



TE WHARE WĀNANGA O TE ŪPOKO O TE IKA A MĀUI



VICTORIA
UNIVERSITY OF WELLINGTON

Te Kawa a Māui

MAOR 215

**Tā Te Māori Whakahaere
Rauemi / Māori Resource
Management**

Trimester 1, 2009

Lectures begin Monday, 2 March

Lectures end Friday, 5 June

Assessment period 8 June-1 July

IMPORTANT

**Please read and note the information
on the back page of this course outline**

MAOR 215
Tā Te Māori Whakahaere Rauemi
Māori Resource Management
Trimester 1 Course Outline 2009

1 COURSE ORGANISATION

- 1.1 **Ko te Pūkenga** Marie Cocker
Telephone 021 552 335
Email marie.cocker@nfte.org.nz
- Please feel free to text me to make an appointment
- Office Hour** By appointment
- 1.2 **Lectures** Tuesday and Thursday 9:00am-10:50am
- 1.3 **Locations** Tuesday KK204 (Kirk Building)
Thursday KK203 (Kirk Building)
- 1.4 **Additional Information** Other venues may be used where appropriate. Sufficient notice of any changes will be given.
- Notices and course information will be posted on Blackboard.

2 AIMS, OBJECTIVES AND CONTENT

2.1 Course Aims

The course examines key customary Māori concepts relating to land, sea and freshwater tenure from pre European settlement through to the present. A study of Māori usage of natural resources is undertaken with a particular focus on the cultural, social, economic and legal adaptations that have occurred throughout this period.

Through examining the process of colonisation, students will explore shifts of control over these resources and the consequential impacts on Māori. The methods and various instruments of the Crown that were used to alienate land and other resources will be examined through selected case studies. Māori progress towards social and economic independence and cultural stability is examined through some current Iwi/Māori activities. In this respect the course focuses on the concept of rangatiratanga and explores the management options for whānau, hapū and iwi in respect of land resources that are currently held by them or may in the future come under their control. The course involves lectures, tutorials, class discussions and set assignments.

2.2 Learning Objectives

By the end of the course students should have developed a sound understanding of the principal concepts of customary Māori land and sea tenure. They should also be able to:

- identify and understand traditional and contemporary Māori social, economic and political structures
- use selected theories to explain aspects of Māori society and their traditions of land and sea tenure
- understand the historical and contemporary significance of both Te Whakaputanga o Te Rangatiratanga (The Declaration of Independence 1835-1839) and Te Tiriti o Waitangi/Treaty of Waitangi to hapū/iwi and Māori people
- have an understanding of the instruments which were used in the alienation of land and water resources from Māori
- have an understanding of colonisation and its impacts on Māori
- understand the workings of relevant New Zealand State agencies that operate at national and local levels
- review selected key legislations and policies which aim to give effect or otherwise to Māori customary concepts relating to land and sea tenure and in particular principles of Te Tiriti o Waitangi/Treaty of Waitangi
- acquire skills in research methodology, data collection and analysis
- demonstrate improved reading, writing, comprehension and oral discussion skills using Māori frameworks of analysis.

2.3 Course Content

The course content covers the following six themes:

- 1 Pre European Settlement, Adaptation and Change
- 2 Early European Settlement
- 3 Formation of the New Zealand State
- 4 Māori Land Legislation
- 5 Instruments of the Crown
- 6 Māori Economic Development.

3 KEY TEXTS

Required

The MAOR 215 Course Reader (Tā Te Māori Whakahaere Rauemi/Māori Resource Management), available from the Victoria University Student Notes Distribution Centre, is required for the course, and should be brought to all classes.

Students will be required to make their written work conform to the standards for Harvard referencing set out in:

Te Kawa a Māui Academic Writing Guide 2007 edition, available from the Victoria University Student Notes Distribution Centre.

Note that the 2007 edition is substantially different from previous editions, and you will need to follow that edition.

