

# KINA

## ANOTHER CASE OF PAKEHA RACISM

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This paper draws extensively on the Decision  
of the Waitangi Tribunal concerning Motunui.

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"It would be particularly wrong if the administration of Maori fishing grounds was entrusted only to those whose judgments are founded upon cultural values that are entirely irrelevant to Maori people."

- Waitangi Tribunal, Motunui Decision  
March 1983.

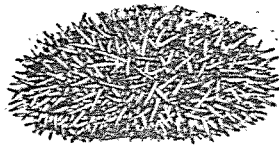
## MO WAI TE KINA?

Racism exists when one group in a society views its cultural values, lifestyles and socio-economic self-interest as superior to or having priority over those of other groups and then implements those assumptions through social norms and institutions.

### Urchin market

New Zealand could become a regular supplier of sea urchin roe to Japan's \$39 million annual import market, the Fishing Industry Board's market development officer Mr Drew Hartstone believes.

Mr Hartstone recently spent two weeks in Japan



trying to determine what the Japanese considered to be high quality roe.

Evening Post  
7 May 1984

The commercialisation of seafood resources of New Zealand has always been characterised by greed of the commercial operators, leading to over-exploitation and finally a gross depletion of the natural resource. Crayfish, snapper, toheroa, paua, scallops or oysters, the story is the same: an ecological balance often turned into an ecological disaster for the species of fish concerned.

Besides this, however, is the threat to sea food, kai moana, as a cultural resource. The above item in the Evening Post shows once again the willingness of the pakeha to exploit another seafood. But this time it is kina, which is a highly prized, traditional Maori seafood, one which is enjoyed almost exclusively by Maori people. The proposal of the Fishing Industries Board to export kina to Japan illustrates starkly the conflict of values which exists between the Maori and the pakeha. In addition, it is one more betrayal of guarantees contained in the Treaty of Waitangi.

## THE TREATY OF WAITANGI AND VIEWS OF THE WAITANGI TRIBUNAL

The article of the Treaty of Waitangi relevant to the use and control of fishing grounds is article 2, which reads in the English version:

"Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the

respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties which they may collectively or individually possess so long as it is their wish and desire to retain the same in their possession..."

The Maori text is brief and clear:

"Ko te Kuini o Ingarani ka whakarite ka whakaae ki nga Rangatira, ki nga hapu, ki nga tangata katoa o Niu Tirani, te tino rangatiratanga o o ratou wenua, o ratou kainga me o ratou taonga katoa."

or literally, in English:

The Queen of England acknowledges and agrees that the chiefs, sub-tribes and all the inhabitants of New Zealand shall exercise complete dominion over all their land, dwellings and taonga.

The word taonga involves more than the English word 'properties' or 'possessions', as it includes 'anything highly prized'.

The Report of the Waitangi Tribunal on the Motunui case brought by Te Atiawa tribe is very relevant to the issue of commercial exploitation of kina and Maori fishing rights under the Treaty of Waitangi. In its Report the Tribunal said:

"The Te Atiawa people gave us examples of their use of the word "taonga" and illustrated for us that to them, the general word "taonga" embraces all things treasured by their ancestors, and includes specifically the treasures of the forests and fisheries. We accept that approach. We note that tribal fishing grounds, like specific areas that were renowned as sources of food, were regarded as part and parcel of tribal treasure troves, and were often the cause of tribal conflict. Tamaki isthmus, for example, which was renowned for its rich fowl and fish resources, was referred to as "Tamaki, sought as a bride by a thousand lovers."

#### IMPLICATIONS FOR FISHERIES

For Maori signatories, the second article of the Treaty guarantees Maori control of Maori things: land, forests, fisheries -particularly kai moana -and less tangible possessions, such as language and culture. As the Tribunal put it:

"We consider that the Treaty envisaged protection for Maori fishing grounds because the English text specifically provided for that, while the Maori text implied it.

