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of Public Participation:
Issues in Environmental, Planning
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Advancing Practical Theory in Environmental Communication: A Phronetic Analysis of Environmental Communication in New Zealand

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ABSTRACT: Despite widespread support of collaborative and participatory approaches to environmental management internationally, understandings of such approaches are frequently simplistic and even idealised (McCallum, Hughey and Rixecker, 2007). The uncertain implementation of such approaches is especially relevant in the New Zealand context, where indigenous Māori communities have a deep connection to natural resources and a long history of grievances about being excluded from their management. This chapter uses the phronetic social science of Flyvbjerg (1998, 2001) as an analytical tool for analysing two case studies of recent participatory environmental management initiatives in New Zealand. The insights generated by the phronetic approach highlights the way dominant assumptions regarding expertise, knowledge, values and power may inadvertently impede welcome transitions into equitable participatory approaches.

KEYWORDS: catchment management, dialogue, environmental communication, indigenous, Māori, marine protection, phronesis, power, public participation, values

1. INTRODUCTION

International agreements such as the Convention on Biological Diversity (1992) and the Aarhus Convention (1998) have highlighted the importance of involving local people and using participatory approaches to decision-making in regard to environmental issues. Participatory initiatives using adaptive management approaches are now found around the world, including New Zealand (Armitage 2005; Berkes 2004; McCallum, Hughey and Rixecker 2007). Community participation commonly involves local people working alongside stakeholders from government agencies and scientific institutions. These participants build trust, share understanding, and learn experientially as they work together to manage local socio-ecological systems for resilience (Berkes, Colding and Folke 2003; Folke, Hahn, Olsson and Norberg 2005; Lebel et al. 2006; Plummer and Armitage 2010). Such approaches may be considered to reflect the “dialogic turn” of environmental governance, “in which experts and

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target groups are reconfigured as participants in sites of dialogue where knowledge is co-produced through mutual learning” (Phillips et al, 2012, p.xx).

Ultimately the success of environmental management initiatives is dependent on people, the ways they work together, their values and their aims (Cundill, Cumming, Biggs and Fabricius, 2012). While participatory management approaches currently appear to be widely embraced in New Zealand and elsewhere, in practice they may only be partially realised, with citizens only having a limited degree of input (Phillips et al, 2012). Without considering the socio-political-legal which organises participation, these approaches run the risk of being seen as panacea to environmental management challenges (Conley and Moote, 2003). For example, if citizen knowledge and perspectives are valued less highly than those of government agencies and scientists, resulting power disparities can undermine building collaborative relationships (Ulrich and Reynolds, 2010). Such power inequities within a stakeholder group may result from unexamined assumptions. For example Healy (2009) discussed how scientists assumed their role was to present facts, with citizen input limited to preferences and values; consequently citizen knowledge was not considered relevant. Senecah (2004) found government agency representatives believed citizens lacked capability for governance and could not understand the complex issues involved. Such beliefs are likely to lead to citizen input being devalued. Additionally, citizen power to effect local change may be limited by national legislation which precludes citizens from final decision-making (Dodson, 2014).

Deliberative processes where stakeholders freely discuss their varied assumptions about the ways different knowledge, values and perspectives are utilised in governance processes are posited by some to be a requisite for effective collaboration (Popa, Guillermin and Dedeurwaerdere, 2015; Ulrich and Reynolds, 2010; Watson, 2013). In other words, if stakeholder groups engage directly with issues that may result in the marginalisation or exclusion of certain perspectives and knowledges, more equitable collaborative relationships may result. As Reed (2008, p. 2417) argues: “stakeholder participation needs to be underpinned by a philosophy that emphasises empowerment, equity, trust and learning”. We consider an important role of research therefore is to engage with such issues so that research outputs may feed into stakeholder deliberations, contributing insights that may help to build collaboration.

This chapter uses the phronetic social science of Flyvbjerg (1998, 2001) as an analytical tool for probing two case studies of recent participatory environmental management initiatives in New Zealand. Designed to reconfigure social science to focus on the issues that matter to people involved in a wide range of management situations, phronetic social science is primarily concerned with offering insights that may be of value to practitioners rather than developing generally applicable or predictive theory. Thus in this chapter the phronetic approach engages with the ways different knowledge, values, perspectives and power disparities play out in two specific cases of environmental governance. One of our case studies focuses on participatory approaches to developing a marine reserve and the other on an integrated catchment management project, while both contain important participation of tangata whenua¹ and the inclusion of mātauranga Māori (Māori knowledge) in environmental management.

These cases illustrate the value of deploying “practical theory” in analysing and understanding contemporary participatory and dialogic approaches to environmental

¹ Tangata whenua (people of the land) refers to indigenous New Zealanders, the Māori.

management, particularly those processes involving government agencies and representatives, and community members. The chapter initially discusses our theoretical and methodological approaches and then outlines the social/cultural and policy context in which our case studies are embedded. Our case studies and their analyses are presented, illustrating the value of the phronetic approach, particularly by drawing attention to the power disparities inherent in participatory process and the structuring role played by power in these contexts. As these cases make clear, high quality participation and the potential environmental gains thereof may be jeopardised unless the practical effects of power are adequately recognised and addressed.