Recommended

The following texts are highly recommended for this course, however they are the minimum reading only.

Durie, M., 1998. *Te Mana Te Kawanatanga*. Oxford University Press: Auckland.

Williams, D., 1999. *Te Kooti Tango Whenua*. Wellington: Huia Publishers.

Boast, R. (et al.), 1999. *Māori Land Law*. Wellington: Butterworths.

Kawharu, Mereta, (ed), (2002). *Whenua Managing our Resources*. Auckland.

4 COURSE WEBSITE

Students will be able to access some course information electronically from the course website. The URL address is <http://blackboard.vuw.ac.nz>. Students are reminded of their responsibility to observe the conditions of access and use of the website at all times.

5 ASSESSMENT

INTERNAL COURSE WORK	50%
FINAL EXAMINATION	50%

5.1 Method of Assessment

The assessment programme comprises both internally assessed work and a final examination. The internal assessment is worth 50% of the total course marks and comprises one presentation (10%), a journal (10%) and an essay (30%).

The final examination is worth 50% of the total course marks.

Written work may be in Māori or English. If you wish to use te reo, please let us know in advance so that we can arrange a marker without delay.

Students will be assessed on the following:

- **quality of approach and argument** – inclusion and analysis of key issues, logic of argument, understanding of subject
- **presentation style** – structure, clarity of expression, standard of presentation
- **use of sources** – content and scope of bibliography, use of textual referencing.

5.2 Internal Assessment

- a) Presentations 10%

Students will prepare and present on one of the readings in the course reader. Readings will be assigned during the third lecture. Presentations will be approximately 20 minutes in length, which will include the student's brief analysis of the content and a critique of the article (15 minutes). Students will be expected to engage their peers in a discussion regarding the topic/reading (5 minutes).

- b) Journal 10%

Students are required to compile a journal over the semester with relevant resource management issues (**due date Tuesday, 2 June 2009**). These issues can derive from newspapers, media, governmental debates or issues facing own hapū/iwi. It is expected that there will be at least 30 entries with at least a two page summary summarising all the issues. More information will be given in lectures.

- c) Essay 30%

Students will be assessed on their ability to accurately and concisely report on a specific resource case, or a relationship between iwi/hapū and District Council. There is a minimum word limit of 3000 words (**due date Friday, 15 May 2009, 4:00pm**). Further information will be available in lectures. See also the Te Kawa-a-Māui, *Academic Writing Guide 2007 Edition*.

- d) Final Examination 50%

The Final Examination is a three-hour closed book examination held during the **Mid-Year Examination Period (8 June-1 July 2009)**. The date, time and venue will be announced when this information becomes available.

5.3 Special Requirements

If you have any special course requirements, you should in the first instance contact the Course Coordinator. For any special requirements relating to the final examination please see the FHSS Examinations and Enrolment Manager well in advance of the exam date. The University has a policy of reasonable accommodation of the needs of students with disabilities in examinations and other assessment procedures.

5.4 Handing in Assignments

Assignments must be placed in the 'Assignment Box' at 50 Kelburn Parade. A record will be kept of the student's name and date of receipt for all assignments. Please do not give your assignment to anyone else. It is your responsibility to ensure the safe passage of your work. Remember to keep a copy for yourself. Please do not email your assignment.

6 PENALTIES

By prior arrangement and for very good reasons an extension MIGHT be granted. However, without an express extension from the Course Coordinator the following late penalties will apply:

- 5% will be deducted for every day or part day that the assignment is late (including weekends). NB 5% is equivalent to one grade – ie, from an A+ to an A
- after five days the assignment will be accepted for the purposes of meeting the 'course requirements' or 'terms' but no mark will be given.

