





Te Kawa a Māui

MAOR 215

Tā Te Māori Whakahaere Rauemi / Māori Resource Management

Trimester 1, 2011 dates

Lectures begin Monday 28 February Lectures end Friday, 3 June Mid-trimester break 18 April - 1 May Study week 6 - 10 June Assessment/examination period 10 June - 2 July

COURSE ORGANISATION

1

Ko te Pūkenga Course Coordinator	Dr Maria Bargh Room 213, 50 Kelburn Parade Telephone 463 5465 Email maria.bargh@vuw.ac.nz	
Office Hour	By appointment	
Lectures and Venues	Monday and Wednesday 10:00 - 11:50am AM104 (Alan MacDiarmid Building)	
	Other venues may be used where appropriate. Sufficient notice of any changes will be given.	
Class Representative	A class representative will be elected at the start of the course. Contact details will be made available through Blackboard. The class representative will liaise between the students and the Course Coordinator as necessary.	

Additional course information will be posted on the course Blackboard site.

2 AIMS, LEARNING OBJECTIVES AND CONTENT

2.1 Course Aims

This course provides an overview of issues surrounding Māori resource management. The course will examine the contested nature of resources in Aotearoa as both Māori and the Crown continue to struggle over, not only the initial questions of ownership and sovereignty, but also the models which will be used for governing particular resources once Māori possess them. A central question for the course is, how are different people theorising and framing 'Māori resource management' and what kinds of consequences do these differences hold?

The course will examine the transfer of resources through the government's Treaty of Waitangi settlements process and the kinds of governance models the government encourages iwi to use to govern and exploit their resources. A second central question of the course will be: how are Māori seeking to fulfil their role as kaitiaki of resources? Particular case studies will be covered including the Foreshore and Seabed Act 2004 and the Waitangi Tribunal Wai 262 claim regarding flora and fauna.

The course will also examine Māori resource management in a global context by examining the experiences of other Indigenous peoples and exploring how Indigenous resource management is being expressed or suppressed in countries such as the Americas and the Pacific.

Often in research of resource management scholars focus their attention solely on those in local or national government to the detriment of the accounts and activities of activists, iwi, hapu or non-governmental organisations. This course will try to balance attention on the numerous and varied ways in which people theorise about Māori resource management.

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:

- demonstrate an understanding of the different and competing definitions of resources and management
- demonstrate an understanding of the key Māori concepts relating to resource management
- demonstrate a clear understanding of the legal and legislative documents relating to the control and use of Māori resources
- show a clear understanding of the role that activists have played in the return of resources and debates over resource ownership and management
- demonstrate familiarity with several international Indigenous resource management examples
- articulate their own ideas relating to Māori resource management in a scholarly manner in written and oral forms, and
- demonstrate an ability to critically analyse texts.

2.3 Course Content

The course content covers the following seven themes:

- 1 Manawhenua perspectives
- 3 Local Government
- 4 Settling?
- 5 Development
- 6 Negotiating kaitiakitanga and tino rangatiratanga
- 7 International Indigenous experiences.

3 ESSENTIAL TEXTS

3.1 Required

There are three required texts.

The Course Reader MAOR 215 Tā Te Māori Whakahaere Rauemi/Māori Resource Management, Trimester 1 2011, available from the Student Union Building, is required for the course, and should be brought to all classes.

Selby, R. Moore, P and Mulholland, M. (2010) *Māori and the Environment: Kaitiaki*, Wellington: Huia.

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

Te Kawa a Māui Academic Writing Guide, 2007 edition, available on Blackboard.

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

3.2 **Obtaining Student Notes**

All undergraduate textbooks and student notes will be sold from the Memorial Theatre foyer from 7 February to 11 March 2011, while postgraduate textbooks and student notes will be available from the top floor of vicbooks in the Student Union Building, Kelburn Campus. After week two of the trimester, all undergraduate textbooks and student notes will be sold from vicbooks on Level 3 of the Student Union Building.

