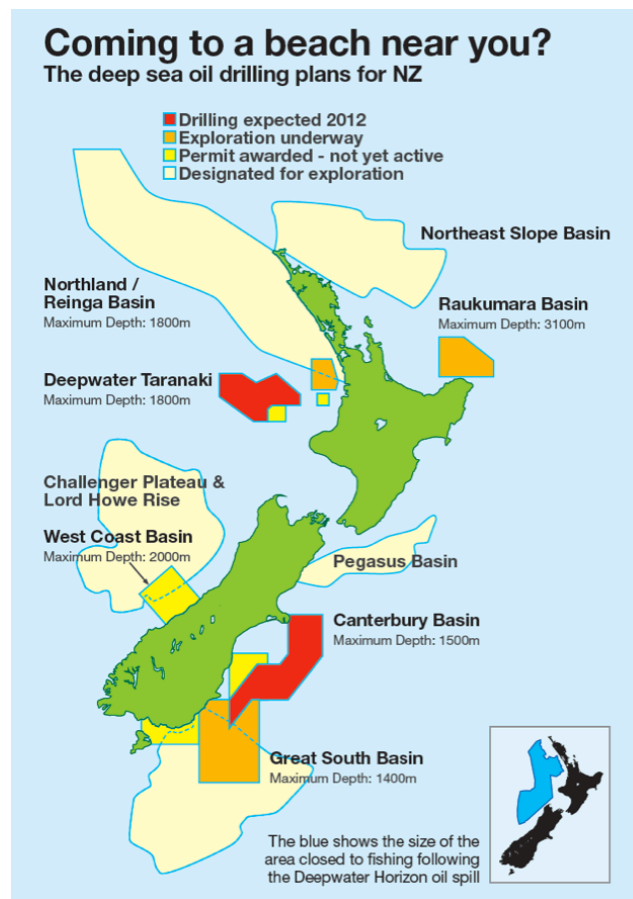




## MĀORI OPPOSITION TO FOSSIL FUEL DEVELOPMENT IN AOTEAROA NEW ZEALAND

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Opposition has intensified in the past five years in Aotearoa New Zealand to foreign corporate deep-sea oil exploration, which opponents view as a threat to fisheries, beaches, tourism, marine mammals, and climate stability. Opponents fear that an oil spill the scale of the Exxon or BP disasters would overwhelm the country's economy and government's capacity for clean-up. Despite interest in oil revenues from a few local Māori leaders, growing numbers of Māori are beginning to view oil drilling as a challenge to the Treaty of Waitangi, and proclaim that "Aotearoa is Not for Sale."

I visited Aotearoa for two months earlier this year, as part of my study abroad class "Native Decolonization in the Pacific Rim: From the Northwest to New Zealand," which I have taught this past year (with my colleague Kristina Ackley) at The Evergreen State College in Olympia, Washington.<sup>1</sup> We joined fifteen of our undergraduate students, half of them Indigenous and half non-Native, in the journey to visit Māori and Pasifika (Pacific Islander) communities throughout North Island, and to conduct research projects comparing Pacific Northwest treaty rights and tribal sovereignty to the Treaty of Waitangi and Māori self-determination. It was the second class we took to Aotearoa, building on previous exchanges of Indigenous artists through our campus Longhouse, and graduate students through our Tribal Master's of Public Administration program.

When the students were off doing their projects, and I was visiting with them, I conducted my own research on Māori alliances with Pākehā (European settlers) in the movement against oil drilling, as well as the political intersections between fossil fuel extraction and Māori decolonization. I interviewed two dozen North Island Māori and Pākehā involved in the movement in the East Cape, Waikato, Northland, and Auckland regions. My main question was "How does the Treaty of Waitangi, or Te Tiriti, contribute to collaboration between Māori and Pākehā communities in confronting the fossil fuel industry, and how does this collaboration strengthen the popular understanding of treaty rights as benefiting all New Zealand citizens?"

I was not so much interested in the pro's and con's of fossil fuel development, nor in the scant Māori support for oil drilling. My study was focused on how Māori have gained such powerful leadership within the opposition, unlike in other western countries where Indigenous priorities have been largely ignored or marginalized within white-led environmental movements. I examined Māori relationships with environmental organizations, such as Greenpeace New Zealand, as well as the local relationship developing between Māori and local Pākehā neighbors, much as my dissertation and upcoming book focuses on similar Native / non-Native rural collaborations in the U.S. (such as the Cowboy Indian Alliance against the Keystone XL pipeline or Pacific Northwest alliances to stop coal and oil terminals).<sup>2</sup>

New Zealand has recently become an important center in "Blockadia," or the places in the world where frontline residents are blocking fossil fuel development (as Naomi Klein

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<sup>1</sup> The Evergreen State College, *Class Report and Student Projects*, Native Decolonization in the Pacific Rim: From the Northwest to New Zealand (2015). <http://academic.evergreen.edu/g/grossmaz/NZ2015.pdf>

<sup>2</sup> Zoltán Grossman, "Native/non-Native Alliances Challenging Fossil Fuel Shipping at Pacific Northwest Ports" (2014). <http://academic.evergreen.edu/g/grossmaz/NativeFossilFuels2SS.pdf>

describes climate justice activism in her new book *This Changes Everything*).<sup>3</sup> The 1840 Treaty of Waitangi can be seen a powerful tool to protect the common coastal environment, in much the same way that Northwest treaties help protect salmon habitat. This treaty-based opposition has contributed to the decisions of giant Brazilian and U.S. oil companies to leave Aotearoa, and is now causing great concern to a Norwegian company, and I wanted to learn how this happened, and bring the stories to the alliances developing back home.

