



MARINE INEQUALITY, BORDERIZATION, AND THE RADICAL POTENTIAL OF KINSHIP

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“It will be strange to give our evidence on other people’s *whenua* [land],” Angeline remarked as we drove along the east coast, the white sand and blue Pacific waves provoking unfavorable comparisons with the shimmering black beaches and volatile seas of Whāingaroa harbor, the ancestral home of Tainui o Tainui ki Whāingaroa. Six of us, all women, had traveled in the tribal minivan to Whakatane to present oral evidence at the March 2021 sitting of the Waitangi Tribunal’s Marine and Coastal Area (Takutai Moana) Act inquiry—a six-hour trip stretching from the west to the east coast of Aotearoa/New Zealand.¹ Te Mania, the driver, had navigated the backroads, stopping briefly to welcome a baby newly born to the tribe, and later to pick up a cousin, the newcomers’ participation registering the interests of her recently deceased father. Narratives of kin and place, of ancestors and their deeds, marriages, births, sicknesses and deaths, who had left and who had returned, as well as family conflicts and resolutions, were avidly discussed, each person and event mapped onto the tribal lands traversed on the journey. A moment of silence, a whispered *karakia* (chant/prayer), a visceral pause, signaled the crossing of tribal boundaries. The women grew quieter with increasing distance from Whāingaroa, eventually inquiring of their cousin, “what are the issues for Māori over here”? Tribal lands do not



Figure 1. Map of Te Ika a Māui: The land and its people, 1995.
 Source Toitū Te Whenua: Land Information New Zealand.

appear as territorial lines on formal maps of New Zealand, yet they are evident in the quotidian practices of contemporary Māori life; in the burial of people on tribal *whenua* (land), the attendance of the diaspora at monthly *hui* (gatherings/meetings) on home *marae* (meeting house complexes), the welcoming and farewelling of visitors into and from tribal territory, or in the daily care of kin, environment, and seascape. The sea too is mapped in terms of which ancestors, nonhuman species, sacred sites, ocean passageways, significant events, resources, activities, as well as categories of people ought to belong where—a cultural history currently being produced by Māori tribal groups across Aotearoa as

evidence for the claiming of customary marine rights and title, though the actual phenomena potentially returned are decidedly diminished.

This article draws on scholarship on borders to interpret the persistence of inequality in Indigenous seascapes, irrespective of moves to redress colonial wrongs or the growing anthropocenic recognition of human-nature interconnectedness (Brennan 2022; Bresnihan 2016; Kawharu 2024; Rohrer 2022). My use of the already vast body of literature on borders is selective and oriented toward directing an analytical lens on marine economies and environments, as well as on the conflicted relationships that inhere in settler-colonial societies. In this context, two approaches prove illuminative: the extension of borders as a mode of imperialism (Campbell 2022; Gahman and Hjalmarson 2019; Walia 2013, 2021) and the escalation of borderization in an era of planetary demise (Mbembe and Chaize 2018; Mbembe 2019a). Much border scholarship focuses on the precarious lives of migrants and their encounters with ever more securitized landed borders in the Global North, a journeying that too often includes fatal voyages across treacherous seas (Last 2017; Pezzani 2015; Vives 2017). Indeed, lethality is enacted by seawater as it links with border regimes (Talbayev 2024). Significantly, a key finding in this research is that borders do not remain at the periphery; rather they are deeply embedded in the everyday workings of nation-states, producing exclusions, discriminations, and violence (Campbell 2022). My interest here is in exploring this pedestrian operation of borders and their role in recalibrating specific forms of inequality in oceanic environments. I also turn to the “genius” of Indigenous kinship, wherein forms of culture are “shared across recognized and valued differences . . . serving as much as modes of linkage as well as demarcation” (Merlan 2022, 182). This alternative method of bordering human and natural worlds works at once to dampen hierarchy, to make distinct as well as to weave together.

This article is informed by ethnographic research undertaken with Tainui o Tainui ki Whāingaroa (Tainui) over the past eleven years. It incorporates ten interviews with Māori collected as part of an inquiry into claims under the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA).² It also draws on my research with *whānau* (extended family), *hapū* (kin group), and *iwi* (tribe) over the past three decades, developed to address marine issues of concern. As an immigrant from Northern Ireland, my lived experience of the far-reaching material and cultural consequences of imperialism makes for a point of connection with *tangata whenua* (people of the land/Indigenous Māori) with whom I work, an epistemic solidarity that informs my research methodologies, objectives, empathies, and engagements.

The article is divided into three sections. The first explores border politics in the context of Māori claims under the MACA, drawing on Harsha Walia's concept of border imperialism. Herein, the spatial and social borders of Māori kinship and marine ownership regimes, built on relationality, ebb and flow, and porosity confronts a settler colonial logic of hardening border distinctions and containment. The second, "Kūtai and Greenshell Mussels," situates the acceleration of mussel farming in New Zealand within a broader narrative of neoliberal globalization, debordering, and the totalizing tendency of capital. Section 3, "Borderization, Containment, and Blue Growth," builds on this analysis to address the enclosures and entrapments arising in the context of climate demise and the intensification of marine industrialization. Borders, in this synopsis, have come to reference the organized violence underpinning contemporary capitalism, as well as the concatenation of discriminations arising from blue growth extractivisms. The conclusion, "Borders and the Radical Potential of Kinship," suggests that Māori kinship (through which Indigenous borders are constructed) can be conceptualized as a site of non-capitalist solidarity that has the potential to resist the logic of borderization.

