation of the marine environment in the Bay of Islands should be addressed through marine reservation.

The Fish Forever campaign has been built on the slow, ongoing work of building support and winning over local public opinion through well-established strategies characteristic of environmental campaigns around the world (Cox, 2006). This has, in general, included a wide-ranging stakeholder engagement process in which the relative impacts and benefits to the community are deliberated and discussed. Importantly the organisation established an attractive and accessible website early in the campaign, as the centre of the campaign, to serve both as a communication mechanism and as a repository of a wide variety of campaign related information; from research documents and accessible marine science information; historic imagery of the past

state of the Bay's marine environment; press clippings; news and information from marine environmental sources; information on membership and how to be involved in the campaign (Fish Forever, 2014). Importantly the site hosts research documents produced by the campaign team itself – including as it does marine scientists and experienced marine environmentalists (Kerr, 2014; Booth, 2013a; 2013b; Gibb, 2012). The website site includes a 'Mark the Chart' function, in which visitors can indicate where on a excerpt of a Bay of Islands marine chart they, as members of the community, believe marine reserves are best located. This engagement activity has also been run in the community since 2010, with paper copies circulated, akin to a community survey. This information has been collated and used to inform the proposal for marine reserve boundaries which are currently being proposed (see above). To date approximately 430 responses have been received.

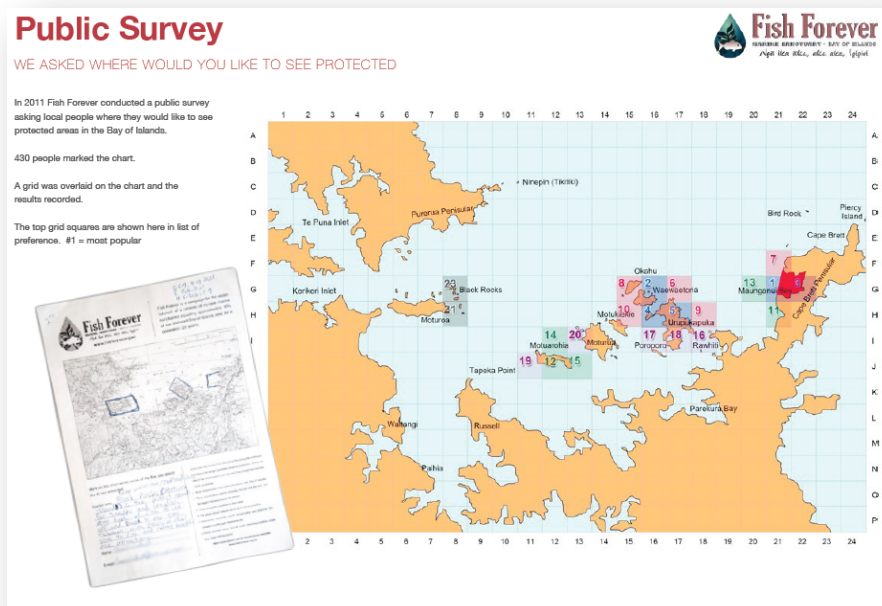


Figure 2.
 'Mark the Chart' community survey tool
 Source: Fish Forever (2014)

Also noteworthy has been the development by the campaign team of education initiatives relating to the campaign. On one hand the campaign has been actively engaging local schools with presentations and information resources concerning the marine environment and its protection – an established environmental campaign tactic. The campaign has also been working closely with Experiencing Marine Reserves (EMR), a comprehensive in-school marine education program run by the Mountains to Sea Conservation Trust (EMR, 2014). As part of this initiative Fish Forever campaigners – who include local teachers - have developed a set of marine education teaching resources, aimed at NCEA level 7 and 8 students. These resources, including a week’s set of lesson plans and supporting documentation, are freely available from the Fish Forever website (Fish Forever, 2014).