### **Treaty wars and environmental conflict**

The 1840 Treaty of Waitangi was signed by Māori rangatira (chiefs) to safeguard their tino rangatiratanga (self-determination) in the face of British colonization. The Māori version of “Te Tiriti” retained self-determination and limited the British to kawanatanga (governance), but in the English translation the Crown claimed full sovereignty over the entire country. Even the English translation, however, guaranteed the chiefs the “full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties,” and never ceded the offshore lands that Māori deemed as the domain of the ocean deity Tangaroa.

Within only a few years after the treaty signing, settlers began to violate its terms, and the Crown responded to Māori resistance by confiscating the chiefs’ lands. As war raged in Taranaki in the early 1860s over British land confiscations, one of the first oil wells in the world (and the first in the Commonwealth), was drilled on the New Plymouth foreshore in 1865.<sup>4</sup> A century later, in the 1960s and ‘70s, extensive oil and gas fields were developed onshore and offshore in Taranaki, making the district the New Zealand equivalent of Texas or Alberta. Māori iwi (tribes) and hapu (subtribes) were alarmed by the contamination and could do little to stop it, but have tried to mitigate the effects, such as diverting pipelines from their urupa (cemeteries).<sup>5</sup>

Public awareness of threats to the moana (ocean) environment increased in the 1980s, exemplified by activists’ sea blockades of French nuclear weapons testing near the Māori homeland in Polynesia. The 1985 French bombing of the Greenpeace boat *Rainbow Warrior* in Auckland Harbour left one dead.<sup>6</sup> In the same year, the strengthening of the Waitangi Tribunal opened up a process whereby grievances and claims could be filed on violations of the Treaty since 1840. The treaty signing is commemorated in Waitangi every February 6<sup>th</sup>.

Pākehā support for land returns and Māori cultural and language revitalization grew concurrently with their stronger environmental consciousness. The Treaty of Waitangi was officially embedded into most environmental legislation. The 1991 Resource

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<sup>3</sup> Naomi Klein, *This Changes Everything: Capitalism vs. the Climate* (New York: Simon & Schuster, 2014).

<sup>4</sup> Sorell Hoskin, “Moturoa black gold: ‘the good oil,’” *Puke Ariki* (2004). <http://pukeariki.com/Learning-Research/Taranaki-Research-Centre/Taranaki-Stories/Taranaki-Story/id/371/title/moturoa-black-gold-the-good-oil>

<sup>5</sup> Mike Smith and Hinekaa Mako, Personal interview, Auckland (Feb. 18, 2015).

<sup>6</sup> David Robie, *Eyes of Fire: The Last Voyage of the Rainbow Warrior* (Auckland: Asia-Pacific Network, 2005).

Management Act required consultation on both onshore and *offshore* development with coastal tangata whenua (people of the land), meaning they had to at least be informed of any plans in their fishing grounds.<sup>7</sup> This requirement stemmed from the Treaty; corporations have no such obligation to consult with coastal Pākehā communities, leaving them largely out of the loop.

### **Foreshore and Seabed Act**

The confluence of Pākehā support for Indigenous rights and environmental protection was severely tested in 2004, when a South Island hapu planned to raise mussels in Marlborough Sound. Since the Treaty never ceded the foreshore and seabed, or takutaimoana, to the Crown, the Court of Appeals ruled that Māori could seek customary title. The media and the conservative National Party raised hysterical fears that if the Labour government of Helen Clark allowed Māori iwi to assert rights to harvest shellfish, they could also restrict public access to beaches, an integral part of New Zealander or Kiwi identity as an island nation.

In reality, as Pākehā treaty workers Moea Armstrong and Tim Howard pointed out, the “iwi” never intended to prevent other “kiwis” from having a “picnic at the beach,” but to protect the beaches and safeguard their own access to them under the Treaty. Armstrong compared Māori title over the area as even benefiting Pākehā, in the same way that hospitals’ concessions to create large rooms for visiting Māori whanau (extended families) also benefited Pākehā families. She asserted, “it upsets the mainstream discourse but if it's good for Māori, it's good for everybody ... Māori sovereignty is good for all New Zealanders.”<sup>8</sup>

Yet most Pākehā, including many environmentalists, jumped on the bandwagon, and Helen Clark’s Labour government passed the Foreshore and Seabed Act to unilaterally extend Crown control beyond the tidal line.<sup>9</sup> Māori raised strong objections to what amounted to the largest single land confiscation in their history (even if it was mostly land underwater). A hikoi (march) of 40,000 in Wellington involved one-tenth of the entire Māori population, with a handful of Pākehā allies.<sup>10</sup> But they didn’t get what they wanted.

In angry response to the Act, top Māori leaders left the Labour Party to found the new Māori Party. The government’s strategy pit Māori and Pākehā against each other, appealing to deep settler anxieties, or in the words of Mike Smith to the “colonial fear of being pushed into the sea...sent back in ships.”<sup>11</sup> Armstrong saw the government’s “massive treaty breach” as an “insidious” strategy “to take it back to us *versus* them.”<sup>12</sup>

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<sup>7</sup> Parliamentary Counsel Office, “Resource Management Act 1991.”

<http://www.legislation.govt.nz/act/public/1991/0069/latest/DLM230265.html>

<sup>8</sup> Moea Armstrong and Tim Howard, Personal interview, Whangarei (March 11, 2015).