2. DIALOGUE AND PARTICIPATION

Walker (2007) and others (Phillips, 2011; Senecah, 2004) have criticised the ways “participation” has become institutionalised into established processes or sets of principles. For example formal consultation processes where citizens are invited to speak at public hearings and to write submissions have been viewed as ineffective, leaving citizens feeling they have not been listened to (Connick and Innes, 2001; Senecah, 2004). Several authors have pointed to the ways in which public participation is structured and organised in ways that do not necessarily promote democratic outcomes (Phillips, 2012; Horsbol and Larssen, 2012) and that contested outcomes are in the nature of deliberative democracy (Hagendijk and Irwin, 2006). From this perspective environmental communication should be concerned with the practical experience and outcomes of participation, rather than idealising process or concepts (Cox, 2007). If participatory processes are idealised and imposed on citizens from higher levels of governance, environmental initiatives may be undermined, by creating resistance and disempowerment at the local level (Adger, Brown and Tompkins, 2005). This may be of particular concern when different participants have different environmental perspectives or even worldviews, as is usually the case in post-colonial societies such as New Zealand.

It has also been argued that aiming to building general theory about participatory processes which are inevitably embedded in a range of contexts, values, perspectives and power disparities is likely an unattainable objective (Anderies, Walker and Kinzig, 2006; Cox, 2007; Flvybjerg, 2001). Senecah (2004, p.21) considers theoretical approaches need to be “useful and flexible in practice”. Consequently practical theory is required to understand and analyse public participation, which Senecah (2004) considers should be focused on building trust among participants. Setting aside general theory building, the issue we are left with therefore is one of values, voices and relationships which must be reconciled in participatory dialogue.

Dialogue implies trust-building, via respect for and inclusion of the values of the participants and the processes of meaning-making that underpin different cultural and values-based rationalities (Dutta, 2011, pp. 37-38). As Servaes (2008, p. 96) suggests, dialogic communication forms the normative basis of participatory social change. Dialogue is therefore seen as the process through which participatory relations are constituted and democratic outcomes enabled (Singhal, 2001).

Likewise, Phillips (2011) considers the discourse of “dialogue and participation” (and partnership) connotes equitable, democratic relations, in which dialogue and action are directed towards social equity (Phillips, 2011; p. 59). For Phillips (2011) dialogue possesses a relational quality, where dialogue and communication are understood as “horizontal processes of information exchange and interaction” (Morris, in Phillips, 2011; p. 65). More hierarchical

processes of participation, such as the formal public consultation processes mentioned above, may be promoted as open and participatory, yet in practice be controlled by an elite group who hold decision-making power. Brulle (2010) argues, environmental communication should be directed towards supporting civic engagement and “scientific citizenship”, in which citizens become involved in science, ecological and policy processes, (including decision-making) particularly through articulating alternative discourses of community knowledge and values in relation to the environment.

Critical engagement with participatory processes is essential whether these processes are hierarchical in nature or whether they aim for a more equitable and democratic approach. Substantive questions remain regarding the nature of public participation in environmental governance. Different circumstances and contexts as well as frequently highly localised configurations of power, interests and resources can confound what may be widely considered to be effective dialogic process and sound policy prescriptions. Senecah (2004) suggests participation processes should aim for the *trinity of voice* so that all stakeholders have access, standing and influence. Our question is *do they have this in practice?*

3. PRACTICAL THEORY: PHRONETIC SOCIAL SCIENCE

If “experts and target groups are reconfigured as participants” in the dialogic turn of environmental governance (Phillips et al, 2012, p.xx), and assumptions about how different knowledge and perspectives are valued are to be deliberated by stakeholder groups, then the role of research may also require reconfiguring. Flyvbjerg (2001) argues for the reconfiguration the role of social science, focusing on phronesis, the practical and situated wisdom of people working on the ground². Here phronesis, or practical, values-based rationality is contrasted with epistemic (scientific) and technical rationalities frequently deployed by governance and administrative elites. This wisdom, gained from practical experience, is often marginalised by a society increasingly dependent on elite-produced frameworks, models or processes for how things should be done. Flyvbjerg (2001, 2005) and others (Flyvbjerg, Landman and Schram, 2012; Schram and Caterino, 2006; Schram, 2004;) argue that methodological approaches that assume research produces theory (which can then be applied in top-down fashion to practice) are less valuable to society than approaches aiming to “produce food for thought for the on-going process of public deliberation, participation and decision-making” (Flyvbjerg, 2005, p.39). Research outputs, such as this one, are therefore aimed at groups of stakeholders, who deliberate their value in relation to their specific circumstances. As Flyvbjerg (2001, p.139) says: “phronetic research is dialogical in the sense that it includes, and, if successful, is itself included in, a polyphony of voices, with no one voice, including that of the researcher, claiming final authority”.

Flyvbjerg (2001) considers phronesis to be as valuable as theoretical or generalised understandings; consequently phronetic research should focus on the practical issues concerning people who are working together in particular localities at particular times. While phronetic social science does not so far appear to have engaged with NRM or environmental

² Flyvbjerg’s phronetic social science has been particularly embraced by political scientists of the Perestroika movement, who challenge the preponderance of quantitative approaches within political science focused on developing political theory. They argue political science should focus on issues that matter to people who are struggling with ordinary life situations rather than on developing complicated theories that may not contribute much to improving anything. See Schram and Caterino (2006).

communication studies, we argue it has value in this arena as a practical theory deployed to bridge the spaces between theory and practice. The purpose of phronetic analysis is to clarify “where we are, where we want to go, and what is desirable according to diverse sets of values and interests” (Flyvbjerg n.d., Para 6). Thus it can help to describe and evaluate what is happening in practice in a given environmental communication or resource management context, and provide practical guidance to participants. As method and practical philosophy (Flyvberg, 2001; pp. 55-60), phronesis is concerned with the ethics of action – in essence it is a practical, values-based rationality guiding social action, and the deliberation of these values.