Importantly too, Fish Forever has been able to make significant progress in developing its campaign through funding grants it has been able to attract. These grant monies have been steadily increasing; since 2010/11 the Department of Conservation has granted \$16,400 and the ASB Community Trust has granted \$37,646 (BOIMP, 2011; 2012; 2013). This relatively modest level of funding has nonetheless been used to advance the campaign in strategic directions, which until this point were underdeveloped; namely, engagement with tangata whenua.

Importantly, funding has permitted Fish Forever to hire the services of professional campaign management. Initially an experienced communications professional and committee member was employed as campaign manager. Subsequently, experienced marine reserve campaign managers and marine consultants, Kerr and Associates have taken up this role (principal Vince Kerr remains a key figure in the Mimiwhangata campaign and active across marine protection campaigns in Northland). The addition of professional management has accelerated the campaign through professional level

strategic planning and campaign development, particularly that relating to engagement and partnership building with tangata whenua, Ngati Kuta and Patukeha, mana whenua and mana moana of the eastern Bay of Islands/Ipipiri. Since 2011/12, \$15,346 has been spent on ‘hapū liaison’ expenses – facilitating the involvement and engagement of these communities in the campaign deliberations (BOIMP, 2012; 2013).

Hapū engagement has been a significant feature of the Fish Forever campaign but has been slower to develop as a central strategy, meaning opportunity to explore shared values in relation to the marine environment was not pursued and may have undermined the campaign from its initiation. Initially the campaign team were uncertain about how to progress relationships with tangata whenua, or indeed aware of the importance of establishing shared vision and aspiration for the Bay of Islands that could form the basis of a productive collaboration. However with the involvement of experienced professional campaigners and partnership builders Kerr and Associates, the energy and resource being invested in this aspect of the campaign has been significant. To date fifteen hapū engagement hui have been held, in which campaigners and tangata whenua have been able to commence the process of discuss and deliberate over community perspectives on marine protection in culturally appropriate circumstances (Kerr, personal communication, 2014; Willoughby, personal communication, 2014). Hui are normally held at local marae according to local tikanga and provide an ongoing forum in which the manifold issues relating to hapū rights and interests, and marine reserve constitution, structure and governance are deliberated – in which the foundations of collaborative management can be established. Importantly too, fora such as these provide crucial space for non-Maori campaigners to interact with traditional systems of authority and leadership and for that leadership to shape the process of engagement and campaign development more widely.

The campaign has been able to fund the travel of Fish Forever members and hapū representatives to Whangara, near Gisborne on the East Coast, to be hosted by local hapū, Ngati Kanohi. The Nga Tapuwae o Rongokako marine reserve at Whangara was established in partnership between DOC and Ngati Kanohi in 1999 and is often used as guidance as to how tangata whenua might expect a marine reserve in their rohe to affect them. Importantly Nga Tapuwae o Rongokako is administered under the “advisory committee” structure outlined above, with preponderant representation of tangata whenua and the reserve subject to a 25-yr, ‘generational’ review.

Notwithstanding these efforts, at the time of the release of the public consultation documents (May 2014) a formal partnership or unanimous support for the marine reserve initiative in the Bay of Islands from eastern Bay of Islands hapū was not forthcoming. At the time of writing public submissions on the consultation document are being collated and deliberations involving hapū of Te Rawhiti are ongoing.

Case Study Three

The Doubtless Bay Marine Protection Group – Te Roopu Whakahauora o Tokerau

The Doubtless Bay Marine Protection Group – Te Roopu Whakahauora o Tokerau (DBMPG) provides a third case study in collaborative marine protection campaigning. Doubtless Bay/Tokerau is a region in New Zealand’s Far North that extends from Mangonui Harbour in the south to the Karikari Peninsula and environs in the West, to and Cape Karikari in the north. Mana whenua and mana moana in this rohe are held by tangata whenua, the various hapū of Ngāti Kahu.

The Doubtless Bay project, running from 2002/2003 demonstrates similarities with both the Mimiwhangata project and the Fish Forever campaign. However there are crucial differences also, and this campaign has struggled to gain traction within the

community. Ultimately, in the words of one of the key figures in the campaign, they “ran out energy” (DBMPG Spokesperson, interview, 2013) and since around 2010 the campaign has been largely dormant. Ironically, this lack of campaign traction has been in the context of apparent community support for marine protection within the region.