<sup>9</sup> Parliamentary Counsel Office, “Foreshore and Seabed Act 2004.”

<http://www.legislation.govt.nz/act/public/2004/0093/latest/DLM319839.html>

<sup>10</sup> Aroha Harris, *Hikoi: Forty Years of Māori Protest* (Auckland: Huia Publishers, 2004).

<sup>11</sup> Smith and Mako 2015.

<sup>12</sup> Armstrong and Howard 2015.

So it was a surprise to many Pākehā environmentalists, that almost immediately after the Act's passage, mining and oil companies began registering to make claims out in the seabed, with the government issuing its first prospecting permits within a mere two months.<sup>13</sup> Associate Energy Minister Minister Harry Duynhoven, from Taranaki, promoted the mineral, oil, and gas permits.<sup>14</sup> The government began to arbitrarily set the 12-mile territorial limit as the start of a 'treaty-free zone.' (At the same time, the government criminalized climate justice activists in Taranaki, even targeting them as "terrorists" in 2007 police raids that primarily targeted Tuhoe sovereignty activists.)<sup>15</sup>

It quickly became clear to Māori that the government had acquired title to the foreshore and seabed in order for corporations to extract resources (such as iron sands and oil), without allowing Māori either a voice in the process or a cut of the revenue, but most Pākehā did not hear or believe this claim. The government may have thought its particularist game of divide-and-conquer had prevented a universalist Māori - Pākehā defense of the ocean environment from resource extraction.

### **Mining precedent**

But under the Resource Management Act, companies were still required to inform the tangata whenua (people of the land) of offshore development plans in their ocean rohe (territory), such as seabed mining. When Trans-Tasman Resources proposed to dredge the seabed for iron sands off Taranaki in 2005, it encountered fierce opposition from Ngati Ruanui at a marae consultation.<sup>16</sup> Up the Waikato coast in Raglan, Angeline Greensill of Tainui Hapu ki Whaingaroa shared information with the local Pākehā community that she had acquired in company consultations, and called a public meeting on her hapu land (the scene of an iconic 1978 land rights confrontation) to form Kiwis Against Seabed Mining, or KASM.<sup>17</sup>

According to KASM president and hostel owner Phil McCabe, the whole North Island coast got behind the opposition, concerned that the extensive sediment wastes would harm fishing, surfing, blue whales, and other marine organisms. Three times more submissions were made than in any previous approval process, and by 2014 the Environmental Protection Authority ruled against the project. A similar proposal in the rich Chatham Rise fishing grounds east of South Island was opposed by the Ngai Tahu iwi, and also later nixed by the regulators, as a major blow against seabed mining. McCabe concluded that "every stretch of coastline is loved and valued" despite divisions over control of the seabed, and that non-Māori can only defend the coast in conjunction with the tangata whenua.<sup>18</sup> (A similar unlikely alliance of Māori and Pākehā neighbors

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<sup>13</sup> New Zealand Petroleum and Minerals, *Online Exploration Database* (2015).

<https://data.nzpam.govt.nz/GOLD/system/mainframe.asp>

<sup>14</sup> Greenpeace New Zealand, "Deep Sea Oil Campaign Timeline" (2015).

<http://cdn.knightlab.com/libs/timeline/latest/embed/index.html?source=0Anv8wZ8VFqbfDHF6OXF5LTdKQnQySWWhNV25mZV81S0E&font=Bevan-PotanoSans&maptype=toner&lang=en&height=750>

<sup>15</sup> Matt Rilkoff, "Couple sure raids case will collapse," *Taranaki Daily News* (July 9, 2011).

<http://www.stuff.co.nz/taranaki-daily-news/news/5576945/Couple-sure-raids-case-will-collapse>

<sup>16</sup> Phil McCabe, Personal interview, Raglan (March 3, 2015).

<sup>17</sup> Angeline Greensill, Personal interview, Raglan (March 4, 2015).

<sup>18</sup> McCabe 2015.

later took on the Mangatawhiri coal mine project in North Waikato, according to former Green Party co-leader Jeanette Fitzsimons.)<sup>19</sup>

In Spring 2010, a new mining conflict erupted on land when the new conservative National Party government proposed to open the conservation estate to mining, the equivalent of mining U.S. national parks. Incensed that their favorite weekend destinations could be polluted by gold mining wastes, 40,000 people marched in Auckland, this time nearly all of them Pākehā environmentalists (including Greenpeace activists) with a handful of Māori allies. Within only two months, the government backed down on its plans. As Steve Abel of Greenpeace observed, Māori have been “fighting these various struggles...for years and 40,000 Pākehā march...and get what they want straight away. Two messages were sent to the Māori community, which was ‘make it about the environment, people care about the environment,’ and ‘get the big environmental NGOs on your side and you're going to increase the power of what you can do’.”<sup>20</sup>

At exactly the same time in Spring 2010, the Deepwater Horizon blowout spilled oil into the Gulf of Mexico. Thousands of vessels and nearly 50,000 people responded to the 87-day leak, which was situated too deep to quickly cap. So when in June 2010, the New Zealand government began to issue permits to companies to explore for oil in even deeper waters, Māori and Pākehā environmentalists immediately mobilized. In TV news coverage, the first permit signing literally shared the split screen with the Gulf disaster. While the existing Taranaki wells were only 125 meters deep, the new permits were for drilling from 2,000 to almost 3,000 meters deep, in a country with only three small oil skimmers and several hundred responders. A spill of similar size would devastate New Zealand’s marine-based economy and require decades for recovery.<sup>21</sup>