7 RELATIONSHIP BETWEEN ASSESSMENT AND LEARNING OBJECTIVES

a) Presentation

Students will be assessed on their understanding of the text, their analysis and the presentation style. Students are expected to engage their peers and will be assessed on this.

b) Journal

Students will be assessed on a variety of issues covered, the relevance of each issue and the presentation of the journal. The journal is expected to cover the entirety of the course. A written summary of at least two pages will discuss the relevance of the articles selected to the topics covered.

c) Essay

Students will be assessed on the standard of presentation of their reports, the quality, depth and scope of the content of their material and overall presentation. Students will be expected to demonstrate their learning from the course materials, lectures and thorough research.

d) Final Examination

The final examination is comprised of questions requiring short essay answers. Exam questions are designed so that students can demonstrate their abilities with respect to all of the learning objectives.

8 WORKLOAD

The workload for MAOR 215 is consistent with other Faculty 22 points courses. Students should allow on average some 15 hours per week for this course. This weekly average, which includes class contact hours, will ensure that each student can maintain satisfactory progress.

9 MANDATORY COURSE REQUIREMENTS

In order to meet the academic requirements for passing this course, students must complete the journal, give a presentation, submit the essay, sit the final examination within the required timeframe and attend 20 out of 23 lectures.

10 LECTURE OUTLINE

Week	Date	Lecturer	Lecture
1	T 3 Mar	Marie Cocker	Introduction to Course Theorising about Māori Society
	Th 5 Mar	Phil Best	Traditional Māori Settlement Patterns
2	T 10 Mar	Marie Cocker	Conceptualising Traditional Concepts of Resource Management Part One
	Th 12 Mar	Marie Cocker	Conceptualising Traditional Concepts of Resource Management v Western Management
3	T 17 Mar	Marie Cocker	Economics and the Declaration of Independence and Te Tiriti o Waitangi
	Th 19 Mar	Ocean Mercier	To be advised
4	T 24 Mar	Marie Cocker	Legislation and The Role of the Native Land Court
	Th 26 Mar	Marie Cocker	Māori Response – Māori since the 1950s
5	T 31 Mar	Marie Cocker	Late Nineteenth and Twentieth Century Developments
	Th 2 Apr	Ocean Mercier	Tō Tātou Reo? WAI11
6	T 7 Apr	Marie Cocker	National Archives Tour – The Constitution Room, Finding Aids, Stack Area and Māori Land Court Minute Books
	Th 9 Apr	Marie Cocker	Ruakaka
MID TRIMESTER BREAK: 10-26 April 2009			
7	T 28 Apr	Marie Cocker	Resource Management Act 1991
	Th 30 Apr	Ocean Mercier	Working with the RMA and Consultation
8	T 5 May	Marie Cocker	Field Trip Taranaki Street – Finding an Historical Site and How the RMA can work
	Th 7 May	Marie Cocker/ Ocean Mercier	Identifying Māori Resources in the Twenty First Century
9	T 12 May	Marie Cocker	Managing Māori Resources
	Th 14 May	Aroha Mead	Working with the IUCN
	F 15 May		ESSAY DUE 4:00PM
10	T 19 May	Marie Cocker	Case Study
	Th 21 May	Marie Cocker	Tuaropaki Trust
11	T 26 May	Marie Cocker	Hui Taumata, Developing People, Enterprise and Assets
	Th 28 May	Ocean Mercier	WAI 262 Flora and Fauna Claim
12	T 2 June	Ocean Mercier	Climate, Food, Water, Future: Sustainability in a Globalising World JOURNAL DUE 4:00PM
	Th 4 June	Marie Cocker	Hapū and Iwi Development and the way forward Course Review and Examination Preparation

11.1 Highly Recommended Texts

Please note that you are not expected to purchase these books for the course.

Barlow, C., 1991. *Tikanga Whakaaro, Key concepts in Māori culture*. Auckland: Oxford University Press.

Bawden, P., 1987. *The Years Before Waitangi. A Story of Early Māori /European Contact in New Zealand*. Auckland: P. Bawden.