Impetus for the DBMPG arose in 2002/2003, from concern within the community over the degradation of the marine environment within the Doubtless Bay environs and a desire by active local citizens to establish high-level marine protection with Doubtless Bay. Initial community meetings over these issues were facilitated by local community group, the Far North Environment Centre and supported by the Department of Conservation. Several well-attended meetings were held within the community, indicating the level of interest, concern and suspicion relating to management of the local marine environment. As at Mimiwhangata, local iwi Ngati Kahu indicated early on that they would be central to any discussion and consultations that were to take place regarding marine protection. In these fora the current community values and perceptions in relation to the marine environment could be shared, approaches to marine protection, and the options available for addressing perceived environmental degradation could be discussed. And, while community interest was high in relation to these issues, given the diversity of opinion, perceptions and values relating to the marine environment extant within the community support for high-level marine protection was uncertain from the start (DBMPG, 2002-2005).

Iwi consultation and involvement of tangata whenua in the deliberations over marine protection nonetheless formed a central pillar of the campaign. Throughout this period building the relationships and potential partnership between non-Maori community members and campaigners and tangata whenua was a campaign focus. Several meetings/hui took place throughout the district,



Figure 3.
Doubtless Bay/Tokerau region, NZ Far North
 Image: LINZ Topographic Maps topomap.co.nz

including at local marae and at the Far North Environmental Centre in Kaitaia, as the campaigners and iwi sought to find common ground and shared values and aspirations in relation to the marine environment.

In this context the campaign continued with variety of initiatives central to collaborative management approaches and to marine reserve campaigns, as outlined above. With DOC financial support through its community conservation programmes, ‘habitat mapping’ of the Doubtless Bay marine environment was completed (Grace and Kerr, 2005). These findings were presented by the DBMPG, DOC sponsored scientists and Ngati Kahu at a public meeting in 2006. Habitat mapping is a key step in

the development of marine protection initiatives, as an understanding of the submarine environment permits community values in relation to the marine environment to be deliberated on the basis of baseline evidence, rather than conjecture and permits an evidence-based approach to understanding the current and potential future states of the marine environment to be pursued. In short, establishing a scientific baseline is the first step in collaborative, adaptive management.

Using DOC support the DBMPG was also able to contract the services of a marine biologist to produce the Community Discussion Document – another key step in establishing community values and priorities towards the marine environment - released in November, 2008 (DBMPG, 2008). This document, rather than proposing a specific form of marine protection however, outlined five main issues identified by the DBMPG and Ngāti Kahu and asked the community to consider methods of addressing

them. These issues, as articulated within the discussion document, were (in this order);

- Marine educational, cultural and economic opportunities
- Declining fish stocks
- Habitat loss and degradation
- Declining water quality
- Local management/kaitiakitanga.

The Discussion Document also contained a community survey, seeking input into a Community Marine Management Plan that the document proposed. By late 2009 the results of the survey had been made public and although there were low number of responses overall (n=114), a significant majority of respondents favoured (80%) some form of marine reservation in Doubtless Bay (Doubtless Bay *Times*, 4/11/09).

This process of community engagement and deliberation over common values and aspirations followed similar process as that observed at Mimiwhangata and in the Bay of Islands; through Department of Conservation support campaigners and local tangata whenua representatives were able to travel to Whangara in 2006 (DBMPG, 2005-2010) to observe the marine reserve function there (see above); the DBMPG supported the proclamation of a rāhui (traditional temporary closure) by local hāpu Matarahurahu on set-netting in the upper Mangonui harbour in 2003; and through significant meetings – such as the weekend long DOC-sponsored hui, ‘Protecting Tangaroa’, held at Parapara marae, attended by Whangara kaumatua, mana whenua, campaigners and government agencies, who sought to arrive at consensus in relation to progressing marine protection at Doubtless Bay.