IMPERIAL BORDERING AND THE MARINE AND COASTAL AREA (TAKUTAI MOANA) ACT 2011

Harsha Walia's activist scholarship shows how borders, under colonial conditions, enforced a propertied relationship to land, subjugating other ways of owning and rendering people alienated from previously held and traversed places (Walia 2013). This bordering includes lines on maps delineating nation-states, walls, fences, and the administrative infrastructure bounding regions, counties, and states. Herein, the term immigrant also encapsulates an idea of immobility, that is, under settler colonialism, to be Indigenous means to be held in place (Walia 2013, 2021). Such bordering politics starkly came to the fore during the COVID-19 pandemic; in New Zealand, alongside the closure of national borders, securitized checkpoints hardened formerly benign regional boundary lines, slicing across tribal lands and organization, and re-enforcing a settler affinity with place (Fitzmaurice and Bargh 2021; McCormack et al. 2025). The concept of border imperialism expands on the idea of propertization as intrinsic to nation-making, to describe the processes through which Western formations in general—including capitalism, nationalism, colonialism, racism, patriarchy, whiteness, and so on—are extended and externalized far beyond Western empires (Walia 2013). Hence, under border imperialism, rather than different

ontological norms, othering is maintained through the proliferation and normalization of the West's institutions and ideologies (Gahman and Hjalmarson 2019). This expansion foreshadows ongoing contradictions, that is, a coeval advancement of universalism and particularism, mobility, displacement and emplacement, fluidity and friction, and geopolitical centers and peripheries (Campbell 2022; Donnan and Wilson 1999; Fassin 2011). A close examination of the relationship between marine governance and Indigenous claims in Aotearoa reveals patterns of inequality sustained through the dynamics of border imperialism.

In Aotearoa, the Marine and Coastal Area (Takutai Moana) Act 2011 (MACA) constitutes a node in the development of the country's aquaculture industry, the cultural counterpart of the Māori Commercial Aquaculture Claims Settlement Act 2004. Both acts evolved as concessions to Indigenous challenges concerning the growth of marine farming in seascapes of special significance to Māori, though they are informed by opposing classifications of nature and society. The former implicates a conservationist ordering, while the latter aligns with the wealth-generating strategies of blue growth. The settlement of Māori claims to aquaculture, for instance, incorporates Māori into the national aquaculture business development framework by allocating 20 percent of sea-farming spaces to Mandated Iwi Organizations (or Iwi Aquaculture Organizations), the corporate arm of tribes—a distribution filtered through Te Ohu Kaimona (the Central Māori Fisheries Trust) and regional councils (McGinnis and Collins 2013; Ministry of Fisheries New Zealand 2010). Rooted in a utopian model of spatialized capital accumulation, these spaces can be developed in co-partnership with established aquaculture interests, exchanged for cash settlements or other assets (Mika et al. 2022; McLellan 2020; Wiber et al. 2021).⁴ Such exchangeability renders environments flexible, responsive to global financial markets, the pursuit of imminent returns, and new forms of inequality (High 2022). Meanwhile, the Marine and Coastal Area (Takutai Moana) Act 2011, arising out of pan-Māori activism in the early 2000s, concerns the protection of ancestral cultural practices and marine title in the foreshore and seabed area, that is, the space between the high tide mark on the beach and the seabed out to 12nm from shore. Of the 203 claims before the High Court, and 385 lodged under an adjacent Crown negotiation process, 11 have been settled to date, with the remainder projected to take up to thirty years (Johnson 2021).⁵

The sea in Whāingaroa is the rohe moana (tribal seascape) of five *hapū*. Each *hapū* is associated with a particular harbor area, with *whānau* (extended families) having rights over designated fishing grounds and gathering spots, and

linking genealogically with specific marine birds and species: *Oi* (mutton birds), for instance, *Tuna* (eels) or *Manaia* (seahorses). That *Oi* are now threatened and *Manaia* disappeared references the entanglement of environmental demise with the loss of categories of kin (Rose 2008; Salmón 2000). Overarching these distinctions is an emphasis on the sharing of resources as well as a propensity to collectivize as *Tainui-a-Whiro*. This amalgamation occurs for political purposes, decolonial struggles, ceremonial events, to produce seafood for prestation to inland tribes, and for the purposes of advancing Indigenous claims. Most recently, the reclamation of a seascape shared according to different levels of kin connect-edness has galvanized the collective.

Under the Marine and Coastal Area (Takutai Moana) Act 2011, two categories of claims are recognized: customary marine title and protected customary rights orders.⁶ Together these represent the jurisdictional evolution of aboriginal title and rights in ocean environments in New Zealand. While the fiction of *mare nullius* was revealed in 1986 when Tom Te Weehi, a *pāua* (abalone) fisher accused of breaching fisheries regulations, successfully argued that traditional Māori fishing rights could override European laws (Jackson 2013), and later in the 2003 *Ngati Apa v. Attorney-General* decision regarding customary land in the foreshore and seabed area (Charters and Erueti 2007), the actualization of Māori marine property rights and relations is constrained (Harrison 2022; Rout et al. 2024). In advancing claims under the MACA, for instance, *hapū* are required to identify relationships between land, sea, and kin groups with a particular emphasis on acts of exclusion to signify ownership. Māori have an ambilineal kinship system, such that descent is traced through a mixture of male and female links. This, coupled with ambilateral affiliation, means that Māori society has an extremely flexible kinship system (Van Meijl 2006) and overlapping interests and rights in land, though these are subject to the status of *ahi kā* (burning fires of occupation/continuous occupation) and the weighting given to the eldest sibling chiefly line. Narratives around significant sites, genealogical connections to mountains, rivers, and seas, alongside the journeying of ancestors, work to position one kin group as holding *mana whenua* (customary authority) while others play a *tautoko* (support) role. Tribal lands and sea are thus at once porous and deeply bounded by kin.