Bennion, T. (ed.). *Māori Law Review: Monthly Review Of Law Affecting Māori / Māori Land Resources*.

Boast, R. P., 1989. *The Treaty of Waitangi. A Framework for the Resource Management Law*. Wellington: New Zealand Planning Council and Victoria University of Wellington Law Review.

Commission for the Environment, 1988. *Environmental Management and the Principles of the Treaty of Waitangi. Report on Crown Responses to the Recommendations of the Waitangi Tribunal 1983-1988*. Wellington: Te Kaitiaki Taiao Parliamentary Commissioner for the Environment.

Firth, R., 1929. *Economics of the New Zealand Māori*. Government Printer. Wellington.

High Court of NZ, 1987. *Huakina Development Trust v Waikato Valley Authority and R.P. and S.J. Bowater*. Judgement of Chilwell, J. M 430/86, 29 May. Also, in NZLR Vol. 1, 1987, p 188.

Levine, H., 1987. "The Cultural Politics of Māori Fishing: An Anthropological Perspective on the First Three Significant Waitangi Tribunal Hearings". In the *Journal of the Polynesian Society*, Vol. 96 (4), pp 421-443.

NZ Law Commission, 1989. *The Treaty of Waitangi and Māori Fisheries Mataitai: Ngā Tikanga Māori Me Te Tiriti o Waitangi*. Preliminary Paper No 9. Wellington: NZ Law Commission.

NZ Māori Council, 1983. *Kaupapa: Te Wahanga Tuatahi*. Wellington: New Zealand Māori Council.

Oliver, W H. 1991. *Claims to the Waitangi Tribunal*. Wellington: Waitangi Tribunal Division, Department of Justice.

O'Regan, T. 1989. *Partnership Dialogue. A Māori Consultation Process He Korero Rangapu*. Wellington: State Services Commission.

Halbert, R. 1999. *Horouta : The History of the Horouta canoe, Gisborne and the East Coast*. Wellington: Reed Publishers.

Ward, A, 1999. *An Unsettled History: Treaty Claims in New Zealand Today*. Wellington: Bridget Williams Books.

Smith, L., 1999. *Decolonizing Methodologies: Research and Indigenous Peoples*. Dunedin: AUP and University of Otago Press.

Maynard, Kristen, 1991. *Ki te u o te hiahia : a guide to the Resource Management Act* (kit) (1 book, 1 video). Wellington: Ngā Kaiwhakamarama i ngā Ture.

11.2 Parliamentary Acts

NZ Constitution Act 1852
Māori Social and Economic Advancement Act 1945
Māori Welfare Act 1962
Water and Soil Conservation Act 1967
Treaty of Waitangi Act 1975
Official Information Act 1982
Fisheries Act 1983
Law Commission Act 1985
Treaty of Waitangi Amendment Act 1985
Constitution Act 1986
Environment Act 1986
Fisheries Amendment Act 1986
State Owned Enterprises Act 1986
Conservation Act 1987
Māori Language Act 1987
Treaty of Waitangi (State Enterprises) Act 1988
Treaty of Waitangi Amendment 1988
Children and Young Persons Act 1988
State Sector Act 1988
Local Government No. 2 Act 1989
Māori Fisheries Act 1989
Crown Forest Assets Act 1989
Public Finance Act 1989
Education Act 1989
Education Amendment Act 1990
Resource Management Act 1992
Treaty of Waitangi (Fisheries Claims) Settlement Act 1992
Ture Whenua Māori Act 1993
Electoral Act 1993

11.3 Waitangi Tribunal Reports:

Fisheries Regulations: Hawke Report	1978
Waiau Pa Power Station Report	1978
Motunui – Waitara Report	1983
Kaituna River Report	1984
Māori 'Privilege' Claim Report	1985
Motiti Island Claim Report	1985
Manukau Report	1985
Lake Taupo Fishing Rights Report	1986
Te Reo Māori Report	1986
Te Weehi Claim to Customary Fishing Rights Report	1987
Waiheke Island Report	1987
Māori Representation on the Auckland Regional Authority Report	1987
Orakei Report	1987
Mangonui Sewerage Report	1988