Centrally, this approach is concerned to answer these questions: *Where are we going? Who gains and who loses, by which mechanism of power? Is this desirable? What should be done?* (Flyvberg, 2001) This focus on examining lived experience of participants has the potential to be both emancipatory – in line with the normative tenets of environmental communication as a “crisis discipline” (Cox, 2007) – and dialogic/deliberative, as its practical focus is predicated on the inclusion of diverse interests. In asking what should be done attention is focused on the importance of deliberating diverse values when dealing with complex environmental and NRM issues, in which all values and knowledges involved tend to be perspective-dependent, incomplete and contested, technical rationality included (Functowicz and Ravetz, 2003; Ulrich and Reynolds, 2010). In analysing participatory communication concerning environmental management, attention is drawn to practical questions of how voices³ are enabled within deliberative process and with what effect? The question of how this combination of voices shapes knowledge of the environment, makes environmental decisions and guides future decision-making, echoes the phronetic interest in the question what should be done?

A phronetic approach also draws attention to the structuring role played by power in the constitution of both the participatory or collaborative process under examination, and the broader policy context in which these ultimately reside (Flyvbjerg, 2001). Finally then, this approach permits analysis of the practical outcomes of participation. This approach moves us beyond normative conceptions of deliberative processes, locating the values-rational, contextual and diverse production of environmental knowledge within the context of ever-present relations of power (Flyvbjerg, 2001, p. 117) and elevating values-rationality, non-technical and indigenous knowledge to the same level as technical rationality.

4. PARTICIPATORY ENVIRONMENTAL MANAGEMENT AND MĀTAURANGA MĀORI IN NEW ZEALAND

In New Zealand there exist high profile examples for “partnership” and “stakeholder” groups and forums wielding significant authority and influence in resource management, particularly in areas of fraught and competitive resource allocation, such as fresh water (Waikato River Authority, 2013; Land and Water Forum, 2010; 2012a; 2012b; Canterbury Water Management Strategy, 2009⁴) and marine protected areas (DOC, 2005). These institutions provide examples

³ Voices here taken to mean voice, perspective, knowledge, values, worldview (Senecah, 2004; Flyvbjerg, 2001)

⁴ Within in this strategic framework for water management, the legislative implications are still being considered and the need for legislative ammendment is not yet resolved. The Canterbury Water Management Strategy has been devloped to address emerging issues of resource allocation and water quality, under conditions of use intensification and declining water quality (CWMS, 2009)

of emergent institutionalised stakeholder participation; however they typically sit outside the mainstream statutory approaches to resource management in New Zealand⁵. While the statutory resource management framework does provide for the inclusion of community, Māori and other stakeholder perspectives (RMA, 1991⁶), existing modes of engagement are typically consultative, rather than collaborative or participatory (Berkett and Sinner, 2013). Indeed, as noted above, where collaborative approaches are being pioneered, as in relation to the management of Canterbury fresh water, the legislative framework in which to locate these initiatives is uncertain.

Furthermore, mātauranga Maori is becoming increasingly recognised as an important component in both the management of natural resources (Moller et al, 2009) and the politics of natural resource and environmental management (Mutu, 2010). Mātauranga Māori is concerned with Maori worldviews, values and systems of knowledge and spirituality. In an environmental context mātauranga Māori can be understood as related to traditional ecological knowledge (TEK) (Moller, 2009). As Berkes (2008) describes, TEK is the body of knowledge, practice and belief, handed down through generations by cultural transmission, concerning the environment and the human place within it. Mātauranga Māori however should not be mistaken for ossified, unchanging traditional knowledge, communicated from a traditional era. A mātauranga Māori framework is applicable to all areas of human activity and knowledge and is creative, flexible and adaptive (Harmsworth and Awatere, 2013). It provides an ethics governing the responsibilities and relationships inherent in contemporary decision-making.

Mātauranga Māori is especially applicable with respect to environmental management (Marsden, 1992; Kawharu, 2000; Rotorangi and Russell, 2009; Lyver, 2009; Harmsworth and Awatere, 2013). Key environmental concepts cover not only the use or protection of the natural world, but the genealogical, cosmological and philosophical underpinnings of resource management (Durie, 1998; Kawharu, 2000; Harmsworth and Awatere, 2013). Clearly there are tensions between western scientific models of supposedly values-free empirical and hypothesis focused methods, and qualitative, context-specific and values-driven mātauranga Māori. However, while the term “traditional” may point to knowledge of “the past”, mātauranga Maori is held to be dynamic, and evolving knowledge complimentary to western scientific knowledge (Tipa, 2010; Mutu, 2010; Mulholland, 2010; Harmsworth and Awatere, 2013).

Productive explorations and partnerships in which mātauranga Māori and western science are brought together to address pressing environmental issues are apparent across the gamut of socio-environmental contexts, from the rights and responsibilities of environmental guardianship – kaitiakitanga (Marsden, 1992; Kawharu, 2000; Mutu, 2010); to assessments of traditional food stocks (seabirds) (Moller, et al, 2009); to the health of waterways (Mullholland, 2010); wet lands (Forster, 2010); the protection of Māori heritage assets (Kawharu, 2010); and river health (Tipa, 2010). Harmsworth and Awatere (2013) outline a series of mātauranga Māori tools for measuring ecosystem health based on cultural values and epistemologies which are held to compliment western scientific approaches.

⁵ The statutory framework in New Zealand is centred on the Resource Management Act 1991, which requires the articulation of national policy statements and environmental standards at a national level, with land use planning and regulation devolved to local and city councils. Environmental standards are monitored and enforced by regional councils, which are primary environmental regulators.

⁶ RMA 1991 Sec. 36B provides for “joint management agreements” between local governments, statutory authorities, the Crown and iwi.