Notwithstanding these efforts, there remained significant barriers to establishing the firm basis of shared community values between non-Māori campaigners and tangata whenua and to these relationships driving the

marine protection project forward. Willingness to work with each other to achieve mutual environmental goals clearly existed, however there were significant difficulties in sustaining the level of engagement and energy required for long-term consensus building, particularly in the context of competing local traditional authorities and interests, and uncertainty on the part of local campaigners.

A final key dimension of the DBMPG’s activities and communications before the group “ran out of energy” (DBMPG Spokesperson, interview, 2013) was the development and launching of the groups’ website in 2008. The website is intended to function as a portal into the activities of the DBMPG and provide a suite of resources pertaining to marine protection and the local environment. The website however has not functioned as the central platform for the campaign and is severely limited in its functionality and capacity to facilitate community engagement on marine protection issues (DBMPG, 2014). Since late 2009 the DBMPG has been largely inactive and momentum towards achieving some form of marine protection in Doubtless Bay has stalled.

Discussion

The success therefore, of processes of community-driven, cross-cultural collaborative marine protection in Northland is uncertain. As these case studies demonstrate well-developed campaigns for marine protection have occurred in the context of iwi/hapu leadership, as at Mimiwhangata and in the context of only later developing hapu participation, as in the Bay of Islands. Campaigns have developed under the aegis of state agencies (Mimiwhangata) and as the result of ‘grassroots/flaxroots’ community organisations (Fish Forever/DBMPG). Without campaign success however, the projects under discussion here remain ‘goal oriented collaborations’, rather than the institutional realisation of the partnership or collaborative management principle (Berkes, 2009b).

Clearly the discourse of conservation and resource management partnership has shaped the development of the marine protection projects discussed here. On one hand, non-Māori campaigners and state agencies have rightly viewed tangata whenua as key strategic partners in pursuing their marine protection aims. Likewise, iwi and hapū have powerfully asserted the right to determine environmental and resource management outcomes within their rohe – of kaitiakitanga, in short. Indeed both sides of these ‘partnerships’ have clearly identified the importance of working together to achieve mutual aims – marine protection outcomes, restored authority and constructive relationships on one hand, and on the other the possibility of modifying existing frameworks in which marine protection is managed (Berkes, 2009b).

Clearly too, however, the pursuit and formation of collaborative approaches by no means implies success – indeed, as the experience of the DBMPG has illustrated, much energy can be expended pursuing local collaborative management activities, resulting in low quality outcomes, exhaustion and disillusionment. As Fish Forever demonstrate, developing a well-organised campaign, which harnesses local capacity and achieves momentum has been important in making progress. Indeed, although Fish Forever has directed considerable time and energy towards engagement and partnership building with local tangata whenua, ultimately the campaign will proceed with or without unambiguous support from those local parties, signalling the limit to collaborative management approaches within the current marine reserves legislative framework.

There exists different local capacities for partnership formation, of which campaigners, iwi and other parties need to be mindful. On one hand non-Māori campaigners do not necessarily possess the cultural knowledge or skills required for building constructive relationships with iwi, whereas iwi and hapū are frequently also challenged by the impositions of

partnership building activities, in the context of unresolved Treaty of Waitangi issues, historic suspicion or marginalisation, which overlaid all of the campaigns and communities included in this study. As examination of the management and governance frameworks for marine reserves makes clear, campaign partners are obliged to work within a statutory framework that has difficulty reconciling competing concepts and priorities in relation to marine conservation (see above, p. 4). However, just as ‘partnerships’ and collaborative management should not be treated as ‘panacea’ to long standing issues of disempowerment (Coombes and Hill, 2005), or as simply strategic imperatives to campaign advancement, the pursuit of close consultative and collaborative relations between campaigners and tangata whenua is a centrally important component of contemporary marine protection activities.