Muriwhenua Fishing Report	1988
Ngati Rangiteaorere Report	1990
Claims Concerning the Allocation of Radio Frequencies Report	1990
Ngai Tahu Report (Vols. I-III)	1991
The Fisheries Settlement Report	1992
Mohaka River Report	1992
Te Roroa Report	1992
Te Ika Whenua – Energy Assets Report	1993
Te Maunga Report	1994
The Chatham Islands Claims – Memorandum of Tribunal, 5 October	1994
Wanganui River	1999

**Māori Resource Management
MAOR 215**

Essay
Worth

Due Friday 15 May 2009
30%

This assignment seeks to meet the following learning objectives:

- use selected theories to explain aspects of Māori society and their traditions of land and sea tenure
- have an understanding of the instruments which were used in the alienation of land and water resources from Māori
- acquire some skills in research methodology, data collection and analysis
- demonstrate improved reading, writing, comprehension and oral discussion skills using Māori frameworks of analysis.

Instructions

- 1 Identify a block or defined area of land or water resource to which Māori individuals, whānau, hapū or iwi have expressed an interest. Outline in a concise manner, the history of ownership of the selected resource – ie, both customary and contemporary. Explain the instruments used to alienate the resource and discuss the impacts each has had on the interests of the Māori owners. What is the current ownership status of the resource and in your opinion has ownership been assigned to the rightful owner – ie, individuals, whānau, tribe, hapū, Māori organisation or the Crown?
- 2 You may refer to a land or water resource that has been reported on by the Waitangi Tribunal. You might wish to use a case study analysis approach as discussed in class. In the description section of your essay, try to identify the salient issues relating to the resource and provide a concise background of the resource's history of ownership.
- 3 Your analysis should relate directly to the issues identified in your description section. Your analysis must include appropriate references/sources.
- 4 Once you have identified a particular resource to research, you must discuss your topic with the course coordinator who will grant you approval to proceed. The coordinator will give you advice about how to scope your research in order to meet the requirements of the essay and ensure that the task is manageable.

Māori Resource Management MAOR 215

Essay
Worth

Due Friday 15 May 2009
30%

Consultation and the RMA

Under the Resource Management Act, Māori are accorded 'special status', under sections 6, 7 and 8. These sections of the Act require prospective developers of resources to '**consult**' and '**recognise and provide for**' certain Māori interests.

The Act does not define the term 'consult' nor does it define the concept of consultation. Conflicts and disputes often arise between Māori and developers as to the expressed definition of consultation, and whether results of consultation are/or should be binding on the applicant/developer.

Your Assignment

Briefly outline the requirements of Section 6, 7 and 8 of the resource Management Act.

Outline the definition of the term 'consult'. You may need to research whether the Government has an explanation for 'consult' or whether the Waitangi Tribunal have dealt with this term in any of their cases.

You need to refer to the Local Council, and report on any processes they may have in place when dealing with the RMA, local Iwi and developers. The Local Council may also have a process in place for 'consultation' or a definition for 'consult'.

You should also contact the Iwi that holds *mana whenua* or are *tangata whenua*, and/or developer and report on the processes they have in place – ie, do they have a resource management officer? Are they advised or given notice about prospective developments, do they have a good relationship with the Local Council? Are they consulted, what is their definition of 'consult'? Are there any conflicts, how are these dealt with?

Does the RMA sufficiently protect Māori interests, and resources? Is the Act working for Māori, Council and Developers? Is 'consultation' working, what happens if someone does not consult, are there any checks and balances in place, what changes are needed, if any?

