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**ARE YOU LISTENING? THE 'VOICE' OF WAITAHA: A
FORGOTTEN PEOPLE**

**WHAKARONGO MAI KOUTOU? KO TE 'REO' O
WAITAHA: HE IWI WHAKAREREA**

A Thesis

Submitted in partial fulfilment

Of the requirements for the Degree

Of

Master of Arts

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By

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Dedication

He hōnore, he korōria ki te Atua,
He maungārongo ki te whenua
He whakaaro pai ki ngā tāngata katoa.

He pou tōu
He awatea te ra
He mutunga pukana
I te Awatea
E Whiti ana!

In the first instance, it is necessary to acknowledge the people of Waitaha and the suffering that they have incurred, in part because of the presence of my people in this land. Ngā mihi nui ki a koutou. He ngākau pouri mo ngā ahuatanga o te taenga mai o taku iwi ki tō koutou rohe, a, mo ngā mahi tūkinō o ngā tau i muri. Noo koutou te mana

I am deeply indebted to the people of Waitaha/Manoeka who gave me their time and their encouragement. Nō reira, kei te tino manawareka te ngakau ki a koutou.

Abstract

This thesis is a study of Waitaha, a Bay of Plenty iwi that has been marginalized through the loss of most of its land, much of its language, tikanga, and mana. The purpose of the work is to communicate, through the ‘voice’ and the history of the people, a chronicle, of their alienation to a Pākehā audience that remains in large part ignorant and distant from their plight.

The thesis is motivated by an academic responsibility to the Treaty of Waitangi and the lack of understanding to the present needs of Māori as evidenced for example, by the support for the January 2004 Orewa speech, by the leader of the National Party, Don Brash. It is predicated upon the understanding that this response, which minimalises the impact of colonization upon Māori, is constructed by many, through a convenience of distance. It is motivated also on the understanding that most Pākehā who now inhabit the rohe of Waitaha, are completely ignorant of the identity of tangata whenua. It is hoped that the presentation of the Waitaha story, will provoke a greater empathy from Pākehā, and thereby facilitate an environment, whereby grievances can be addressed in an environment of greater understanding.

The thesis is a qualitative based research exercise, carried out in consultation with kaumātua and other Waitaha members, and attempts to acknowledge and integrate current kaupapa Māori epistemologies with traditional Western academic methodology. The study uses interviews, Waitangi Tribunal evidence, and other historical references to construct a narrative that conveys something of the ‘voice’ of Waitaha. Specifically, it outlines a chronology of Waitaha settlement, followed by a description of their encounter with Pākehā, the consequent alienation of the majority of their lands by the Crown, and concludes, with a glimpse into the current circumstance of Manoeka, the papakainga of Waitaha.

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Abbreviations

AJHR Appendices to the Journals of the House of Representatives

DB Document Bank

KRDB Kathryn Rose Document Bank

MLC Māori Land Court

MMB Maketu Minute Book

NA National Archives

NZPD New Zealand Parliamentary Debates

RDB Raupatu Document Bank

RMB Rotorua Minute Book

TMB Tauranga Minute Book

Chapter One: Introduction

The genesis of this study, began nearly thirty years ago at Parihaka Pa in the rohe of Taranaki. I had just returned from an extended journey overseas, and friends had taken me from my temporary home in Auckland to visit the home of Te Whiti o Rongamai and Tohu Kaakahi. On arrival, our group of disparate pākehā were greeted by several kuia, known affectionately as the “aunties”. Here I was, a twenty-something year old, who had never been to a marae before, and didn’t even know how to hongī properly. Imagine the looks as I sought to ‘rub’ noses! However that Parihaka visit could be described as numinous or even something approaching an epiphany. The visit was an entrance into a world that I didn’t even know existed – the aroha extended by these ‘aunties’, on what was, at the time a semi –abandoned marae, confronted my mono-cultural worldview and removed a veil that had created a myopic dissonance with regard to the realities of this land.

The journey of discovery has continued since, a journey that has not been characterized by a straight line but with the various vicissitudes of life more like a mountain trail with its many ups and downs. However, one thing has become apparent, like most epiphanies, mine has not met with universal understanding amongst my family and peers. Like Archimedes, I had wanted to shout ‘Eureka’ to my various friends with regard to the wonder of te ao Māori, but was greeted by various reactions, on a continuum which ranged from hostility, ambivalence, and some, who expressed an enthusiasm to share the experience. What became clear however, was that my dislocation from the Māori world, and consequently with a significant portion of the New Zealand landscape was not unique – many of my acquaintances shared a similar background. Exposure to things Māori were often restricted to stories of the Māori Battalion efforts in WW II, the haka before the All Black test, visits to Whakarewarewa and the obligatory singing with muffled words of *Po Kare Ana*, when asked overseas to sing a New Zealand song.

This separation between the two worlds , was less of an issue to many non- Māori prior to the 70s, when the perception of race relations in New Zealand were assumed to be fine, and in fact upheld as a model to the world at large. However in the 70s, a paradigm shift occurred, with what has been termed by some as a cultural renaissance

among Māori with the rise of groups such as Ngā Tama Toa and others. The Land March of 1975, signalled a new development on the political landscape, a development that left many Pākehā New Zealanders bewildered and pondering what had happened to their ‘quarter acre section – pavlova paradise?’ The 80s brought the Springbok tour, Bastion Point, and significant legislation regarding the Treaty of Waitangi. The bewilderment of many Pākehā increased with the publication of some of the findings of the Waitangi Tribunal and turned to exasperation with the resultant settlements for Tainui and Ngai Kahu. The National Party, under the leadership of Sir Douglas Graham, responded to the outcry of their constituents with the ‘fiscal envelope,’ which met with a strong rebuttal from various hui through the motu.¹ Perhaps however, the mainstream frustration found its voice epitomized in the Orewa speech, by the leader of the National Party, Don Brash. This speech ironically entitled ‘Nationhood’, will be covered later in the paper.

My perception is therefore, that despite the gains made for Māori as a result of the Treaty settlements, and consequently for the country as a whole, large sections of the Pākehā community have not embraced the process, and remain either ambivalent or actively hostile. Not only this, but the gap between the two worlds in many instances is increasing and remains at odds with the intentions of the Treaty of Waitangi, an essential document in the process towards a nationhood of political integrity. This dysfunctional relationship is problematic for many reasons, and not the least being because the Treaty of Waitangi envisaged the cooperation between two entities, the Crown and Māori. Within the commitment of the Crown, lies a responsibility to safeguard the positions of tangata whenua, and those who have subsequently settled in Aotearoa/New Zealand. The Crown therefore through the Treaty vicariously represents, not only the interests of Māori, but also Pākehā, who by this means can be seen as co-signatories. There needs, therefore to be a commitment of the three parties (Crown, Māori and tauwi) to communicate and negotiate within the spirit and ethos of the Treaty. This will not be done satisfactorily in the present situation characterised by separation and suspicion.

¹ For example, nearly a thousand Maori from all over the country gathered at Ngāti Tuwharetoa, Hirangi Marae, near Turangi on 29 January 1995 under the leadership of Sir Hepi Te Heu Heu to discuss the ‘fiscal envelope’.

There are signs, that this separation is not irreconcilable however. Two disparate voices in recent times have pointed to the embracing by Pākehā of the All Black haka as an identification of significance. Both Colin James, the New Zealand political commentator in his weekly New Zealand Herald column, and Hone Harawira, Māori Party Member of Parliament, in his maiden parliamentary speech have identified the haka as an example of shared identity.² Harawira went further, and suggested that the Treaty could be embraced in a similar way. Some would suggest that he is drawing a long bow, but surely it is a question of vision – the ability to see a particular landscape not as it is but as it could be.

We could also add to the example of the haka, the shared outpouring of grief and respect seen recently at Turangawaewae Marae at the tangihanga of Te Arikinui Dame Te Ata i Rangi Kaahu. This event like few others of recent times, demonstrated a sense of kotahitanga that would not have been imagined in years previous.

These, however are almost ‘aberrations’ in the context of cross cultural identification by Pākehā, especially if the corporate voice expressed in 2004 at Orewa is a true gauge. This perspective, that wants to minimize the influence of the Treaty, is possibly one that is formed not from an entrenched racial bias, although this tendency is probably innate to all, rather it is possibly more formed through an ignorance that comes from distance. The rugby haka, as a symbol of national unity, is performed in the midst of an activity that unites the two cultures like no other event. Through usage by both cultures, against the backdrop of success by the All Blacks, it is something that has become a part of the New Zealand psyche – evidenced especially by those on their OE or sports representatives, who resort to either Te Rauparaha’s *Ka mate* or *Po Kare Ana* as demonstrations of their identity. There is nothing wrong with this, because these are expressions of the land that are unique to Aotearoa/ New Zealand and are infinitely more powerful as anthems than Waltzing Matilda, especially because of their indigeneity. However, the only thing that does gall is the fact that the performance of these iconic symbols doesn’t necessarily translate into identification with their indigenous source upon return home. There is no reason why identification with the Treaty, and all that that means cannot in time evoke similar feelings of

² November 2005.

passion and pride as the haka. The key is surely a willingness to reach beyond the safety of one's own cultural boundary and participate in the language and the ethos of the other. Māori have certainly done this, not always on a voluntary basis, but they are certainly better equipped at this stage than the majority of Pākehā to process the complexities of a Treaty based nationhood. Who knows, the recent references to Te Rauparaha's haka, which speaks of death and rebirth may be prophetic statements about the Treaty itself. They may also provide for some Pākehā an insight or vision, that identification with tangata whenua is not something to be feared but a gift to be treasured.

It is this vision of 'identification with tangata whenua' that has motivated the present research. *Are You Listening?* is an effort to communicate primarily to Pākehā, through the microcosm of a Bay of Plenty iwi, Waitaha, a story that hopefully will provoke a response of empathy. It can be seen as both a challenge and a cry – a challenge to listen, and a cry to understand something of their story told through their history and their 'voice'. Hopefully, from the microcosm of Waitaha, it is imagined that those 'those who have ears to hear' will be able to extrapolate beyond, to understand some of the aspirations of other Māori, who seek not only redress for the past but who grapple to define a future based upon a dignity of restored identity as tangata whenua – first people of the land. These aspirations require not only a renaissance of Māori vision but an affirmation and cooperation of all peoples. It is this affirmation that would possibly go some way to bringing healing and reconciliation to a country that is still displaying the wounds of past and present division.

Chapter Two: Acknowledgments and Process

At this stage, it is important to describe the development of this research project. The description of this process, may appear at first somewhat drawn out, but hopefully the significance of its inclusion in the study may become obvious.

My previous academic study, included an undergraduate degree in New Zealand Studies undertaken at Waikato University, this included Māori as the support subject, and also involved an immersion component in te reo Māori as a component of Te Tohu Paetahi. Other subjects included studies in the Treaty of Waitangi and tikanga Māori. It was at this time I was immersed for the first time in a milieu that was predominantly Māori, in which perspectives on Aotearoa/New Zealand and the world in general were expressed from a 'Māori view'. At this time, it was reinforced to me again, the difference in the two perceptions.

Included in this degree was a history research paper entitled 'Tauranga and the Mount – "Where Sunshine Spends the Winter"'. It dealt with amongst other things, the public relations 'creation' that is present day Tauranga and the limited input that tangata whenua have had in creating that modern persona. Following that, I completed an honours degree in history, which included a research dissertation entitled 'Te Papa – CMS's Naboth's Vineyard'. The thesis of that paper argued that the land acquisition by the Anglican Church Missionary Society, in Tauranga and the consequent gifting of the land by that mission to the Crown, not only betrayed the trust of tangata whenua of Tauranga Moana, but it also betrayed the humanitarian ideals of the mission agency itself. This research was primarily dealing with a Pākehā story as the word limitations and other restraints concerning kaupapa Māori research restricted my ability to present a more in depth perspective that included the Māori voice.

The above research experiences led me to the desire, to present something of the Māori voice. The desire was not so much, to facilitate Māori speaking to Māori, but

Māori speaking to Pākehā – as the role of an interlocutor.³ In the initial stages the idea formed to present the voice of different Māori through the country, but this evolved to consider the kainga of Manoeka, a small rural community on the outskirts of the prosperous Bay of Plenty town of Te Puke in the rohe of Waitaha.⁴ My present residence is in Paengaroa about eight kilometres from Te Puke, a place I have lived for about twenty-five years. Manoeka was a place that I had visited on several occasions and I had formed relationships with several of its inhabitants from various interactions over the years. One of these was a kuia, Heeni Potene - we had studied together in Te Tohu Paetahi programme at the Tauranga Campus of the University of Waikato. Heeni was the first person I shared the idea of my research with. Born in nearby Te Paamu of Tapuika descent, she had married into Waitaha, and has lived in Manoeka all her married life. Heeni's first response was a measured affirmation to my proposal, and she offered sufficient encouragement for me to continue. As the project has unfolded Heeni has remained steadfastly supportive and has reminded me of the 'appropriate' kawa and directed me to the 'appropriate' people. He mihi nui ki a koe e Heeni!

The next step was to find an academic institution that would support the kaupapa of my research. Initial discussions with the history department at Waikato University, resulted in my being sent to Te Pua Wānanga ki Te Ao – The School of Māori and Pacific Development. There, a serendipitous encounter with retiring Senior Lecturer Dr. Ngaere Roberts paved the way for further progress to be made. After hearing of my desire to communicate something of the story of Waitaha to Pākehā, Ngaere gave immediate encouragement but warned of the complexities, both political and cultural of a Pākehā doing what would be considered 'research on Māori'. This issue will be expanded further in a section dealing with method and methodology. Suffice to say at this juncture however, that since the time of Elsdon Best in the early 20th century and the late Michael King in the late 20th century, research by Pākehā has become

³ Definition: In politics, an interlocutor describes someone who informally explains the views of a government and also can relay messages back to a government. Unlike a spokesperson, an interlocutor often has no formal position within a government or any formal authority to speak on its behalf, and even when they do, everything an interlocutor says is his own personal opinion and not the official view of anyone. Because an interlocutor does not express an official view, communications between interlocutors are often useful at conveying information and ideas. Often interlocutors will talk with each other before formal negotiations. <http://en.wikipedia.org/wiki/Interlocutor>, 11am; 11 July, 2006.

⁴ See Appendix: Maps and Photograph.

problematic for many Māori for reasons that will be addressed later. However, Ngaere whose initial enthusiasm for the project was crucial, gave me amongst other pieces of invaluable advice a gift, she said at the conclusion of that session, ‘I even have a title for your thesis, you should call it, “Are You Listening?”’ For reasons that will soon become obvious, that title has remained. Nō reira, he aroha nui ki a koe, e Ngaere.

Ngaere also advised me, to return to Manoeka to obtain a fuller mandate from the people. Heeni Potene, was again my first point of reference, after several days she invited me to her home in Manoeka and after a cup of tea said, “We need to go for a walk.” We then proceeded down the footpath-less road that divided the houses of Manoeka and visited three kaumatua resident in the village. The first being Macky Watson, the second, Te Ngāti Tamihana, and finally Te Moni Te Moni - a long time resident of Manoeka, who eventually became one of my interviewees. The kaupapa of the research was explained to each of these men; each graciously listened and gave what could be described as a permission to proceed. ‘Yeah, that sounds like a good idea’ would possibly best describe the response. Unfortunately, a few weeks later, one of these initial contacts died, Te Ngāti Tamihana. Nō reira, he mihi nui ki a koutou. Ōtira, takoto mai, ko Te Ngāti i te taha i o mātua tīpuna.