## **Petrobras**

The first five-year permit was issued to the Brazilian state oil company Petrobras, in the sprawling Raukumara Basin off East Cape, the homeland of Te Whanau-a-Apanui, one of the few iwi to still control nearly all of its ancestral territory. As a tribe that had never had their land confiscated, they were little concerned about the Foreshore and Seabed Act, until the government granted the oil permit without consulting the tribe (even though it had just signed the UN Declaration on the Rights of Indigenous Peoples). Tribal leaders told Petrobras it had “no consent” to be in their territory and would be evicted. Apanui counsel Dayle Takitimu recalled that the iwi developed a multipronged strategy, starting with spiritual ceremonies as the “backbone,” expanding to political engagement with the government (which quickly failed), legal cases to generate media attention and damage the company brand, and finally direct action to physically block the seismic survey ships.<sup>22</sup>

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<sup>19</sup> Jeanette Fitzsimons, Personal interview, Auckland (March 4, 2015)

<sup>20</sup> Steve Abel, Personal interview, Auckland (March 12, 2015).

<sup>21</sup> Green Party of Aotearoa New Zealand, “Green Party launches plan to protect our beaches from oil spills” (July 27, 2014). <https://home.greens.org.nz/press-releases/green-party-launches-plan-protect-our-beaches-oil-spills>

<sup>22</sup> Dayle Takitimu, Personal interview, Auckland (April 7, 2015).

Apanui put out a karanga (or call) for assistance to other iwi and the global public, and were met with silence, except for Greenpeace New Zealand, which at the time was “the first and only people in this country that put up their hand” to stand with the tribe. As a tribe that had always closely guarded its land and been suspicious of outsiders, there was a “certain amount of trepidation” in working with any non-Māori group.<sup>23</sup> Greenpeace chapters around the world had a mixed reputation in Indigenous circles, of opposing and then being neutral on Native fur harvests in Canada, supporting and then withdrawing from Native environmental justice work in the U.S., and more recently (and idiotically) placing climate action signs on the Nazca sacred site in Peru.<sup>24</sup>

But what happened at Greenpeace New Zealand was quite different. In the 1990s, it had worked in a limited way with Māori on campaigns around toxic chemicals and workplace exposure, although not in a sustained reciprocal relationship.<sup>25</sup> The breakthrough came in the Petrobras battle when Mike Smith, a Māori activist and filmmaker (noted for symbolically chopping down a colonial pine tree on Auckland’s One Tree Hill), applied and was hired for a key job at Greenpeace. His only previous exposure to Greenpeace had been to kick their activists out of restricted tribal meetings. Although he was from a northern tribe that was their historical enemy, Apanui trusted Smith due to his reputation, and he served as the “pivotal” link to the Greenpeace “big machine” on the frontline.<sup>26</sup>

Takitimu said that Smith was “able to act as the broker or the bridge between Greenpeace and us, interpreter sometimes... He, I suppose, culturally interpreted things for them that they may not had understood.” The relationship was not smooth at first, as the tribe made decisions slowly through its intergenerational leadership, and Greenpeace was sometimes too decentralized and hypersensitive to criticism. But the relationship deepened as the confrontation with Petrobras escalated, and Greenpeace helped with communication, media work, data crunching, and a blockade at sea.

When Greenpeace asked Apanui for permission to conduct the blockade, it deferred to tribal leaders to develop protocol for the flotilla that respected tribal tikanga (customs) in the majority-Māori region, such as honoring the rahui (closure) of the area in case of a drowning in the community, and not causing harm on the water (unlike Sea Shepherd’s ramming of boats). Instead of drafting a Memorandum of Understanding, they decided to have the relationship develop organically, making the Greenpeace activists comfortable with marae (Māori community) culture, and letting “our kids and their kids grow up together on the frontline.”<sup>27</sup>

In April 2011, the Greenpeace flotilla was greeted with a gathering of 600 people, the largest such greeting in the region since Captain Cook’s arrival.<sup>28</sup> For 42 days, seven protest vessels and an Apanui fishing boat played a cat-and-mouse game with a Petrobras seismic surveying ship, trying to knock it off its required straight course. A New Zealand

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<sup>23</sup> Takitimu 2015.

<sup>24</sup> Cavan Sieczkowski, “Greenpeace Offends Peru With Nazca Lines Stunt,” *Huffington Post* (Dec, 12, 2014). [http://www.huffingtonpost.com/2014/12/12/greenpeace-peru-nazca-lines\\_n\\_6315488.html](http://www.huffingtonpost.com/2014/12/12/greenpeace-peru-nazca-lines_n_6315488.html)

<sup>25</sup> Abel 2015.

<sup>26</sup> Takitimu 2015.

<sup>27</sup> Takitimu 2015.

<sup>28</sup> Greenpeace New Zealand 2015.