Students can order textbooks and student notes online at www.vicbooks.co.nz or can email an order or enquiry to enquiries@vicbooks.co.nz. Books can be couriered to students or they can be picked up from nominated collection points at each campus. Students will be contacted when they are available.

Opening hours are 8:00am - 6:00pm, Monday - Friday during term time (closing at 5:00pm in the holidays). Telephone 463 5515.

At the start of the trimester please refer to the noticeboards at 48 and 50 Kelburn Parade for an updated list of Course Readers available for purchase.

3.3 Recommended

The following texts are highly recommended for this course.

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

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

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

3.4 Supplementary resources

Students are also encouraged to follow articles and stories about Māori resource management related issues in the media as well as to consult the following websites:

Tino rangatiratanga news and issues www.aotearoa.maori.nz/v2/

Māori news and links www.maorinews.com/karere

Peace Movement Aotearoa www.converge.org.nz/pma

Treaty Issues www.treatyofwaitangi.govt.nz

Waitangi Tribunal www.waitangi-tribunal.govt.nz Development resources www.dev-zone.org/

Footprint calculator www.mfe.govt.nz/withyou/do/footprint/calculator.html

ERMA www.ermanz.govt.nz/index.asp (www.ermanz.govt.nz/search/registers.html)

Convention on Biological Diversity www.biodiv.org/convention/default.shtml

People Poisoned Daily www.peoplepoisoned.net/

100 Words Every New Zealander Should Know www.nzhistory.net.nz/culture/tereo-100words

Tuanuku on Facebook www.facebook.com/group.php?gid=162984541246&v=wall http://wakeupfreakout.org/film/tipping.html

3.5 Videos

- Donaldson, Matthew (2004) The Tide is Turning.
- http://engagemedia.org/Members/oceanianewsreal/videos/tideisturning.m ov/view
- Te Ohu Kaimoana, "Whose Rights are Right? Māori Customary Fishing Rights".
- Merata Mita, Day 507.
- "Turangawaewae", Good Shit Happens, Wellington: Loop DVD.

4 BLACKBOARD

Students will be able to access some course information electronically from Blackboard. 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 REQUIREMENTS

INTERNAL COURSE WORK

50%

50%

FINAL EXAMINATION

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 report (15%), and an essay (25%).

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 me know in advance so that I 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

5.2.1 **Presentation**

Students will work in pairs, prepare and present on one of the readings for that particular class. Readings will be assigned during the third lecture and will **begin from Week 3**. Presentations will be approximately 15 minutes in length, which will include the student's brief analysis of the content and a critique of the article. Students will be individually assessed and will clearly identify which parts of the presentation they are responsible for (10 minutes). Each student is expected to present the part of the article they have taken responsibility for. Students will be expected to engage their peers in a discussion regarding the topic/reading (5 minutes).

5.2.2 **Report**

Students will be assessed on their ability to accurately and concisely report on a specific resource case. There is a minimum word limit of 2,000 words (**due Monday, 28 March, 4:00pm**). Further information will be available in lectures. See also the *Te Kawa a Māui Academic Writing Guide, 2007 edition*.

5.2.3 **Essay**

Students will be assessed on their ability to research and make a convincing argument for an essay. There is a minimum word limit of 3000 words (**due Monday, 16 May, 4:00pm**). Further information will be available in lectures. See also the *Te Kawa a Māui Academic Writing Guide, 2007 edition*.

5.2.4 Final Examination

The Final Examination is a three-hour closed book examination held during the **Trimester 1 Examination Period (10 June - 2 July inclusive)**. For courses with a final examination, students must be available to attend the examination at any time during this period. The date, time and venue will be announced on Blackboard as soon as this information becomes available.

15%

25%

50%

10%

5.3 Handing in Assignments

All work submitted for this course MUST be posted in the Assignment Box, Māori Studies Office, 50 Kelburn Parade. All assignments are registered in the Māori Studies Office. DO NOT hand work to the Course Coordinator, or leave assignments under the Course Coordinator's door. Please keep a copy of your work.

You are required to use the standard cover sheet for Te Kawa a Māui assignments. Hard copies of this are available by the Assignment Box.

