

Strategic Indigenous Impact Assessment: a case for extending beyond CIA

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Reclaiming mana motuhake

Nгаа Tikanga o Ngaati Te Ata (Awaroa Ki Manuka, 1991) was prepared under the stewardship of the late Dame Nganeko Minhinnick during the environmental reforms that resulted in the Resource Management Act 1991. It was one of the first and most wide ranging, tribal policy statements ever prepared in modern era Aotearoa/New Zealand. Arguably it also remains one of the more politically resolute and visionary. In its own words, the aim was to “clearly state the social, cultural, environmental and political aspirations of Ngaati Te Ata” and respond to “the invidious position of continually reacting to a barrage of proposals developed, controlled and ultimately initiated for the benefit of others”. And, “an unwarranted diversion away from the more pressing issues of tribal development, reaffirmation of Ngaati te Ata tikanga and enhancement of the spiritual, cultural, social and economic wellbeing of Ngaati Te Ata, its people and its resources”.

The central kaupapa “Nga Tikanga o Ngaati Te Ata” or “inherent rights as an iwi” was articulated through an interconnected triumvirate of principles: self-determination, self-sufficiency and kaitiaki, that then cascaded across a wide range of iwi devised and defined policy fronts. The goal was to drive not only future environmental policy and practice of/for Ngaati Te Ata *and* tauiwi (immigrants and institutions within their tribal territory), but a broader cultural, social, economic and political agenda for the tribe. In other words, the context was not just environmental or social or cultural or economic – but rather the seamless totality of *being Ngaati Te Ata* across all of these interconnected domains. The policy statement concluded with a Ngaati Te Ata whakataauaki that in my view remains the guiding philosophy or tikanga for iwi management planning and indeed whatever iteration of impact assessment – environmental, social, cultural or otherwise, might lie ahead, namely – “tooku mana – the right to be ourselves” (Awaroa ki Manuka, 1991:59).

Through their tribal policy statement, Ngaati Te Ata was in essence affirming their inherent right *to be* and what is more define themselves and *the nature of their being*. And, perhaps more to the point, to not have *their being* segmented, compartmentalised, narrowly defined then assessed by others, against methodologies, approaches, practices and criteria not of their choosing. The overall aim was to transition from the reactive position that they and indeed many other iwi across the country at the time were increasingly finding themselves in, to a much more proactive tribal development state. In short, to be the arbiters of their own destiny, through Tino rangatiratanga me mana motuhake, rather than incidental recipients of processes determinedly focussed around the private property and/or public development interests of others. The ‘others’ were generally non-Māori who often cast, or at least proxied

out the role of 'environmental guardian/conscience' of the district, region, or nation to iwi Māori – as kaitiaki, thereby allowing them to get on with the more serious, pressing business of development.

It is against this convoluted backdrop that I offer some thoughts on the future of cultural impact assessments.

Whence from?

Environmental Assessment (then Environmental Impact Assessment – EIA) in New Zealand was a creation of the mid 1970's and 80's, 'think big', Muldoon interventionism, large scale government resource development projects and private enterprise development requiring consent. EIAs were a means to assess the environmental impacts of these projects. While the initial emphasis was understandably environmental in orientation, it extended reasonably quickly to encompass social effects on people and communities, through what became known as Social Impact Assessment (SIA). From the late 1980's, the approach extended beyond discrete projects to policy assessment and the environmental effects of proposed policy, plans and/or programmes – otherwise known as Strategic Environmental Assessment or SEA (See Fookes, 2000).

In the early 1990's, no doubt coinciding with the passage of the Resource Management Act 1991 and its effects based orientation, along with inclusion of critical Māori cultural and institutional (e.g. Treaty) provisions in the Act, and progress across a number of Treaty of Waitangi settlements, the concept of cultural impact assessments (CIA) began their rise to prominence.