Increasingly Māori are insisting on their rights to involvement in NRM governance (Tipa and Welsh, 2006; Tuhoe Deed of Settlement, 2012; Waikato-Tainui Raupatu Claims Settlement Act 2010; Waitangi Tribunal, 2011). In addition, with the statutory requirement under the RMA (1991) for inclusion of Māori perspectives, together with an increasing number of cases being brought to the Waitangi Tribunal⁷, participatory processes in NZ must pay attention to the inclusion of indigenous perspectives. On-going grievance resulting from historic and contemporary injustice, and mistrust arising from this experience, looms large in all considerations of post-colonial approaches to environmental management in NZ, and a growing and significant body of Māori research critiques participatory processes in environmental governance from the perspective of Māori rights (Mutu, 2010; Coombes and Hill, 2005 Kawharu, 2000). Consequently it is also necessary to critically interrogate moves towards “partnership” or collaborative modes of environmental management that seek to incorporate mātauranga Māori or to engage Māori as partners in order to avoid “partnership” and “participation” becoming “idealised narratives” presenting panacea for multiple and persistent grievances (Conley and Moote, 2003).

5. CASE STUDIES: MULTI-STAKEHOLDER PARTNERSHIP AND MARINE RESERVE CAMPAIGNING

The two case studies discussed below exemplify many of the issues involved with current participatory approaches to environmental governance in NZ. The first study, of an integrated approach to harbour/catchment management, is a positive example of how a range of stakeholders from different levels of environmental governance engaged successfully with a large-scale collaborative initiative. From the perspective of phronetic social science, a polyphony of voices united under the umbrella of the initiative, and this polyphony was managed with uncompromising determination to include mātauranga Māori, western scientific knowledge, local communities and government agency representatives in equitable ways. Thus the practical wisdom, or phronesis, of tangata whenua (Māori who are intimately connected to that area of land and sea) and of non-Māori locals (who may also have long and intimate connections to local natural resources) was respected and given a voice in the various arenas of the initiative.

In contrast the second case study, concerned with a campaign to establish a coastal marine reserve, is more focused on barriers to effective collaborative initiatives. Like the first study, this case illustrates the determination of government agency representatives and tangata whenua to include Māori and western perspectives equitably in governance arrangements, and the phronesis of tangata whenua played an important part in the decisions made. However despite this, the outcomes were not positive; from the perspective of phronetic social science, inequitable power relationships undermined this initiative.

6. CASE STUDY ONE: INTEGRATED KAIPARA HARBOUR MANAGEMENT

The Integrated Kaipara Harbour Management Group (IKHMG) is a multi-stakeholder partnership (Warner, 2007) established in 2005 with the central aim to promote inter-agency

⁷ The Waitangi Tribunal is a commission of inquiry charged with investigating both historic and contemporary breaches of the Treaty of Waitangi (1840).

coordination and management and the use of mātauranga Māori in restoring the Kaipara Harbour and its catchment. The Kaipara harbour is New Zealand's largest harbour and largest estuarine ecosystem. Its catchment, which encompasses a 640000ha area, extends from the northwestern reaches of Auckland city (NZ's largest metropolitan area) to the north of Whangarei. The Kaipara Harbour is also the central taonga (treasured possession) of Ngāti Whatua, the confederation of Māori hapu who maintain mana whenua mana moana (traditional authority over land and sea) over this region.

The IKHMG is led by Ngāti Whātua and draws together stakeholders from across the governance and policy, industrial, community and non-governmental sectors. Having successfully constituted the stakeholder group, the IKHMG has articulated the guiding, common vision to create a healthy and productive Kaipara Harbour (IKHMG 2011).

Central to the epistemological foundation, practice and operation of the IKHMG is the integration of Western environmental, conservation and agricultural sciences with mātauranga Māori. As a collaborative, multi-stakeholder partnership the key aims of the group are to gather information and knowledge; to develop innovative approaches to catchment management and support community action; and to seek to influence policy and regulation that affects the Kaipara Harbour, across the IKHMG's priority areas.⁸

Since 2005 the IKHMG has been successful in building the "stakeholder partnership" model, using the impetus gained from recent regional "treaty settlements"⁹ and associated negotiations with the Crown to build engagement with regional political, regulatory and scientific stakeholders. Central to "integrated management" is the bringing together of disparate and disconnected regulatory tools in relation to the holistic view of the harbour and catchment as a continuous social-ecological system (IKHMG, 2011). And to date the engagement and participation of these stakeholders has been a notable success of the IKHMG. Most notably, since 2012 a Kaipara Harbour Joint Political Committee has been established bringing together the region's territorial authorities (councils) to work towards the integration of the management of the harbour and its catchment¹⁰.

Although the IKHMG is a high-level stakeholder partnership, and engaged directly with governance, regulatory and scientific partners, it is also concerned with activating and encouraging community participation and participatory communication in relation to Kaipara Harbour catchment management. In 2014 an extended campaign was undertaken to engage with the Kaipara community and IKHMG stakeholders to drive community awareness about the pressures the Kaipara is facing, the work of the IKHMG in bringing the disparate community together and to encourage community participation at an end of year "community symposium". This event was intended both as a community-based celebration of 10 years of work by the IKHMG, and also an important communications strategy to demonstrate to both community and to decision-makers the level and breadth of community support and range of activities being undertaken under the auspices of the IKHMG to address harbour and catchment health. Within these general goals, the centrality of mātauranga Māori to catchment management was also emphasised. This strategy therefore had the multiple goals of raising

⁸ These priority areas are; biodiversity; sustainable fisheries; restoring and protecting the mauri (lifeforce); addressing climate change; socio-economic issues; and integrated management.

⁹ See for instance, Te Uri o Hau Settlement Act 2002.

¹⁰ At present regulatory authority for the harbour is spread across two district councils, one regional council, one unitary authority and several central government agencies.

community and decision-maker awareness, driving community participation, and clearly articulating the centrality of mātāuranga Māori, both within deliberations over the future of harbour management, and in restoration initiatives.