I also sought the advice of Whareotiri Rahiri, one of the Waitaha committee members, who together with several other kaumātua, are responsible for formulating the claims before the Waitangi Tribunal. Whareotiri, a kaiako of Te Tohu Matauranga Māori at Te Wānanga o Aotearoa, ki Tauranga, was equally gracious and supportive of my project and has continued to provide information and encouragement throughout. Whare gave me much of the tribal evidence presented to the Waitangi Tribunal thus his contribution, has been indispensable. I am indebted to both my kaiako at the Wānanga, who nurture this place of learning with patience and wisdom, and who seemingly never tire of my relentless questions. Ki a koe Whare, kōrua ko Pita Borell, he mihi nui.

With these affirmations I returned to Te Pua Wānanga ki te Ao and Tom Roa, to whom I was introduced by Sandy Morrison and Ngaere Roberts. Tom, kindly accepted to become my supervisor and his availability, support, and wisdom have

been invaluable to the project. He has certainly been an inspired choice and without whom this thesis would not have even begun. He aroha nui ki a koe e Tame.



'Are You Listening? – Final Affirmation'! Sketch by Ruth Mayne.

The final affirmation for the project came in a surprising, but quite significant way. A friend of mine, Ruth Mayne, lives not far from Manoeka. In her role as the art teacher at Te Puke Intermediate School she is able to encourage many of the young Māori pupils from within the school. Ruth exhorts them to be strong in their own identity and to develop their own art skills, within a kaupapa Māori framework. Because of her interest in Manoeka and particularly the young people, I shared with her something of my desire to tell their story, significantly I neglected to tell her the projected title of the project. Ruth then related to me a recent experience she had had at the AGM of the local church she attends in Te Puke. During a certain point in the meeting, her attention was caught by the address of a particular kuia, who stood and began to tell the people of the conditions of her people in Manoeka, after describing the needy situation in the village she said, 'Please, I am asking you for some bread for my people...' Struck by the poignancy of the cry and the dignity of the address by the kuia, Ruth quickly began to sketch the woman. At the end of the meeting she went to

the kuia whom she knew slightly and showed her the black and white sketch. It showed a Māori lady, with a design pouring out of one of her eyes....Ruth said to the lady, 'I don't quite understand everything about this drawing, but I feel it is you and the design represents the cry of your heart for your people. However I don't quite understand why the design is only proceeding from one eye'. The kuia looked at her and said, 'Did you not know that I am partially blind? I only have sight in one eye'. However, the significance of the incident to this project really hit home when Ruth explained to me, that after she recovered from the amazement of that 'coincidence' she said to the Manoeka kuia, 'I really felt what you were saying, and I have called this drawing which has sought to encapsulate your cry, "Are You Listening?"; the exact words suggested to me by Ngaere Roberts in my first meeting with her! Ki a koe e Ruth, he arohanui!

Chapter Three: Methodology and Method

As stated previously the whole concept of research within the Māori world has become a much debated topic. The issues are far reaching and complex and deserve considerate attention, not the least because the present study is by a Pākehā which, as will be seen might be considered somewhat of an oxymoron or at least incongruous to some Māori academics. In this chapter, I shall endeavour to trace some of the background to the discussion, highlight some of the contributions of various scholars, and finally outline my own position. Sandra Harding has made a useful distinction between methodology and method, ‘A research methodology is a theory and analysis of how research does or should proceed...’ and, ‘A research method is a technique for (or way of proceeding in) gathering evidence’.⁵ Thus the first part of this discussion will deal with methodological considerations, that is those considerations which help frame the perspective towards the research, and the second part of the chapter will detail method, which are the means and procedures by the research is actually carried out.

According to Judith Binney, who acknowledges Albert Wendt’s statement, ‘We are what we remember; society is what we remember’, states, ‘There have been two remembered histories of NZ since 1840: that of the colonizers, and that of the colonized. Their visions and goals were different, creating memories which have been patterned by varying hopes and experiences’.⁶ This stark statement, apart from anything else, contextualizes New Zealand history within a political framework and proposes at least implicitly, that what has been remembered and presented about the past at least in this country is far from an objective apolitical experience. Binney reinforces this by stating, ‘“The telling of history”, whether it be oral or written, is not and never has been neutral. It is always the reflection of the narrators and their perceptions of their world”’.⁷ Here, Binney is only reflecting the conclusions of many twentieth century historians such as E.H. Carr and others.⁸ Thus the histories of

⁵ Sandra Harding in *Towards the New Millenium: International Issues and Projects in Indigenous Research*, p.19.

⁶ Judith Binney, ‘Maori Oral Narratives, Pakeha Written Texts: Two Forms of Telling History’ in *The Shaping of History, Essays from the NZJH*, p.3.

⁷ *ibid*, p.14.

⁸ Note: See Binney’s statement, ‘ the transmitting of Maori perceptions allows the colonizers to see the perspectives of the colonized – necessary step so that the dominant culture changes its attitudes about its possession of truth’, in *The Shaping of History*, p.13.

Eldson Best and Percy Smith and later scholars including Sir Peter Buck, who sought to reconstruct pre-contact Māori society, have reflected their cultural conditioning, even as other scholars such as Beaglehole, the Ritchies, Joan Metge, and Patrick Hohepa who studied Māori communities in the field reflected their own perspectives.⁹ However, despite the ‘progress’ in Western historiographical understanding regarding the misnomer of ‘objective history’ it is, according to Binney, ‘only recently that Western-trained historians have come to realize that they have been perpetuating colonialist attitudes in their so-called objective histories’.¹⁰

The search for a research methodology which reflected indigenous needs and perspectives grew concurrently with the emergence of the indigenous cultural and political renaissance of the 1970s and 1980s. In the ‘new’ political climate of the 80s even such eminent Pākehā historians as the late Michael King were challenged for doing research on Māori. One of the first Pākehā scholars to raise concerns about the then current research methodologies was Evelyn Stokes, ‘My primary concern was that too many Pākehā researchers were operating within a European-derived worldview, derived from western European educational traditions, and they were failing to comprehend that there were different Māori perceptions of the world, and different values, that might significantly affect the way social policy research could and should be done’.¹¹ Stokes makes a contrast between the European world view and *te ao Māori*, ‘The Māori attitude to knowledge is a holistic one. The past is part of the present and there is a continuing theme of stewardship of knowledge and resources, including land, inherited from ancestors, which is expected to be passed on to succeeding generations. In contrast Pākehā researchers want to label and categorise things and provide a specific chronology’.¹²

Since the mid-eighties, there has risen, particularly within Māori academic circles, a desire to explore new research paradigms within an ethos, consistent with an indigenous cosmology. This exploration has moved from a critique of western historiographical research models to the proposal of paradigms for kaupapa Māori

⁹ Anne Salmond, *Hui*, Wellington: Reed, 1975, p.2.

¹⁰ Binney, p.4.

¹¹ Evelyn Stokes, *Bicultural Methodology and Consultative Processes in Research: A Discussion Paper*, Hamilton: University of Waikato, 1998, p.43.

¹² *ibid*, p.43.

research.¹³ The criticisms included insights into the relationship between colonization and Western research models. Hirini Moko Mead has indicated that this correlation reaches back into the 19th century.

After the land wars of the 1860s Māori tribes lost control over their affairs and the Treaty of Waitangi was put aside. Assimilation and thorough-going domination of the Māori people by settlers became the hallmarks of governments in New Zealand. Education became an important tool of government to put its policies into operation. Knowledge and its dissemination, its collection and publication became Pākehā dominated activity. Research was one of the activities which became a Pākehā monopoly.¹⁴

Even history, that styled itself as Māori history or research was seen by some to be heavily influenced by Eurocentric views and philosophies. According to Wheturangi Walsh-Tapiata, ‘Any attempt to include a Māori perspective occurred by adding Māori ideas to traditional disciplinary frameworks, often resulting in Māori being portrayed negatively’.¹⁵

This movement, towards an indigenous research methodology was a phenomenon that was not only happening within New Zealand, but was happening simultaneously in other indigenous contexts. The Canadian publication, *Reclaiming Indigenous Voice* contained several articles by academics from various indigenous backgrounds. It also included some Māori contributors, one of these, by Graham Hingangaroa Smith argued that indigenous research was, ‘not an argument against science per se; it is an argument for developing a critical perspective on science in order to expose its colonizing potential. Science is not neutral’.¹⁶

¹³ Note: Linda Smith questions whether Kaupapa Māori research is its own paradigm. While she cites Irwin’s support for this concept [K.Irwin, ‘Maori Research Methods and Practices’, in *Sites* 28, (1994), ‘Maori’ p.27], she states ‘Kaupapa Māori research is both less and more than a paradigm. It does set out a field of study that enables a process of selection to occur and defines what needs to be studied and what questions ought to be asked. It also has a set of assumptions and taken-for-granted values and knowledge upon which it builds. In this sense, it fits into some of the ways that a paradigm is defined. However, it is more than the sum of its parts. Kaupapa Māori research is a social project. It weaves in and out of Māori cultural beliefs and values’, in *Reclaiming Indigenous Voice*, p.233.

¹⁴ Mead, ‘Tribal Archival Research: The Ngāti Awa Experience’ in Rachel Selby and Alison J. Laurie’s (eds) *Māori and Oral History: A Collection*, NOHANZ, 2005, p.19.

¹⁵ Wheturangi Walsh-Tapiata, ‘Rangihau mo te iwi – ngā pakanga me ngā hekenga’, in Rachel Selby and Alison J. Laurie’s (eds) *Māori and Oral History: A Collection*, NOHANZ, 2005, p.33

¹⁶ Graham Hingangaroa Smith, ‘Protecting and Respecting Indigenous Knowledge’ in Marie Battiste’s, (ed), *Reclaiming Indigenous Voice*, Vancouver: UBC Press, 2000, p.212.

These statements then, place the discussion about indigenous research methodology in general, and kaupapa Māori research in particular, within the wider dialogue around critical theory. Pihama suggests that, ‘intrinsic to Kaupapa Māori theory is an analysis of existing power structures and societal inequalities. Kaupapa Māori theory therefore aligns with critical theory in the act of exposing underlying assumptions that serve to conceal the power relations that exist within society and the ways in which dominant groups construct concepts of “common sense” and “facts” to provide ad hoc justification for the maintenance of inequalities and the continued oppression of Māori people’.¹⁷

However, Russell Bishop has proposed that critical approaches to research have failed to address the issues of communities such as Māori, and he posits that the development of alternative approaches by Māori are in fact a departure from traditional critical theory.¹⁸ In contrast, Linda Smith proposes that kaupapa Māori research is a ‘local theoretical positioning that is the modality through which the emancipatory goal of critical theory, in a specific historical, political, and social context, is practiced’. Her position is that, the ‘localizing of the aims of critical theory’ is an outworking of what critical theory offers to oppressed, marginalized, and silenced groups, such as Māori who would consequently, ‘take greater control over their lives and humanity’.¹⁹

What then is kaupapa Māori research? Up until now we have restricted the discussion to the negative critique of western influenced models by indigenous researchers. Although it is outside the parameters of the present study to detail a comprehensive response, it is important nevertheless, to give attempt an outline that will contribute towards a definition. For in some ways, to label something Māori research is as unhelpful as to label something Pākehā research. Further to Linda Smith’s statement positioning kaupapa Māori research within the broader umbrella of critical theory, some have found that kaupapa Māori Research is centred around issues of identity, and while being antipositivist, because it is a model grounded in a Māori cosmology,

¹⁷ L. Pihama, ‘Tungia te Ururua, Kia Tipu Whakriritito Te Tupu o te Harakeke: A Critical Analysis of Parents as First Teachers’, MA thesis, University of Auckland, 1993. Cited, by Linda Smith in Marie Battiste’s, (ed), *Reclaiming Indigenous Voice*, Vancouver: UBC Press, 2000, p.228.

¹⁸ Russell Bishop, *ibid* p.228.

¹⁹ Linda Smith, *ibid*, p.228.

‘does not preclude us [Māori] from being systematic, ethical, and “scientific” in the way we approach a research problem’.²⁰ The metaphysical and epistemological foundations of kaupapa Māori differentiate it from a post –Enlightenment Pākehā worldview. According to T.Nepe, ‘[Māori] have a different epistemological tradition that frames the way we see the world, the way we organize ourselves in it, the questions we ask, and the solutions we seek. It is larger than the individuals in it, and the specific “moment” in which we are living. The significance of Kaupapa Māori to Māori language is tied to the connection between language, knowledge, and culture.’ She then cites Sir James Henare, “Ko te reo the kakahu o te whakaro te huarahi i te ao turoa o te hinengaro’ [The language is like a cloak which clothes, envelopes and adorns the myriads of ones thoughts.] For Nepe, however, kaupapa Maori, is not synonymous with matauranga Māori or even a Māori epistemology. It is rather, ‘a way of framing and structuring how we think about the ideas and practices’.²¹ Thus kaupapa Māori as the ‘conceptualizing of Māori knowledge’ provides the framework for any indigenous research model.²² This concept, resonates through the proposals of many influential Māori scholars.

The influential conference of 1998, Te Oru Rangahau provided a platform for many Māori researchers to outline their position on rangahau Māori. Jill Bevan-Brown in her presentation has identified ten components of Māori research.²³ These components which are now summarized below, synthesize many of the concepts of Māori researchers already referred to, and form some of the guidelines for the present study. The key aspect shared by all and already referred to in Nepe’s work, is that, ‘Māori research must be conducted within a Māori cultural framework’. This means it must proceed from a Māori world view that is influenced by Māori epistemological concepts and reflect the different components of te ao Māori – these would include reference to tikanga Māori, mātauranga Māori and te reo Māori. As an example of this perspective Bevan-Brown points to Mason Durie’s Whare Tapa Wha model –

²⁰ Linda Smith, ‘Re-centring Kaupapa Māori Research’, a paper presented at Te Matawhanui Conference, Māori Studies Department, Massey University, 1995, quoted in *ibid*, p.229.

²¹ T.Nepe, ‘E Hao Nei e Tenei Reanga: Te Toi Huarewa Tipuna, Kaupapa Māori, an Educational Intervention System’, MA Thesis, University of Auckland, 1991, p. 15.

²² *ibid*.

²³ Jill Bevan-Brown, ‘By Māori, For Māori, About Māori – Is That Enough?’ in *Te Oru Rangahau*, Palmerston North: Te Pūhahi-a-Toi, 1998, pp.231-245.

taha wairua (spiritual health), taha tinana (physical health), taha hinengaro (emotional/psychological), and taha whānau (family health).²⁴

Consequently, in order to reflect this framework, Māori research needs to be conducted by people who have the necessary cultural, reo, and subject expertise required - this would also reflect a commitment to things Māori, and the trust of the Māori community being researched. A corollary of this trust is that Māori research should be focused on areas of importance and concern for Māori people and result in positive outcomes for them. It should arise out of their self-identified needs and aspirations.

Further to these basic methodological principles, Bevan-Brown maintains that, ‘as much as possible, Māori research should involve the people being researched as active participants at all stages of the research processes’.²⁵ This would include them having significant control over the research in order that the declared cultural frameworks of the research is being performed as stated. Thus there is accountability by the researcher to those being researched. This is in contrast to the ethos referred to by Evelyn Stokes, who said, ‘There is an attitude in the Social Sciences that the individual researcher has some sort of divine right to investigate whatever topic he or she chooses’.²⁶

Pākehā Researchers?

Running alongside these proposals of indigenous research paradigms, has been the parallel discourse that has considered the role of Pākehā researchers within te ao Māori. Within this discussion is the vital question: what place is there for Pākehā in an indigenous research? This kaupapa has been very ably explored by Linda Smith, Mason Durie, Russell Bishop, and others, and will now be covered.