That said, it is important to note during this period that iwi Māori (and their allies) became highly adept at using whatever tools were available to advocate and protect their interests. EIA, SIA and even CIA were no exception. Iwi management plans (or 'planning documents recognised by iwi') were another tool. Significantly, CIA's under the moniker of 'culture' provided an opportunity to more clearly 'carve out' a space for Māori to react and respond – rather than be simply and eternally grafted to generic EIA or SIA menus as just another (albeit worthy) agenda item. Having said that, they also opened up a host of other challenges - not the least of which was the essentialising of Māori interests principally to 'culture', coupled with ongoing contestation around what culture and cultural actually means. The tendency to hitch culture to tradition as historical artefact rooted principally in the past rather than the lived reality of the Māori present(s) and indeed Māori future(s) also posed/poses challenges, particularly in this era of Treaty settlements and proactive Māori development.

But, for whom?

Impact assessments whether social, environmental, or indeed cultural are by their very nature reactive - that is, reactive *to* rather than proactive *for* a proposition. The *modus operandi* is generally geared to the status quo, and if not 'maintenance' at least the art of 'not making worse'. After all, avoiding, remedying or mitigating any significant and/or negative effects a proposition might entail is the principal aim of impact assessment.

In this context the challenge for Māori participation in EIA, SIA, and to a lesser extent CIA, in my view coalesces around two key themes: namely the reactive nature of the endeavour and its compartmentalisation and narrowing into various predetermined assessment categories – labelled environment, community, culture et al.

Generally the 'proposition' – development, project, policy, plan or programme is 'someone

else's'. By that I mean 'not iwi Māori in origin' but rather, aligned with development interests that lie elsewhere. Often, they are the antithesis of Tino rangatiratanga, mana motuhake, tribal self-determination, self-sufficiency and kaitiaki – *requiring* an iwi Māori response. Moreover, the 'reactive' treadmill that Ngaati Te Ata railed against over 25 years ago shows very little sign of abating, and offers little or no tangible gain for tribal development – except perhaps 'at best' maintenance of the environmental, social or cultural status quo.

Iwi management plans were supposed to 'liberate' iwi Māori from this highly reactive state and provide a framework for positive and proactive tribal development, reaffirmation and enhancement of iwi Māori across *all* indices of human development – in other words 'to be themselves' rather than continually reactive to others. However rather than working with iwi management plans as articulators of iwi Māori intent, developers and councils have increasingly used CIAs as the 'go to' process. Therefore CIAs carry the risk of becoming a mechanism for development and developers, and even statutory authorities and resource decision-makers, to 'get to yes' in the consent and/or policy process. Put another way, they have become another entry gate to the reactive treadmill.

While Māori (and their allies) might continue to use CIAs, they often have to push the boundaries beyond the prescribed category and extend the approach to accommodate a multiplicity and complexity of dimensions and potential effects. This has itself become a form of marginalisation and must call into question not only the legitimacy of the impact assessment approach in its current form, but its ability to be appropriately nuanced and comprehensively applied across a range of differing human/cultural/racial/ethnic/political – even temporal/spatial contexts.

If assessments CIAs in themselves are reactive, *how* the reaction is framed and processed is clearly critical to the endeavour. In other words the framework and process for doing the CIA is as (if not more) critical than the outcome. The validity of the outcome is firmly hitched to the validity of the process. Hence the need to appeal to what I coin the trio of 'ologies'. I have 'co-opted' these to create an interconnected space for indigeneity to link 'being indigenous' with indigenous knowledge and values – and in particular the 'exclusive' right to mediate and negotiate across these domains. This itself is an expression of self-determination.

The "ologies"

Depending on the type, scale, scope, (policy, plan, programme or project) even location of the proposition, to be valid the CIA process *must* in my view be sourced in the appropriate Māori, iwi or indeed hapū ontology about what it means to be *this* hapū, *that* iwi or more broadly Māori, for it to have legitimacy. Locating assessment firmly in an indigenous ontology also 'removes' for instance restricted notions of time and space – for example *how* time is perceived, and recalibrates it against indigenous notions of time, continuity between past- present and future et al.