The two-day symposium followed a conference format, featuring approximately 40 separate presentations under several broad themes:

- ecosystems;
- connecting with mātāuranga Māori;
- integrated management;
- communities and relationships;
- implementing integrated management; and planting two million trees (a central IKHMG project).

Presentations and interactive sessions were delivered by both technical experts and officials and by community members, practitioners, landowners and indigenous speakers. The event provided significant space and time for the discussion of the key issues facing the Kaipara Harbour, the barriers to effective integrated management, the successes that have been achieved in realising the IKHMG common vision, and the work for the future. Within this dialogic space, as a constitutive part of it, were the multiple voices of audience members – the combined attendees, invited guests, presenters and organisers who formed the forum. A final session closed the event with an open forum, in which “idea-walls” were produced by event participants, as a means of capturing and recording participant contributions. These contributions were recorded and incorporated into ongoing IKHMG strategic planning. It remains to be seen however how this collaboration will be translated into practical governance and environmental management, given absence of formal recognition of collaborative management within the existing legislative and regulatory framework.

7. CASE STUDY TWO: PARTNERSHIP AND MARINE PROTECTION AT MIMIWHANGATA

Mimiwhangata, located on the northeast coast of the North Island, Aotearoa/New Zealand, is an area of natural beauty, which is of ecological, scientific and cultural importance to both Māori and non-Māori alike. The modern history of both terrestrial conservation and marine protection of this area dates from the 1970s, when the first ecological surveys were conducted and the area’s outstanding natural and ecological features began to be intensively studied and documented (Ballantine et al 1973; Grace 1981).

Given this status, in the early 2000s Mimiwhangata was identified as a prime location for the New Zealand Department of Conservation (DOC) to advance a wider marine protection strategy in Northland. The Northland east coast is both an ecologically high-value marine environment and a region of high intensity recreational and commercial use. From DOC’s perspective, a key dimension of any expanded marine conservation strategy was to “get it right” in relation to collaboration with local Māori. If a marine reserve could be established at Mimiwhangata based on collaborative management/governance principles and founded on a solid, constructive partnership, then this potentially provided both a model and precedent for future marine reserve establishment in Northland (Dodson, 2014).

Marine reserves comprise the highest-level of marine protection in NZ, in which a strict injunction against harvesting or modifying the environment in any way prevails. The present legislative regime makes no reference however to participatory, collaborative or indigenous concepts. The Marine Reserves Act 1971 provides for the preservation of distinctive and unique marine environments for specifically scientific purposes. The purpose of the Marine Reserves Act 1971 therefore potentially impedes the exercise of customary relationships (kaitiakitanga) – because the sustainable use of natural resources by tangata whenua is central to both customary practice and self-determination (rangatiratanga) (Kawharu, 2000). In addition, the Marine Reserves Act 1971 provides for little in the way of devolved or collaborative governance over marine protected areas (Uunila, 2003). The Conservation Act 1987 does include provision for “advisory committees” to advise the Minister of Conservation in relation to certain conservation areas, including marine reserves. However these bodies have little in the way of real governance authority and committee members elsewhere have voiced resentment at their lack of decision-making power (Uunila, 2003).

In the process of early consultation (beginning 2001) a leadership group centred on local hapū (sub-tribe) Te Uri o Hikihiki quickly emerged, comprised of local elders, concerned both for the local marine environment and wider socio-economic issues facing the area. Commencing in 2002, DOC and Te Uri o Hikihiki undertook a lengthy engagement process.¹¹ The project partners held an ongoing series of “working group” meetings and other hui (meetings) continuing until 2006. In these discussions the need for some form of marine protection at Mimiwhangata was quickly agreed. The form that protection should take and the governance of that institution – a central concern for Māori - quickly emerged as the focus for tangata whenua, as they sought the meaningful restoration of their authority over the area and involvement in its management.

As part of the dialogue, a senior kaumatua (elder) and local leader made a public statement at Mimiwhangata in which he expressed his concern over the degradation of the local marine environment and the depletion of fish stocks, calling for a rāhui (temporary closure) – a tikanga Māori (Māori protocols and customs) form of temporary closure - over the Mimiwhangata area for a period of 25 years (DOC, 2004b). This declaration of a rāhui by a senior kaumatua was considered of fundamental importance both to DOC, as an expression of support for their policy, and for local people, for whom purposeful traditional leadership was evident. Although rāhui possess only very limited statutory status,¹² the public enunciation of this measure carried significant customary and cultural importance. This public declaration permitted legally sanctioned marine protection measures to be meaningfully endorsed in culturally appropriate and resonant terms (Dodson, 2014).

Tangata whenua envisioned a governance structure in which ultimate authority and decision-making responsibility rested with them, particularly given the restrictions on customary fishing that the reserve would require. While an advisory role, such as that provided by section 56 of the Conservation Act 1987, may have provided some degree of involvement in reserve management, this fell short of local expectations that Māori authority be fully recognised and thus presented a significant barrier to collaborative, adaptive marine protection on the basis of shared values and integrated knowledge systems.

¹¹ Other stakeholders were involved in this process also, but were peripheral to the core partnership. Including: Ngatiwai Trust Board, local government authorities, other government departments (for example the NZ Ministry of Fisheries), and other community groups.

¹² Limited customary management of fisheries of this nature is possible through the *Fisheries Act 1996*.

It is important to note also the delicate balance that existing governance frameworks required project partners to maintain. As the then DOC Area Manager emphasised, the Department's pragmatic approach to establishing joint governance rested on achieving a workable arrangement within existing frameworks and using that as a foundation upon which to build support for more progressive forms of reserve governance over time. Consequently, although officially "advisory boards" possess limited authority, in practice these bodies could become important trust building institutions and vehicles for tangata whenua involvement (Dodson, 2014).