The discussion on Pākehā involvement has ranged from the already mentioned concerns of Evelyn Stokes, to the more recent works of Linda Tuhiwai Smith. As Smith has phrased it, ‘One can ask, for example, if a Pākehā can be involved in

²⁴ *ibid.*

²⁵ *ibid.*

²⁶ Evelyn Stokes, *Bicultural Methodology and Consultative Processes in Research: A Discussion Paper*, Hamilton: University of Waikato, 1998, p.43.

Kaupapa Māori research? The answer based upon current definitions is complex'.²⁷ Smith suggests that while it might be possible for a Pākehā to be involved in kaupapa Māori research, the involvement would need to be conditional upon a negotiated relationship with Māori. Kathy Irwin however, takes a more 'extreme' position that restricts kaupapa Māori research only to Māori who work within the confines of certain tikanga. These include being culturally relevant and involving the mentorship of kaumatua. Irwin's position also precludes kaupapa Māori research being defined as research by Māori per se. In other words kaupapa Māori research needs to be 'undertaken by a Māori researcher, not a researcher who happens to be Māori'.²⁸ However, according to Bevan- Brown; 'More important than a person's ethnic origin is their cultural, reo, subject, and research expertise. While the first preference for involvement in Māori Research is, unanimously, Māori with these prerequisite skills and qualities, where Pākehā possess them it is acceptable that they also engage in Māori research'.²⁹

In contrast, Russell Bishop, the Māori educationist, places his model of kaupapa Māori research within the framework of the Treaty of Waitangi.³⁰ By doing this he provides Pākehā with an 'opportunity', as treaty partners to be involved in Māori research. In fact, Bishop goes further and claims that if Pākehā researchers absent themselves from this challenge, it is an abrogation of their responsibilities as Treaty partners.³¹ His other reason for Pākehā involvement is more pragmatic, 'there is', he says, 'a cohort of highly-skilled, professionally trained non-Māori who are becoming bicultural and are willing to work within Māori controlled contexts'.³² For Bishop, the involvement of non-Māori in doing research in the Māori world fits into a broader social context. Speaking primarily within his concerns for Māori educational aspirations, he states, 'The pursuit of social justice is a task that all New Zealanders must be engaged in. The temptation to interpret tino Rangatiratanga as simply leaving

²⁷ Linda Smith, *Reclaiming Indigenous Voice*, by Marie Battiste (ed), Vancouver: UBC Press, 2000, p.227.

²⁸ Kathy Irwin cited in *Reclaiming Indigenous Voice*, by Marie Battiste (ed), Vancouver: UBC Press, 2000, p.227.

²⁹ *ibid*, p.234.

³⁰ Russell Bishop, *ibid*, p.227.

³¹ Russell Bishop cited in Evelyn Stokes, *Bicultural Methodology and Consultative Processes in Research: A Discussion Paper*, Hamilton: University of Waikato, 1998, p.50.

³² Bishop, cited in Stokes, *Bicultural Methodology*, p. 50.

Māori people themselves to solve the problems of inequitable educational outcomes now that Māori educational initiatives are gaining ground, is to ignore reality of the post-colonial construction'.³³

Despite Bishop's argument for the involvement of non-Māori, Linda Smith reveals that there are concerns that remain about the involvement of non-Māori in kaupapa Māori research. She rightly states, that the issue will continue to be a controversial one. Smith herself rejects the concept of cultural sensitivity as a qualification for Pākehā involvement as being too simplistic. The strategy of becoming familiar with the language or culture, she likens to, 'knowing all about the kina, on its own it is not quite enough to gain access or to find your way around the inside of the culture concerned'. To Smith, even a strategy of 'full immersion' is problematic, for the non-Māori researcher is still able to interpret their experiences through 'cultural baggage lenses'.³⁴

It should be noted at this juncture that the push towards a kaupapa Māori research model has not been without its critics within New Zealand academic circles. Research by the eminent Pākehā scholar, Ann Salmond, was lambasted by Peter Munz, former professor of history at Victoria University. He criticised Salmond's award winning work *Two Worlds: First Meetings between Māori and Europeans*, and in a hard hitting review accused her amongst other things of being 'politically correct' and as 'having hitched herself to a new style of writing about the past.'³⁵ He claims the book only received its acclaim and attention, because it has not yet been subject to genuine scrutiny and that 'people are more interested in erecting monuments to the past than in an intelligent appraisal of it.'³⁶ He believed the book is fashionably post-modern, biased and philosophically confused.³⁷ In summary, apart from the post-modern accusations, Munz seemed to be declaring Salmond, more sympathetic to te ao Māori than the civilization of the West, 'which had developed beyond tribal stage' - a clear indication that for him European society displayed a more advanced evolutionary

³³ *ibid.*

³⁴ Linda Smith, *Māori Research Ethics: A Literature of the Ethical Issues*. Hamilton: University of Waikato, 2002, p.9.

³⁵ Munz, Peter, 'The Two Worlds of Anne Salmond in Postmodern Fancy-Dress, in *New Zealand Journal of History*,(NZJH) Vol.28, No.1, April 1994: pp. 60-75.

³⁶ Munz, *NZJH*, p.60.

³⁷ *ibid*, p.60.

status.³⁸ Thus for Munz, Salmond's 'preference' for Māori not only lacked even-handedness but was also ill-founded. Although Salmond defended herself against accusations of cultural bias and post-modernism,³⁹ Munz's attack on her position represents a view that New Zealand academic historical analysis needs to be 'rooted in the study of Biblico-Graeco-Romano-European history'. He maintains, 'it is here that we can understand the concept of history as a special way of interpreting the past. Only when a secure grounding in this concept has been achieved it is possible to think of extrapolation... If the study of non-European history is allowed to become more than an adjunct and replaces the study of European history, it will be a ship from which the bottom has been removed: sooner or later it must sink'.⁴⁰ Munz's position if nothing else highlights the significant difference between a 'traditional' Western-trained academic and the position of Linda Smith, Russell Bishop and others.

He has however, received support for at least one of his criticisms from an unlikely source. The Māori historian Buddy Mikaere commented, 'As a Māori I find it frustrating to suspect that beneath an academic veneer is condescension... while Salmond's Pākehā sources are subjected to severe scrutiny, the Māori ones are accepted at face value.'⁴¹ Mikaere, a former Waikato University history teaching fellow, has confirmed his position recently. 'I've seen nothing in recent times to change my view – Māori history coming out of an oral tradition – in the manner of oral history – always reflects the politics of the present, i.e. history suits the "teller" – this is particularly evident in the Waitangi Tribunal where tribal histories reflect favourably on the claimants for example, so as to give a greater emphasis to that tribe or hapū over another... What I am saying is that it is possible to bring some rigour to the analysis of Maori history – its just that most academics don't do it'.⁴²

With these controversies in mind, it is important to note that during the late 1980s and early 1990s, there was a marked increase in the number of published tribal histories, particularly from within the universities, for example; Ruka Broughton, Ko ngā

³⁸ *ibid*, p.64.

³⁹ See Ann Salmond, 'Antipodean Crab Antics,' in *NZJH*, Vol.28, No.1, April 1994, p.78.

⁴⁰ Peter Munz, 'The Purity of Historical Method: Some Sceptical Reflections on the Current Enthusiasm for the History of Non-European Societies', in *NZJH*, Vol.5, No.1, April 1971.

⁴¹ Mikaere, Buddy. Cited in Jenny Chamberlain and Deborah Coddington, 'Two Worlds' in *North and South*, September 1992, p.82.

⁴² Buddy Mikaere, personal communication via email July 14, 2006.

paiaka o Ngā Raura Kitahi, MA, Vic Uni, 1979; AC Lyall, Whakatohea of Opotoki, Wellington, 1979; Jane McCrae, Participation: Native Committees and Papatupu Block Committees in Tai Tokerau, MA, Auck. Uni, 1981; DD Munn, Ngā Manu: an ethno historical account, MA, Auckland Uni, 1981; Gail Dallimore, The Land Court at Matakaoa, MA, AK Uni, 1983; Wharetoroa Kerr, Te Tahaaroa a Ruapuutahanga, MA, Ak Uni, 1983; JAW Steedman, Ngā Ohaki o ngā whanau o Tauranga Moana, Tauranga, 1984; Neil Grove, Te Whatanui: traditional Māori leader, MA Victoria, 1985; JM McEwen, Rangitane, a tribal history, Wellington, 1986; S.Melbourne, Te Manemanerau a te Kawanatanga: a history of the confiscation of Tuhoe lands in the BOP, MA Waikato, 1987; Henare Tate, (ed), Karanga Hokianga, AK, 1987; Wiremu Hohepa, Te Marae o Te Mahurehure, MA Massey, 1989.⁴³ These works were opportunities to outwork some of the issues being raised by Māori research theoreticians.

Pertinent to this study, were two doctoral theses, one a tribal study of Tuhoe by Jeffrey Sissons, Te Mana o te Waimana: Tuhoe history of the Tauranga Valley, PHD, Ak, 1985; the other a study of Tainui elder, Heeni: A Tainui Elder Remembers, by American anthropologist, Mary Kay Duffie. The significance of these two studies is that they both brought with them an awareness of the difficulties involved as non-Māori researching in te ao Māori. Sisson's position is worth citing in some length:

‘At the heart of this work is a dialogue, an extended conversation begun with the elders of Te Waimana that is as much about the nature of historical understanding as it is about the past. A fundamental precondition for such an engagement must be a recognition that ways of speaking and writing the past vary greatly between cultures and that within any particular culture they are shaped historically. In this book I have sought to identify and give voice to some distinctly Tuhoe modes of historical understanding that were formed and transformed within a colonial encounter....[U]ntil recently, the writings of Pakeha historians have remained firmly rooted in the documentary products and bi-products of colonialism –official ‘surveillance’ reports, correspondence, memoranda and inquiries – and the culturally specific perspectives that they embody. The tendency to subordinate localised oral interpretations of events to those derived from ‘documents of state’ meant that Maori voices became but distant karanga. In this work I have attempted to move towards a more bicultural history by juxtaposing and counter-pointing interpretations derived from documents with those of local Tuhoe historians in the hope that each will inform the other and that the contours of Tuhoe historical understanding will,

⁴³ Monty Soutar, Tribal History in History, in Rachel Selby and Alison J. Laurie's (eds) *Māori and Oral History: A Collection*, NOHANZ, 2005, p.4.

thereby, be thrown into sharper relief. I am only too aware that there is much that remains in the shadows.’⁴⁴

In a criticism of previous Pākehā efforts he stated that historians such as Elsdon Best, ‘sought to force Tuhoe traditional history into the mould of Western historical thinking. This entailed performing three operations upon Tuhoe historical knowledge – objectification, adjudication and ‘historicisation’ – the combined effect of which was to depoliticise Tuhoe history and so neutralise its mana....Historians speak and write for their own times. Tuhoe ways of speaking the past are changing; so too are texts of Western-trained historians as they seek to decolonise their writing’.⁴⁵

Duffie in her work, acknowledges the inspiration she received from the seminal works *A Yaqui Life* and *Black Elk speaks*. The narratives of these two Native Americans provided for Duffie new insight into the Yaqui and Lakota cultures, ‘in terms of ethnography, history, and colonialism’.⁴⁶ She noted that the combination of subjective and objective perspectives broadened her understanding of the colonial process through its impact on individual lives. Her presentation of Heeni Wharemaru is an attempt to synthesise the subjective and objective approach by letting Heeni speak within the thesis in her own words, juxtaposed with an anthropological, historical, and postcolonial analysis. Duffie explained:

In the 1990s, literary critics and ethnic-studies practitioners accused anthropology of being intellectually colonial, focusing on an objective, scientific view of human cultures, while ignoring important personal and subjective data. In their view, the imbalance distorts the accuracy of cultural presentation... Their argument stems from an imbalance in the representation of two kinds of available scholarship used for viewing and interpreting indigenous cultures.⁴⁷

Methodology of Are You Listening?

The present work, *Are You Listening*, while taking a more polemical stand than either Sisson’s or Duffie’s work is also an attempt at synthesis - the integration of an objective and subjective perspective, and at the same time an attempt to bridge the scholarship of the two cultures. Yet it is too simplistic to state that either of these

⁴⁴ Jeffrey Sissons, *Te Waimana: The Spring of Mana*, Te Whenua Series, No.6, Dunedin: University of Otago Press, p.286.

⁴⁵ *ibid*, pp.288 -289.

⁴⁶ Mary Kay Duffie, *Through the Eye of the Needle: A Māori Elder Remembers*, Florida: Harcourt College Publishers, 2001, p.xiii.

⁴⁷ *ibid*.

positions (subjective and objective) are the exclusive categories of contrasting cultures as if they are mutually exclusive to each other. While much has been made of the analytical processes of so-called Western scholarship, and the metaphorical interpretative approach to the past by indigenous society, the influence of post-modernism and the call by some Māori academics to engage critically with a scientific worldview mitigates against simplistic categorisation.

As an attempt to locate the 'voice of Waitaha' within a political context, I have also included the 'voice of the other,' that is selected Pākehā. On a continuum however, between objective analysis and subjectivity, this thesis is weighted more towards the latter. Even the historical analysis is based primarily, but not totally upon Waitaha evidence before the Waitangi Tribunal. It is subjective therefore, because it is essentially the presentation of the Waitaha kōrero, apart from the initial juxtaposition of the Pākehā voice.

The thesis poses a rhetorical question, and posits a challenge, primarily to non-Māori New Zealanders, Are you listening to the voice of Waitaha? The responsibility for analysis therefore is weighted more towards the hearer than the interlocutor. The messenger's responsibility is to convey the message. Pākehā stand accused of not seeing and not caring - This thesis is a partly a response to that accusation.⁴⁸

The Pacific writer Albert Wendt, who scorned the dichotomy of dualism and the role that the 'so-called objectivists' have played in the description and the influence of people, has said, 'Objectivity is for such uncommitted gods. My commitment will not allow me to confine me to such a narrow vision'.⁴⁹ In line with Wendt, Are You Listening? does not shelter behind a claim of impassive objectivity and disinterested equanimity. It is predicated upon the assumption that the voice of people such as Waitaha, has not been given an 'objective' opportunity in the past to speak. This study then, eschews the normative Western academic approach of dispassionate impartiality and consequently, presents a perspective that will be seen by some as one-sided. Such a criticism is warranted, if the piece is seen as a standalone study;

⁴⁸ Linda Tuhiwai Smith, 'Towards the New Millenium: International Issues and Projects in Indigenous Research' in *Te Oru Rangahau*, Palmerston North: Te Pūhahi-ā-Toi, 1998, p.20.

⁴⁹ Albert Wendt in G.Amirthanayagam's (ed), *Writers in East-West encounter: new cultural bearings*, London: Macmillian, 1982, pp.205-215.

rather it needs to be seen as a monologue, in response to another longer running monologue – that of a political majority that has not shown great skill or willingness to engage on an equal basis with a silenced minority.

Otherwise, where does it fit methodologically within the already mentioned parameters of kaupapa Māori Research and specifically the ‘problem’ of Pākehā involvement? This thesis is motivated by a commitment to an academic responsibility to the Treaty of Waitangi consistent with Russell Bishop’s argument. This plus its overt political goals, place it within the critical theory approach suggested by Linda Smith. However, whether culturally it fits within her ‘kina’ analogy is for others to judge. Nevertheless, there has been an attempt to honour kaupapa Māori principles of consultation, accountability and a sense of responsibility to Māori needs.