Customary marine title refers to unextinguished rights held in a specified area of the Takutai Moana in accordance with Māori *tikanga* (custom), and claimants must show evidence of exclusive use and occupation from 1840 (when the Treaty of Waitangi was signed) to the present without substantial interruption.

Following the first significant High Court hearing of a MACA claim in May 2021, the court expanded the exclusive use and occupation requirement to include the idea of “shared exclusivity.”⁷ This novel, albeit paradoxical, concept allows for a single customary marine title order over a claimed marine area to be shared between more than one Māori kin group. A year later, the court reported complexities in ascertaining the correct owners of joint customary marine title, while a legal expert noted the practical difficulties encountered when trying to enforce such concepts. (Wu 2023). Significantly, while shared exclusivity goes some way toward recognizing inter *hapū* relations, it renders invisible that the linkage of kinship also legitimates claims across difference. In a critical response to common property debates, Becky Mansfield (2004) observes the reduction in centering the discussion on the need for defined property rights, based, ironically, on an individual, rational-choice model. A similar slippage is evident in the concept of shared exclusivity wherein Māori marine tenure becomes conceptualized as private property writ large, while exclusivity as a property characteristic remains a borderization. As Francesca Merlan (2022) notes, a stark contrast exists in viewing kinship as an exclusive identity and property demarcation and kinship as a network phenomenon.

Pulling out a map of her tribal territory dotted with white feathers, Kimai described the process of identifying those who “share a connection to the harbor and sea in Whāingaroa.” The feathers, representing *pou whenua* (posts marking ownership) bounding her *hapū*, denote *whakapapa* (genealogical connections) and *korero tuku iho* (oral histories). Pointing to one of the feathers, Kimai explained that in stories held by her *hapū*, this was Wairere, a significant ancestor, *pou whenua*, and the highest waterfall in the North Island of New Zealand. Here Mahanga, Wairere’s father, reconciled with his enemies, baptized his son, united two *whānau* (extended families), and divided land between neighboring *hapū*: “It was a peace-making gesture . . . our *pou whenua* is based on the gift of land.” *Pou whenua* can be carved posts, hills, streams, creeks, rocks, or other environmental features and are a prominent motif in contemporary Māori artwork. These posts, however, do not create a continuous line distinguishing *hapū* territories; their eminence lies, rather, in the sites in themselves. *Pou whenua* illustrate a key point about Māori ownership: whereas a fence is concerned with exclusion, *pou whenua* are oriented toward the creation and maintenance of relationships: between neighboring kin groups, between ancestors and descendants, and between people and environmental resources. This capacity to border-cross, apparent in the categorization of kin, is also evident in Māori marine estates.

The granting of protected customary rights orders under the Marine and Coastal Area (Takutai Moana) Act 2011 requires evidence that customary rights have been exercised in accordance with *tikanga* (custom) in a particular part of the Takutai Moana since 1840 (when the Treaty of Waitangi was signed). The act recognizes that these rights may arise from a spiritual or cultural association *if* such associations are manifested in a physical activity or use related to a natural resource (emphasis added).⁸ Te Ataiorongo, an ancestor chief killed by his sister's husband who lodged a fishhook in his forehead, is one of four *taniwha* (spiritual guardians) who mediate the relationship between Tainui *hapū* and their seascape. Manifesting as a stewarding stingray, red fish, or other sea creature, his appearance corresponds with significant kinship events and, up to the 1980s, was marked by the sudden abundance of fish. Stories of Te Ataiorongo, his genealogy, untimely death, son's revenge, and contemporary manifestations, form part of the evidence provided by the *hapū* in their Marine and Coastal Area claims. These histories of kin relatedness, however, do not have a definitive pragmatic or functional orientation.

Manihera, a master Tainui navigator, describes captaining a treacherous expedition, around the west coast of New Zealand's North Island from Manukau to Wellington in 2007. Under pressure to hasten the voyage, Manihera decided to bypass the coastal towns of Whāingaroa and Kāwhia, and instead pivoted the *waka* (canoe) for the more southerly Taranaki. Immediately, in the midst of a worsening storm, the steering paddle broke, the substitute motor died, and the *waka* narrowly missed striking a small, offshore island, forcing the crew to seek refuge in a rocky point. The sailors were young Māori people from Whāingaroa and Kāwhia, west coast harbors settled by Polynesians who arrived on the Tainui *waka* from Hawaiiki to join those already living there. Today, the neighboring harbors maintain multiple lines of kin connections, as well as distinctive tribal identities that give genealogical priority to different ancestor lines. In explaining the precarious voyage, Manihera mused:

Half our crew was from Whāingaroa and half from Kāwhia, quite a bit of *whakapapa* [genealogy] on board It was a respectful thing, we were not paying respect to everything on the coast; our *tūpuna* [ancestors], our *taniwha* Te Ataiorongo, our *whānau* [extended families]. It was a way of knocking our heads together and making us pull in and pay homage. (Manihera, in [McCormack and Paekau 2020](#))

Crucially, an extension of kin relations through time, across terrestrial and saltwater environments, as well as human and more-than-human domains, exerted a pull toward shore. The Tainui MACA case is ongoing, and it is unknown whether accounts of Te Ataiorongo will substantially alter the outcome. The collective *hapū* lawyers, tasked with translating tribal stories into protected customary rights evidence, have experienced great difficulty in extracting the resource-management function of *taniwha* sightings from stories steeped in a kinship ethics of care and responsibility as well as, ultimately, ocean drownings when these obligations are transgressed.

