TUPUNA AWA

People and Politics of the Waikato River

MARAMA MURU-LANNING

An examination of how changing discourse around the Waikato River affects the relationships between the Crown, commercial operators like Mighty River Power, and the people of the region for whom it is a 'Tupuna Awa', a river ancestor.

'We have always owned the water . . . we have never ceded our mana over the river to anyone', King Tuheitia asserted in 2012. Prime Minister John Key disagreed: 'King Tuheitia's claim that Māori have always owned New Zealand's water is just plain wrong'.

So who does own the water in New Zealand – if anyone – and why does it matter? Offering some human context around that fraught question, *Tupuna Awa* looks at the people and politics of the Waikato River.

Marama Muru-Lannning introduces us to the way Māori of the region, the Crown and Mighty River Power have talked about water, ownership, stakeholders, guardianship and the river. Those conversations culminated in 2009 with a Deed of Settlement signed by Waikato-Tainui and the Crown that established a new co-governance structure for the Waikato River.

By examining debates over water, Muru-Lanning provides a powerful lens into modern iwi politics and contests for power between Māori and the State.

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Genesis' Huntly Power Station.

John and Loris Osborne cloaked on the Mercer Bridge.

Captive Waters

This story is about the Waikato River and the people who have interests in it. On 13 September 2012, almost a thousand Māori people, including hereditary chiefs, elected iwi (people of related descent) leaders, academics, activists, politicians and representatives from the Freshwater Iwi Leaders group, the Māori Council and the Māori Women's Welfare League, gathered at Tūrangawaewae Marae on the Waikato River to discuss Māori water rights. The Māori King, Tuheitia, had invited leaders to the hui (meeting) to respond to the National government's proposed partial privatisation of New Zealand's electricity-generating assets.

After speeches from key leaders, including the Tūwharetoa paramount chief, Sir Tumu Te Heuheu, retired High Court judge Sir Edward Taihakurei Durie and Emeritus Professor Ranginui Walker, King Tuheitia spoke. The King declared: 'We [Māori] have always owned the water . . . [we] have never ceded our mana [authority, status, ancestral prestige] over the river to anyone' (Young, 2012b). Prime Minister John Key hit back quickly: 'King Tuheitia's claim that Maori have always owned New Zealand's water is "just plain wrong"' (Young, 2012c). John Key went on to say that '[a]ll the advice the government ha[d] received, [was] that the common-law position that no one own[ed] the water stands'.

So who was right? Do Māori own the water? If they don't, who does? Can, in fact, water be owned? And if not, how do different groups describe their relationship with water and how does that language matter?

This book looks at one river, the Waikato, through a single period, the years from 1995 to 2010 which culminated with Waikato-Tainui and the Crown signing a Deed of Settlement* that established a new co-governance structure for the Waikato River. This book investigates how Māori, the Crown and the electricity-generating company Mighty River Power developed unique ways of talking about the Waikato River. By examining the role the politics of language plays in transforming identities, power relations and socio-political hierarchies, my aim is to provide a lens onto some of the tensions and internal conflicts within Waikato-Tainui, as well as illuminating the contests for power between Māori and the state.

The Waikato River lies at the heart of local tribal identity and chiefly power and is a key focus of ongoing local struggles for prestige and mana, in which recognising Māori property rights in freshwater is just the latest manifestation. Against a background of seized lands and natural resources, this book will examine the significance of the Waikato River as a key symbol in restoring Waikato Māori status and mana. Long before negotiating Waikato-Tainui's river claim with the Crown, Kīngitanga leaders such as Princess Te Puea Hērangi and Sir Robert Mahuta established a discourse in relation to the Waikato River using the idiom 'Tupuna Awa', which defined the Waikato River as an important tribal ancestor.† In the past decade, the Waikato-Tainui river negotiators, Tukoroirangi Morgan and the late Lady Raiha Mahuta, in collaboration with Crown officials, have embraced a different discourse for the Waikato River by referring to it as 'Te Awa Tupuna', which translates as 'ancestral river' and thus redefines Waikato Māori understandings of the river. This new discourse emphasises iwi identity, iwi partnerships with the Crown and a vision of co-governing the Waikato River. In revealing the subtle differences between the tribal groups of the Waikato River, this book will examine why Māori groups located along the northernmost third of the river have collectively embraced an identity that emphasises the Waikato River. While much has been written about a singular 'Māori worldview', Waikato Māori and members of the Kīngitanga have their own experiences of being Māori, and a view of the world that is specific and distinct. This book highlights the cultural specificity of Waikato Māori and recognises their sense of

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place and ownership. It does this by drawing on the thick descriptions and multiple perspectives of the different actors who share interests in the river.[*]

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The Waikato River has been a part of my life for as long as I can remember. I was born in Huntly and grew up at Tūrangawaewae Marae in Ngāruawāhia. My father's parents, who lived in a house adjacent to my parents' home, were supporters of Princess Te Puea Hērangi, an influential leader of the Kīngitanga and founder of Tūrangawaewae Marae.[†] Through my parents and grandparents I can trace connections to the tribes of Ngāti Mahuta, Ngāti Hikairo of central Waikato, Ngāti Maniapoto at Waitomo and Ngāti Whatua at Ōrākei.[‡] Having lived on the banks of the Waikato River at Tūrangawaewae Marae until I was sixteen years old, I thought I had a very good knowledge of the river. I knew about its flooding and fogs, high and low water lines, safe places for swimming and the less dangerous places from which to jump into it. I had collected kōura (freshwater crayfish) and tuna (eels) from its waters. I could recite stories about local taniwha (river guardians). I knew about the healing and spiritual properties of the river.

