

Ethical Foundations of Public Policy Conference

Tangaroa's Children

Māori Approaches to Protecting Resources

Russell Harding

Te Kura Kāwanatanga

10 December 2009

building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Ūpoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Two Relationships

- **Thick.**
- **Thin.**

Margalit, Avishai (2002) *The Ethics of Memory*, Harvard University Press, Cambridge.

building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Ūpoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Thick Relationships

- **Obtain between members of a community with a shared memory.**
- **Characterised by an attitude of caring.**
- **Ethics regulates our thick relations.**

building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Ūpoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Thin Relationships

- **Obtain on the basis of shared humanity alone.**
- **Characterised by a “diffused benign attitude.”**
- **Morality regulates thin relationships.**



building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Ūpoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Two Worlds

- **He Ao Māori**
- **He Ao Kāwanatanga Kaupapa**



building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Ūpoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Te Ao Māori

He aha te mea nui o te ao?

What is the most important thing in the world?

He Tangata, he tangata, he tangata.

People, people, people.

Hutia te rito o harakeke, kei hea te komako e ko?

If the heart is torn from the flaxbush, where will the bellbird sing?

building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Upoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Te Ao o Ngati Kere



Looking north from Paremahu.

Photo from *Maori Methods and indicators for marine protection*, 2007, p. 10.

Ngati Kere experience a wellspring of deep wanting or craving to interact with the rohe moana. It draws them like a powerful magnet and connects them firmly with their history and tradition. They may go to the beach 'for a feed', but in the process of doing so they are reconnected deeply with their tipuna/ancestors.

They go to the same places their tipuna went to for kai; they use the same old names for the fishing holes; they walk on the same stones to get to those holes; and they remember them and feel the connection with them in ways that nourish them far beyond the fish they take home to eat. They are reminded of their ancestors who have given them the opportunity to be here. They remember the stories of the hapu and gain a strong sense of belonging and inheritance through the repeated telling of these stories that relate historical events.

Their kaitiakitanga/guardianship responsibility to sustain the mauri/life force of their moana is derived from whakapapa links to Keretipiwakairo. Such obligations cannot be passed to others or denied. Intricately linked to these obligations is their authority derived from rangatiratanga/chieftanship. Such rights derive from customary practices and have been affirmed by the Treaty of Waitangi.

Ngati Kere (2007) Maori Methods and indicators for marine protection, p. 10

building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Upoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Te Ao Kāwanatanga Kaupapa

298 Special association with taonga fish species acknowledged

The Crown acknowledges the cultural, spiritual, historic, and traditional association of Ngai Tahu with the taonga fish species.

299 Purpose of acknowledgement

Without limiting sections 300 to 302, the acknowledgement made in section 298 is for the purposes of sections 303 and 304 and clauses 12.14.7 and 12.14.9 of the deed of settlement only.

300 Exercise of powers, duties, and functions

Except as expressly provided in sections 303 and 304,—

(a) The acknowledgement made in section 298 does not affect, and may not be taken into account in the exercise of, any power, duty, or function of any person or entity under any statute, regulation, or bylaw; and

(b) Without limiting paragraph (a), no person or entity, in considering any matter or making any decision or recommendation under any statute, regulation, or bylaw, may give any greater or lesser weight to Ngai Tahu's association to the taonga fish species than that person or entity would give under the relevant statute, regulation, or bylaw if no acknowledgement had been made by the Crown of that association to the taonga fish species.

301 Rights not affected

Except as expressly provided in sections 303 to 311, the acknowledgement made in section 298 does not affect the lawful rights or interests of any person who is not a party to the deed of settlement.

302 Limitation of rights

Except as expressly provided in sections 303 to 311, the acknowledgement made in section 298 does not, of itself, have the effect of granting, creating, or providing evidence of any estate or interest in, or any rights of any kind whatsoever relating to, the taonga fish species.

303 Management of taonga fish species under Fisheries Act 1983 and Fisheries Act 1996

(1) The Crown having acknowledged the special association of Ngai Tahu to the taonga fish species in section 298, the Minister of Fisheries must, when the Minister makes policy decisions concerning the protection, management, use, or conservation of the taonga fish species within the Ngai Tahu claim area, including the promulgation of any regulations under any enactment,—

(a) Consult with Te Runanga o Ngai Tahu in its capacity as an advisory committee appointed pursuant to clause 12.14.7 of the deed of settlement; and

(b) Recognise and provide for the association of Ngai Tahu with the taonga fish species, consistent with the overall objectives of the Fisheries Act 1983 and the Fisheries Act 1996.

(2) Subsection (1) applies only to the extent that the Minister of Fisheries is responsible for the taonga fish species.

building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Upoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Te Ao Māori - Two Concepts

- **Whaka - papa;**
- **Kai – tiaki - tanga**

building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Ūpoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Te Ao Kāwanatanga Kaupapa– Two Concepts

- **Choosing.**
- **Rationality.**



building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Ūpoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Ka Tūtuki te Ao Māori ki te Ao Kāwanatanga Kaupapa - When Worlds Collide

- **Tendency for Te Ao Kāwanatanga Kaupapa to displace Te Ao Māori;**
- **Tendency for thin to displace thick relationships;**
- **Tendency for morals to displace ethics.**

building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Upoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga

Ngā pātai?



building
capability in the
public sector

VICTORIA UNIVERSITY OF WELLINGTON
Te Whare Wānanga o te Ūpoko o te Ika a Māui



SCHOOL OF GOVERNMENT

Te Kura Kāwanatanga