For Māori coastal groups who successfully give evidence of having held onto land contiguous to the sea, despite the contingencies of colonization and rising oceans, the marine title returned is reducible to a “right of veto in relation to resource consent activities and conservation activities, the right to be consulted in relation to New Zealand coastal policy statements and ownership in terms of newly found *taonga tuturu* (protected Māori treasures)” (Oyawale 2022, 7). Marine title, hence, does not award the bundle of rights associated with private property in New Zealand, nor is it commensurable with other marine ownership regimes conferred to Māori through Indigenous settlements, such as those distributed as financialized fishing quota in commercial fisheries or as exchangeable seascapes in aquaculture development. Further, for Māori to oppose resource consents, consent-granting local and regional councils need convincing that the activity has more than a minor adverse effect on customary protected orders. Marine title also remains subject to rights of public access, boat navigation, and the needs of commercial and recreational fisheries (Oyawale 2022), with the Crown maintaining ownership of all undersea wealth such as petroleum, gold, silver, and uranium. Herein, the universalization of private property constructs a particularized form of Indigenous ownership. Just as colonial law had a way of melting into its native counterparts as these were shaped in the movement from direct to indirect rule (Coronil 2001), it gleams in the settler colonial law emerging in ocean governance in New Zealand. My point is not that the tenure conferred by marine title is weaker or stronger than private property; rather, when unraveling the politics underpinning Indigenous settlements, constitutive ideologies reveal themselves; the Marine and Coastal Area Act purports to settle colonial grievances by extending an imperial bordering of property and kinship.

KŪTAI AND GREENSHELL MUSSELS

The West’s ability to shimmer in law universally and in the civilizing projects and programs aspiring to modernize the so-called third world in the 1960s

(Escobar 1995) is echoed in the West's disappearance into the neoliberal market, melting and solidifying anew (Coronil 2001). As a form of bordering, neoliberal globalization requires porous borders, fragmented fields, and compromised forms of sovereignty (Yngvesson 2013), at the same time as it demands territory, precarious labor, individualized bodies, and flexible environments. In June 2023, Tainui were informed, via a glossy 107-page document, of a resource-consent application to establish four mussel spat farms, covering 700 hectares of water, 3–4nm from the shore in Whāingaroa. This was accompanied by a private plan change request to the regional council to zone the West Coast as a new aquaculture space. In the application, North Western Mussel Limited (the applicants) emphasize that under the Marine and Coastal Area (Takutai Moana) Act 2011, neither the Crown, nor any other person owns, or is capable of owning, the common marine and coastal area (Aquaculture Direct 2023). The applicants acknowledge, however, that the proposed sea-farming site is subject to Māori claims for customary interests, hence their obligation to notify relevant MACA applicants (Aquaculture Direct 2023, 6). Also emphasized is their openness to partnering with *iwi* so that settlement assets acquired (under the Māori Aquaculture Settlement Act 2004) can be optimized (Aquaculture Direct 2023, 7).

Tainui *hapū* concerns over the mussel spat farms' application include that it ignores the coast's designation as a protected site for the disappearing Maui dolphin, the potential for it to disturb renowned surf breaks currently protected by legislation, as well as other unknown environmental hazards. Further, the application is perceived to reduce their MACA claim, aimed at safeguarding ancestral marine tenure and relationships, to one of limited consultation. Most distressing, however, is that it repeats a pattern of marine economic exclusion. Angeline, a Tainui environmental spokesperson, comments:

People go over our heads and do this sort of stuff. They pay no heed to history, and the fact that our people have sacrificed their livelihoods and not been able to fish out here. Now we have this new threat coming. This is a confiscation of our space. (Greensill 2023)

Angeline is referring to the loss of *whānau* and *hapū* commercial fishing livelihoods in Whāingaroa and her concern that the aquaculture settlement will follow a similar pattern of dispossession. The *hapū* aquaculture allocation, distributed in the Aquaculture Claims Settlement Act 2004, sits with the inland river tribe, Waikato Tainui, a Mandated Iwi Organization⁹ who also hold all Iwi Settlement Quota. These fishing rights were introduced in 1992 to settle Māori

claims to commercial fisheries using the logic of Individual Transferable Quota, a privatized catch share, in fisheries management (McCormack 2017). Some three decades later, of the 58 Māori *iwi* who received settlement quota nationally, only 8 percent have the capacity to fish (Reid, Rout, and Mika 2019), with the vast majority future trading catch rights, wealth from which trickles down to coastal fishing *hapū* (McCormack 2017). Only two Māori commercial fishers remain in the West Coast harbors of Whaingaroa and Kāwhia, signifying a new wave of enclosures contingent on the articulation of an Indigenous settlement with the financialization of saltwater nature.