With special reference to Pākehā attitudes and the current political climate, this study will hopefully contribute on both a theoretical and political level. It adds to the theoretical knowledge by its contribution to kaupapa Māori research, particularly the ongoing debate around Pākehā involvement. It also explores ways in which subjective realities can be included within an academic research paradigm. On a political level, the study implicitly challenges some current Pākehā perceptions about the impact of colonization and Government moves to ‘short-circuit’ Treaty claims. Hopefully therefore, the study ultimately contributes to a milieu of greater understanding. This milieu will ultimately benefit Māori as they seek to regain their mana as tangata whenua, including the associated rights as guaranteed in the Treaty of Waitangi.

Historiographical Interpretation

From an historiographical perspective, the narrative *Are You Listening?* is a form of ‘public history’.⁵⁰ This is defined by Giselle Byrnes as ‘any critical representation or interpretation of the past for public consumption’.⁵¹ It is also ‘postcolonial’, something Byrnes describes as ‘inherently political and politicised, and cannot be considered objective’.⁵² Byrnes makes the important distinction between ‘postcolonisation’ and ‘decolonisation’. Citing Edward Said, she has described

⁵⁰ Giselle Byrnes, *The Waitangi Tribunal and New Zealand History*, Melbourne: Oxford University Press, 2004, p.4.

⁵¹ *ibid.*

⁵² *ibid.*, p.188.

postcolonialism, as ‘an attitude, rather than an epoch. It is a perspective that critiques, and in a political sense, seeks to undermine the structures, ideologies and institutions that gave colonisation meaning’.⁵³ Decolonisation, on the other hand ‘signals that the colonisers have left and relinquished their authority, postcolonialism implies a continuation of that power.’⁵⁴ According to Byrnes, Said has defined ‘postcolonialism as a part of the process of decolonisation, maintaining that postcolonialism does not stand in opposition to decolonisation, but complements and even progresses it’.⁵⁵

As Brynes has rightly commented:

Implementing the aims of postcolonialism represents a challenge to the heirs of the colonisers too. The attempt to ‘unpick’ or disentangle the effects of colonialism, and its impact on the present, is motivated by the desire to restore the integrity of the colonised. How then are those who are part of the colonising group (or descendants of the colonisers) to define themselves in opposition to a process in which they are potentially complicit? This is especially acute in New Zealand for Pakeha who seek justice for Maori and demand recognition of Maori Treaty rights.⁵⁶

Her searching question, requires more than can be provided in this methodological section. However, as one who surely sits within Brynes’ category, may I offer the present study as a heart contribution and while probably ‘naive’ on many levels, is made in the knowledge that the conversations of the land continue to frame the social, political and economic outcomes. Criticisms of the type brought by Byrnes are surely important, and as stated need more attention, but they cannot be allowed to create an introspective impasse, which only allows for the dominant discourse such as that demonstrated at Orewa, to go unchallenged in the meantime. On a macro – level there is possibly nothing new in the story of Waitaha, that hasn’t been experienced and recorded elsewhere. However, as one interviewee said, ‘I think your thesis has an appropriate name, because it’s the Waitaha story, and as far as I understand the Waitaha story has never been told’.⁵⁷

⁵³ *ibid*, p.5

⁵⁴ *ibid*.

⁵⁵ *ibid*, citing Edward Said, *Culture and Imperialism*, Knopf, New York, 1993, pp.259-61.

⁵⁶ *ibid*, p.189.

⁵⁷ Reg Te Moni, *Interview*.

Method

I will now look at the ‘method’ employed to tell the Waitaha story, a method, that as has been explained, should fit within a kaupapa Māori and western academic perspective. The ‘permission’ by Manoeka kaumātua and kuia, to undertake the study was an essential first step; this process has been described in the previous chapter. Although their voice has been essential to the study, it also includes the perspectives of younger men and women, as I felt it important to represent more than one component of the Waitaha demographic. The various people ‘chosen’ for the interviews were some of my own contacts and others were those suggested to me. Although not all the people spoken with were Waitaha in the first instance - some had married into Waitaha, all had lived in Manoeka for many years and identified with the hopes and aspirations of the tangata whenua, if only for the sake of their children and grandchildren who are now Waitaha.

Six people were interviewed and the evidences to the Waitangi Tribunal of five others were given to me to include in the study. These testimonies have proved an invaluable source of information, and because they are transcripts of kōrero they are used to represent the ‘voice’ of Waitaha in the same way as the interviews. The interviews took place in the homes of the interviewees, who were made aware of the aims and goals of the study. Despite these ‘goals’, they often turned into conversations, to some extent guided by the participants, as I sought to let them ‘tell their own story’. The text that is drawn from the transcripts of the taped interviews is interwoven into the historical narrative. In the main, they have been cited *verbatim*, however slight editorial changes have been made to transpose dialogue into prose sentences and to delete some oral idiosyncrasies such as ‘ums and ahs’. Repetitions have also been deleted. Unfortunately, given the restraints of the present study, large portions of the kōrero have not been included. A further study, on a more micro-level, that traced the story of these participants, would be a fascinating and illuminating exercise.

The chronicling of the historical overview has been drawn from the interviews, the oral submissions to the Waitangi Tribunal and also I have also used several Crown Forestry Rental reports, particularly those that relate to claims before the Tribunal in the Central North Island and Tauranga Moana. Of particular relevance to this project has been the work of Mary Gillingham, whose report for the Treaty of Waitangi

Research Unit has examined the relationship between Waitaha and the Crown since 1860. The other reports relevant to my thesis are the reports of H. Basset, L. Head, J. Koning, O'Malley and Ward, O'Malley, H. Riseborough, K. Rose and Evelyn Stokes. The latter's *A History of Tauranga* and D.M.Stafford's *Te Arawa: A History of the Arawa People*, were also important resources. The information drawn from these sources all combine to represent the 'voice' of Waitaha.

Words and phrases have been included in te reo Māori. In some instances these have been translated and in others they have been left unexplained within the Pākehā text. The use of te reo in this way can be seen as an acknowledgment that Aotearoa/New Zealand has two official languages and therefore its use is both a contextual and political decision.

As stated previously, the thesis is substantially subjective in its approach and the 'version' of events as given by Waitaha has not been questioned, and as such is duplicated here. Because the thesis represents the 'voice' of Waitaha, it is not the prerogative of the study, to subject their perspective to analysis; this 'analysis' needs to be performed by the hearer.

Chapter Four: Pākehā Position

The purpose of this chapter is to contextualize the thesis and the challenge that is inherent within *Are You Listening?* In other words, to whom is the study addressed and why? As stated, the audience of the thesis is non-Māori, and therefore it is important to demonstrate some of the positions that could be characterized as Pākehā. On one hand, there is no more a Pākehā position any more than there is a Māori position on anything, and there are certainly many Pākehā, who hold different perspectives than are represented here. However, this thesis is not a quantitative analysis of the Pākehā demographic in Aotearoa/New Zealand, but a selective representation of several views. However it is my assertion that this microcosm, is reflective of a wider Pākehā constituency; nevertheless it is outside the scope of this study to qualify this statement further. Still, the argument of the thesis, can at least be applied to the specific positions stated within this chapter, but is probably also applicable to a wider unspecified non-Māori populous.

Pākehā expressions about issues that concern many Māori are certainly many and varied; but a recent comment by a talk-back caller to the sports programme hosted by the New Zealand Sports Broadcaster of the Year, Murray Deaker, perhaps summarizes the feelings of many. Their comment was, “These calls for the [implementation of the] Treaty of Waitangi are guided by misguided guilt from the past”.⁵⁸ That this call was to an avowed non-political sports programme and was given tacit support by the programme’s host makes the comment even more significant.

The second example, is from a recent op-ed article in the Otago Daily Times. Peter Entwistle, a Dunedin art curator, and historian has titled his piece, ‘*Finders, Keeper, Losers, Weepers....*’.⁵⁹ The essential argument behind his writing is that, whatever is in the past is behind us and cannot be retrieved. The writer uses an example from his own family history, whereby his paternal grandmother sought in the 1920s to find redress in the courts for a case of perceived injustice. One of her husband’s ancestors in the 18th century had sold some land to someone who never paid him in full.

⁵⁸ Murray Deaker on Newstalk ZB, 19 March, 2006.

⁵⁹ Peter Entwistle, *Finders, keepers, losers, weepers...* in Otago Daily Times, Thursday, July 6, 2006, p.9.

However, the case failed in court because of the statute of limitations - a result that Entwistle concurred with. He then extrapolates from that example, to the situation of Māori today. He says, 'We can no more acquire retrospective moral responsibilities collectively, than we can as individuals and none of us is guilty of the sins or our ancestors. So far as the Treaty of Waitangi is concerned, nobody has inherited any real grievance or obligation from the distant past'. Referring to his grandmother's claim, he rejects any rights she might have, because it wasn't her or even her father that sold the land in the first instance.

When it comes to the Treaty of Waitangi, modern claimants are in variations of her position. They didn't own the property themselves. It's beyond guessing if they ever would have inherited it if their ancestors had never lost it. It has been argued that impoverishment of Maori following misappropriation of Maori land in the 19th century has continued and is responsible for many modern ills. That is contentious, but even if it were true it wouldn't establish a moral claim to that misappropriated property. What can be argued plausibly is that living citizens have a duty to look out for the wellbeing of others now alive, to make sure nobody falls below certain poverty levels and all are provided with adequate health and education. This is a much better moral foundation from which to launch an improvement of disadvantaged Maori and other citizens' conditions.

Entwistle concludes his article, 'The Treaty of Waitangi "process" was embarked on by people meaning well, but without any clear mandate, and with a lot of muddle about these issues. Now we have people genuinely aggrieved against the living, and resentful over paying for things they didn't do'.⁶⁰

Entwistle's position is significant for several reasons. Importantly, for this study it highlights a considerable difference in perception regarding the past and the Treaty of Waitangi compared to the iwi of Waitaha, who are at present bringing a claim before the Waitangi Tribunal. His position could be described as an Enlightenment inspired worldview, which prides itself on individual rights and scrupulous logic. Although it is not the purpose of this hypothesis to analyze these Pākehā positions in great detail, they serve as distinct contraviews to many of the voices expressed in this study. The North American indigenous scholar, Elazar Barkan has made some pertinent observations that present an indigenous contrast to Entwistle's thinking:

Our conventional notion of justice is founded on Enlightenment principles, which see inalienable human rights as accruing to individuals. Today, we have begun to recognize that while preserving individual rights remains a necessary

⁶⁰ Entwistle, *ibid.*

component of human rights, this is in itself is no longer satisfactory because individuals cannot enjoy human rights if their identity as members of a group is violated... What has emerged may be called neo-Enlightenment morality – a political sense that groups have rights similar to those that have been traditionally reserved for individuals. Group rights have come to dominate the political agenda in negotiations over the rights of indigenous peoples and are also pertinent to any non-sovereign national group.⁶¹

Barkan's analysis certainly represents the perspectives of Waitaha who consistently see themselves as part of a whole, in a past that is still before them.

Perhaps the best known, and arguably the most representative Pākehā position of recent times, has been that expressed, by the leader of the National Party Don Brash at an address to the Orewa Rotary Club on 27 January 2004. This speech entitled *Nationhood*, outlined something of Brash's vision for New Zealand. The speech is represented in detail because of its political significance and because its 'voice' is the voice of 'the other' – that person or group of people 'Are You Listening'? is addressed to.

In the speech, Brash outlined five main priorities that were concerning him at the time. The final priority, which he addressed on that particular occasion, 'is the drift towards racial separatism in New Zealand, and the development of the now entrenched Treaty grievance industry'. He continued,

We are one country with many peoples, not simply a society of Pakeha and Maori where the minority has a birthright to the upper hand... What sort of nation do we want to build? Is it to be a modern democratic society, embodying the essential notion of one rule for all in a single nation state? Or is it the racially divided nation, with two sets of laws, and two standards of citizenship, that the present Labour Government is moving us steadily towards?... Over the last 20 years, the Treaty has been wrenched out of its 1840s context and become the plaything [sic] of those who would divide New Zealanders from one another, not unite us. In parallel with the Treaty process and the associated grievance industry, there has been a divisive trend to embody racial distinctions into large parts of our legislation, extending recently to local body politics. In both education and healthcare, government funding is now influenced not just by need – as it should be – but also by ethnicity of the recipient.

⁶¹ Cf. Elazar Barkan, 'Amending Historical Injustices: The Restitution of Cultural Property – An Overview' in *Claiming the Stones*, Los Angeles: Getty Research Institute, 2002, p.11.

Brash continued his speech with his own revisionist view of history, that denied any ‘utopian’ perspective of the past – especially any thought that Māori were, ‘wise ecologists, mystical sages, gifted artists, heroic navigators and pacifists who wouldn’t hurt a fly’. Although Brash acknowledges there were injustices in the past, and that they should be acknowledged by a ‘gesture of recompense’. He denies though, any real sense of present responsibility:

None of us was around at the time of the New Zealand wars. None of us had anything to do with the confiscations. There is a limit to how much any generation can apologise for the sins of its great grandparents.... Too many Maori leaders are looking backwards rather than towards the future. Too many have been encouraged by successive governments to adopt grievance mode’... [we] must build a modern, prosperous, democratic nation based on one rule for all. We cannot allow the loose threads of 19th century law and custom to unravel our attempts at nation-building in the 21st century.⁶²

Again, it is not within the scope of this thesis to analyze the National leader’s speech in any great detail, but rather it is offered as a point of reference to locate the discourse of this study. For as one political commentator has noted, Don Brash’s speech ‘was so successful in boosting National’s popularity that the party still has a link to it from its front page more than 18 months after it was delivered’.⁶³ The Orewa speech of 2004, has now entered into common New Zealand parlance, in much the same way as 9/11 has entered into American vernacular. It is for this reason that Brash’s voice is offered as one of the Pākehā voices in juxtaposition to the ‘voice’ of Waitaha in this study.

Finally, the turangawaewae of the subjects of this study, the iwi of Waitaha, are their marae Hei and Haraki.⁶⁴ These marae are located in Manoeka in the rohe of Te Puke, a township established by Pākehā in the 1870s. The perspective of many of the Waitaha people spoken to, is that most of the Pākehā in the district have no real knowledge of who they are and what their history is. In response to this I have subsequently asked countless Pākehā, Who are the tangata whenua of this district? Or,

⁶² Don Brash, Nationhood, http://www.national.org.nz/speech_article.aspx?ArticleID=1614, July 11, 2006.

⁶³ Note: the Orewa speech is still linked from the National Party’s homepage as of July 11, 2006. Frogblog, <http://blog.greens.org.nz/index.php/2005/08/29/teaching-illusion>, July 11, 2006.

⁶⁴ See Appendix.

who are Waitaha? The question in the main has been met with a puzzled silence. The present story of Waitaha belongs to people such as these.