It is not true to say that prior to the 1970's the

legislature had never acknowledged that certain fishing rights might accrue to Maori people by virtue of the Treaty of Waitangi. Section 8 of the Fish Protection Act 1877 provided -

"Nothing in this Act contained, shall be deemed to repeal, alter, or affect any of the provisions of the Treaty of Waitangi, or to take away, annul, or abridge any of the rights of the aboriginal natives to any fishery secured to them thereunder."

The significance of that provision has now been lost. It is continued only in substantially modified form in Section 77(2) of the Fisheries Act 1908 which merely provides

"Nothing in this Part of this Act shall affect any existing Maori fishing rights."

While the Ministry [of Agriculture and Fisheries] is aware of particular Maori interests in specific fishing areas, it has no specific instruction to pay particular attention to the Maori interest and no authority to give it any priority over the general public interest.

Indeed the ministry's witness went on to state:

"The New Zealand Maori Council made representations to the Fishing Industry Committee in 1970-72 (on proposals to recognise Maori fishing grounds) but the Committee did not accept that areas should be withdrawn from the commercial fisheries except on the same principles as govern other divisions between non-commercial and commercial fishing. The same for both Pakeha and Maori."

So while in 1877 restrictions were placed on the law (it was not to affect the provisions of the Treaty) this limited recognition of the Treaty was abandoned in 1908. This means that the Ministry of Agriculture and Fisheries, which administers the Fisheries Act, may be aware of Maori interests in specific fishing areas, but will deny that it has any authority to give priority to Maori rights.

#### THE CULTURAL VALUE OF THE SEAFOOD RESOURCE

This was described by the Waitangi Tribunal as follows:

"The harvesting of seafood from the reefs was and is not only for the purposes of survival. Kaimoana also has an intrinsic cultural value manifested in manaaki (token of the esteem) for manuhiri (visitors).

That attitude is expressed in the statement before this Tribunal -

"mataitai (seafood) is very valuable, more valuable than meat - without that our table is nothing..."

It is a matter of Tribal prestige and honour, not only that guests should never leave hungry, but that guests should be suitably impressed by an abundance of traditional foods prepared for them. The hakari (feast) associated with the numerous Maori tangi and hui is an important part of Maori culture, and as we were to witness for ourselves, it is important that the supply should exceed the guest's needs. (The residue is not wasted but is divided among the host hapu). The cultural value of kaimoana is therefore important, not only because it satisfies the traditional palate and sustains the life of the individual, but because it maintains tribal mana and standing. In Maori terms it would not be valid to contemplate the destruction of some reefs by assessing the individual needs of the local people and the resource necessary to meet that need. It is necessary to assess the tribal need.

There was ample evidence to show that from very early times the Te Atiawa people have not only looked upon the reefs as a source of supply but have tended, harvested and conserved them. Our attention was drawn to the particular cultural preferences that govern the Te Atiawa stewardship of their feef and river resources. In its outward manifestation it includes -

- the harvesting of seafood rotationally and in appropriate seasons;
- the preservation of the beds in their original state to the extent that even a dislodged rock is returned to its original position;
- the avoidance of all forms of despoliation from rubbish and waste to human and animal excreta in proximity to the sea or to the rivers that run into it;
- the placing of a rahui (prohibition) on the gathering of seafood following the loss of a body at sea or to guard against over exploitation;
- the avoidance of gutting fish or shelling shellfish below the high water mark;
- a prohibition on the gathering of shellfish by women during menstruation;

and other customary practices.

In its simplest form such customs are an outward manifestation of the respect paid by Maori people to the sea and its food resource. It is probably more important to note, however, that such customs are a manifestation of a far more complex Maori spiritual conception of life and life forces which compels them to insist upon a much higher standard in the maintenance of clean water and the

preservation of natural states than that to which we are accustomed."

This decision of the Waitangi Tribunal was a landmark in reminding the government and every body with planning control, of their obligation to consider the Treaty of Waitangi. Faced with the dazzle of millions from exports to Japan, the Fishing Industries Board is losing sight of that obligation. Biological information already available on kina (see following pages) indicates that commercial exploitation of any economically viable level is likely to be wasteful and unsustainable. Once again, traditional Maori needs and rights would be over-ridden and set aside as of no account.