Ultimately, it was decided by consensus among project partners that Te Uri o Hikihiki would be a joint applicant with DOC in the formal application process. The question of governance remained unresolved. Nonetheless, the tangata whenua partner identified being a joint applicant as a firm opportunity to advance their strategy for hapu empowerment and development, with a clear vision of restored kaitiakitanga (guardianship) and enhanced rangatiratanga (self-determination) at the top of their agenda (Dodson, 2014). Furthermore, both parties recognised that if traditional relationships and authority were restored through innovative governance frameworks, a powerful sense of local empowerment would be achieved, while also delivering marine protection outcomes.

In spite of these efforts and the establishment of a strong, focused partnership, ultimately the marine reserve campaign has stalled. On one hand unanimous community support was not achieved among tangata whenua, many of whom maintained reservations over ultimate reserve governance structures. On the other hand, and more crucial to the reserve application, was the 2006 decision to place the application to establish a marine reserve at Mimiwhangata "on hold" as a result of the promulgation of a broader Marine Protected Areas (MPA) Policy by the New Zealand Government. Placing the reserve application on hold was a political decision taken at senior level within the Department of Conservation. The Government's Marine Protected Areas policy provides comprehensive policy for the whole marine environment and an integrated, consensus-based approach to marine reserve establishment. While it is intended to institutionalise collaborative and adaptive management approaches toward marine protected areas, this policy has to a large extent halted the establishment of government agency sponsored marine reserves on high-use/high-value coastlines, such as the Northland east coast.

8. WITH WHAT EFFECT? COMMUNICATIVE SPACES IN PRACTICE

Flyvbjerg (2005, p.40) suggests the following four questions in order to contribute a phronetic approach to research; questions that focus analytical attention on the practicalities, process and power relations that characterise participatory environmental management. These questions are:

- (1) Where are we going?
- (2) Who gains and who loses, and by which mechanisms of power?
- (3) Is this development desirable?
- (4) What, if anything, should we do about it?

The term "we" in the above questions refers to anyone who has an interest in or an involvement with NRM deliberations in the case study area (including researchers such as ourselves). Question one leads to probing the past as well as the future in order to examine the

trajectory of our direction, and requires situating our understanding of direction within the context of the case study. Question two probes and addresses possible power disparities which may result in certain groups or knowledges being privileged or marginalised (these may be perceived in different ways according to different perspectives). Examining the past, where we are heading and any power disparities, provides the opportunity to question dominant patterns of governance and decision-making that may underpin current challenges in environmental management (Hargreaves, 2012). Question three leads to questioning “desirable for whom?” and as such encourages exploration of the different perspectives and values operating within the stakeholder group (which includes the perspectives of involved researchers), as well as exploring if the development is desirable for the local environment. The final question allows for recommendations to be made, recommendations which may arise from the research results and also from the stakeholder group. Research findings are then viewed as one perspective among many, available to be further deliberated regarding their value by communities involved.

8.1 Where are we going?

As a result of the IKHMG’s efforts, the Kaipara Harbour community appears to be heading along a trajectory of increased and effective multi-stakeholder participation in resource management, with mātauranga Māori approaches and tools prominent in this work. In this case study community driven communication strategy and symposia are clearly shown to be effective tools for fostering community involvement and civic engagement in deliberating resource management issues. While elements of “campaign communications” were present, ultimately these too were community developed and delivered, and in support of the grassroots institution of the community symposium. This was achieved outside elite designed or implemented process, rather the community constructed its own dialogic space, in which active citizenship could be demonstrated and communicated (Brulle, 2010).

Such processes institute “horizontal” (Phillips, 2011) processes of dialogue, in which community members (both indigenous and non-indigenous), governors, representatives of industry, regulators and scientists are engaged in equitable dialogue and exchange. As with the IKHMG symposium, horizontal dialogue can produce the conditions for the legitimate inclusion of “values-rationality” in deliberations: Flyvbjerg’s (2001) polyphony of voices. In these conditions it may be possible to approach requirements that Senecah (2004) articulated for effective participatory process: that relations of trust are established; that participants are legitimised as such; and that there is the possibility of their voices being recognised as important and potentially impactful. The community symposium did provide these conditions and community members and symposium participants were legitimate voices in deliberations concerning the harbour and its management. Indeed the IKHMG event provided for the efflorescence of values-rationality (Flyvbjerg, 2001), as community and indigenous voices were included, legitimated and valued in these discussions.

At Mimiwhangata the future trajectory for community participation in marine conservation appears unclear. The marine reserve campaign has been put on hold. The long deliberative process undertaken by tangata whenua and DOC has resulted in no concrete outcomes, which has been disheartening for the many people who invested significant time and energy into the project. The long-established norm of marine reserves being managed solely by DOC was challenged by this initiative, in which both DOC and tangata whenua sought to

establish more participatory reserve management approaches, to establish trust and to advance innovative marine protection strategy. However ultimately this challenge was unsuccessful and while the work done during this initiative may feed into future initiatives, it is equally likely that the failure to establish the reserve at Mimiwhangata will contribute to tangata whenua viewing further joint initiatives with caution¹³, which may be a serious setback for marine conservation in New Zealand.

A key reason given for the reserve campaign being “put on hold” was the promulgation by the government of the MPA policy, which seeks to take a regional, integrated and consensus based approach to what has historically been a highly contentious process of campaign driven reserve establishment. This political move has meant the stalling of marine protection measures being established on the North Island east coast, a high value, high use coastline. A successful MPA approach has been effected on the South Island West Coast (see *NZ Herald*, 7 September, 2014), however this coastline is much less intensely accessed and used by the public, fishers and Māori. How the MPA process will “roll out” in Northland remains uncertain and politically sensitive (given the intensity of public use and competing values with respect of the marine environment). In the meantime, significant goodwill established through the ongoing efforts of local Maori and of DOC to work together has been seriously undermined, and the advance of marine protection on this high value coast is not proceeding.