Secondly, assessment also needs to be grounded in a Māori (and again iwi or indeed hapū) epistemology or knowledge system about what it means *to know*. This does not mean it has to necessarily 'limit' itself to traditional ecological knowledge for instance or even mātauranga Māori, but rather that the notion of 'appropriate' knowledges to be applied to the assessment (i.e. western science, community-based knowledge et al) must be the prerogative of the indigenous community concerned.

Thirdly, the proposition must be assessed against *and* through a Māori (or more specifically iwi or hapū) axiology, set of values or tikanga base.



Figure 1: `A` platform for Strategic Indigenous Impact Assessment (SIIA)

My use of the term indigenous is deliberate and a device to locate impact assessment firmly in a colonial context of highly differential power, privilege, institutional, regulatory and legal dominance and control. The differential applies equally to ownership and access to resources – not only in the present *but* the past and lingering effects of that past. The playing field is *not* level. Treating it as if it were, is simply perpetuating yet another injustice.

Critically, there is also a disjunction between impact assessment and the colonial history that created it, and in many respects continues to create it. So, far from being an ahistorical endeavour – without history, impact assessment is *all* about history, and in particular the asymmetric, cumulative and negative impacts of colonisation on indigenous communities (Māori included). Again, this `history` continues to manifest across the full range of social, economic, cultural, environmental even political indices and must be factored into assessment methodology.

Notwithstanding the redress orientation of the Treaty settlements process in this country, Māori and indeed other indigenous communities around the world are in rapid phase `development catch up`. In other words the asymmetrically negative impact of colonialism on these communities requires an equally asymmetric (as opposed to business as usual) response, to `fast track` to the future that could have been, had colonialism taken a more enlightened collaborative turn. As we well know it did not, and many indigenous communities remain in various states of recovery. Therefore, impact assessment must be firmly embedded in this recovery, *in* history and in particular, the colonial history that created it. It (i.e. impact assessment), does not have the luxury of functioning *outside* history as an ahistorical endeavour.

CIAs have been able to respond to this in part, but because the tool emerged from the expedience of the environment, society and now culture, and not indigeneity, it is largely ill equipped for the kind of asymmetric strategic oversight needed to traject indigenous communities into their desired, and what I would term - legitimate futures.

Beyond CIA to SIIA?

Mimicking the earlier extension of project focussed EIAs to broader policy/plan oriented SEAs, CIAs need to be more firmly located in a broader strategic assessment framework that legitimates *all* aspects of indigeneity including for instance, indigenous peoples as resource users and resource developers and indigenous peoples as decision-makers, managers, policy analysts and planners. Again it has been historically convenient to shunt environmental responsiveness across to indigenous communities as an offshoot of *their* culture and tradition, but negate the development aspirations and interests of these same communities. While the era of Treaty settlements in Aotearoa has generally put paid to that charade, CIAs cannot risk remaining in such an artificially constrained space – outside the lived reality of iwi Māori communities and their desired futures. These futures are not just environmental, social or cultural - but indeed economic and political, along with all spaces between.

Not surprisingly, Treaty settlements have also created an internal iwi Māori debate around the balance between conservation and development that needs to, and indeed is happening. That said, kaitiakitanga and rangatiratanga remain in my view critical mediators in both that discourse and the broader impact assessment debate.

Borrowing from a framework devised for indigenous planning as *an outcome* (see Matunga. H. 2013) impact assessment needs to be reframed against an indigenous ontology, epistemology and axiology. It also needs to be contextualised to specific indigenous people and communities, in their place, lands and environments, immersed in their culture and critical aspirations for the future.