MAOR 215 ESSAY GRADING SHEET
(worth 30% of total grade)

Name:

Topic:

- | | | |
|---|--|-----|
| 1 | Understanding and answering the question as asked and providing suitable definitions. | 15% |
| 2 | Presentation and structure of the report. This includes structure, content of bibliography and systematic referencing. | 15% |
| 3 | Content of the essay. The essay must show familiarity with the topic, and provide adequate and relevant examples selection, relevance, depth and coverage. | 25% |
| 4 | Analysis - inclusion of essential points, analysis and logic of argument, presentation of arguments and points of view and the use of theories, (eg, Māori, indigenous, mana wahine, iwi or hapū tikanga and kawa), illustrations and supporting quotations. | 30% |
| 5 | Originality and insight - the ability to integrate your own ideas and perceptions into your essay. | 15% |

Grade:	A+	=	(85% or over)
	A	=	(80-84%)
	A-	=	(75-79%)
	B+	=	(70-74%)
	B	=	(65-69%)
	B-	=	(60-64%)
	C+	=	(55-59%)
	C	=	(50-54%)
	D	=	(40-49%)
	E	=	(below 40%)

Total Marks:

MAOR 215 Presentation Marking Sheet
(worth 10% of final mark)

Analysis of reading (10)

Below Average Average Very good Excellent

Critique (10)

Below Average Average Very good Excellent

Presentation Style (10)

Below Average Average Very good Excellent

Engaging Peers (10)

Below Average Average Very good Excellent

Overall Understanding of Article (10)
Below Average Average Very good Excellent

Comments

Dated _____

Marker _____

12 ACADEMIC INTEGRITY AND PLAGIARISM

Academic integrity means that university staff and students, in their teaching and learning are expected to treat others honestly, fairly and with respect at all times. It is not acceptable to mistreat academic, intellectual or creative work that has been done by other people by representing it as your own original work.

Academic integrity is important because it is the core value on which the University's learning, teaching and research activities are based. Victoria University's reputation for academic integrity adds value to your qualification.

The University defines plagiarism as presenting someone else's work as if it were your own, whether you mean to or not. 'Someone else's work' means anything that is not your own idea. Even if it is presented in your own style, you must acknowledge your sources fully and appropriately. This includes:

- material from books, journals or any other printed source
- the work of other students or staff
- information from the internet
- software programs and other electronic material
- designs and ideas
- the organisation or structuring of any such material.

Find out more about plagiarism, how to avoid it and penalties, on the University's website: <http://www.victoria.ac.nz/home/study/plagiarism.aspx>

13 GENERAL UNIVERSITY STATUTES AND POLICIES

Students should familiarise themselves with the University's policies and statutes, particularly the Assessment Statute, the Personal Courses of Study Statute, the Statute on Student Conduct and any statutes relating to the particular qualifications being studied; see the *Victoria University Calendar* or go to the Academic Policy and Student Policy sections on:

<http://www.victoria.ac.nz/home/about/policy>

This website also provides information for students in a number of areas including Academic Grievances, Student and Staff conduct, Meeting the needs of students with impairments, and student support/VUWSA student advocates.

14 ENROLMENT AND WITHDRAWAL DEADLINES

Have you changed your mind about the courses you want to do this trimester? If you do not withdraw from a course in time, you will receive a fail grade. A fail grade stays permanently on your academic record. You can avoid the fail grade by withdrawing properly from courses before it is too late!

It is not enough just to stop attending lectures and tutorials, or to tell your lecturer or school administrator. You must complete a change of course form, available from your Faculty, Student and Academic Services Office, and submit it by the following deadlines.

First Trimester Courses, March to July 2009

No addition of first trimester courses is permitted after **Friday, 13 March 2009**.

Withdraw before **Friday, 13 March 2009** and you will get a full refund of fees.

Any student wishing to withdraw from a first trimester course after **Friday, 15 May 2009** will require approval from the Associate Dean.