8.2 Who gains and who loses, and by which mechanisms of power?

The decision by DOC to put the Mimiwhangata marine reserve on hold resulted in significant losses for the community and local DOC representatives. Tangata whenua leaders had worked long and hard to achieve a cautious agreement from their communities to go ahead with a reserve application, despite no formal recognition of tangata whenua governance power in reserve management. With no positive outcome resulting from this work, it could easily be considered as yet another example of government agencies over-riding tangata whenua attempts to manage their own natural resources. The declaration of a rāhui also highlights the power disparities between government agencies and tangata whenua. Although a rāhui and a marine reserve have similar protective approaches, the limited statutory status of rāhui (and not the type of protection it is designed to offer) renders mātauranga Māori tools such as rāhui less effective. This power difference marginalises Māori marine governance tools over those designed by government agencies. A disregard for Māori values is also illustrated in these governance tools; the Marine Reserves Act 1971 fails to address the way the Māori worldview regarding resource conservation is firmly embedded in the sustainable use of resources, rather than in the Act’s protectionist paradigm.

The national level policy change was a crucial factor in putting the reserve on hold. The way centralised policy changes take precedence over long term local level decision-making processes requires scrutiny. This is especially the case in regards to Māori, whose governance processes are community based, deliberative and consensus focused and centred specific areas where traditional authority can be exercised. This central policy change also resulted in local DOC staff losing; not only as a result of all the work they had put in to developing the marine reserve proposal but also in terms of undermining their collaborative relationships with tangata

¹³ Especially because of the historic context in which Maori perspectives have often been marginalised.

whenua. In addition local ecosystems lost the opportunity for increased protection and local communities lost the opportunities for the increased tourism which is often the result of marine reserve establishment (Cocklin, C., Craw, M. and Mcauley, I., 1998) as well as the potential for increased fish harvests outside the reserve, as these are often a spill-over effect from a marine reserve (Russ, Alcala, Maypa, Calumpang and White, 2003). Overall, a long term strategy for partnership based marine protection involving Māori and DOC in Northland has been jeopardised.

The “Looking back...thinking forward” community event of the IKHMG provides a useful counterpoint to the agency-led marine reserve campaign at Mimiwhangata and provides a possible model for the communication of the complementarity of indigenous knowledge – in our case mātauranga Māori – and western science. The purpose of the IKHMG and its community engagement has been to develop and realise a “common vision” – a healthy and productive Kaipara Harbour (IKHMG, 2011), and an articulation of community and stakeholder values and narratives in relation to the harbour. Dialogic and participative engagement serves as vital mechanisms through which values-based rationalities and narratives are produced, articulated and recognised. Indeed, through this process, otherwise frequently marginalised voices (Dutta, 2011) are given equal space, time and consideration, alongside established or institutional voices, such as governance authorities or scientists. In terms of mātauranga Māori, the mana (authority, influence or status) of indigenous voices is affirmed and the indigenous conceptual foundation for engaging in participatory and deliberative environmental communication is included in the production of values-rational approaches to environmental management. Indeed, in the present case, as the IKHMG is led by Maori groups, this formulation is somewhat reversed, as it is the mana of these groups which facilitates the IKHMG as a community-based stakeholder partnership. In this case, the presence of indigenous leadership is central and vital to the formation of the IKHMG and the bringing together of the community at events such as the symposium.

Although the IKHMG is clearly facilitating equitable sharing of differing knowledge and values, as discussed above it nonetheless remains to be seen how these will be translated into practical decisions about harbour management. There is clear potential here for governance decisions to be made that represent the full range of voices; however it can be argued this potential was also present in the Mimiwhangata deliberations. While collaborative decision-making remains unacknowledged within formal statutory arrangements in New Zealand, the risk remains that the motivation and empowerment engendered by the IKHMG will founder if stakeholders find their perspectives and knowledge devalued in decision-making.

A key difference that contrasts the case studies is the institutional context in which each is situated, and the consequences this can have for project control, development and, ultimately, local empowerment. On one hand, the marine reserve campaigners, while seeking to maintain and restore traditional authority, were located within the bureaucracy, as the campaign was driven by the government’s conservation agency, DOC. On the other hand, although governance and regulatory agencies are IKHMG partners and contributors, the IKHMG is led by and takes its authority from the community, in particular Māori leadership. The Mimiwhangata campaigners were able to access state resources and scientific expertise to advance their work, however ultimately they were also vulnerable to capricious government policy. With the IKHMG project, although the project leaders do not have access to either significant resources or political power, remaining outside bureaucratic structures has meant

that project control resides with the community leadership and is not at risk from changes to policy.

8.3 Is this development desirable?

Phronetic social science's focus on practice and values encourages both researchers and practitioners to explore the value of what is happening. Consequently, as researchers, we examine if what is happening in these two case studies appears desirable, in the context of what we know about participatory approaches to environmental governance and from the perspectives of involved stakeholders. Certainly the bottom-up development of inclusive and equitable participatory processes resulting from the IKHMG and the "Looking back...thinking forward" symposium appears desirable, especially in a country where there has been significant conflict and criticism about the marginalisation of tangata whenua in resource management (Waitangi Tribunal, 2011). In contrast however developments at Mimiwhangata appear far less desirable; the Mimiwhangata case points to the pitfalls and weaknesses of participatory approaches embedded in unsupportive governance or legislative contexts. Looking at both a grassroots level and an administrative/regulatory level, these cases illustrate the desirability of participative, dialogic approaches, especially under conditions of diversity and complexity. Both cases also illustrate the viability of driving environmental communication and management according to community based values-rationality.