Chapter Five: Te Takapū o Waitaha a Hei

Te Tahuna o Rangataua

E noho au i te papa o taku tahuna
Rangataua;
Te Tauranga o ngā waka
Titiro runga ki taku maunga,
Kei Otawa, ko to Takakopiri,
Ko te Kahureremoa.
Kei Pukemiro te hua o a raua kai,
Rari noa mai,
Whai iho ki to raua horoi kiri,
Kei Te Rerekawau,
Whakaheke iho i te au o Kaiate,
Hono atu ki te awa o Waitao,
Te taonga o a raua kai.
Pae atu ki Paepaekohatu,
Papa mahue,
Te nohonga o te tini,
O te maha,
O Waitaha e!
Tū rangatira a Kopukairoa,
Titiro iho kia Maunga mana,
E awhi ra i a Tamapahore,
Ia Tahuwhakatiki,
Me Whetu-o-te-Rangi,
Ngā marae nohoanga,
O ngā mano o ngā Papaka-o-Rangataua.
Whakawhiti atu au te awa o Waitao,
Ki Ngapeke-e-maha,
Tirahatanga o taku kuia,
Rahera Te Kahuhiapo,
Whakawhiti atu au ki Otukopiri,
Moenga roa o te maha o Ngāti Pukenga.
Whakawhiti atu ano au ki Te Tokitoki,
Ekenga o te kōrero,
Te ika huirua a Hikapa.
Awhio atu au te tahuna o Rangataua,
Ki te Hu-o-te-Tuhi,
Puahanga o ngā roimata mahana o taku wai ariki.
Titiro runga au ki Te Auhi,
Whatoro iho ki Te Oue,
Ki Te Puru,
Ngā papa mahue,
Aue te mamae e! Tipoka atua au ki Te Maire,
Hikoī atu ki Maungatapu,
Pa o Te Ariki,
Ko Ngāti He,
Takahi atu au Popoti ki Te Ngaio.

Huri ake au kei Waikari,
Ko Tapukino,
Kei Hunghungatoroa ko Tapuiti,
Huri atu au te mutunga o taku haere kei Oruamatua,
Kainga mahue,
Ekenga o te tauki,
Paruparu te kai,
Tū taniwha te tangata,
E kokoia,
E are e!

I rest on the shores of my harbour,
Rangataua;
Where the canoes landed.
I glance up at my mountain
Otago, where dwelt Takakopiri and
Kahureremoa, at Pukemiro, their source
Of food, readily available, following
Down to their washplace Te Rerekawau,
Drifting down with the current of
Kaiate, joining the Waitao stream,
Where they steamed their food.
Banking up against Paepaekohatu,
The abandoned Pa where resided the multitudes,
O Waitaha, e!
Kopukairoa stands challenging, glancing down
Towards Maunga Mana, embracing Tamapahore,
Tahuwhakatiki and Whetu-o-te-Rangi, the
Marae where dwelt the multitude of
Ngā Papaka-o-Rangataua
I cross the Waitao river to
Ngapeke-e-Maha, where rests my ancestress,
Rahera Te Kahuhiapo, I cross Otukopiri,
Final resting place of many Ngāti Pukenga.
I cross again to Tokitoki, culmination
Of the declaration, double victim of Hikapa.
I traverse around Rangataua.
Sand banks to Te Hu-o-Te Tuhi, where spurts
The warm tears of my hot pool.
I look up Te Auhi, reaching across to
Te Oue, to Te Puru, abandoned Pas,
Oh the Pain! I cut across to Te Maire, then
Stepping across to Maungatapu, residence,
Of the High Chief, Pa of Ngāti He,
Striding across Te Popoti to Te Ngaio.
I cross over to Waikari, where dwells
Tapukino, at Hungahungatoroa is Tapuiti,
I turn to complete my journey at Oruamatua,
Abandoned home where the proverb was confirmed
Mollusc their diet, the men as demigods awake,

Arise, e!

Nā Hokurua Himiona rāua ko Bill Ohia.

This lament describes the relationships between the different hapū of Tauranga Moana and refers to the abandoned Pas after the confiscations of the 1860s, thus is a suitable waiata moteatea to introduce the experiences of Waitaha.⁶⁵

This chapter introduces some of the ‘voices’ of Waitaha. It is these voices that have helped to shape the core of the thesis. It also presents a selective synthesis of the formative history of Waitaha, drawn from various sources including Pākehā and Māori historians and Waitaha kaumātua. Much of it is presented by Tame McCausland, Waitaha kaumatua and historian, and one of the members of the Waitaha claim committee before the Waitangi Tribunal. It is not intended as an exhaustive whakapapa of the iwi, but is shared to provide background understanding of their tupuna and migration to the area, now known as the Western Bay of Plenty.

People of Waitaha

‘My name is Thomas McCausland, [Tame]. My grandfather was Huriana Haana from Waitaha, who married Te Urukehu Hekenui Karaka of Ngati Rangiwewehi. My mother was Anikanara, the tenth child. My father was Thomas Albert, of Patuwai from Motiti, and Ngāti Pukeko and Ngāti Awa of Whakatane. My mother was also Ngāti Ranginui. She was Ngāti Hei and Ngāti He, Ngai Te Ahi, Ngai Tamarawaho. She is also Ngāti Pikia, Ngāti Rangiwewehi, Ngāti Whakaue, and Tūhourangi. I would also like to indicate her side to her mother Huriana and her father. She is a descendant of Te Hikapa of Waitaha and Taupa and Hinernagimarino. My third sister was named Hinerangimarino. I was born in Motungarara, on the land of Huriana. Motungarara is the area that is now referred to as Manoeka. “Manoeka” refers to the 1,000 acre grant from the Crown. I have spent most of my life living in Waitaha. I came back from Motiti when I was in Standard Five. The family came to a tangihanga

⁶⁵ Given to me by Whareotiriri Rahiri.

at Hei and we ended up staying here. I had the feeling in me that this was where I had to stay'.⁶⁶

'My name is Whareotiriri Rahiri. I descend from Waitaha, I descend from my tupuna Takakopiri. The people of Manoeka are referred to as Te Whānau o Te Iwikoroke. There are three branches to Waitaha, this is only one branch – the whānau of Te Iwikoroke, the other whānau are the whānau, Te Pukuohakoma and Te Whānau o Kaumaramaoa. I reside in Manoeka and I stay in Te Puke. Hei is my marae. Hei is our tupuna whare. Ottawa is our maunga. Te Raparapaahoe is our awa. Takakopiri is the tangata; Waitaha is our iwi; Te Arawa is our waka'.⁶⁷

'My name is Heeni Potene, I am from Tapuika really, and I married into here, into Waitaha. My husband was Poari Potene. My youngest has got his Christian name, Hirini, that name that was meant to be the family name, which they stopped. Our koroua, Potene, stopped at his own Christian name. So we came to be Potene rather than Hirini. Engari, so the land that we are on here [Manoeka] is all Hirini land, it is all Potene/Hirini whenua. My husband died nineteen years ago, my youngest Hirini was only six years old when he died. He never got into this house, never got to live here. They were building the foundations of this when he died. Ae, and that's how long we have been here'.⁶⁸

'My name is Reg Te Moni, I am forty eight years old and I have lived most of my life in Te Puke and Manoeka. I work for a local Waitaha Hauora, this is the local health consortium. My father is Te Moni Te Moni, or Monty as he is known, a local kaumatua here. My mum is part and Waitaha and part Scottish. I am born and bred in Manoeka and married to Sadee, who is Tuhoe. We have been married for twenty-five years now. We have two girls. The oldest girl is Whitney Arihia, named after my grandmother on my Dad's side. She is at university in Auckland and my youngest girl Waiora, is still at Tauranga Girl's College. She is in the sixth form. I connect to Waitaha through my grandmother Wharepouri Te Moni. She is a Clarke, and married my grandfather, Toāra. So my grandfather is connected basically to Tapuika, but my

⁶⁶ Tame McCausland, Evidence on Behalf of Waitaha, 16 Feb 2005.

⁶⁷ Interview with Whareotiri Rahiri, 16 June, 2006

⁶⁸ Interview with Heeni Potene, 19 June 2006.

Dad and my family chose to build their whānau home, their papakainga on my grandmother's side. However, if we were to follow the whakapapa on my grandfather's side we would be more related to Tapuika'.

'My name is Te Rauoriwa Te Moni. I am married to Reg Te Moni. I came from a family of five children. My father was Taua and my mother was Arihia Clarke Mōrunga. My Dad is Ngā Tuhoe, sub-tribe Ngāti Haka. I was born and bred in Waiahou, which is a little valley between Te Teko and Murupara near the Mahahina Dam. My mother was Ngā Puhi, Ngāti Hine, she hails from Pipiwai, just down from Whangarei, under the mountain Motatau. Reg and I met when I came over here to do a horticultural cadetship twenty-five years ago'.⁶⁹

'My name is Ben Skudder Jnr. I am from here [Manoeka]. I was brought up here. My Mum lives in that pink house across the road. I was brought up with the Te Moni's over the back here. Reg and them looked after me. That's why I call him 'bro'. Monty and his wife brought me up when my mother and father couldn't handle me. I was about six or seven months, straight off the breast. And so I grew up here, this for me is home'.⁷⁰

'My name is Riko Te Kehua o Te Rangi Ahomiro. I am a direct descendant of the Hakaraia line, through my father Paora Enoka Ahomiro. My parents are Paora Enoka Ahomiro and Gwendoline Audrey Wilkinson. My grandparents on my father's side were Titihuia Taupa and Hona Ahomiro, then Hori Hohipera Hakaraia Taupe and Te Aruhe Wihapi, then Pine Retimana and Taupe, then Hakaraia Tipene and Ritene, then Tipene Kura ['old' Hakaraia]'.⁷¹

'I was born Maru Haerepo Poihipi Tapsell. I am Waitaha through both my mother's and my father's lines. My father was Wiremu Kameta Poihipi and my mother Kiriata Tapsell, who recently passed away. My father and mother are both also Ngāti Pikiāo. When I was born our old people from Ngāti Rangiunuora and Te Takinga of Ngāti Pikiāo gave me the name Maru Haerepo Poihipi. On my father's side to Ngāti

⁶⁹ Interview with Reg and Sadee Te Moni, 24 June, 2006

⁷⁰ Interview with Ben Skudder, 7 August, 2006.

⁷¹ Evidence of Riko Ahomiro on Behalf of Waitaha, 16 Feb 2005.

Whakaue, or more specially Ngāti Tunohopu, I am the great-great grandson of Rakitu Haere Huka. Rakitu was the daughter of Haere Huka, of Ngāti Tunohopu, and Ngatomokanga, who was Waitaha. Haere Huka was also linked through his mother to both Maruhaere (Ngāti Whakahemo) and Waitaha. On my father's side Poihipi is a direct descendant of Tahuwera, the son of Waitaha. Tahuwera married Pikiranga who was the daughter of Uruika, who also travelled on the Te Arawa canoe. I have full knowledge of my whakapapa to Matamoho, Taunga, Tutuaroa, and Tahuwera and how they link down to the Waitaha descendants Makino. On my mother's side both my maternal grandparents descend from Ieni and Retireti Tapsell, the sons of Hans Tapsell and Hini-I-Turama, who was Ngāti Whakaue and Ngāti Raukawa. Like my grandfather Whenuariri, I was brought up as a tamaiti whangai (a child adopted by the old people) by my maternal grandparents at Maketu. I carry the name Tapsell and that was important to them. As a child and young person I learnt many of the old stories, place names and tikanga and kawa'.⁷²

My name is Te Moni te Moni, I was born in December 1935. Although I live in Waitaha (Manoeka), my whakapapa comes down the Tapuika line, so my grandfather was Te Moni and his wife was Titirahuia, and then my uncle was born, then my Dad and another uncle. My Dad, Toāra married Wharepouri Kawana. There were eleven of us in the family. I can't remember how many boys and how many girls. I was born in Papamoa, but I moved up to Manoeka when I was about nine years old. We actually moved onto my mother's land. Although my father had land of his own, my mother wanted to stay back here on her land. She whakapapas into Waitaha. She inherited land from her parents. It was actually her grandparents who had the land because she is actually Ngā Puhī. Her grandparents are from here. That is where she obtained her Waitaha whakapapa'.⁷³

⁷² Evidence of Maru Haerepo Poihipi Tapsell on Behalf of Waitaha, 16 Feb 2005.

⁷³ Te Moni te Moni, Interview, 15 June 2006.

Historical Background of Waitaha

‘Our tupuna have always lived along the coast extending from Mauao to Maketu, from the time that Te Arawa arrived here. Inland Te Arawa have the ngawha, we have the salt waters.

Our ancestors Ngāti Ohomairangi built Te Arawa for the migration to Tiriti Moana, the land that was discovered by their tupuna Kupe. The waka was launched at Rangiatea in Hawaiki, and was steered on course in line with the star Whakaahu. The waka followed Te Tohora me te manu (the whale and the albatross). They had our knowledge and they became our kaitiaki. The waka was nearly lost when it was pulled into a whirlpool Te Korokoro o Te Parata. Through karakia Ngatoroirangi managed to rescue the waka.

Our tupuna Hei was on board Te Arawa, along with his son Waitaha. Hei and his brother Tia were the sons of Atua Matua by his wife Karika. Houmaitawhiti was one of their brothers, so they were the uncles of Tamatekapua.

Te Arawa landed at Whangaparaoa in Tai Tokerau. After leaving Whangaparaoa, the canoe travelled east and landed on an island they later named Te Poito o te Kupenga o Taramainuku. While there, Tamatekapua pointed to the summit of this windswept mountain and named it Moehau and claimed it for his final resting place. Hei stood and made a taumau claiming Te Whanganui a Hei, which is in the area known as Te Ha o Hei (or Hahei as it is known today.)

The older brother of Waitaha was Tahuwhakatiki. He got off at the area referred to as Whangarei today, and his descendants are Ngāti Hei and Ngāti Wai. The mountain at the entrance to Whangarei Harbour is Hikurangi, named after the son of Tahuwhakatiki.

As Tamatekapua had done, other rangatira onboard claimed parts of the land by naming specific landmarks as the waka travelled along the coast. As the waka came around Te Rae o Papamoa, Hei made his claim, ‘Ka huri mai a Te Arawa i Te Rae o Papamoa ka tohuhia e Hei mai i waho o te moana te tapapu o taku tama o Waitahanui a Hei.

It was our tupuna Hei who laid the mauri on Papamoa, when he claimed the mana of the land for his son Waitaha. Hei stood up first and pointed claiming an area for his son, 'Te takapū o taku tama, o Waitahanui a Hei'. The last point he mentioned was Te o Kurei o Papamoa. This was a prominent point on the northern end of the Papamoa hills. This area is also referred to as Te Rae o Papamoa. The meaning was explained as this: 'He wahine, he wairua ia. E taapapa ana. Te roroa o ngā makawe hei awahi i ona uri'.

Tia, the twin brother of Hei, then stood and made his claim to the land for his son, 'Te takapū o taku tama, o Tapuika nui a Tia.

The waka continued on its voyage, and Naki made the claim to Motiti: 'Te Moutere i Takoto mai ra ka Taipana e ahau. Ko te Motiti nui o Naki'. As the waka approached Maketu, Tamatekapua stood up and said, 'Te o kurei na, mo akua whakatupuranga, ko te Kureitanga o taku ihu.

Te Arawa briefly rested at Maketu, where Ngatoroirangi built a tuahu, and then they continued travelling on the Whangaparoa at the East Cape, naming further landmarks as they went.

On their way back, Te Arawa was beached at Te Awa o Te Atua. It was there that Ngatoroirangi told Tamatekapua to seek the assistance of his tuakana Toroa, who was the captain of the Mataatua. Toroa had a special karakia. Tamatekapua followed Ngatoroirangi's advice and requested Toroa's assistance. Toroa and Tamatekapua decided that Te Awa o Te Atua would be the boundary between Mataatua and Te Arawa.

Te Arawa followed Tainui back up to Moehau to a place we know as Te Wharekawa today. Te hui ngutu uma whakamutunga o nga waka, Ka tangi tikapa mai a Tainui kia Te Arawa, Ka tangi tikapa atu a Te Arawa kia Tainui.

Maketu is sacred to us as the final resting place of Te Arawa.