Green-lipped mussels, including mussel spat, were incorporated into New Zealand's quota management system in 2004. North Western Mussels Limited, the mussel spat farm applicants, are a conglomeration of three separate quota-holding companies. The smallest of the three owns four mussel farms, leases additional space from Mandated Iwi Organizations, and processes its products locally for a global export market. The second is a vertically integrated aquaculture company that grows, processes, packs, and exports Greenshell Mussels. In a typical season, they process 6,850 tons of mussels. Fifty percent are exported to the United States, 25 percent to the UK and Europe, and 25 percent to Australia and the Pacific. Following COVID-19 border disruptions, however, they have diversified into the domestic market, and now provide packaged product for two New Zealand companies. The third, a private family company whose wealth is estimated at NZ\$315 million, owns a vertically integrated fishing company, is the sixth largest owner of fishing quota in New Zealand, and exports frozen fish, frozen half-shell, and mussel meat to the global market (Aquaculture Direct 2023, 8–9).

Green-lipped mussels are a large, orange-fleshed bivalve endemic to New Zealand waters, identifiable by their green-tipped shells. Farmed under the trademark Greenshell Mussels, the species makes for New Zealand's most valuable aquaculture commodity based on tonnage (about 100,000 tons annually) and export value (NZ\$380 million annually), accruing roughly 55 percent of total aquaculture revenue in New Zealand (Stenton-Dozey et al. 2021). Mussel farms arose in the 1970s to coincide with the closure of the wild commercial mussel fishery, and they now extend across several thousand hectares of saltwater, mostly in the South Island of New Zealand (Dawber 2004; Toone 2023). In comparison to shellfish cultivation globally, Greenshell Mussels have experienced relatively few diseases (Castinel et al. 2019), and indeed mussel farms, with mussels grown on longlines suspended in water columns and feeding from

the surrounding ocean environment, provide a habitat enabling a diverse range of other species to thrive (Stenton-Dozey and Broekhuizen 2019; van der Schatte Olivier et al. 2020). Given this ecosystem benefit, farming Greenshell Mussels can be conceived as a form of restorative aquaculture (Underwood 2023), attracting large amounts of research revenue concerned with aquaculture's potential to advance the recovery and expansion of coastal ecosystem services (Gentry et al. 2020). In contrast, mussel reefs throughout New Zealand, significant in recreational and Māori customary fisheries, have not yet recovered from the depletion events instigated by the commercial wild fishery, a species decline compounded by climate change, the incursion of non-native species, and micro-plastic pollution (Toone et al. 2023; Webb et al. 2019; Ministry for the Environment and Statistics New Zealand 2019).

Green-lipped mussel spat are microscopic, free-swimming planktonic larvae that drift through ocean currents until finding a suitable structure, typically seaweed or seagrass, to which to attach (Gardner et al. 2021). Once they have reached a certain shell size, newly metamorphosed juvenile mussels re-enter the ocean drift before settling on firmer structures, such as rocks, reefs or wharfs, often in deeper water. Since 1978, about 80 percent of Greenshell Mussels have been grown from spat collected from beach-cast seaweed washed up on Te Oneroa-a-Tōhe in the Far North of New Zealand (Chaput et al. 2023). This wild interface, wherein quota holders lease annual catch entitlements to spat collectors, attracted public outrage in 2019 following the online release of a video depicting heavy vehicles competing derby-style for the spat laden seaweed (Swannix 2019). The fishery is also increasingly viewed as a commercial risk due to variations in the timing and quantity of spat falls,¹⁰ and the likelihood of these natural events becoming ever more unpredictable with the advancement of climate change. Accordingly, much industry effort and national blue growth strategy is directed toward the creation of spat farms and hatcheries (New Zealand Government 2024). Mussel spat farms, wherein hairy ropes mimicking seaweed are suspended in water columns to lure the free-swimming larvae, are essentially a nursery, producing juvenile, green-lipped mussels for transportation to mussel farms ready to allow the maturation into Greenshell Mussel commodities.

Kātai or Kuku (mussels/green-lipped mussels) are a *taonga* (treasured/cultural keystone) species for Māori and a significant form of seafood (Paul-Burke et al. 2018). They are also agentic in the networking and boundary practices of Māori kin groups. Pipirua, a mussel reef in Whāingaroa harbor, is a source of food for snapper, a stingray habitat, as well as a gathering spot at low tide. The

reef was seeded in the 1940s by mussel spat gifted from neighboring *hapū* in Kāwhia, a species translocation inspired by Princess Te Puea Hērangi (1882–1952) (Ellison et al. 2012). Te Puea, the granddaughter of the second Māori king, was a much-admired leader of the Kīngitanga, and is accredited with achieving a national status for the Māori monarchy among Māori and non-Māori, though the Kīngitanga remains unrecognized in New Zealand law (Papa and Meredith 2012). Whāingaroa *hapū* gift seafood for annual Kīngitanga *koroneihana* (coronation) events, during which affiliated tribes gather over several days in inland Ngāruawahia, the seat of the Māori king, to *korero* (story/discuss), celebrate, mourn, play sports, and feast. The obligation to supply seafood, however, is not a Kīngitanga claim to dominion: “Princess Te Puea would send a truck from inland to here, her people would not touch our resource, our people would fill the truck and send that back to them, so they recognized the *mana* [authority/power] of space actually stays with our people,” Angeline explained. And indeed, Whāingaroa *hapū* have an ambivalent relationship with the Kīngitanga, with support waxing and waning over the years.