Partly as a result of IKHMG efforts, a joint political committee has been established since 2012 by Kaipara Harbour governance authorities (Auckland Council, Northland Regional Council, and Kaipara District Council), along with Māori representatives to advise on governance issues relating to the harbour. This illustrates local government and iwi recognition of the need for integrated approaches to the harbour and catchment management; however this political committee has no mandate, decision-making or governance authority. The existing statutory framework for resource management in New Zealand does not constructively provide for the possibility of integrated management, which is clearly undesirable in terms of these two case studies. Collaborative or adaptive management strategies are only weakly provided for under the Resource Management Act 1991, and the most advanced attempt to manage resources according to community-level, collaborative and values-driven approaches, the Canterbury Water Management Strategy, exists within an uncertain statutory framework (CWMS, 2009, pp. 56-59).

The Kaipara district is divided between 4 territorial authorities and multiple sectoral regulators, with at best an emergent framework to provide for collaborative and integrated management. This increases the risk that despite equitable sharing of knowledges, values and perspectives via the IKHMG processes, actual management decisions, which must comply with protocol established under resource management legislation, may privilege certain knowledges and perspectives over others. In the absence of enabling legislation, future management decisions will inevitably be made by local government under the Resource Management Act 1991, despite high quality and progressive participatory engagement of the community. This is clearly undesirable for stakeholders who have invested in the IKHMG process in the expectation of direct involvement in decision-making processes. This may especially be the case for Māori, who have engaged previously with collaborative initiatives between the state and tangata whenua in the expectation of full involvement with all of the key

management processes, only to find themselves excluded from several of these (Tipa and Welch, 2006).

Likewise, the Mimiwhangata study illustrates the undesirability of marine conservation legislation that does not adequately provide for inclusive participatory processes. In addition, from a local perspective, the new MPA policy is undesirable both for local DOC agents (because it potentially undermines the relationship-building with tangata whenua that is now required under DOC policy) and for tangata whenua (who were hoping for a greater degree of self-determination through managing the reserve). However from the perspective of higher levels of DOC management structures this development is maybe desirable because by putting the reserve on hold there is the opportunity to ensure that reserve establishment in the region will comply with what is envisioned under the MPA policy. While this is a “neater” solution, given the phronetic concern for the contextual, local and specific a top-down approach to marine protection runs the risk of applying a centrally designed and promoted model to local conditions, which may be both inappropriate and undermining of local values. This analysis points to the need for a diversity of flexible approaches for marine protection, designed to be suitable for particular places at particular times (Ostrom, Janssen and Anderies, 2007).

9. CONCLUSION

Having drawn attention to the issues associated with these two cases, *what should be done?* becomes an imperative question. Our analysis of these two cases illustrates that the community-based events and communication processes used by stakeholders have been constructive and should continue to be supported. They have facilitated the deliberation and reconciliation of diverse values and perspectives and have enabled building equitable relationships between community and state representatives. These processes have been shown to be effective in advancing participation in resource management dialogue, through community-driven inclusion of values-based, non-expert, non-technical and indigenous voices, alongside those of scientists and government agency representatives. This kind of multi-perspective dialogue can assist in the development of governance models that can facilitate integrated management and the realisation of shared goals and visions. Such governance models become imperative as the drive towards more inclusive participatory processes gains momentum. Without them collaborative approaches are undermined and may be viewed as tokenistic, while motivation and willingness to engage are lost. This then risks the loss of community engagement with and support of conservation initiatives, which is now considered such an essential ingredient of successful initiatives (Bell, Hampshire and Tonder, 2008; Vainio and Mattila, 2003).

Like Flyvbjerg (2001), our ultimate concern however, relates to power. How power shapes deliberative process, which in this case means how power relations promote or hinder moves towards collaborative and integrated management, is highlighted as a crucial issue for the governance initiatives discussed here. Certainly stakeholders in both case studies are willing to participate and deliberate under conditions in which conventional power relations (which give greater environmental governance authority to government agencies than to citizens) are either minimised or reversed (through indigenous leadership). However this setting aside of conventional power disparities proved to only be temporary in the case of Mimiwhangata and potentially only temporary in the case of IKHMG. Ultimately questions of authority, governance control and regulation cannot be directly addressed meaningfully in the

absence of a statutory framework in which to ground integrated or collaborative innovations in resource management (see CWMS, 2009). This is particularly the case in relation to ecosystems that span political or regulatory control, or in which moves towards post-colonial structures of governance are implicated. In order to resolve questions of authority, governance control and regulation, the current statutory framework should encompass participatory approaches that are seen as meaningful by stakeholders/participants. Thus along with supporting community-led deliberative process, attention must also be focused on national/regional policy development and how these support innovative resource and environmental management.

This chapter has illustrated the need to examine current modes of participation and dialogue in natural resource management. The potential does exist for participatory initiatives to be translated into equitable forms of natural resource governance and management; however the role played by power relationships in structuring these initiatives and realising this potential requires sustained investigation. We argue that a phronetic approach is valuable, with its focus on the deliberation of values and knowledges, on practice and on the importance of examining power relationships. The cases discussed here illustrate how communities are able to drive processes through which “practical wisdom” and the “polyphony of voice[s]” (Flyvbjerg, 2001) are collected and combined. At the same time, values and priorities are discussed and negotiated (rather than idealised), thus upholding and expanding participatory norms. This is clearly of particular importance when indigenous voices are embedded in the dialogue. We risk however undermining environmental and social gains generated by high quality participation unless such processes are underpinned by a supportive legislative framework.

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