While there remains (in my view) a place for individualised assessments of projects, policies, plans and programmes across the various human dimensions, essentially in a two stage process the assessments need to be much better connected and then incorporated into a much more strategically focussed overarching assessment of effects.

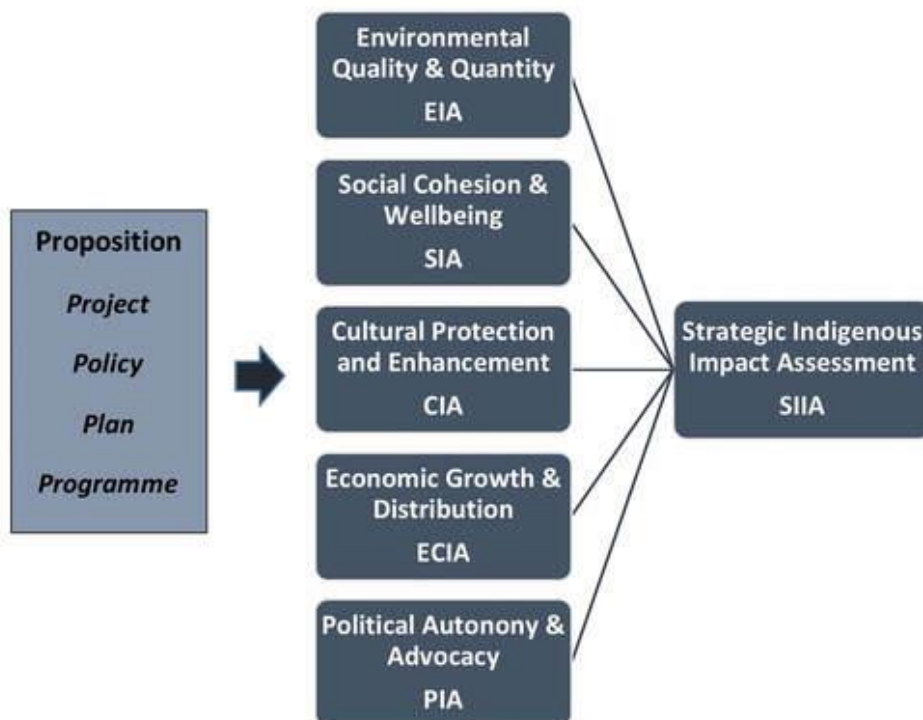


Figure 2: Framework for Strategic Indigenous Impact Assessment

Concluding thoughts

A 'current definition of CIA (at least as defined by [RMA Quality Planning](#)) is "a report documenting Māori cultural values, interest and associations with an area or resource and the potential impacts of a proposed activity on these". While in and of itself this *might* be an appropriate definition, it cannot hope to comprehend the totality of hapūness, iwiiness, Māoriness or indigeneity across multiple interconnected dimensions from the environmental and social, to economic and political. The tool was never meant to do that. Rather it was designed to function across a more constrained and contested field defined as cultural. Therefore, the challenge remains the 'fit for purpose' utility of CIA going forward, at least in its current form. It also raises the need to either modify/extend CIA as a tool or locate it in a much more strategic assessment framework around indigeneity.

At the NZAIA Conference in 2016, I put forward a case for a new acronym/tool for impact assessment to facilitate a 're-centring' of impact assessment within an indigenous ontology, one that:

- locates being indigenous, Māori, iwi or hapū at the centre rather than periphery – or worse, incidental to the process;
- assesses effects in a comprehensive rather than fragmented disjointed way;
- not only frames assessment according to an indigenous world-view but also locates this worldview and indeed assessment practice *in* history; and
- has a clear focus both on the indigenous present(s) and indigenous future(s).

The 'triaging' of interconnected 'ology's' otherwise known as indigenous ontology, epistemology and axiology, centres indigeneity unequivocally in the assessment process. Hopefully, the SIIA framework suggested above can also offer a much more strategic framework for assessment practice going forward.

References

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