Pipirua had an abundance of mussels: “They were in big clumps, you could fill a boat in about ten minutes” (James [Angeline’s brother], in Ellison et al. 2012, 84). Harvesting rights were, however, linked to key ceremonial events: “We used to go up there to Pipirua and get mussels for *tangi* [funerals] and when Ngāruawahia had their *koroneihana* [coronation] celebrations It was never ever touched unless it was for a big gathering like a *tangi* or a *hui* [meeting]” (Tex (Angeline’s father) in Ellison et al. 2012). In the 1960s, a Pākehā (New Zealand European) fisherman discovered Pipirua and, armed with a commercial fishing license, began dredging the resource—a fishing method that captures everything in its path, destroys habitats, breaks shells, and decimates *kūtai* populations. In the 1990s, the *hapū* attempted to reseed Pipirua, and while mussels are evident again today, a *rāhui* (temporary ritual prohibition) has been imposed on their collection as a result of ongoing pollution emitted by a regional council sewage pipeline.

Whāingaroa *hapū* opposition to the 700-hectare mussel spat farm application speaks to their role as *tangata kaitiaki* (human guardians), as well as a history of marine economic exclusion. Of particular concern is the exchangeability mobilized in aquaculture territorialization once the up to five decades-long licensing consent has expired. In a comparison of Indigenous involvement in aquaculture development in Norway and New Zealand, Camilla Brattland, Else Grete Brodrestad, and Catherine Howlett (2022) argue that while Māori have more rights

than Sami, Māori agency extends only to a certain level. Indigenous knowledge is disputed as a valid knowledge basis in aquaculture licensing processes and, rather than sustaining ecosystem biodiversity, innovation is geared toward the commercial enhancement of single species. Further, the aquaculture industry, driven by global demands, favors the use of marine space for global production rather than for Indigenous marine livelihoods (Brattland, Broderstad, and Howlett 2022). Additional inequities exist. Underlying the Marine and Coastal Area (Takutai Moana) Act 2011 and the Māori Aquaculture Settlement Act 2004 is a slicing of Māori marine relations into economic and cultural spheres. This essentialization, increasingly associated with the rigidification of different levels of kin-group organization (*hapū* and *iwi*), suggests a neoliberal market melting and solidifying, wherein Indigenous marine economies become absorbed into national and global economies, whereas *hapū* culture remains the purview of the dispossessed.

BORDERIZATION, CONTAINMENT, AND BLUE GROWTH

The vision of a borderless world facilitating frictionless economic and political integration, common in the pre-2007 global financial crash era, has become ever more challenged with the acceleration of bordering work following the COVID-19 pandemic. Indeed, while liberal theorists observed post-cold war globalization in terms of population “flows,” postmodern fluidity, and dynamic hybridization (Appardurai 1990; Ohmae 1995), anthropologists of borders pointed to intensified social differentiation and hardening dividing lines (Donnan 2005; Heyman and Campbell 2007). Borders, thus, are at once social facts that divide people, working to concretize dissimilarities rather than affinities (Chattopadhyay 2019), and highly mutable: they are continually redefined, imposed, and operationalized, both linking back to colonialism and forward to neoliberal practices of exploitation and abandonment (Gahman and Hjalmarson 2019; Walia 2013). And while they obscure the role of the state, they also transcend it.

Achille Mbembe’s (2018, 2019a, 2019b) thesis on “borderization,” defined as a speeding up of the logics of containment, enclosure, and contraction, describes a worldwide erection of walls and fortifications, offshoring and the fencing off of wealth, far beyond lines of demarcation separating sovereign states. Borders, hence, have become “the name we should use to describe the organized violence that underpins both contemporary capitalism and our world order in general” (Mbembe 2019a, 5). Borderization, Mbembe (2019a) argues, has been facilitated by three “mega processes”: First, corporate sovereignty, which in its twenty-first-century guise, includes global financial capital, private high-tech corporate entities, surveillance capitalism, and the legal frameworks supporting

frictionless foreign investment, international trade agreements, and the unprecedented power of markets (see also Zuboff 2019); Second, the relationship between technological escalation and the redefinition of speed, leading to unshackled markets and economies as well as the dredging of information on human behaviors to classify and codify optimal human performance (Mbembe 2019a; Bresnihan and Brodie 2021). Third, the dialectics of entanglement and separation; this acceleration of speed, intensification of connections and expansion of life has hit terrestrial limits that imperil the very fluidity of life. In response, borders now work to control speed, partitioning and fragmenting space and territories, to quicken movement in some spaces and to decelerate it in others. Hence, the move toward planetary entanglements confronts its opposite—enclosure and containment (Mbembe 2019a, 2019b). And this enhanced entrapment holds particularly true for the discounted bodies of the deadly logic of borderization: those humans most exposed to storms, rising sea levels, warming oceans, toxic pollution, declining livelihoods, wars, and food insecurity, as well as the loss of material culture, environment, and kin.

Marae, the center of *whānau* and *hapū* political and ceremonial life, are crucial to the reproduction of kinship. They are also a leveling site wherein *tikanga* (custom/culture) trumps modern socioeconomic inequities (Aikman 2015; Bennett 2007). *Marae* typically occupy small parcels of land, a consequence of colonial land grabs and the imposition of propertied relationships curtailing the seasonal movement of people. Traditionally positioned near waterbodies such as rivers, streams, estuaries, and the sea, *marae* are particularly vulnerable to climate change, rising sea levels (Bailey-Winiata et al. 2022),¹¹ and the challenges of a “managed retreat” (Hanna, White and Glavovic 2020). Now emplaced, Tainui *hapū* confront increasingly unpredictable king tides, eroding sand dunes, floods, storms, ocean pollution, invasive species, and species decline, all while needing to maintain their obligations as *tangata kaitiaki* (human guardians) of *urupā* (grave sites), *kōiwi* (ancestral bones) buried in rocks and crevices, sea mammals, fish, shellfish, birds, sacred sites, gathering spots, their ancestor mountain Karioi and the Whāingaroa estuary and harbor.

