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The contested environmental governance of Maori-owned native forests in South Island, Aotearoa/New Zealand

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ABSTRACT

In this study we set out to critically examine the environmental governance of native forests owned and managed by the Maori in New Zealand, with a specific focus on 'SILNA' lands given to the South island Maori as compensation lands for lost ancestral tribal lands. We will interrogate reasons for different forestry pathways in terms of how the process of European colonisation unfolded politically and spatially, the response of the Maori SILNA forest owners to pressures linked to land allocation and land rights issues over time, and the repercussions of these responses for biodiversity preservation in indigenous forest management systems. In order to unravel the complex environmental governance processes at play in the New Zealand context, we will pay particular attention to 'exogenous' (i.e. propelling forces outside Maori communities) and 'endogenous' regulation mechanisms (i.e. regulation of native forest management within SILNA forest blocks). New Zealand is a particularly appropriate setting as Maori governance, forest management and land rights issues have come to the fore over the past decades. Our findings suggest that Maori SILNA forest owners have used the full spectrum of forest management pathways, ranging from outright clearfelling and associated biodiversity depletion to forest preservation. The study highlights the complex interplay between endogenous environmental governance processes (actor embeddedness with their land and the role played by trusts and committees in particular) and exogenous drivers, in particular through the influence of international logging companies, and the policy environment which has sent mixed, and at times confusing, messages to Maori SILNA native forest owners.

Introduction

Struggles surrounding the environmental governance of native forests[1] managed by indigenous people[2] (hereafter 'indigenous forest management systems' or IFMSs) have been a well documented issue in social science literature since the colonial era (Smith and Wishnie, 2000; Gibbs, 2005; Peluso, 2008, 2009). Building on conceptualisations of 'new governance' by Williamson (1996) and Rhodes (1997), environmental governance of IFMSs is associated with environmental sustainability (Schwartzman et al., 2000), the emergence of new 'innovative' institutions and practices involved in management of native forests on indigenous lands (Nepstad et al., 2006), and expanding opportunities for interaction between stakeholder groups involved with IFMSs (e.g. environmental NGOs and the state) (Holt, 2005; Krech, 2005). Critically, these expanding opportunities for stakeholder interaction can facilitate participation of hitherto marginalised groups in IFMSs, in particular indigenous people and their interactions with other stakeholder groups and the state in particular (Smith and Wishnie, 2000; Rangan and Lane, 2001).

On the one hand, commentators have argued that in many IFMSs in both the North and South such new governance structures are becoming increasingly evident, with politically marginal indigenous communities increasingly incorporated into decision-making and as a means to settle long-standing land grievances (Hunn et al., 2003). In an idealised vision, such 'new' environmental governance structures may be associated with changing attitudes of newly empowered stakeholders vis-à-vis their own position in

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[1] Forest associations that grow within the climatic and edaphic range of their natural species distribution.

[2] We acknowledge current debates about the meaning and use of 'indigenous people' in contemporary critical literature and that the framing of notions of indigenous identity has occurred mainly in the context of white settler societies. Building on work by Smith and Wishnie (2000), 'indigenous people' are seen here as descendants of communities who occupied territories within current nation states prior to colonialisation.

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native forest management processes (Smith and Wishnie, 2000; Coombes and Hill, 2005), and with changing societal attitudes towards destructive forest management practices (e.g. through clearfelling) in forests owned or managed by indigenous communities (Hunn et al., 2003; Ostrom and Nagendra, 2006).

On the other hand, critics have highlighted that such seemingly 'inclusive' governance structures in IFMSs have been far from successful as a means both to empower local indigenous communities and to promote sustainable environmental management practices. Peluso (1993, 1995, 2008, 2009), in her seminal work on the politics of state control over indigenous forest territories in Indonesia, has highlighted how the struggles of indigenous people with regard to protection of their ancestral domains[3] has continued unabated. Similarly, the continuing conflict between state agendas of 'externally enforced' preservation and resulting conflict with indigenous forest management pathways have been well documented (e.g. Hunn et al., 2003; Nepstad et al., 2006). Far from identifying 'inclusive' governance structures, these studies highlight continuing struggles over property rights and indigenous forest resource management issues, often emphasising the continuing disenfranchisement of indigenous peoples from their ancestral domains (e.g. Howitt et al., 1996). Smith and Wishnie (2000) and McCarthy (2006) further highlighted that debates on the 'most appropriate' governance of native forests in IFMSs are complicated by differing culturally-informed definitions of what 'sustainable management' 'or biodiversity depletion' of native (especially old-growth) forests means and how it should be achieved in practice.