Navy warship and police special tactics boat were called in to deal with the protests, in an insult to a tribe that had sent many men to fight in the Māori Battalion of World War II, and in a reminder of Brazil's military junta history that troubled even Petrobras execs.<sup>29</sup>

Apanui skipper Elvis Teddy was arrested soon after parking his fishing boat in front of the survey ship, in an “expression of mana in our waters,” as tribal leader Rikirangi Gage told the ship, “We won’t be moving. We’ll be doing some fishing.” (Charges were later dropped as the arrest took place outside the 12-nautical mile territorial limit.)<sup>30</sup> Apanui used the conflict to build better relationships with nearby Pākehā fishing and tourism industries, and with the neighboring Ngati Porou iwi.<sup>31</sup> Ngati Porou was less unanimous in its opposition, but many remembered a 2002 oil leak from a ship that ran aground off Gisborne had left residual effects for many years.<sup>32</sup>

As the Petrobras battle raged, the Māori Party did not take a position, and had become part of the pro-fossil fuel National Party government. It replaced the Foreshore and Seabed Act with the Takutai Moana Act, which declared the seabed to be public space, and allowed tangata whenua to prove customary title only within a proscribed time limit, and by proving uninterrupted customary use.<sup>33</sup> Some leaders in the Māori Party and Iwi Leadership Council did not oppose the drilling because they wanted their people to have a share in the revenue. MP Hone Harawira founded the Mana Party as an alternative for Māori who objected to the government’s sale of assets to foreign interests, and along with the Green Party it became a key voice in the oil resistance.<sup>34</sup>

Opposition to oil drilling intensified in October 2011, when the ship *Rena* ran aground and leaked near Tauranga, a relatively small spill that was the nevertheless the country’s worst maritime disaster, and protests and petition drives began to gather unprecedented support. By December 2012, Petrobras relinquished its exploration permit, and the anti-oil movement had its first major victory.<sup>35</sup>

The movement left behind important legacies along the East Coast (Te Tairāwhiti), according to Ngati Porou educator Tina Ngata, including community projects around renewable energies, food sovereignty, and water monitoring. When the Canadian company TAG Oil proposed natural gas hydraulic fracturing near Gisborne in 2013, a strong alliance developed between local Māori and Pākehā to prevent the “fracking.”<sup>36</sup> Similar fracking had already contaminated groundwater in Taranaki.<sup>37</sup> According to Gisborne community organizer Marise Lant, the company withdrew claiming that it had

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<sup>29</sup> Takitimu 2015.

<sup>30</sup> Greenpeace New Zealand 2015.

<sup>31</sup> Takitimu 2015.

<sup>32</sup> Marise Lant, Personal interview, Gisborne (March 21, 2015).

<sup>33</sup> Parliamentary Counsel Office, “Marine and Coastal Area (Takutai Moana) Act 2011.”

<http://www.legislation.govt.nz/act/public/2011/0003/latest/DLM3213131.html>

<sup>34</sup> MANA Movement, “Environment and Energy Policy.” <http://mana.net.nz/policy/policy-environment-energy/>

<sup>35</sup> Greenpeace New Zealand 2015.

<sup>36</sup> Tina Ngata, Personal interview, Gisborne (March 20, 2015).

<sup>37</sup> Climate Justice Taranaki, “Fracking Factsheet” (2012).

<https://climatejusticetaranaki.files.wordpress.com/2011/04/cjt-fracking-factsheet-20april2012.pdf>



only found unsafe pockets of gas. The New Zealand Energy Company also relinquished its East Cape onshore permit in May 2015.<sup>38</sup> Lant asserted, “We’ve never given up land. We’ve always had it, and fought tooth-and-nail for it....Land is who we are.”<sup>39</sup>

## **Anadarko**

The focus quickly turned in 2013 to the East Coast of South Island, and the Waikato region on the west coast of North Island, where the Texas-based Anadarko company was granted new permits for seismic testing and drilling, by the new Energy Minister Simon Bridges (himself Māori). Residents of the South Island town of Kaikoura had based their economy on ecotourism, particularly whale watching and a baby seal nursery, which many saw as endangered by potential Anadarko drilling in the Pegasus Basin. Residents around Dunedin in the Otago region, famous for its penguins, mobilized against drilling in the Canterbury and Great South Basins.<sup>40</sup>

The dominant iwi on South Island, Ngai Tahu, had acquired a prominent financial role in the tourism industry through its treaty settlements. Ngai Tahu Chairman Mark Solomon was moved by a U.S. photojournalist’s presentation on the Gulf of Mexico spill, and came to view the oil industry plans as a threat. In January 2013 he invited Anadarko and Minister Bridges to attend a consultation, and invited Greenpeace representatives Smith and Abel to sit with the tangata whenua at the meeting.<sup>41</sup> Solomon reported that Anadarko “tried to restrict who we had on the marae. My response was you do not tell the tangata whenua who they have on their marae ....They came, incredibly nervous, both the ministry and Anardarko.”<sup>42</sup> Steve Abel of Greenpeace recalled that Solomon was “brilliant” by inviting Anadarko to return only so he could explain to them the Māori concept of kaitiakitanga (guardianship) over the land and sea. Ngai Tahu had not protested against the company, but instead used its authority to withhold its consent.<sup>43</sup>

In order to prevent a repeat of the Petrobras blockade, Minister Bridges declared an “Anadarko Amendment” banning protesters from coming within 500 meters of an oil industry vessel, and proposed to end public submissions on the oil projects. Both moves raised a firestorm of objections from political and cultural figures that it would violate the right to protest. In May 2013, “Hands Across the Sands” gatherings brought thousands of citizens to form lines in Kaikoura, Raglan, and along other iconic beaches to show their support for a clean energy future. Some surfers smeared oil on their bodies, and other protesters dressed as penguins or the rare and endangered Maui dolphins.<sup>44</sup>

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<sup>38</sup> New Zealand Energy Corp., “New Zealand Energy Relinquishes East Coast Permit,” press release (May 21, 2015). <http://www.newzealandenergy.com/News-and-Events/News-Releases/News-Releases-Details/2015/New-Zealand-Energy-Relinquishes-East-Coast-Permit/default.aspx>

<sup>39</sup> Lant 2015.