Hei is buried at Moehau, along with Tamatekapua. Hei took Tamatekapua back to Moehau. He was sick and he had his last kai at Papamoa.

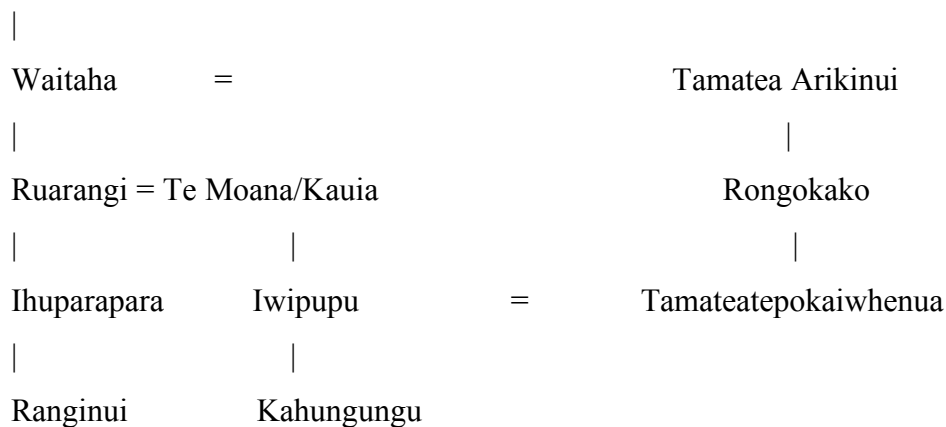
Waitaha

Waitaha was the son of Hei and Ngataiwhakaki. The sons of Waitaha settled along the coast. Waitaha is said to have 22 children. Waitaha married Te Ngaruhora, Ruapotango, and Irakau. The children of these unions were Te Manutohikura, Naaia, Mura, Ruarangi, Kumaramaoa, Tutauanui, Rongomaitane, Tatauaroa, Tahuwera, Matamoho, Tumatunui, Taunga, Tuterangiharuru, Kuri, and Papawhero.

I will now speak of how the sons of Waitaha who radiated out to occupy and claim the mana over the coast from Ngā Kuri a Whare (now Katikati) right through to Otamarakau.

Te Manutohikura settled on Maungamana on Papamoa and he shared occupation with Tamatea Arikinui of Takitimu. Straight out from the beach at Maungamana is a place called Otira and it was from here that a sad event occurred which caused the departure of Kahungungu from the district. Kahungungu broke the tape of offering the first fish back to Tangaroa. His brother Whaene picked up the snapper up and hit him across the chest with it. The incident was reported back to his grandfather Tamatea Arikinui, and he had to leave.

Hei



Naaia occupied the Papamoa Pa. this is located above the rock face referred to as Te Rae o Papamoa.

Mura went to Hauraki.

Ruarangi occupied pa on Te Rae o Papamoa known as Te Ihu of Ruarangi and Karangaumu. The daughters of Ruarangi, Ihuparapara and Iwipupu, married

Tamateapokaiwhenua. From this union came Ngati Ranginui and Ngati Kahungunu. Waitaha refer to this period as Ranginui a Hei. At the time of Ruarangi, Waitaha and Ngāti Ranginui were linked and it wasn't until Ranginui II, that the lands were divided at the Waimapu River.

Tutuanui occupied Waimapu in Tauranga. Tutuanui was an ancestor of Haraki, who married Te Iwikoroke. However, Haraki also descends from Ihuparapara through Ranginui. Taiwhanake II was her teina.

Rongomaitane occupied Tuhua (Mayor Island). His descendants became known as Ngāti Whitikiore.

Tutauaroa was the first rangatira to occupy Mauao, along with his sons Taiwhanake and Kinonui. Tutauaroa then left Taiwhanake and Kinonui on Mauao and moved to Otamarakau with his other sons Pou and Tuahuriri. Tutauaroa and his sons settled the area from Pukehina to Otamarakau. They were known as Waitaha. Later on, they changed the name to Ngāti Makino, after Makino married Te Rarereao of Waitaha. Tahuwera and his younger brother Taunga occupied inland at Matawhaura, Rotoiti, and Rotoma. Tahuwera married Pikirarunga, daughter of Uruika, who came on Te Arawa. Ngati Pikiroa also descends from this union.

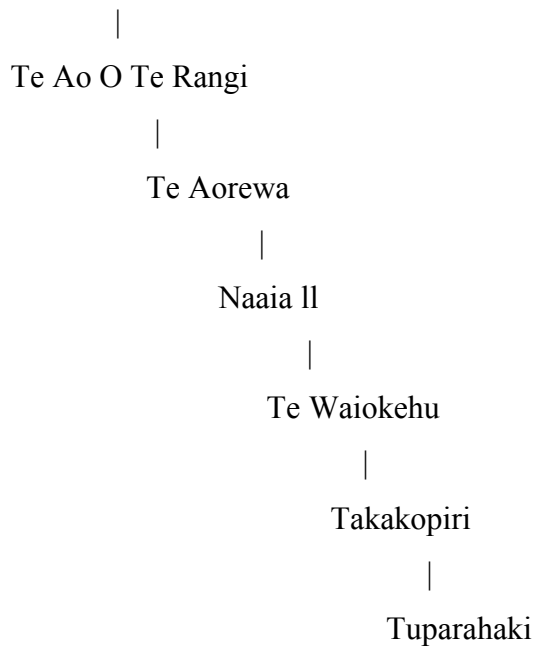
Matamoho and Tumatuanui settled the area from Waihi to Pukehina.

Kuri went down to the Te Wai Pounamu along with his nephew Tuahuriri.

Papwhero was the daughter of Waitaha. Her great-granddaughter Papwharanui married Rangitihi, and from this union came Tuhourangi. In this way the descendants of Waitaha occupied the coast of from Ngā Kuri a Whareī (Katikati) right through to Otamarakau. Our tupuna belonged to these lands and to the sea that lapped the shores, as did the generations that followed.

Te Manutohikura, the tuakana of Waitaha and his first wife Te Ngaruhora, carried the mana of Waitaha in an unbroken line down to our tupuna Takakopiri.

Te Mautohikura



The hills called the Papamoa range today are known by our people as Te Uku o Takakopiri (te uku is a red clay). Before the time of Takakopiri, they were referred to as Te Uku o Waitaha. The range stretches from Otanewainuku to Te Rae o Papamoa puta atu ki Owhaaro.

Te o Kurei o Papamoa and Te Rae o Papamoa are situated just below and in front of the Papamoa pa. This is a rock face shaped in the form of a person's forehead. It was the last point mentioned by Hei when he stood to proclaim the taumau for his son Waitaha. Papamoa, 'He wairua, he wahine, he roroa ona makawe'. Her appearance was that she was lying on her stomach with her arms and hands under her chin and her long locks of hair were used by mokopuna to hide in when trouble was near.

There are many pa on the hills of Te Uku o Takakopiri. Spiritually, those hills are the papatupu (birthplace) of our people. For hundreds of years those hills have given birth to us, provided us with the sustenance necessary for daily life, and sheltered us in times of war. The number of pa in the hills attests to their strategic significance.

Otawa is our maunga. No matter where you are from, Tauranga to Katikati, Ottawa is always visible. Ottawa is the maunga of Takakopiri. He is buried in a cave in those hills. Hence our whakatauki:

Ko Ottawa te Maunga

Ko Hei te Tupuna
Ko Te Raparapaahoe te Awa
Ko Takakopiri te Tangata
Ko te Putaratara o te Tuunui
Tahuhu whakairinga korero
Tu te Ihu tu te Wanawana
Tai tu te wehi o te moana
O punga ee e mauri
Ko Waitaha te iwi
Ko Te Arawa te Waka

It was Takakopiri who laid on Te Uku o Takakopiri the parawhenua of his tupuna Atua Matua and Karika, who were the parents of Hei. It was decided amongst the Waitaha chiefs of the time that Takakopiri would return to Hawaiiiki to collect the parawhenua.

Takakopiri laid the jawbones of Atua Matua down at the top of a gully. The places where he did this are called Te Okere o Tua and Te Okere o Mua (meaning top and lower jaw bone). Together these places are known as Te Okere o Atua Matua. The second parawhenua Takakopiri laid was called Te Pitaratara o Karika (meaning the cervix of Karika) and this was placed at the bottom of the gully.

By placing these sacred body parts on the hills Takakopiri was placing the tapu of his tupuna. Those sites are tapu as a result. The effect of these actions by Takakopiri was to claim the mana for Waitaha to the hills and the surrounding district.

In time Takakopiri conferred the mana of the land to his grandsons, who were brothers Te Iwikoroke and Kumaramaoa. Kumaramaoa was chief of the Tauranga side of the Te Uku o Takakopiri, while Te Iwikoroke held mana over the Maketu side

of the ranges. The boundary between the two brothers was named Te Aore o Kumaramaoa, while the Te Puke side of Otawa belongs to Te Iwikoroke.⁷⁴

Waitaha identifies five principal hapū. These evolved from the marriages of Te Iwikoroke; Ngāti Haraki, (or Waitaha tuturu), Ngāti Te Moemiti, Ngāti Reremanu, Ngāti Kahu and Ngāti Te Puku O Hakoma. It were these hapū that occupied the lands of Waitaha. In summary, then, the extent of Waitaha's land interests in Tauranga Moana and the Bay of Plenty 'in ancient times' extended from Katikati in the north to Maketu in the south. After several generations, Waitaha occupied the eastern side of Tauranga Moana. Their area ran from the Waiari River northward along the coast to Mauao, around the shore of the Tauranga harbour to the Waimapu River, along that river into the ranges, then turning south-west on the eastern side of Otanewainuku to the watershed of Te Rerenga stream, then along that stream to where it met the Waiari Stream.

'The old people spoke about the foundation of our people, and of our ahi kaa. They talked about a lot of the sites where Waitaha people used to live, and here battles were fought, and where pa were sited. The old people referred to the foundation of the area of Waitaha as Te Korowai o Wai o kehu ko Te Iwikoroke. The phrase refers to the cloak or mana of Te Iwikoroke and connotes the Te Iwikoroke side of Waitaha. The area it includes runs along Te Uku o Takakopiri, from Otawa to Te Rae o Papamoa down Karamara to Te Repehunga on the coast and then along to Otumatawhero, and hence inland to Te Kopua (a pa at the bend of the Kaituna River,) up the Kaituna River to the Waiari River, and then along Te Rerenga Stream to Otanewainuku, including Whakauma and Waoku blocks.

Ngati Ranginui

Our relationship with Ngāti Ranginui has always been strong. This goes back to Haiwaiki prior to the departure of the great fleet to Aotearoa. The tupuna Waitaha had a sacred rakau. This rakau was called Puwhenua. This rakau was given by Waitaha to Tamatea Arikinui to build the Takitumu waka. This was the genesis of a relationship that carries down to the present day. Upon the arrival of the Takitumu and the Te Arawa, Ngā Marama were one of the tribes living in Tauranga. With the support of

⁷⁴ Tame McCausland, 'Evidence on Behalf of Waitaha' before The Waitangi Tribunal, 16 February 2005.

Ngāti Ranginui, Waitaha were able to subdue Ngā Marama and as a result the lands of Tauranga were divided between Waitaha and Ngāti Ranginui. Ngāti Ranginui occupied the western side of the Waimapu River and Waitaha occupied the eastern side. Ngāti Ranginui on one side are of Waitaha descent... The common boundary line between Waitaha and Ngāti Ranginui is the Waimapu River. We support our whanaunga in Ngāti Ranginui and that is why we do not go over the Waimapu River’.

Te Arawa

‘Waitaha are still part of Te Arawa. We will never lose that. We have strong links with Waitahanui a Hei, at Otamarakau on the other side, who are also known as Ngāti Makino, but their ahi kaa is on that side. It is stated that all of Waitaha are Ngāti Pikiāo. It is also stated that all of Waitaha belong to Ngāti Parua. Ngāti Parua is a hapū of Ngāti Pikiāo. Those are the very strong cross-relationships into the Ngāti Pikiāo side. We are also connected to Tuhourangi, and to Ngāti Whakaue and Ngāti Rangiwewehi. They are important because they give us turangawaewae there. However, I think the shareholdings are not large ones. For instance, I think if all my family put their Ngāti Whakaue shareholdings together, it would not be sufficient for a house site. In terms of economic base, those interests don’t really figure.

However, Waitaha are not part of the Te Arawa Confederation of Tribes. I’ve always been brought up on that kōrero. This has been confirmed by two kaumatua from Tapuika also. Waitaha have never belonged to the Te Arawa Māori Trust Board. That means our interests are often overlooked because when the Crown wants to consult with Te Arawa iwi it tends to go directly to talk to the Trust Board.

Tapuika

Waitaha and Tapuika have always had a close relationship. This is only natural given our common tupuna and our proximity as neighbours. Waitaha and Tapuika are first cousins, having descended from the twins Hei and Tia, and marriages between the lines have strengthened the ties.

The Waiari River has always been the boundary between Tapuika and Waitaha. That boundary has never varied since it was decided upon by Hei and Tia.

Tapuika and Waitaha have always exercised their rangatiratanga over their respective sides of the river. At times, Tapuika have had access to the resources in Waitaha's rohe and vice versa, but that has only occurred with the consent of the tangata whenua. For instance, in the late 1860s Tapuika had maara in Te Puke. Waitaha chief Tarakawa became concerned that Tapuika intended to settle permanently. Hakaraia told Tapuika to go to Rotorua to see Te Meneti. At his suggestion, Waitaha held a hui and selected Te Meneti to go and see Tapuika. It was at that point that Tapuika returned home.

Given the interrelationship between Tapuika and Waitaha, it was only natural that Waitaha and Tapuika would intermarry. Rights in land were not acquired by marriage, but the children of those marriages gained rights by ancestry. The descendants of those marriages can claim the Waitaha whenua through their Waitaha side and Tapuika through their Tapuika side.

Our close relationship with Tapuika made us natural allies in battle. The battle of Poroprohuamea was a very important battle in which Waitaha and all our allies were called in to assist Tatahau, the leader of Tapuika at Maketu.

Battles with Ngaiterangi

We were told about the conquest by Ngaiterangi of the area spreading east from Mauao. There were many battles, and the old people were clear that Ngaiterangi did not win all of them. However eventually Ngaiterangi became dominant on the coast, up by Mauao and on the coastal areas radiating from there. They secured their position by intermarrying into Waitaha lines, and it was through these intermarriages that their descendants gained the mana to the land. In tikanga you have no rights if you are living on your wife's land and that is why Ngaiterangi adhere to the stories of conquest, to emphasise the dominance of the Mataatua lines. However, we remain adamant that the dominance of Ngaiterangi was only established on the coast down by Mauao and in some of the inland areas. Even then, their interests were not absolute. We remained close relations and our rights were not extinguished. For example, Waitaha still had rights to collect kai moana at Mauao, Tauranga harbour and Te Repehunga (now Papamoa domain). Furthermore, we say that Waitaha interests prevailed inland and along the coastal stretches from Papamoa back towards Te Puke.

It is true that at one point Ngaiterangi did hold control of the coastal area down to Maketu. Te Arawa eventually succeeded in pushing Ngaiterangi back along the coast towards Mauao after the battle of Te Tumu.

I would also like to mention the great chief Te Waharoa in my kōrero. Te Waharoa was of Ngāti Hauā, but he had strong connections to a number of tribes in the region; he was descended from Tamangarangi of Waitaha, who married Hauā. After the battle of Te Tumu, Te Waharoa stated that he wanted this coast to be left open as a highway for all to pass through. That statement indicated that Te Waharoa wanted to preserve safe passage for all, and that he didn't want fighting over it.