Historically, from the 18th century onwards conflict between indigenous communities and 'external' stakeholder interests arose as incoming European colonial settler populations lay claims on ancestral domains and forests formerly owned by indigenous people (Howitt et al., 1996). In global terms, this issue has begun to assume greater importance as indigenous people are being given back control over large areas of the world's remnant native forests (Nepstad et al., 2006). As a result, the question of environmental governance of indigenous forest territories has assumed ever greater importance, particularly as these areas often contain some of the most valuable remnant forest resources with regard to timber, biodiversity and global carbon sinks.

In this study we set out to critically examine the contested environmental governance of native forests owned and managed by the Maori[4] in Aotearoa/New Zealand. Informed by debates in the recent literature, we argue that interaction of complex forces including long-standing land grievances over property rights, globalisation and regulation have shaped a hybrid landscape of environmental governance. Our geographical analysis will particularly address Ostrom and Nagendra's (2006) notion of multi-faceted indigenous decision-making pathways, McCarthy's (2006) notion of hybrid indigenous forest spaces, and Guha's (1997) and Peluso's (1993) arguments that cultural, economic and social factors usually combine to create complex indigenous forest management pathways. By using a geographically informed spatial analysis of native forest clearing patterns, we examine reasons for different forestry pathways over time in terms of: (1) how the process of European colonisation has unfolded politically and spatially, (2) the response of the Maori to pressures linked to land allocation and land rights issues, and (3) the repercussions of these responses for biodiversity preservation in IFMSs. We pay particular attention to 'exogenous' regulatory mechanisms (i.e. propelling forces outside Maori communities) and 'endogenous' regulation mechanisms (i.e. regulation of native forest management within Maori communities) and focus on native forest preservation as a baseline with which to assess Maori forest management practices (see below). As Gibbs (2005) notes, New Zealand is a particularly appropriate setting as Maori governance, forest management, and land rights issues have come to the fore over the past decades (see also Coombes and Hill, 2005; Wilson and Memon, 2005; NZMAF, 2009). Although struggles of the Maori over land and resources have been well documented since the colonial era, little work has explored the spatial intricacies of these struggles in relation to environmental governance processes involving property rights, globalisation and exogenous/endogenous regulation mechanisms for Maori native forest management. This is particularly surprising as even in the relatively inclusive New Zealand political model, recent Maori land rights issues have brought about substantial conflicts over how native forest on Maori lands should be managed (Gibbs, 2005; Wilson and Memon, 2005).

The empirical analysis in this paper focuses on the contest over management of indigenous forests on Maori 'SILNA' lands[5] located in the South Island. These lands constitute one of the last 'native forest logging frontiers' in New Zealand, as the state effectively exited from sustained yield native forest management in the late 1990s and local wood and timber needs are now largely covered by 'exotic' plantations (*Pinus radiata*) (Wilson and Memon, 2005). We will specifically investigate the two largest SILNA forest blocks, Rowallan-Alton and Tautuku-Waikawa (see Fig. 1) which comprised about 30,000 ha of the 57,000 ha (53%) of native forests on Maori lands in the South Island in the early 20th century. To assess original extent of forest cover at different times between 1906 and today, and to obtain information on endogenous/exogenous decision-making processes on SILNA forest lands over time, data collection for this study was based on a combination of quantitative and qualitative sources. Quantitative information on forest extent and forest cleared was obtained through successive topographical map series, in particular New Zealand topographical map series, 1:63,360 1884–1935; New Zealand Map Series (NZMS) 1:63,360 1939–1975; NZMS 177 cadastral map series 1939–1960; NZMS 260 1:50,000 1977–2008; and Topo50 1:50,000 since 2009. Additional quantitative data was obtained from government statistics on forests and amounts cleared on SILNA lands (e.g. NZMAF, 2005), remote sensing imagery for 2005, archival records (e.g. 19th century surveyor's maps), documentary sources, and newspaper articles. Qualitative information was obtained through semi-structured interviews with 15 Maori informants from both SILNA blocks, interviews with 3 government officials, and newspaper articles. Questions varied depending on the background and knowledge of our respondents, but focused largely on the following themes: the importance of 'attachment' or 'disassociation' of the respondents from their SILNA blocks; attitudes towards native forest remnants; the history of forest management on blocks owned by interviewees and their families; and the importance of endogenous and exogenous regulation mechanisms for forest management. In addition, observational data on clearing patterns was gathered in 1989 and 2003 for the Tautuku-Waikawa block, and for the Rowallan-Alton block in 2007.

[3] The notion of *ancestral domains* challenges state claims to control *all* the national territory, and provides a framework for indigenous people to assert legal rights over 'their' lands with associated autonomy in environmental decision-making (often through 'community mapping' of tribal domains) (Peluso, 1993, 1995; Bryant, 2005).

[4] The New Zealand Maori constitute an indigenous minority marginalised within a colonial/post-colonial settler state dominated by descendents of European settlers.

[5] Lands allocated under the *South Island Landless Natives Act* 1906 (see Section "Maori lands in New Zealand: the contextual setting").