## BIOLOGICAL NOTES ON KINA

The government is investigating the possible export of sea urchins to the Japanese sushi market and the licencing of a fishery to supply the product. Sushi is a popular Japanese dish consisting of a small patty of specially prepared steamed rice topped with a piece of shrimp, raw fish, or similar food item, including sea urchin roe. Alternatively, it may be prepared as a roll, with the roe in the centre of the rice and the whole roll wrapped in dried seaweed (nori). Seafood used in sushi is usually raw, and the presentation of the sushi demands use of high quality ingredients. There are important biological reasons why the wholesale granting of licences to export kina would be very unsound. These include the difficulty of ensuring quality control of the harvest, let alone the processing, of roes; the almost certain inability of New Zealand kina populations to support a sustained export fishery at economically viable levels, and management problems arising from the biology of the kina. These are discussed under separate headings below.

### 1. General Biology

The kina, or common New Zealand sea urchin (*Evechinus chloroticus*) is an echinometrid sea urchin inhabiting intertidal and shallow subtidal reefs throughout New Zealand coastal waters. It feeds by browsing erect or drifting kelps and large brown seaweeds, or by grazing low standing and turfing red and brown algae that cover the rocks. The species has a planktonic larval stage of 1-2 months and matures 3-4 years after settlement. For development of a fishery for kina, somatic growth, gonad (= roe) production, and recruitment to the harvestable stock are the key biological factors to consider.

### 2. Growth

The kina exhibits locally and geographically variable growth rates. Its growth is influenced by season, kina population density, both physical and biotic factors (such as wave strength, and food abundance and quality) of the environment, and climate. These factors can result in statistically significant differences in the sizes attained by kina of the same age in populations inhabiting definable sub-areas only 20-30 metres apart on a reef. At reproductive maturity, geographic differences in size range from 3-4 cm across the oral surface in northern regions to 6-8 cm in southern areas. After maturity, the quantity of roe produced by individual kina is limited by their total size and so by their somatic growth rate.

### 3. Gonad Production

The amount of gonad contained by kina is locally and geographically variable and it is influenced by the same factors as somatic growth. Statistically significant differences can be demonstrated in the amount of gonad contained by kina of the same size in populations separated by very short distances (10 metres to 10 km) and the size of the gonad can also vary severalfold with season. Subjective qualities of the gonads (colour, taste, firmness) vary in similar ways.

### 4. Recruitment

Settlement of larvae from the plankton appears to be irregular from year to year and there is no detectable relationship between the presence of adult kina and success of recruitment to the harvestable stock.



## 5. Management

Conventional fisheries management commonly employs minimum size limits to ensure maintenance of breeding stocks. These, however, are not appropriate for prevention of damage to kina stocks as geographic variations in growth rates would limit their effectiveness. For example, 7cm diameter kina taken in the Waitemata Harbour or Hauraki Gulf and processed in Auckland would be up to 7 years old and would have reproduced at least three times. However, apparently identical 7cm diameter kina from the Manukau Harbour are likely to be much younger, and may have only barely attained maturity when harvested. To be economically viable, processing units in a fishery of the type probably envisaged will have to take kina harvested in different geographic regions. As a result, enforcement of size limits will be next to impossible once the kina are harvested.

As discussed above, quality and quantity of roes obtained from kina is likely to be highly variable. An experienced diver can assess the likely quality of harvested roe in particular populations from knowledge of the biology of the kina, season, and the environment. However, quality can not be determined directly until the harvest is processed. There is thus bound to be wastage in any harvesting system. The licencing and economic system the government would probably establish is unlikely to be conducive to self-regulation of harvesting to ensure that the quality of the eventual product is controlled at its source.

Finally, recruitment to stocks is irregular and growth to harvestable size is slow. An intense and wasteful fishery is thus likely to place undesirable stress on kina populations. A very likely consequence of such a fishery is that the needs of local users of kina populations could not be met.

### Relevant Scientific Literature

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