It is true that the battles continued for some time following the battle of Te Tumu, but Ngaiterangi never came back to stay in the area stretching from Papamoa. Following the battle of Te Timu, there were three pa that we took, Te Taumata, Te Papa, and Ongare. The leading chiefs were Te Kou o Rehua, Rauroha and Taraia, these chiefs were Waitaha.

Waitaha were never absent from our lands. In times of war, the movement was thrust and parry (karo pare). Even when we went away in times of trouble, our mana and the mauri of the land remained. It was never permanently occupied by anyone else. Ngāti He or Ngāti Hei or Ngāti Hoko came over from time to time, but they all claimed their karangatanga under Waitaha (through their whakapapa connections into Waitaha).

When the fighting was on, our women and children were taken up to the hill pa for protection. That way if the men were all killed, Waitaha would not die out. In the big battles we went inland to Waeranga. When it quietened down, we came back. We did not come back alone; our whanaunga came back with us.

Following the end of the wars with Ngaiterangi, we returned to our lands. We came back under Hakaraia. Haere Huka also escorted Waitaha and Tapuika, and stayed for a further two years to prevent anyone else coming onto the land. Haere Huke was staying on his mother's side, as his mother was Puawe of Waitaha. Tuhoirangi also escorted Waitaha.

We went back to the coast again. We still exercised our mana over the resources of the sea. We would go down there for kai moana. We went to Mauao, Te Repehunga, Te Okuroa, the whole coastline. All of Te Arawa have rights to Maketu'.⁷⁵

⁷⁵ Tame McCausland.

Chapter Six: Waitaha's Land Interests Prior to 1840

‘When I picked up the book *Te Puke*, it does not give the information about the original occupiers of the land. Because there is very limited information in the book – that book actually became like a Bible in most of the schools in Te Puke for finding information about Te Puke...the information is very sparse. It is just a reflection of the way that Waitaha have been treated’.⁷⁶

The purpose of this chapter, as well as continuing and expanding on the historical overview begun in the last chapter by Tame McCausland, is to reveal the extent of Waitaha's land interests leading up to the signing of the Treaty of Waitangi in 1840. This date is significant for a number of reasons, but particularly so when the issue of the Tauranga Moana raupatu is examined in later chapters. The overview also helps to contextualize the complex dynamics around the later claims on Waitaha lands by various hapū and iwi.

By the turn of the 19th century Waitaha's lands were reduced, because of an invasion by Ngāti Rangihouhiri of the Mataatua Canoe, an East Coast iwi, who later became known as Ngaiterangi. Under siege from Te Atianga a Hauiti, Ngāti Rangihouhiri negotiated a withdrawal from their home in Opotoki after some confrontations with East Coast chief Waho-O-Te-Rangi. The displaced iwi sailed around the East Cape, on a journey that has become known as Te Heke o Rangihouhiri. The iwi stayed for a time at Hakuranu, Opotoki, Whakatane, and Maketu and finally settled around Mauao and as already mentioned became the dominant iwi of the Tauranga rohe.⁷⁷

The landing at Maketu by Ngāti Rangihouhiri resulted in several skirmishes, including the battle at Poporohuamea, which involved both Tapuika and Waitaha, and their supporting whanau allies within Arawa. The two iwi then retreated to their respective land bases at Rangiuru and Waitaha respectively, and Ngāti Rangihouhiri remained in possession of Maketu.⁷⁸ With the death of Rangihouhiri at the battle of

⁷⁶ Whare Rahiri, Interview.

⁷⁷ <http://www.ngaiterangi.org.nz/page9.html>, 27/07/2006.

⁷⁸ D.Stafford, *A History of the Arawa People*, Auckland: Reed Books, 1986, p.33.

Poporohuamea, the tribe became known as Ngaiterangi and a short lived peace settlement was negotiated between the opposing factions.⁷⁹ Ngaiterangi continued to live at Maketu while the rest of Arawa moved south.⁸⁰

The peace was broken with the killing of Taurawheke, a sole survivor of a Waitaha fishing party, by Ngaiterangi. A renewed period of fighting ensued, that ended with Ngaiterangi attacking Waitaha's interests at Mauao – sources locate this battle known as the battle of Kokowai around the mid- 1870s. This battle which saw the defeat of Waitaha extended the mana of Ngaiterangi as far as the Wairoa River. According to Pirirakau historian Peter Rolleston, they settled the coastal zone which included, Maketu, Papamoa, Magatawa, Matapihi, Matakana, Rangiwaea, Motuhoa, and Ngā Kuri a Whare. At places like Otumoetai, Te Papa, and Mangatapu, the mana was shared with Ngāti Ranginui with some influences from Waitaha. Significantly, the Ngāti Ranginui and Waitaha boundary along the Waimapu River did not change. Since the time of Takarua, the Tauranga tribes have been at peace and have united against common foe. Hence the pēpeha that reflects this: 'Ka wehea ngā whenua, Ngaiterangi ki te Moana, ko Ngāti Ranginui ki te tuawhenua - The lands were separated, Ngaiterangi to the sea, Ngāti Ranginui to the land'.⁸¹

The Nga Puhi Invasion, 1823.

Waitaha occupied their ancestral lands between the Waimapu and Waiari Rivers until the Ngā Puhi attack on the Arawa at Mokoia in 1823.. Their incursion was in retaliation for the killing of some of their people by Arawa toa in 1822.⁸² Hongi Hika, armed with muskets, arrived in Tauranga with his forces in early 1823, and was joined by some Ngaiterangi. As a consequence of the Ngā Puhi threat, Waitaha and other Arawa iwi retreated inland, which resulted in a major reconfiguration of the settlement pattern of the coastal Arawa tribes, including Waitaha. The Ngā Puhi invasion and defeat of Arawa, on account of their superior weaponry is well known and doesn't need further explanation here. Apart from noting, that the invasion resulted in two major events for Waitaha; the first being their temporary relocation to

⁷⁹ Peter Rolleston, Notes from a series of lectures entitled, 'Introduction to the History of Tauranga Moana', University of Waikato at Tauranga, 2003, p.7.

⁸⁰ Stafford, p.124.

⁸¹ Peter Rolleston, pp. 7-8.

⁸² Stafford, p.175.

Rotorua, the second, the capture of one of their rangatira Tipene Kura (old Hakaraia). He was captured at Mauao by the returning Ngā Puhi forces and taken back to the North.⁸³

The significance of Hakaria will be returned to later, but as stated the Ngā Puhi invasion had a major effect on the geopolitics of the region. Despite the peace settlement, and the withdrawal of Ngā Puhi, Waitaha and many other coastal tribes did not immediately return to their lands, which left the Maketu area unoccupied by Arawa for many years. Some Waitaha instead, settled around the lakes at Rotorua, while others occupied forest areas around Otanewainuku, with a remnant returning to the Te Puke area. After their defeat by Ngā Puhi, Arawa began to purchase muskets. In the first instance, they traded on a sporadic basis with traders from Tauranga. However these purchasing forays were often blocked by Ngaiterangi, so they looked for other opportunities. The arrival at Maketu in the early 1830s, of a European trader Hans (Phillip) Tapsell provided Arawa, an ideal opportunity to purchase muskets and also to engage with the new economy that was spreading into their area. Although the muskets were needed for self protection, Arawa also had as a goal, the eviction of Ngaiterangi from the area around Maketu.

Hans Tapsell, a recent arrival from Sydney, established a trading station at Maketu, after marrying a Ngāti Whakaue woman of high rank, Hine –I- Turama. According to his descendant Maru Tapsell, she was born in Ohinemutu, the first child of the taumau between Te Koiki of Ngāti Whakaue and Te Koha and Ngā Tokowaru of Ngāti Raukawa.

‘Hine – I – Turama was raised under the mana of old Te Amohau, and before she was born, Te Amohau, offered her as a puhi (bribe) to old Tapsell. In 1831, Tapsell accepted the offer, ensuring Te Arawa and Ngāti Raukawa had access to the much needed guns and trade. These alliances were forged after the Ngā Puhi invasion on Mokoia in 1823, particularly between Tupaea, Tapsell and Te Amohau. Although there were benefits in the new way of life during those times, social, political, and economic changes had a desire on the traditional way of life...Hine-I-Turama

⁸³ Stafford, pp.180 -182.

unassumingly wielded political power, negotiating inter-tribal transactions on behalf of her husband Te Tapihana. Her connections to Tupaea and Te Waharoa averted certain death after the sacking of Maketu in 1836....When Hans Tapsell first arrived in Maketu, Hori Tupaea of Ngaiterangi requested Tapsell to establish his trading post in Tauranga. Te Amohau and Te Haupapa suggested Maketu. After some consideration Tapsell chose to stay with his wife's people of Ngāti Whakaue. Tapsell's trading post was established in Maketu at Otairoa where the township is currently...Although disillusioned by Tapsell's decision, it was important that the mana of Tupaea stay intact. Therefore Tapsell agreed to purchase the land for the trading post from Tupaea. The decision was supported by Te Amohau and other Ngāti Whakaue chiefs, as it was viewed as necessary in order to maintain the support of Ngaiterangi. I give this kōrero to make it clear that Tapsell's purchase of land from Tupaea is not evidence of Ngaiterangi's rights at Maketu. Any rights that Ngaiterangi had at Maketu were extinguished at the death of Te Rangihouhiri'.⁸⁴

After the opening of Tapsell's trading station, tribes from throughout the district, including Waitaha, flocked to Maketu to trade for muskets.⁸⁵ The full impact of the introduction of muskets and the establishment of Maketu as a trading post upon tribal land rights in the Bay of Plenty was only fully realized in later years. The significance of this will be picked up later.

Another significant period of fighting broke out on Christmas day 1835, after the retaliatory murder of Te Hunga, a relative of Ngāti Hauā rangatira, Te Waharoa, by Haere Huka of Ngāti Whakaue. This triggered a ten year feud between Te Arawa and Ngāti Hauā, who had support from Ngaiterangi. The feud included the invasion of Maketu by Te Waharoa and Ngaiterangi and the defeat of the latter at the Te Tumu pa, in April 1836. Over 200 Ngaiterangi were reported killed on that day, including their chief Hikareia, with the well known Hori Tupaea, one of the few to survive.⁸⁶ Much of the fighting centred on the valuable flax lands at Maketu – flax being a valuable tradable commodity that was also used to purchase guns and ammunition.

⁸⁴ Tapsell.

⁸⁵ Stafford, p. 195.

⁸⁶ Stafford, p.241.

After the ten year period Te Arawa were successful in restricting Ngaiterangi to Tauranga Moana and reasserting their mana whenua over the Maketu rohe. However, after the peace settlement with Ngaiterangi and Ngāti Hauā, disputes arose over Arawa's toa claims to the coastal strip west of Maketu – leading to disputes between those with ancestral claims such as Waitaha and those with toa claims. This dispute which was to have far reaching effects on Waitaha's relationship with the Crown and Te Arawa will be returned to later.

Christianity and Tipene Kura ('old Hakaraia')

'I am a direct descendant of the Hakaraia line, through my father Paora Enoka Ahomiro. Hakaraia Tipene was my great-great-great grandfather. Hakaraia Tipene's father was Tipene Kura. The old people referred to Tipene Kura as the 'old Hakaraia'. I have handed down to me the patu that belonged to old Hakaraia. The patu bears the name of a Waitaha tupuna, Tutehe... The patu was given to the old Hakaraia by Tupaea, a chief of Ngāti Hauā, for services rendered in battle. Hakaraia had the patu with him at the battles in the Waikato, Gate Pa, and Te Ranga. After his death, the patu was missing for three generations. It was held in safekeeping of an old kuia, Te Rauna, and then the old people said it should stay in the Hakaraia line so it was given to my great-grandfather Hori Taupe'.⁸⁷

As already mentioned, the Waitaha rangatira, 'old' Hakaraia, was captured and taken north by Ngā Puhī; while there, he had contact with missionaries and 'converted' to Christianity. James Belich records how after the death of Hongi Hika in 1827, Ngā Puhī released their slaves, captured during their forays south. He said that 'these included the leading Maori Christian theologians of the day'.⁸⁸ Hakaraia was amongst those. Shortly after the battle of Te Tumu, he returned to his people at Te Waerenga on the northern side of Lake Rotorua and worked with the Church Missionary Society mission station at Te Ngai and later with Archdeacon Brown at Te Papa.⁸⁹ In October 1844, Hakaraia together with some of his people, both Tapuika and Waitaha moved back to Te Puke, and transformed the old Muriwharau pa into a new settlement and

⁸⁷ Ahomiro.

⁸⁸ James Belich, *Making Peoples*, Auckland: Penguin Books, 1996, p.168.

⁸⁹ Te Hautapu Wharehira, 'Petition to Parliament' Raupatu Doc Bank, Vol.138, p.52998-9.

called it Kenana (Canaan). It was established on an ethos that combined the introduced teaching of Christianity and tikanga Māori.

The introduction of Christianity, had a significant impact on the political situation of the area. In contrast to the import of muskets, the import of the new whakapono contributed to the peaceful resolutions of old conflicts. The full extent of this influence, would suit another study; however, one example was the changed perspective of many Arawa towards Ngaiterangi and Ngāti Hauā.

The involvement of the missionaries in peace negotiations has been chronicled elsewhere, but the peacemaking influence of the new religion also influenced the motivations of tangata whenua. As Wi Mahi Te Rangikaheke said in 1864, if 'it were not for the ture (the law or Christianity) the Arawa would have been at Tauranga'.⁹⁰ According to Hakaraia Tipene, his father 'old' Hakaraia, was one of instigators of the peace initiative within Arawa, when he asked Hikairo of Ngāti Rangiwewehi to make peace with Ngaiterangi and Ngāti Hauā. Between June and September 1845, Hikairo led peace negotiations on behalf of Arawa, supported by Hakaraia. The missionary Chapman recorded the event in his journal, 'I have been engaged during the last fortnight attending a party of four hundred Rotorua natives, on a peace making visit to Tauranga. We were well received and peace was ratified.'⁹¹ It is certainly an irony then, that Hakaraia, who first came to prominence because of his peacemaking efforts, and known by Arawa because of these efforts as 'a great man', was later to be exiled, hunted and killed by Government troops.

⁹⁰ Gillingham p. 18 citing W.Marsh Te Rangikaheke to the Government of New Zealand, 14 Sept 1864, in LE 1;1865/138, NA DB pp. 341 -344.

⁹¹ Stafford, citing Chapman, p.304.

Chapter Seven: Sir George Grey, Kingitanga, and the Tauranga War

In this chapter I background Crown land policy in the 1860s, and the consequent response of Māori with special reference to the King Movement, Hauhau and particularly the Waitaha experience as embodied in the person of Hakaraia. It is this period of Waitaha's history that was to have the most profound affect upon their aspirations as they negotiated the changing political and demographic scenario within Aotearoa/New Zealand.