<sup>40</sup> Smith and Mako 2015.

<sup>41</sup> Abel 2015.

<sup>42</sup> Kaituhi Mark Revington, “The risk and reward of offshore mining,” *Te Rūnanga o Ngāi Tahu* (Jan. 22, 2014). <http://ngaitahu.iwi.nz/author/te-runanga-o-ngai-tahu/>

<sup>43</sup> Abel 2015.

<sup>44</sup> Greenpeace New Zealand 2015.

When Anadarko sent out an exploration ship to drill for oil in the Taranaki Basin about 185 kilometers off Raglan, Greenpeace sent a new flotilla of six boats to confront the vessel, and for five days it defied the Anadarko Amendment without any arrests. Up to 5,000 people held “Banners on the Beach” on West Coast foreshores to support the flotilla.<sup>45</sup> In a repeat of the seabed mining alliance, Angeline Greensill gathered Raglan Māori and Pākehā on the former golf course land that her mother, Eva Rickard, had recovered 20 years before, where they have now built a campground and kohanga reo (language nest) school. Greensill accused the government of not adequately consulting with tangata whenua. Her hapu could not participate in the flotilla because it had lost its fishing boats under a new quota system, but it served as a “conduit for knowledge” about the oil project. As the kaitiaki (guardian) of the land, the hapu brought its previous experience in defeating TV towers, wind turbines, oyster farms, and other development on its sacred ground.<sup>46</sup> After a flotilla confronted Anadarko’s drill ship off Otago in February 2014, the company ended its drilling, claiming that its tests had not found oil.

## **Statoil**

With the Brazilian and U.S. companies out of the picture, attention turned to the Norwegian state oil company Statoil, which had been granted exploration blocks in the Reinga Basin of the Tasman Sea off Northland, the sprawling semi-tropical peninsula northwest of Auckland. Northland, or Te Taitokerau, was the region in which Māori chiefs had declared their independence in 1835, and signed the Treaty of Waitangi five years later. Some of its beaches, capes and islands serve as the sacred “pathway of the dead” on spirits’ journey to and beyond the northern tip of Aotearoa. The Northland is also a heavily Māori region to this day, and its Māori and Pākehā residents have long been neglected in government economic policies, which only promote seasonal tourism.

After Statoil approached hapu runanga (councils) in August 2013, a grassroots (or “flaxroots”) cry quickly went out to “Waiho Papa Moana” (Leave the Ocean Alone). Māori and Pākehā had worked together in parallel on previous environmental challenges, such as mining, prison construction, restoring river flows to the Whangarei River, opposing the Marsden Point oil refinery near Whangarei, and reaching a fisheries co-management accord in Hokianga Harbour. But Māori support for Pākehā-led environmental causes was only rarely reciprocated, and in most areas their social circles tended not to intersect.<sup>47</sup>

By November 2013, 300 hapu representatives met at a marae in Ahipara in the Far North, or Te Hiku o Te Ika, and declared unanimous opposition to Statoil and its plans for seismic testing. Te Rarawa, Ngati Kuri, and Ngati Kahu have all opposed Statoil’s permit.<sup>48</sup> Ahipara organizer Rueben Taipari Porter said, “it’s not just Māori, it’s Pākehā that are feeling those emotions that they’re not being listened to, that the government is

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<sup>45</sup> Bronwen Beechey, “New Zealand: Protests target deep sea drilling,” *Green Left Weekly* (Nov. 25, 2013). <https://www.greenleft.org.au/node/55466>

<sup>46</sup> Greensill 2015.

<sup>47</sup> Armstrong and Howard 2015.

<sup>48</sup> Taikaha, Indigenous Māori delegation to Norway from Aotearoa New Zealand (May 2015).

imposing their laws down on us just to shut us down.”<sup>49</sup>

Much of the opposition in the Kaitaia area centered on Transition Town Kaitaia, which was planning for a community affected by climate change, and the Far North Environment Centre, where both Pākehā and Māori served on the board.<sup>50</sup> Former Board member Mike Finlayson observed that farmers and fishermen were joining the opposition to Statoil, and that more Pākehā now realize that the Treaty “is a document that would protect” the sea, in the “true meaning of partnership.”<sup>51</sup> Centre director John Kenderdine asserted, “I’d much rather have Māori in charge of the foreshore and seabed because it would be communally owned.”<sup>52</sup> Te Hiku Media in Kaitaia broadcast news and talks by Statoil opponents on TV and radio, in both Te Reo Māori and English.<sup>53</sup> Taipari, who is building sustainable whanau family housing on his land, saw that Pākehā were starting to value the protocol and tikanga of Māori, and in turn offered “beneficial resources, political knowledge, capital, social networks, and social media... We’re now decolonizing around the environment.”<sup>54</sup>

Throughout 2014, Greenpeace organizer Mike Smith helped spread the movement from the Far North throughout his Ngapuhi homeland, to Hokianga and the Bay of Islands. He pointed out to farmers and fishermen that recent droughts, floods and cyclones could be harbingers of climate change. The loose network grew out of the previous anti-mining fight, and used local facebook pages to communicate and mobilize.<sup>55</sup>

Yet Māori unity was more elusive in Northland than in the East Cape or Waikato, largely because Ngapuhi (the country’s largest iwi) was in the middle of a contentious treaty settlement process. (In November 2014, the Waitangi Tribunal ruled that the tribe had never surrendered its sovereignty to the Crown.<sup>56</sup>) Māori “flaxroots” activists resented that the government put iwi leaders who had been involved in treaty settlement talks into decision-making roles about oil exploration, even though the leaders had little or no knowledge of the risks. And even some of the anti-oil activists were themselves harshly at odds.