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 'mandatory course requirements' but no mark will be given.

7 RELATIONSHIP BETWEEN ASSESSMENT AND LEARNING OBJECTIVES

7.1 **Presentation**

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

7.2 Report

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.

7.3 **Essay**

Students will be assessed on the standard of presentation of their essay, the quality of their argument, depth and scope of the content of their material and overall presentation. Students will be expected to show research separate from those discussed in class.

7.4 **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 EXPECTED WORKLOAD

The workload for MAOR 215 is consistent with other Faculty 20 point courses. Students should allow on average some 13 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 pass this course, students must:

- attend 20 out of 24 lectures
- give a presentation
- complete and submit the report
- complete and submit the essay, and
- attempt the final examination.

10 LECTURE PROGRAMME

This programme provides an outline of lecture content.

Week	Date		Lecturer	Lecture Topic	
1	Μ	28 Feb	Maria Bargh	Introduction to Course	
	W	2 Mar	Maria Bargh	Theorising about Māori	
2	Μ	7 Mar	Maria Bargh	Manawhenua perspectives:	
				Declaration of Independence, Treaty	
				of Waitangi, Tino rangatiratanga	
	W	9 Mar	Maria Bargh	Manawhenua perspectives:	
				colonisation, property, role of the	
-				Native Land Court and raupatu	
3	М	14 Mar	Maria Bargh	Manawhenua: Whanganui-a-Tara	
	14/	40 14-1	Maria Danak	Research Project	
4	W	16 Mar	U U U U U U U U U U U U U U U U U U U	Local government	
4	M	21 Mar	U U U U U U U U U U U U U U U U U U U	Resource Management Act 1991	
-	W	23 Mar	Maria Bargh	'Settling'? The Waitangi Tribunal	
5	М	28 Mar	Maria Bargh	Working with the RMA and	
	Consultation Report DUE 28 March				
	W	30 Mar			
6	M		Maria Bargh Maria Bargh	'Economic' Development Sustainable Development	
0	W	4 April 6 April	Mike Smith		
	vv	6 April		Negotiating kaitiakitanga and tino rangatiratanga: Climate Change	
7	М	11 April	Field Trip	Field Trip Taranaki Street – Finding	
ľ	111	тт дрш		an Historical Site and How the RMA	
				can work (tbc)	
	W	13 April	Maria Bargh	Negotiating kaitiakitanga and tino	
				rangatiratanga: Energy resources	
		М	id-Trimester Break:	18 April - 1 May	
8	М	2 May	Maria Bargh	Negotiating kaitiakitanga and tino	
			-	rangatiratanga: Foreshore and	
				Seabed	
	W	4 May	Maria Bargh	Negotiating kaitiakitanga and tino	
				rangatiratanga: co-management	

Week	Date		Lecturer	Lecture Topic		
9	Μ	9 May	Maria Bargh	Negotiating kaitiakitanga and tino rangatiratanga: Wai 262 protecting intellectual and cultural resources		
	W	11 May	Maria Bargh	Negotiating kaitiakitanga and tino rangatiratanga: new technologies		
10	М	16 May	Maria Bargh	Negotiating kaitiakitanga and tino rangatiratanga: Freshwater		
			Essay DUE 1			
	W	18 May	Maria Bargh	Negotiating kaitiakitanga and tino rangatiratanga: fisheries		
11	М	23 May	Maria Bargh	Negotiating kaitiakitanga and tino rangatiratanga: Forests and farming		
	W	25 May	Maria Bargh	Negotiating kaitiakitanga and tino rangatiratanga: What has international trade got to do with it?		
12	М	30 May	Maria Bargh	International Indigenous experiences: Food sovereignty		
	W	1 June	Maria Bargh	International Indigenous experiences: what is Indigenous resource management? Course review and examination preparation		

11 STUDENTS WITH DISABILITIES

The University has policies for supporting students with disabilities, particularly with regards to examinations and assessments. Contact the lecturer if you feel this applies to you.