In *Coastal Cannibals*, a photo essay documenting the contested development of Whangārei Te Rerenga Paraoa (Whangarei Harbor, the gathering place of whales and chiefs), Ngāhuia Harrison (2022) captures the precarious lives of disenfranchised Māori *hapū* and *whānau* as they negotiate employment in industries—including an oil refinery, a commercial seaport, freezing works, and cement works. Ancestral connections and responsibilities are ensured through the long memories distilled in *whakapapa* (genealogies), yet these memories now also

attach to the marine pollution that provides employment. The industries, [Harrison \(2022, 174\)](#) observes, “are memorials to the deliberate exclusion of Māori from economic opportunity beyond becoming factory fodder, as well as to land loss experienced by Māori.” In the Global North, marine industrialization increasingly articulates with blue growth visions and a historically unprecedented rate of extractivism ([Barbesgaard 2023](#); [Bresnihan and Brodie 2021](#)). The mussel spat farm application in Whaingaroa sits beside a wind farm proposal to construct seventy-seven turbines, 22nm from shore. The latter, a six-billion-dollar development project proposed by a consortium of international offshore wind and energy corporations,¹² is projected to generate more than a thousand jobs, largely in construction, and up to 1,150 megawatts of electricity ([Radio New Zealand 2022](#)).

[Zoe Brent, Mads Barbesgaard, and Carsten Pedersen \(2018, 3\)](#) use the metaphor of a “masterfully mixed and powerful cocktail” to draw attention to the seduction of blue growth rhetoric. Blue economies, they argue, work to occlude climate action by attracting private investment for protected marine areas and sustainable tourism, satisfy food security through the expansion of capital-intensive large-scale aquaculture, and “refresh the palate with a burst of wind energy and a splash of new deep-sea minerals without disturbing the familiar and persistent flavor of oil and gas” ([Brent, Barbesgaard, and Pedersen 2018, 3](#)). In New Zealand, unlocking blue growth has also meant grappling with treaty obligations to Indigenous people ([Rout et al. 2024](#)), responsibilities largely discharged through providing tribes differential access to the wealth-generating potentials of new ocean property regimes, participation in marine-licensing consultation processes, and the use of Māori motifs in the branding of saltwater products. Extracting capital through blue growth thus enrolls coastal Māori *hapū* and *whānau* in a new network of enclosures that extend bordering work through the neoliberalized models mobilized in the settlement of Indigenous claims. Cutting across this extractive seascape, however, are Māori kin-based cooperations, environmental relations, cultural factors, and spiritual associations, variously treated as obstacles to capital accumulation or factors to be regulated.

CONCLUSION: Bordering and the Radical Potential of Kinship

In this article, two broad traditions of border scholarship are mobilized to interpret the persistence of inequality in ocean environments. The first, border imperialism, underscores colonial forms of dispossession enacted through the extension of Western ideologies underpinning property, patriarchy, nationalism, capitalism, colonialism, whiteness, and so on. That these alienations now occur

in the process of redressing colonial wrongs is illustrated through a critique of the evidence required under the Marine and Coastal Area (Takutai Moana) Act 2011, legislation ostensibly adopted in New Zealand to recognize marine aboriginal title and rights. Māori must, for instance, demonstrate exclusive ownership of tribal seascapes from the moment of colonization to the present to receive marine title. The granting of customary rights orders, meanwhile, requires that relations with shapeshifting ancestors, nonhuman others, alongside ritual practices, be evidenced in terms of a resource-management function. Bordering work, in this analysis, hardens ontological distinctions and suggests the impossibility of translation across ownership, social organization, cosmological, and kinship domains. The second analysis, following Mbembe's thesis on borderization, locates borders within systems of capital expansion. I argue that blue growth, an instantiation of the logic of borders operating through neoliberal capital, upholds inequality by intensifying marine extraction.

Obvious similarities exist between colonial narratives, political economies, and juridical regimes that sustain Indigenous alienations across space and time. Yet there are also mutations and discontinuities. Whereas imperial bordering is concerned with the privatization of Indigenous-held land and the othering of Indigenous bodies and lives, the entanglement of states with intensified extractive activities speaks to a neoliberal debordering and to changing relations to capital (Mezzadra and Neilson 2017). In this synopsis, marine environments, the current frontier of capitalist extraction, become sites wherein Indigenous relations of ownership are both denied and recognized. That is, the relationality of tribal seascapes becomes an obstacle to capital accumulation, whereas their transformation into exchangeable assets, whether aquaculture space or fishing quota, aligns with capital's relation to financialization and extraction. In this double movement, new ways of holding tribal resources unfold alongside new forms of inequality. Similarly, the notion of sustainability, in restorative aquaculture or offshore wind farming, distinguishes between technological advances in blue growth and the pollution attached to older forms of marine industrialization, while eliding critique of the human and environmental costs of resource financialization.