The small network was more unified and galvanized by three hikoī against Statoil, from Cape Reinga in the north to Auckland in September 2014, and to the Waitangi treaty commemoration in February 2014 and 2015, with Pākehā participation.<sup>57</sup> At the end of the 2014 hikoī, anti-mining activist Tim Howard became the first Pākehā to be asked to address the powhiri (welcome) at Te Tii Marae in Waitangi, telling the audience, “we

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<sup>49</sup> Sophie Lowery, “Anti-oil hikoī nearing Waitangi,” *3News* (Feb. 5, 2014).

<http://www.3news.co.nz/politics/antioil-hikoī-nearing-waitangi-2014020509#axzz3QrZTd8JW>

<sup>50</sup> Pat Davis and Cheryl Toka, Personal interview, Kaitaia (March 9, 2015)

<sup>51</sup> Mike Finlayson, Personal interview, Ahipara (March 9, 2015)

<sup>52</sup> John Kenderdine, Personal interview, Awanui (March 10, 2015).

<sup>53</sup> Ngawai Herewini and Peter-Lucas Jones, Personal interview, Kaitaia (March 10, 2015).

<sup>54</sup> Rueben Taipari Porter, Personal interview, Ahipara (March 9, 2015).

<sup>55</sup> Smith and Mako 2015.

<sup>56</sup> Paul Chapman, “New Zealand’s Māori ‘did not cede sovereignty to Britain’,” *The Telegraph* (Nov. 14, 2014). <http://www.telegraph.co.uk/news/worldnews/australiaandthepacific/newzealand/11230323/New-Zealands-Māori-did-not-cede-sovereignty-to-Britain.html>

<sup>57</sup> Greenpeace New Zealand 2015.

would like to be the Pākehā you signed the Tiriti with.” A talk in the same room by Prime Minister John Key was greeted with protests by Māori against oil drilling.<sup>58</sup>

Herekino residents Gary Little and Asta Wistrand had first joined with Māori residents of Kaitaia who rallied against drug use and sexual abuse imposed on the community, and followed their Māori neighbors into opposing the “existential threat” of Statoil to Indigenous culture. Little had originally favored the Foreshore and Seabed Act, feeling in 2004 that Māori were “going to take away my right to go down to the beach and... do fishing ... I see things in a different light now and the Act could have been the start of the erosion of New Zealanders' rights.” When Little joined the Statoil resistance, he thought, “I was starting to feel what... the colonizers had done to the Māori, that if in some small way I can help to ease that burden, I'll carry this thing through.... We were able to get on the wagon that the Māori were driving, and it made us feel good to be there.”<sup>59</sup>

The couple was asked to join the two hikoi to Waitangi, experiencing the tikanga and manākitanga (hospitality) in marae that hosted them. On one relay of the march, the couple was even asked to carry the tino rangatiratanga flag as a symbol of treaty partnership. Wistrand commented, “I don't have a problem with Māori sovereignty. I think they'd probably treat us a whole lot better than the outfit that we've got in Parliament now.” She described the hikoi as a “voyage of gaining knowledge, an emotional journey, cultural journey, and spiritual journey.”<sup>60</sup>

Despite the growing opposition, a Statoil ship began seismic testing in the seas around Northland in November 2014. Opponents raised fears of a link between the intense seismic pulses, “like sonic booms,” and a series of mysterious whale and dolphin beachings and strandings, and deaths of seals, that afflicted the coastline.<sup>61</sup> The Māori oceangoing waka (canoe) *Haunui* intercepted the survey ship and issued a warning to the crew that new oil drilling will worsen climate change.<sup>62</sup>

In December 2014, protesters at a dozen beaches throughout the country stuck their “Heads in the Sand” to dramatize the government denial of climate change implicit in the oil permits. The Statoil resisters used other creative cultural tactics in their campaign, such as an Ahipara reggae festival, to raise awareness.<sup>63</sup> A children's ballet in Kerikeri pulled a huge black tarp over the audience to symbolize the effects of an oil spill on marine life. Kerikeri organizer Barbara Belger observed that cultural approaches “make Pākehā more comfortable in joining all this... I compare it to a marriage, if you manage to work through difficulties.”<sup>64</sup>

In the beautiful Hokianga Harbour region, Rawene community organizer Lorene Royal organized an Opononi flotilla protest against Statoil in January 2015. She incorporated

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<sup>58</sup> Armstrong and Howard 2015.

<sup>59</sup> Gary Little and Asta Wistrand, Personal interview, Herekino (March 9, 2015).

<sup>60</sup> Little and Wistrand 2015.

<sup>61</sup> Mike Dinsdale, “Answers being sought for whale strandings,” *Northern Advocate* (Sept. 18, 2014). [http://www.nzherald.co.nz/northern-advocate/news/article.cfm?c\\_id=1503450&objectid=11326989](http://www.nzherald.co.nz/northern-advocate/news/article.cfm?c_id=1503450&objectid=11326989)

<sup>62</sup> Greenpeace New Zealand 2015.

<sup>63</sup> Greenpeace New Zealand 2015.

