

A Maori Perspective on the Future Management
of New Zealand's Wild Animals

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SUMMARY

The Maori view of wild animal management relates to the impact of the species on the environment, and thereby on the land. Most of the land they inhabit is subject to claim under the Treaty of Waitangi. The impacts of these animals are, in general, destructive of Maori values, particularly in relation to mahinga kai species (such as weka, kaka, and kereru). Wherever possible, these species should be rehabilitated to the point where they can be utilised for tribal purposes. Such a policy is based on tribal rights under the Treaty and under common law, and demands absolute eradication of stoat, weasels, rats, and possums. It would also shape any position taken in relation to the hunting and management of big game. Ngai Tahu intend to work toward partnership with the Crown in achieving such policy goals.

The focus on the wild animals is, as much as anything, about the areas that the wild animals inhabit and involves:

- * the future management and control of the land areas themselves,
- * the environmental effects of their presence in terms of erosion, downstream siltation, effects on other species and potential opportunities for other species to survive or rehabilitate.

Discussion in the present context is about animals which are intrusive on the New Zealand landscape. They are exotic and not native. The values surrounding their management are no more and no less than should be applied to any other exotic land use. They should be shorn clean of any air of mystique - the "Bambi Syndrome" or even the "Bambi's Grandad Syndrome".

We are dealing with animals which are in most cases destructive of important Maori values. Their continuing presence may be able to be accommodated, but that should be subordinated to existing Maori values or the potential for redevelopment of those values.

The difficulty is that the animals should only be discussed in an area specific context and not in their own right. They exist in areas in which they impact on other values and judgement on their future should be made in the context of those values and not in isolation.

Most of the areas in which they exist are on Crown Land. All Crown Land within the Ngai Tahu rohe is currently subject to the Ngai Tahu Claim. Ngai Tahu have a direct interest in discussion of future land use in respect of such lands. That interest is two fold:

- * the lands themselves are claimed and it is the Ngai Tahu intent, should the claims be found to be valid, to have a major hand in their management and decisions about their future as of right,
- * should the claims be found not to be valid, or valid only in part, then Ngai Tahu intend to enforce the Treaty provision in the Conservation Act to secure a clear and effective position in land use decisions within the Conservation estate. We do not believe that currently exists.

We believe that the foregoing positions are consistent with a Ngai Tahu stance towards commercial and cultural opportunities for Ngai Tahu enterprise within the conservation estate and in land use decisions outside of that estate.

Ngai Tahu is not immediately able to exploit the commercial potential it sees for itself in the Conservation sector but intends to pursue policies which will:

- * protect its future position when it has secured both control (or a measure of it) and capital,
- * give clear signals to present managers, and potential commercial exploiters, of its intent in order to avoid later recrimination and possible protest.

NGAI TAHU KAUPAPA DERIVED FROM "MAHINGA KAI"

Our basic tribal position is that our traditional mahinga kai species should be rehabilitated to the point where we should once again be able to exercise our mahinga kai rights over them - ie. once again be able to gather them under traditional controls for food purposes. Examples are weka, kereru, kaka.

We therefore support absolute protection of these species for the time being so that future generations shall be able to exploit them on a sustainable basis.

The rehabilitation of our mahinga kai species demands the protection and rehabilitation of the environments in which they flourish.

The rehabilitation kaupapa also demands policies aimed at the absolute eradication of stoat, weasel, rat and possum.

It also underlies and shapes any position we may take on what are described as wild animals in game hunting terms.

Our position on mahinga kai species is based on:

- * our tribal Treaty rights under Article II,
- * our common law rights under the Doctrine of Aboriginal Rights,
- * our common law rights founded on the fiduciary duty of the Crown to protect both of the above.

All of these are, one way or the other, binding on the Crown either in the form of Ministries, Departments or State Owned Enterprises.

It is the Ngai Tahu intention to secure the effective implementation of these traditional rights by whatever means available and are within our capacity.

The only constraints on them that we accept are those of environmental and ecological sustainability.

We willingly accept a duty of consideration in this context to our fellow New Zealanders. However, that duty of consideration is one that derives from a position of Ngai Tahu manawhenua.

We further accept a primary duty of consideration for the land itself. By 'the land' we mean the lands, waters and natural resources within our tribal rohe.

The exercise of our mahinga kai rights are viewed in both a cultural and commercial context, just as in our traditional society we exercised those rights for tribal use and for trade and exchange.

We are well aware of our position in terms of international jurisprudence and common law in the above contexts as well as in terms of the application of the Treaty of Waitangi and the Court of Appeal decision in the SOE case (1987).

Our intentions are clearly those of the evolution of partnership with the Crown in the management of the conserved estate. That extends to the various commercial enterprises which may want to participate with the Crown - or with us - in the utilisation of that estate.

Hostility or resistance to operational partnership development will, naturally enough, lead us to reliance on the legal pursuit and enforcement of our rights at law. Such would, equally naturally, make operational partnership much more difficult to achieve.

We have had 150 years of effective exclusion from the decision making processes imposed by the power culture. We do not intend that to continue and we are not going to be content with mere consultation within the area of manawhenua. We seek an effective and functional part in that process and we want it reshaped to accommodate that.

Ministerial appointments and advisory roles within existing structures are unlikely to achieve these ends in the control of wild animals any more than they are likely to in a context of National Park administration, water and soil management or local government.