I gained another perspective of the Waikato River when I was employed in the Environment Division of the Electricity Corporation of New Zealand (ECNZ) and later Mighty River Power between 1997 and 1999. During that time the company was split into three state-owned enterprises (SOEs). I was assigned to the part that became Mighty River Power. My job was to work with Māori elders (kaumātua) who lived along the river and to record their stories and tribal histories for an ECNZ-funded Waikato River histories project. While the position seemed like my dream job, I soon came to find the work personally challenging and extremely political. I became very concerned about how the information I was collecting might be interpreted and used by the company, even though my manager assured me that the company was trying to do something beneficial for Waikato River Māori and was not interested in using the research. Perhaps if the project had been initiated by the kaumātua, I would have found it easier to accept the validity of the

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[*] In anthropology and other fields, the thick description of human behaviour explains not just behaviour but its context as well (Geertz, 1993 [1973]: 3–30).

[†] See Chapters One and Three for a discussion of Kīngitanga.

[‡] Three of my grandparents affiliate to the tribes mentioned; however, my mother's father was from Sheffield in England.

project's perspective. To this day I am indebted for the guidance and care of the kaumātua and whānau (extended family) members whom I interviewed on the project. I am also grateful to those employees at Mighty River Power who tried to understand my ethical concerns in relation to their oral histories project.

This research is informed and enriched by my position within two distinct cultures. Firstly, I am inside the culture I am studying as I belong to several Māori tribal groups and this research by its very nature is Kaupapa Māori Research. Kaupapa Māori Research is a philosophical framework that has emerged at least partly in response to the largely negative impact of conventional Western research on Māori. My project reflects the key principles of Kaupapa Māori Research: it is dependent on my being Māori; it is underpinned by Māori philosophy and principles; it takes for granted the validity and legitimacy of a Māori worldview; and it is fundamentally concerned with the struggle for autonomy and Māori wellbeing. Because of the integrity of Kaupapa Māori Research, this book enables me to offer new angles of vision and depths of understanding to existing anthropological scholarship that privileges Western knowledges in its examination of other cultures. This brings me to my second cultural affiliation – that of an anthropologist. Through the discipline of anthropology I have been exposed to theories that this book begins to extend and apply in a Māori context, providing a more complex and analytical understanding of Māori relationships to lands and resources than those that may have been possible without the discipline.

The book is arranged as follows. To begin, readers are immersed in an ethnography that reveals the complex political relationships between people and the Waikato River. This preview into the social life of the river introduces the main groups and actors with interests in the Waikato River.

Chapter Two presents the methodology used in this work and discusses reflexively my ambiguous position as a member of Waikato iwi and the Kīngitanga. It brings together two strands of literature about Māori claims to lands and resources, and considers why these seldom engage in constructive dialogue. Importantly, this section also introduces the main theoretical framework of the book, which draws on a combination of insights from the European philosophers Michel Foucault (1973, 1977, 1980, 2003 [1972], 2004 [1997]) and Fredrik Barth (2002). The works of these scholars have been vital in developing my understanding of the knowledge-politics of the Waikato River.

Chapter Three describes the setting of this story, using a traditional Māori trope for representing relationships between people and territory. Largely, my discussion highlights the relationships and the significance of the river as a cultural resource and a socio-political boundary-making entity.

In Chapter Four, I take up the issue of property and explore different understandings of the concept of ownership. It is my argument that the discourse of 'owning' in the Waikato is shaped by considerations of hierarchy and mana particular to the Kīngitanga. This chapter also examines the significance of the Māori concepts of tuakana and teina (senior and junior relationships) in relation to belonging, possession and the control of things. My aim is to show how cross-cultural understandings of ownership can be obtained through analysing the meanings of key Māori words and concepts.

Chapter Five explores the process of claiming property and rights through descent group identities. Here I reflect on the way that the state, through the Treaty claims process, has reconfigured Māori group identities and political structures, elevating the identity of corporate iwi above hapū and whānau groups.[*] This section also details how Kīngitanga leader Robert Mahuta successfully advanced Waikato Māori claims to land and the Waikato River, by effectively representing Waikato-Tainui as an enduring and important super-iwi.

Chapter Six examines the politics of naming in the post-Mahuta era as different river stakeholders, such as Mighty River Power, compete for recognition, influence and authority in the management and use of the Waikato River. This discussion reveals how the techno-managerial expertise of Mighty River Power has had major implications regarding the status and influence of particular Waikato Māori groups.

Chapter Seven further develops the themes of Chapter Six and looks more closely at the rivalries and tensions within Waikato-Tainui. It considers the three most prominent competitors for influence and control in terms of Weber's (1949) classic model of leadership and authority. In particular, it shows how the new discourse of Te Awa Tupuna has served to undermine the authority of the Kīngitanga whilst promoting the influence of elected tribal representatives as the most important mediators between Waikato iwi and the Crown.

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[*]   Corporate iwi in the context of this book refers to iwi who structure themselves similarly to corporate entities and businesses. Hapū groups are related by lineage, family and communities; whānau are extended families.

Initially it may seem that small linguistic shifts are trivial matters. They are, however, indicative and expressive of much more important struggles for influence, prestige and power.

The Conclusion of the book draws on some of the main findings to examine the ways in which particular discourses are used by actors and groups to frame their interests so that particular meanings and ways of representing ideas prevail. In demonstrating how discursive practices have been used to manage and direct river negotiations, as well as to empower and disempower specific groups along the river, this ethnographic study identifies some of the winners and losers of Waikato River co-governance.

To complete the book, an Epilogue gives an account of more recent developments, most notably the partial privatisation of Mighty River Power and how the reactions of Māori played out in the context of the water ownership issue.

Launching a boat in Mercer that will fish in Port Waikato.

Tahere Tikitiki rests while children play.

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