12 RECOMMENDED READING

12.1 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.
- Halbert, R. 1999. *Horouta: The History of the Horouta canoe, Gisborne and the East Coast.* Wellington: Reed Publishers.
- 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.
- 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.
- 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.
- Smith, L., 1999. *Decolonizing Methodologies: Research and Indigenous Peoples*. Dunedin: AUP and University of Otago Press.
- Ward, A, 1999. An Unsettled History: Treaty Claims in New Zealand Today. Wellington: Bridget Williams Books.

12.2 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 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

12.3 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

REPORT Due Monday, 28 March (worth 15% of total grade)

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

- 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.

REPORT	GRADING S	HEET	(worth 15% of total g	grade)
Name:				
Topic:				
1		ing and answering the uitable definitions.	question as asked and	10%
2	structure is	n and structure of the r consistent with the Ma nmar and spelling is of	ori academic writing	10%
3		y and referencing; cont referencing throughout	tent of bibliography and report.	10%
4	the topic, an selection, re	he report. The report n nd provide adequate an elevance, depth and co ere on the depth of res	verage. You will be	25%
5	argument, p the use of th	presentation of argume neories, (eg, Māori, ind	oints, analysis and logic of nts and points of view and ligenous, mana wahine, strations and supporting	30%
6		and insight - the ability erceptions into your es		15%
Grade:	A+ = A = B+ = B- = C+ = D = E =	(70-74%) (65-69%) (60-64%) (55-59%) (50-54%) (40-49%)		
			Total Marks:	%

ESSAY G	RADING SHEE	T (worth 25% of total g	grade)
Name:			
Topic:			
1		and answering the question as asked and ble definitions.	10%
2	consistent with	nd structure. The essay structure is the Maori Academic Writing Guide. spelling is of a high standard.	10%
3	0.1.7	nd referencing; content of bibliography and erencing throughout report.	10%
4	provide adequ relevance, dep	essay must show familiarity with the topic, and ate and relevant examples selection, oth and coverage. You will be assessed here f research you have conducted.	25%
5	argument, pres	usion of essential points, analysis and logic of sentation of arguments and points of view and ories, (eg, Māori, indigenous, mana wahine, anga and kawa), illustrations and supporting	30%
6	v ,	insight - the ability to integrate your own ceptions into your essay.	15%
Grade:	A+ = A = B+ = B = C+ = C = D = E =	(85% or over) (80-84%) (75-79%) (70-74%) (65-69%) (60-64%) (55-59%) (50-54%) (40-49%) (below 40%)	
		Total Marks:	%

MAOR 215 Māori Resource Management				
PRESENTATION MA	RKING SHEET	(worth 10% of total grade)		
Analysis of reading			(15)	
Below Average	Average	Very good	Excellent	
			(15)	
Critique			(15) Excellent	
Below Average	Average	Very good		
Presentation Style			(10)	
Below Average	Average	Very good	Excellent	
Engaging Peers			(10)	
		. <i>.</i>		
Below Average	Average	Very good	Excellent	

Comments	5
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13 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 programmes and other electronic material
- designs and ideas, and
- the organisation or structuring of any such material.

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

14 WHERE TO FIND MORE DETAILED INFORMATION

- Find key dates, explanations of grades and other useful information at: www.victoria.ac.nz/home/study
- Find out how academic progress is monitored and how enrolment can be restricted at:

www.victoria.ac.nz/home/study/academic-progress

- Most statutes and policies are available at: www.victoria .ac.nz/home/about/policy
- However, qualification statutes are available via the *Calendar* webpage at: www.victoria.ac.nz/home/study/calendar.aspx (See Section C).
- Other useful information for students may be found at the website of the Assistant Vice-Chancellor (Academic) at:

www.victoria.ac.nz/home/about_victoria/avcacademic

15 WITHDRAWAL DATES

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 course/add drop form, available from your Faculty, Student and Academic Services Office, and submit it by the due dates specified at:

www.victoria.ac.nz/home/admisenrol/payments/withdrawlsrefunds.aspx

Information about refunds may also be found here.