These relationships are built on the careful work of enabling dialogic communication. As at Mimiwhangata, and to a similar extent in the other campaigns, the creation of effective communicative spaces where cross-cultural exchanges could be experienced and developed is crucial to the ongoing development of the project and of understanding between groups working towards partnership. The creation of ‘deliberative space’ provides culturally appropriate fora in which the concept of marine protection could be articulated in culturally resonant terms and the deliberative process of negotiation and planning could occur, contextualised by wider socio-political, economic and environmental issues being experienced locally. It is in these spaces that the shared values and vision that permits collaboration to take place, can emerge.

A similar approach was pursued by the DBMPG and Fish Forever, in which tangata whenua were engaged by campaigners to both consult with them on marine protection ideas, but also to lead non-Māori community members through processes of locally appropriate engagement and deliberation. At the Bay of Islands this

process was initially not central to the campaign strategy, but became so with the engagement of professional campaign managers, experienced in hapū liaison and engagement. At Doubtless Bay, by contrast, it appears the consensus seeking, frequently slow and circular approach favoured by Māori decision-makers was in tension with the majoritarian inclinations of non-Māori campaigners, who were challenged by negotiating Māori processes (DBMPG Spokesperson, interview, 2013).

Dialogue and communication is also built through other mechanisms than simply kanohi ki te kanohi (face to face) interaction, as the campaign case studies have illustrated. In each campaign the release of a community discussion/proposal document is a key moment, as these documents disclose to the wider community, which may be only peripherally aware of the campaign, firm proposals for marine protection or invitations for wider community dialogue concerning marine protection. However, in each case, the context in which this occurred was quite different with potentially quite different outcomes. At Mimiwhangata, the release of the discussion document was the culmination of several years of collaboration between Te Uri o Hikihiki and DOC. Indeed, the document was co-launched by Te Uri o Hikihiki and DOC, with explicit support and endorsement from Te Uri o Hikihiki and traditional Ngāti Wai leadership. In the Bay of Islands, by comparison, the proposal to establish marine reserves has been publicly released without a tangata whenua partner in support – indeed, when it became clear an expression of partnership was not forthcoming, the draft document was substantially re-written (Fish Forever Spokesperson, personal communication, 2014), but publicly released nonetheless. Lastly, at Doubtless Bay, the community discussion document contained reference to working together with Ngati Kahu, but no formal support from iwi was expressed. Indeed, this document was not concerned with proposing marine protection, but rather intended to spur public support for a local *marine management*

strategy, a somewhat more vague intention. Arguably the release of this document was premature, given the absence of a clearly articulated shared vision within the core collaborative group of tangata whenua, non-Māori campaigners and government agency representatives.

Indeed, the clarity with which a campaign communicates to both potential partners and to the community more broadly, is of obvious and central importance. At Mimiwhangata, the marine reserve campaign was focused almost exclusively on the relationship between DOC and tangata whenua, as partners working towards marine protection measures – when the time came to communicate with the community more broadly, the partnership was firmly established and could clearly articulate its vision through both the discussion document and the public declaration of rāhui. In the Bay of Islands, the campaign has been strongly developed through community engagement activities – symbolised best perhaps by the ‘Mark the Chart’ activity that has involved the community in marine protection thinking and planning. This tool clearly has three democratising functions; to engage and activate community members in thinking about the local marine environment and its protection; to gauge the level of support or otherwise for the idea of marine reservation and preferred boundaries; and to ensure the final alignment with scientifically identified ‘best fit’ locations, with community attitudes and perceptions.

The campaign has also built a high-quality online presence through its website and has been able to draw upon the considerable skills and resources of the campaign team to maintain high quality communication with the community and supporters. It appears that the general level of support that the campaign has been able to generate through these activities has meant that explicit support from tangata whenua, while highly desirable from a campaign point of view, may ultimately not be crucial to whether or not the campaign succeeds. In the context of uncertain support from tangata whenua,

the campaign team elected to move forward with the release of their proposal in part to demonstrate their commitment to the issue of marine protection, irrespective of a partnership with local hapū.