<sup>64</sup> Barbara Belger, Personal interview, Kerikeri (March 10, 2015).

kaitiakitanga curriculum in the Whirinaki school, and schoolkids greeted the hikoi to Waitangi with a massive haka at the ferry landing in her hometown. She had felt the “odd one out” in her own majority-Māori community, because most residents were “in survival mode” and affected by “delayed development” in jobs and infrastructure, identifying her own family and friends as “sleepy hobbits we need to wake up.” Her Pākehā friend Ketana Saxon, a treaty worker from Waiotemarama, challenged fellow Pākehā to get beyond treaty workshops, and build relationships with Māori through activism such as opposing Statoil. They both agreed that the culturally based protests shifted the anti-oil movement from a Pākehā core to Māori leadership.<sup>65</sup>

The groups also began to connect the Statoil resistance to the growing opposition to the Trans-Pacific Partnership Agreement (TPPA), which they said would threaten New Zealand sovereignty in much the same way that the English translation of the Treaty of Waitangi undercut Māori self-determination. A March 2015 anti-TPPA rally in Whangarei was opened with karakia (prayer) by a Māori kaumatua (elder) and a Pākehā Christian minister. Taipari, then a Mana Party parliamentary candidate, told the rally that Statoil “didn’t know one bloody thing about the North. They barely found their way without GPS. They tell you you’re poor, living in a land of scarcity—what a load of crap. We’re all from here—Māori and Pākehā—we all chose to live here. Tell them how rich we are.”<sup>66</sup>

Catherine Murupaenga-Ikenn, of the Ahipara Komiti Takutimoana (tasked with protecting Far North foreshore and seabed) pointed out that kotahitanga (unity) “transcends Māori people. Kotahitanga means that if aliens are coming from outside to Planet Earth ... you’d all come together, black, white, yellow, whatever, to protect the Earth. So the alien now is Statoil...the alien now is climate change.” But she added a caution: “this is Aotearoa, this ain’t any other country....There was a Tiriti, which we signed in good faith, as an internationally legal binding contract....You cannot walk in front of us, but we really want you to walk beside us. Because we know it’s the only way; we’re only 15 percent of the population...so we need you as much as you need us. We need each other; that’s kotahitanga.”<sup>67</sup>

## Convergence

Kotahitanga was in full display on March 29, 2015, when up to 4,000 New Zealanders together converged in Auckland to protest a petroleum industry summit promoting oil drilling off Aotearoa. The marchers came from Northland, East Cape, Waikato, Taranaki, South Island, and elsewhere. They heard speakers such as Steve Abel and Bunny McDiarmid from Greenpeace, Phil McCabe from KASM, Dayle Takitimu from Te Whanau-a-Apanui, and the American singer-songwriter Michael Franti (whom I had connected to organizers of the march).

The protesters brought hundreds of drums that they beat in perfect unison in the canyon-like chasm by the SkyCity conference center. The buildings provided a perfect echo

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<sup>65</sup> Lorene Royal and Ketana Saxon, Personal interview, Rawene (April 2, 2015)

<sup>66</sup> Rueben Taipari Porter, Speech to anti-TPPA rally, Whangarei (March 7, 2015).

<sup>67</sup> Catherine Murupaenga-Ikenn, Personal interview, Whangarei (March 7, 2015).

chamber for the slow, repetitive drumbeats, almost mimicking the loud booms that marine mammals hear during seismic testing for oil. The Big Oil representatives inside the center must have heard the thunderous reverberations, and shuddered at the prospect of being the next oil company to be kicked out of New Zealand.

Only eleven years earlier, the streets of New Zealand cities had reverberated with Māori protests that the treaty had been violated, and their role in the foreshore and seabed had been extinguished. And five years earlier, a mainly Pākehā crowd had loudly denounced plans for mining. But in this hikoi, Māori and Pākehā marched and drummed together to protect the ocean, beaches, and taonga (treasures) from the harm that had been set in motion by the Crown confiscation of the seabed, this time carrying signs affirming the power of the Treaty, and of the vitality and resilience of Māori society, to protect the environment for everyone. In this way, Māori can retain a distinct parallel identity and leadership within an alliance, rather than being subsumed within a non-Native environmental agenda.

Takitimu said that "More and more Pākehā New Zealanders have realized everything's for sale, and that probably the Māori or the treaty trump card might be the only thing that stops that as its final hurdle, if you can't reason with the government on other economic or environmental grounds. They're starting to see the treaty relationship and Native world view as a safety net, whereas before it's always been presented as a threat."<sup>68</sup>

Tony Fala, a Pasifika community activist in Oil-Free Auckland, said at the rally that "Today they will listen very respectfully because the treaty is part of the consciousness now... it's very much a part of awareness that this is an Earth issue, the treaty is an Earth issue. It's an ecological issue as much as a political and historical one."<sup>69</sup> In May 2015, as a Māori delegation visited Norway and Saamiland, the Ahipara Komiti Takutaimoana announced it would bring a claim to the Waitangi Tribunal to stop deep-sea oil drilling.<sup>70</sup>

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<sup>68</sup> Takitimu 2015.

<sup>69</sup> Tony Fala, Personal interview, Auckland (March 29, 2015).

<sup>70</sup> Tepara Koti, "Te Ahipara Kōmiti Takutaimoana attempt to stop Statoil," *Māori Television* (May 22, 2015). <http://www.Māori television.com/news/regional/te-ahipara-komiti-takutaimoana-attempt-stop-statoil>

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