Reflecting Bicultural Mechanisms in Waterscape Design and Planning

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CANADA

**AOTEAROA
NEW ZEALAND**

Research Goal

To understand the ways practitioners including Landscape Architects, Planners, Engineers, Environmental Managers and Designers reflect bicultural perspectives toward water in planning and designing waterscapes in Aotearoa New Zealand.

Defining *Waterscape*

A landscape in which water relationships are central to the community's social, ecological, recreational, spiritual and cultural interactions.

New Zealand

Whanganui River Agreement

– Indigenous Rights and Rights of Nature –

by Elaine C. Hsiao*

Environmental law has long sought to protect the interests of nature and all of its elements. Sometimes this has been framed as beneficial to human health and wellbeing. Sometimes it has involved commodification of natural resources or systems in the form of market mechanisms. Rarely has it involved a recognition of an aspect of nature as a living entity with rights of its own equivalent to human rights. This is what a recent agreement between the Maori of the Whanganui River and the government of New Zealand pledged to do on 30 August, 2012. This essay recounts the history behind the agreement of an indigenous struggle for environmental sovereignty amounting to the longest-standing legal battle in New Zealand. Then it highlights the accomplishments of that agreement, namely recognition of the Whanganui River in its entirety as a living being and legal entity. It also recognises the enduring indigenous struggle by Maori tribes in New Zealand to maintain control of their lands and rights, representing the rights of nature, and of a continual process to decolonise both nature and peoples.

Decolonisation of a River and its People

One of the most pervasive legacies of colonisation remains the civilising mission of European imperialism of “uncivilised” wilderness and peoples the world over.¹ The project of “improving” non-European or non-Western peoples and forms of nature through imposition of a predetermined order on all levels of political, socio-cultural, legal and economic life, characterised European imperialism and continues on today in projects of modernisation, globalisation and international aid for both development and conservation. This involved establishing colonial systems of administration that disrupted traditional and customary forms of governance, and converting wild lands over to colonial land preferences, such as agricultural production and decorative gardens.

A strategy of resistance to colonisation on the part of peoples whose very cosmology refuses to recognise nature as merely a set of resources for human use and commodification, involves an assertion of environmental sovereignty. Indigenous peoples, whose culture, identity and socio-political organisation co-evolve from and with

their natural environment may find that assertion of their own self-determination and cultural preservation are linked to rights, decision making and control over the lands and resources to which they are connected.² In such cases, relocating indigenous sovereignty simultaneously evokes an assertion of environmental sovereignty. Through a process of reclaiming environmental rights, indigenous sovereignty itself can also be restored.

The story of the Whanganui Iwi and Te Awa Tupua is one of so many narratives of intertwined struggle for decolonisation of both peoples and nature. The Whanganui Iwi share two ancestors, Paerangi and Ruatipua. It is said that Ruatipua “draws life force from the headwaters of the Whanganui River on Mount Tongariro and its tributaries which stretch down to the sea”. The river itself mirrors the extension of the descendants of Paerangi and Ruatipua. “*Ko au te awa, Ko te awa ko au* – I am the river and the river is me”.³ As such, the Whanganui Iwi recognise the Whanganui River as their ancestor, as a treasured thing (*taonga*), and as a living being, Te Awa Tupua.⁴

Te Awa Tupua is the whole of the Whanganui River, which includes all of its physical and metaphysical elements extending from its tributaries and the mountains to the sea.⁵ The Whanganui River is the longest navigable river in Aotearoa/New Zealand and the provider of transport, sustenance, water, energy and enjoyment. For the people of the river, the Whanganui Iwi, Te Awa Tupua is integral to health and wellbeing.⁶ They have long organised their *hapū* (sub-tribes) around guardianship (*kaitiakitanga*) of this *taonga* (treasure/treasured place), so as to protect the *mauri* (life-force) of every extent of the river for generations to come.⁷ It is this “enduring concept of Te Awa Tupua – the inseparability of the people and River – [which] underpins the desire of Whanganui Iwi to care, protect, manage and use the Whanganui River through the *kawa* and *tikanga* maintained by the descendants of Ruatipua and Paerangi”. Protecting the River is equivalent to protecting the people, and in this case, protecting the (Maori) people can lead to better protection of the River.

A History of Systemic Rights Denial

The desire of the Whanganui Iwi for their sacred river has endured for over a century. Petitions and protests raised the issue of the river in events listed in the timeline of the Whanganui Maori Trust Board.

Whanganui River Agreement (2017)

Assigning legal personhood status to Rivers

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Indigenous Values Based Approach

Te Ao Māori

PRACTITIONERS

Nested Scales

Rights Based Approach

Outcomes & Key Takeaways

Te Aranga Design Principles

- Give Māori a voice in the urban landscape that was once omitted from the design and planning process
- Value-based approach to design and planning that inform more inclusive and representative project outcomes
- Inform a new “Aotearoa New Zealand” design typology

Implications for Rural Ontario

Questions...

Figures

- All images are original excluding:

SLIDE 2 https://en.wikipedia.org/wiki/Canada%E2%80%93New_Zealand_relations

SLIDE 6 https://www.researchgate.net/publication/235671679_Whanganui_River_Agreement_-_Indigenous_Rights_and_Rights_of_Nature

SLIDE 9 https://en.wikipedia.org/wiki/Woolwich,_Ontario