Conclusion

Finally therefore, we must view the activities discussed above as located in the complex intersection of a number of communicative and political trajectories. Marine protection is an inherently political practice and as such, fundamentally constituted in communication. Broadly, a 'discourse of partnership' characterises contemporary conservation and resource management thinking and policy statements, as observed within the marine protection campaigns presented here. A commitment to collaborative management is an important strategic imperative in relation to community driven conservation, given the myriad of unresolved issues in relation to tangata whenua involvement in resource management and conservation governance. However, collaboration should not be fetishized as an unproblematic solution to longstanding injustice, exclusion or antipathy; talking about working together must, ultimately, be translated into the practical work of partnership. Furthermore, marine protection collaboration currently take place within an inflexible legislative framework, which has difficulty accommodating the logical outcome of collaborative management campaigning – shared or collaborative governance.

Presently, Treaty of Waitangi process looms large over attempts by local groups to effect local marine protection – indeed in Northland, where many significant redress processes remain incomplete, the absence of a constructive relationship with the Crown frequently overshadows the development of constructive partnerships. The historic experience of exclusion from

decision-making and mistrust, alongside material impacts such as the discontinuation of customary fishing rights, always shapes how previously disenfranchised groups will engage with campaign processes. When combined with a lack of knowledge or experience of Māori processes and authority structures, these considerations can mean the arrival at shared values in relation to the marine environment is difficult, as demonstrated by the DBMPPG experience. It is clear that community-driven initiatives are not a one-size fits all proposition, but understood differently by the differing groups involved in deliberating the issue of environmental management and protection. Indeed, it is the difficult work of community campaigners to facilitate the spaces in which competing conceptions, values and objectives can be reconciled in meaningful ways.

Lastly, it should be noted that, despite the prevalence of 'discourses of partnership' and collaborative ethics shaping marine protection activities, these campaigned are ultimately political processes, in which support or opposition for particular proposals is weighed by decision makers – namely, Ministers of the Crown. As both the Fish Forever and Mimiwhangata projects have demonstrated, at times progress and momentum will be considered of greater strategic importance than unambiguous declarations of partnership, in securing the project goals – a protected marine environment. Central therefore to constructive campaign development is the pursuit of cross-cultural partnership through dialogic engagement, contextualised by myriad local concerns and experiences. Equally important however, within the campaign paradigm, is being able to reflexively navigate this territory, remaining conscious of the ultimately political nature of conservation and resource management activities.

Notes

ⁱ 'Generational Review' refers to reviewing the status of a marine reserve after a generation, usually 25-years. Generational review is a key way the existing marine reserves framework has been creatively modified to accommodate Māori customary rights and cultural values, such as at Nga Tapuwāe o Rongokako marine reserve, Whangara.

ⁱⁱ For instance mataitai and taiapure reserves, which restrict commercial fishing and empower tangata whenua involvement in marine resource management, have been used in combination with marine reserves to maximise the local benefit to tangata whenua, such as at Nga Tapuwāe o Rongokako marine reserve, Whangara.

ⁱⁱⁱ The Nga Tapuwāe o Rongokako Marine Reserve, established in 1999 is frequently held as an example of what Māori may expect from modified marine reserve structures.

^{iv} See Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010.

^v The 'principles of the Treaty of Waitangi', as articulated in government and DOC discourse are: the principle of government; the principle of self-management; the principle of equality; the principle of reasonable cooperation and the principle of redress. See, General Policy, 2005a.

^{vi} Other stakeholders were involved in this process also, but were peripheral to the core partnership. Including: Ngatiwai Trust Board, local government authorities, other government departments (for example the NZ Ministry of Fisheries), and other community groups.

^{vii} Limited customary management of fisheries of this nature is possible through the Fisheries Act 1996.

^{viii} As noted, section 56 of the Conservation Act 1987 provides for the establishment of ministerially appointed advisory bodies to provide guidance to the Minister of Conservation concerning reserve management.

^{ix} A marine reserve application is made to the DOC Director-General and then to the Minister of Conservation, under the Marine Reserves Act 1971. In practice, applications are generally made by the Department of Conservation, frequently in partnership with other organizations, such as universities, community groups and Maori.

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