My other concern has been to highlight the existence of non-capitalist forms of social organization. In this context, the ethnography detailed in this article explores aspects of Māori kinship that proffer an alternative method of bordering social, cultural, and natural phenomena. In terms of property, for instance, Māori kinship reckoning links people to land and sea, wherein incorporation,

rather than exclusivity, characterizes how things are held. *Whakapapa* (genealogy) extends relations through time and space, binding ancestors and their descendants, human and natural domains (Metge 2001; Wehi and Roa 2019). This expansion of kinship obligations to a dense network of relations is historically continuous in Māori society, a dynamic at work in the reciprocity observed by Manihera in relation to his ancestor *taniwha*, the mutuality expected in contemporary *marae* gatherings, as well as in stinging critiques of the emergence of new social hierarchies. Underlying my ethnographic exploration, however, is the suggestion that Māori kinship, a historically continuous solidarity, has the potential to resist imperial bordering practices and indeed temper neoliberal borderization. A rapid collectivization across tribal boundaries in response to settler colonial bordering makes for a striking feature of Māori society. Notably, this collectivization is especially revealed when marine relationships are threatened.

As socio-spatial phenomena, borders prove key to contemporary manifestations of racial and extractive capitalism, working, for instance, to entrench colonial exclusions, distort Indigenous social orders, and to control movement, materially and metaphorically. Borders contain, locking people and culture in place, but they also forcibly remove groups, be it through land and sea alienations, aggression, capital accumulation, or through the climate change wreckages induced by histories of industrialization and extraction (Gahman and Hjalmarson 2019; Mbembe 2019b; Walia 2021). Importantly, while global in scale and behavior, the effects of borders are also historically contextualized, that is, the aftermaths and ongoing consequences of border regimes can be understood ethnographically. The sea, a contemporary frontier of bordering violence, is constructed as kin across much of Oceania (Diaz and Kauanui 2001; Hau'ofa 1993; McCormack and Mawyer 2022), suggesting that kinship is a particularly fertile idiom through which to reveal new border struggles.

ABSTRACT

This article utilizes scholarship on borders to interpret the persistence of inequality in Indigenous seascapes, irrespective of moves to redress colonial wrongs or the growing anthropogenic recognition of human-nature interconnectedness. I examine border politics in the context of Māori claims for marine title and rights and the post-settlement development of aquaculture. Drawing on Harsha Walia's concept of "border imperialism" and Achille Mbembe's thesis on "borderization," the article highlights the endurance of colonial forms alongside their neoliberal transformation into the enclosures and entrapments arising in the context of accelerated marine industrialization. By holding in tension the interconnection between marine environments and kinship, on

one hand, and scholarship on borders, on the other, the article suggests that Indigenous Māori kinship, expanding through multiple layers of difference, constitutes a site of resistance that has the potential to refute the logic of borderization. [marine inequality; Indigenous claims; borders; Māori; aquaculture; kinship]

NOTES

1. New Zealand's Indigenous claims forum, a permanent commission of inquiry established in 1975 to make recommendations on claims brought by Māori relating to Crown actions that breach the 1840 Treaty of Waitangi. See Waitangi Tribunal, 2020 & 2023, Marine and Coastal Area Act 2011 Inquiry, Stage 1 & Stage 2 Report (WAI 2660). Legislation Direct.
2. I was invited by *Tainui o Tainui ki Whāingaroa* to conduct oral interviews, do archival research, and produce a report for the High Court on their claims under the Marine and Coastal Area (Takutai Moana) Act 2011 evidence. Subsequently, I was invited to give expert witness evidence at the Waitangi Tribunal hearing on the Marine and Coastal Area Act (Takutai Moana) 2011 inquiry.
3. I use *kinship group* as a gloss rather than *subtribe* to emphasize the primacy of *hapū* as a central organizing force in Māori social structure.
4. The settlement is divided into two phases. The 2004 act obliged the Crown to provide Iwi with the equivalent of 20 percent of existing aquaculture space (pre-commencement space), an obligation fulfilled in 2009 by the transfer of NZ\$97 million to Iwi. The act also provides Iwi with 20 percent of new aquaculture space (New Zealand Legislation, Māori Commercial Claims Settlement Act 2004).
5. See Ngā Kōti O Aotearoa (Courts of New Zealand), Marine and Coastal List Applications <https://www.courtsofnz.govt.nz/the-courts/high-court/high-court-lists/marine-and-coastal-list-applications/> and Te Arawhiti (The Office for Māori Crown Relations), Applications <https://www.tearawhiti.govt.nz/te-kahui-takutai-moana-marine-and-coastal-area/applications/>
6. New Zealand Legislation, Marine and Coastal Area (Takutai Moana) Act 2011, <https://www.legislation.govt.nz/act/public/2011/0003/latest/DLM3213131.html>
7. Re Edwards (Whakatohea) (No.2) [2021] NZHC 1023.
8. New Zealand Legislation, Marine and Coastal Area (Takutai Moana) Act 2011, <https://www.legislation.govt.nz/act/public/2011/0003/latest/DLM3213131.html>
9. Only Mandated Iwi Organisations can receive settlement assets. Iwi must show that they meet the, largely corporate, governance criteria in the Māori Fisheries Act in order to be recognized as an MIO.
10. Spat falls are natural events where juvenile mussels (spat) settle in large numbers from the planktonic stage onto surfaces such as seaweed or artificial substrates. These events are crucial for sourcing the wild spat used in the mussel farming industry.
11. Of 800 *marae* situated across Aotearoa, 80 percent are built on low-lying coastal land or flood-prone rivers (Te Rina Kowhai, <https://www.newshub.co.nz/home/new-zealand/2022/05/m-ori-cultural-sites-among-most-vulnerable-to-climate-change-rising-sea-levels.html>).
12. BlueFloat Energy and Elemental Group.

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