‘The Natives were keenly averse to selling and it was impossible to purchase by assembled owners meetings, and therefore individual purchase had to be adopted.’⁹²

‘The Crown was determined to acquire land for settlement and the pressure was on. The way I see it, whether Kingitanga or loyalist, the aim was the same – to protect the whenua. They were different ways of achieving the same goal. We are the same family as Tainui, which was why some of us followed the Kingitanga in attempting to prevent the alienation of land. The “loyalists” looked at it from another point of view. They considered that the best course of action was to be loyal to the Crown because the Crown had promised those who were loyal would keep their land. The “loyal” Te Arawa were generally more successful in keeping their land.’⁹³

It is clear that the Crown faced a major dilemma over land. According to Alan Ward, it had assumed that ‘large areas of land would become the Crown demesne, from which it would provide for further settlement and very importantly secure revenue, secure revenue with which to administer the colony’.⁹⁴ He further states:

[L]and was required to accommodate settlement in New Zealand... Yet the scale and the pace and the manner of settlement were dictated almost entirely to suit settler convenience, at Māori expense. If there is any one main thread through the Maori attitude to settlement and the Crown's response, it is that, whenever Maori were able to exercise collective control over land alienation at the tribal or supra-tribal level, land sales slowed markedly or stopped. The tribal leadership was generally willing to admit settlement within defined areas.

⁹² Alan Ward (ed) National Overview, Vol 1, Wellington: Waitangi Tribunal, 1997 citing, Memorandum to the Native Minister, 23 March 1921, MA 31/21, National Archives, Wellington, Front piece, which justified the strategy of the Crown to ‘individualise’ land titles.

⁹³ McCausland.

⁹⁴ Ward, Vol 1, p.6.

Where they were strong enough on the ground, they did not relinquish all rights, even over the settled areas. The settlers, however, with the Crown supporting them, invariably responded by finding ways to overcome, by-pass, or undermine tribal or supra-tribal control in order to extinguish Maori customary title and secure the freehold.⁹⁵

Up until the 1860s, the impact of the increasing desire of Pākehā for land was somewhat peripheral to Waitaha. As already mentioned, the iwi had direct contact with the Europeans through the Tapsell trading post at Maketu and with CMS missionaries at Te Ngae and Te Papa. Nevertheless, it was not until the outbreak of war in the Waikato, that Waitaha were to feel the full impact of the European immigration and the consequent strategy of successive Governments.

In 1861, Sir George Grey replaced Thomas Gore Browne as Governor for his second term. An immediate focus of Grey's new term was the new phenomenon known as Kingitanga, or the King Movement. This movement arose out of increasing concerns about land alienation and the long-term implications of European colonization. Many chiefs who had once been supportive of British Crown involvement in the 1840s became strong opponents, especially with regard to land sales. An analysis of the King Movement is complex and outside the scope of the present study, but some details need to be noted.

Essentially, the movement could be described as a loose confederation of Waikato, Maniopotō, Taranaki, Tauranga Moana and other iwi and hapū who placed their lands under the mana of a Māori king in order to prevent their sale. A key figure in the formation of the Kingitanga movement was Wiremu Tamihana, 'the Kingmaker', son of Ngāti Hauā chief Te Waharoa, who also had whakapapa connections into Tauranga Moana and Waitaha.

The historian James Belich, maintains that Grey established a contradictory two-pronged policy towards Kingitanga, which aimed to make peace on the one hand and prepare for the invasion of the Waikato on the other.⁹⁶ These two approaches caused a

⁹⁵ *ibid*, pp. 6-7.

⁹⁶ J. Belich, *The New Zealand Wars and the Victorian Interpretation of Racial Conflict*, Auckland: Penguin, 1986, pp.116-119.

division of loyalties within the greater Māori world – that is whether to give their support to Kingitanga or to the Crown.

What has become known as Grey's 'peace' policy, aimed at giving some 'autonomy' to Māori, through the introduction of a runanga scheme. It also included the return of the Waitara Block in Taranaki. It was the 'purchase' of this block that had led to the initial fighting between Māori and the Crown in 1860. The trial of Grey's runanga scheme was to take place in the Bay of Plenty, where the Government considered that Māori were 'in an unsettled temper of mind, hanging between submission to the Queen's authority and adherence to the King movement'. The Crown intended that the granting to Māori a degree of self-governance would assist in 'tranquillising their minds and to securing their allegiance to the Government'.⁹⁷

Attitudes to Grey's policy varied. T H Smith, the official charged with familiarising Māori with the Government's scheme reported that 'two-thirds of the Tauranga Moana Māori, particularly those west of the Wairoa River (those most closely connected with Ngāti Hauā) were supporters of the Kingites'. It was only Ngaiterangi, on the eastern side of the harbour who gave their support to the 'official runanga' scheme'.⁹⁸ Te Arawa, however, were generally supporters of the Government's scheme. Within the Arawa rohe, runanga were immediately established at Maketu (which district extended between Kenana on the Kaituna River, and Otamarakau on the coast, and therefore excluded Waitaha), Rotoiti and Okataina, Rotorua, and Tarawera. These runanga represented Ngāti Rangiwewehi, Ngāti Whakaue, Ngāti Pīkiao, Ngāti Tarawhai, Rangiteaorere, and Tūhourangi. Ngāti Whakaue, in particular, made a clear statement of allegiance to the Crown. They pledged that from 'henceforth the Arawa was to be one with the Pakeha. That "mana Maori" was henceforth abjured, and submission to the Queen's laws was to be the rule for the future.' They promised – if required – to 'fight the battle of the Pakeha against all New Zealand'.⁹⁹ At a hui convened at Paetai on the Waikato River in June 1857, James Cowan reported, 'Eloquent efforts were made to induce the Arawa to join the Kingites. Temuera refused, saying, "One of our chiefs, Timoti, was the only man of

⁹⁷ Gillingham, p.28, citing, *AJHR*, 1862, E9, p.1.

⁹⁸ *ibid*, p. 28, citing *ibid*, p.13.

⁹⁹ Gillingham, p.29, citing *AJHR*, 1862, E9, p.12.

the Arawa people who signed the Treaty of Waitangi, but we shall not depart from the pledge he then gave. We will not join the king tribes. My king is Queen Victoria, (Taku kingi ko Kuini Wikitoria)”.¹⁰⁰

However, returning to Grey, the duplicity of his plan was exposed by the construction of a military road across the aukati at Maungatawhiri into the Waikato.¹⁰¹ This not only increased tensions between the Government and some Māori, it also exacerbated the differences between different hapū. In July 1863, under Grey’s direction, British troops under Lieutenant-General Cameron crossed the aukati at the Maungatawhiri Stream and invaded the Waikato. As well as an attempt to curb the influence of Kingitanga, the incursion was according to O’Malley and Ward, ‘a conscious effort to assert substantive British sovereignty in the very heartland of Māori independence and to open up the area to European settlement.’¹⁰²

Even after the invasion of the Waikato, the majority of Arawa remained ‘loyal’ to the Crown, and this was affirmed at a hui in August 1863, convened to discuss the issue of Kingitanga. Four hundred representatives of Tuhourangi, Ngāti Pīkiao, Ngāti Whakaue, Tawakeheinoa, Uenukukopako, Rangiteaorere, Waitaha, Rangitīhi, Tarawhai, and Tuwharetoa met at Te Wairoa, near Lake Tarawera. At this meeting, they decided to actively oppose the new movement, which consisted of restricting Kingite access to their region and even reporting Kingite sympathisers to the Crown.

When Cameron invaded the Waikato, supporters of the King Movement throughout the island were drawn into the fighting, because of their allegiance to the King and also because of tribal and whānau alliances. The Tauranga Māori who went to the Waikato, apart from their agreement with the broad tenets of Kingitanga, were committed via their connection to Wiremu Tamihana and Ngāti Hauā. According to a Waitangi Tribunal Report, ‘In fighting Ngāti Hauā’s battle, they were paying utu, or compensation for Ngāti Hauā’s support of them in the “musket wars”’. Tauranga

¹⁰⁰ Stafford, p. 347, citing Cowan, 1922, p. 150.

¹⁰¹ Aukati: Definition of Waitangi Tribunal at Ngāti Awa hearing: a demarcation line, that no-one may cross with any intention that may be judged as hostile to those on the other side.

¹⁰² V. O’Malley and Alan Ward, ‘Draft Historical Report on Tauranga Moana Lands’, Crown Congress Working Party, 1993, p.38.

warriors were involved in several Waikato battles, but later withdrew to defend their own lands, which had been occupied by Imperial troops.

Tauranga: Battles of Pukehinahina and Te Ranga

Crown troops were despatched to Tauranga under Colonel Greer in January 1864, and occupied the CMS mission station land on the peninsular of Te Papa. They eventually engaged with local Māori in two major battles, Pukehinahina, which was decisively won by the locals and the second Te Ranga, in which the Government forces exacted revenge. It was as a result of these two engagements that much of Tauranga land was confiscated – the repercussions of which for Waitaha, will be covered later in more detail.

Historians have different views on the reasons for the Tauranga occupation. Belich argues in contrast to local Pirirakau historian Patrick Nicholls, that the ‘original British Expedition to Tauranga was designed, not to seize more land as sometimes suggested, but to disrupt the system whereby ‘neutral’ tribes supplied the Waikato from with provisions and warriors while cultivating peace at home’.¹⁰³ O’Malley and Ward comment that:

[in] view of the Waikato tribes’ experience, it is difficult to know whether Tauranga Maori could possibly have interpreted the arrival of British Imperial troops on their doorstep as anything other than Governor Grey’s intention to attack them. From this perspective, their decision to take up arms was not a rebellion but a prudent effort to defend their ancestral lands against an unexpected British assault.¹⁰⁴

The Waitangi Tribunal has found however, that ‘the British Military’s 1864 campaign in Tauranga was undertaken with conflicting agendas in mind. Premier Whitaker hoped to use the campaign to advance his confiscation designs, while General Cameron and Governor Grey originally envisaged a defensive and temporary occupation. However, when Cameron saw an opportunity he sought to end the Waikato war decisively at Tauranga’. And in an understatement they acknowledge that ‘Tauranga Māori viewed the landing of troops in the region with deep anxiety’.¹⁰⁵

¹⁰³ Belich, *The New Zealand Wars*, p.177.

¹⁰⁴ O’Malley and Ward, p.62.

¹⁰⁵ *Te Raupatu o Tauranga: Report on the Tauranga Confiscation Claims*, Waitangi Tribunal Report, Wai 215, 2005, p.119.

Chapter Eight: Hakaraia and ‘Mana Motuhake’

Waitaha’s involvement with Kingitanga came mainly through the influence of Hakaraia. Written evidence is minimal, but Waitaha claimants to the Waitangi Tribunal propose that his involvement was due to his whakapapa connections with Tainui.¹⁰⁶ They also believe that besides the Tainui connection, Hakaraia’s participation with the Waikato war was in part due to the British invasion of a Waikato settlement on a Sunday – apparently an anathema to Hakaraia as one of his relatives was killed in that attack.¹⁰⁷

There are possibly other reasons that drew the Waitaha leader to the political views propounded by the Kingitanga. Given his influential role within the iwi, and because his experience demonstrates the complex interaction, physical, spiritual and intellectual, that many Māori experienced, it is important to give some consideration to his journey.

Hakaraia’s ‘political mindset’ was undoubtedly influenced by metaphysical underpinnings - a combination of tikanga Māori and Christian perspectives. Lyndsay Head, the Ngāti Kahungunu historian has stated that, ‘mana motuhake politics’ grew out of Christianity.¹⁰⁸ She refers to Wiremu Tamihana, a prime mover behind Kingitanga, and says his ideas of a Māori nation, were inspired, not by the Treaty of Waitangi, but by the Old Testament representation of Israel’s theocracy. He developed the ‘concept of a Maori nation under God’, which, ‘provided an organising principle for protest against the government which highly divisive tribal histories could not’.¹⁰⁹ This model included the concept that ‘political authority could exist as mana over land’. As Head explained, this was a major innovation which was ‘not articulated in traditional society, where mana was politically manifested in the size of a chief’s following rather than the size of his territory’.¹¹⁰ It is possible then, given Hakaraia’s involvement with the new Christian movement that his ideas were

¹⁰⁶ McCausland.

¹⁰⁷ Personal communication with Whareotiriri Rahiri, 26 July 2006.

¹⁰⁸ L.Head, *Land, citizenship and the mana motuhake movements among Ngati Kahungunu: a study of Maori language documents in Ngati Kahungunu history, 1840 – 1865*, a report for the Crown Law, 1999, p.130.

¹⁰⁹ *ibid.*

¹¹⁰ *ibid.*,p.130.

concomitant with the philosophies espoused by Tamihana, and indeed Te Wherowhero, who when crowned by Tamihana declared, ‘Kotahi te kōhao o te ngira e kuhuna ai te miro mā, te miro pango, te miro where. I muri, kia mau ki te aroha, ki te ture, me te whakapono’.(There is but one eye of the needle which the white, black, and red threads must pass. After I am gone, hold fast to love, to the law, and to the religion of Christ).

Whatever the reasons for Hakaraia’s involvement with Kingitanga, these must have been more than whakapapa connections, for he also had these with ‘loyal’ Arawa. Hakaraia also became involved with the teachings of other prophetic leaders within te ao Māori – these included the Hauhauism of Horopapera Te Ua, and the liberation prophetism of Te Kooti.

Various academic views prevail towards Hauhauism, including that of Bronwyn Elsmore who has argued that Pai Marire (her preferred term), similarly to Kingitanga, was a response to the alienation of land and tikanga in the 1860s. According to her it also included dissatisfaction with the Pākehā presentation of Christianity. Thus inspired by the Old Testament presentation of the theocratic nation of Israel, the ‘new’ prophets, ‘led the people in a social cause rather than merely acting as a functionary’.¹¹¹ However, Lyndsay Head, who while agreeing with Elsmore, that the political impetus underlying Hauhauism ‘remained the limitation of the spread of Pakeha settlement and influence’, makes other suggestions that differentiate Hauhau from Kingitanga.

The Hauhau, however, were not simply the King Movement under another name, in spite of the fact that Ngati Kahungunu often spoke of Hauhau as ‘Waikato’. Hauhauism offered the possibility of a Maori nation, encircled, defended and – in what formed the major contrast to the King Movement’s incremental model of a Maori state – transformed by the power of God. The King Movement reified the Bible using a logic derived from, and limited, by mission ‘scholasticism’. Hauhauism was also reasoned from the Bible, but differed from the King Movement in that it was also an experience of the supernatural power behind the words. This signally enlarged Wiremu Tamihana’s bookish theory of Maori nationhood. The enlargement of the message provides one of the reasons why many King Movement supporters followed their King into Hauhauism in 1864. The focus of the politics of mana motuhake remained the limitation of Pakeha settlement and influence, but the

¹¹¹ Bronwyn Elsmore, *Mana from Heaven: A Century of Maori Prophets in New Zealand*, Auckland, 1999, p.152.

fervour and impulse to action generated by belief in the imminent realisation of Maori nationhood created its world anew.¹¹²

As Head sees it, Tu Ua justified war to achieve his goal, as the spiritual motivation of Hauhauism, ‘made the goal of fighting a victorious peace, and the enjoyment of the plenty of modernity’.¹¹³ Also in contrast to Elsmore, Head, regards the development of Hauhauism (her preferred term, and the term that Waitaha uses), on a continuum of Māori theorising about nationhood, which was firmly based in Christianity. She argues that Maori did not reject Christianity for Old Testament prophetism, but rather that Hauhauism was the product of Maori Christianity. She suggests that Christianity was an orthodox belief among Maori which guided both politics and faith. Thus Christian beliefs were central to the Hauhau faith, as ‘[i]t was Maori knowledge of Christian texts that enabled the emergence of pan-tribal political and religious organisations.’¹¹⁴ Thus Hauhauism, in contrast to Kingitanga which used the logic of Scripture as the basis of its formation, the prophetic dimensions of Hauhauism, ‘offered the possibility of a Maori nation, encircled, defended, and – in what formed the major contrast to the King Movement’s incremental model of a Maori state - transformed by the power of God’.¹¹⁵

Thus, extrapolating Head’s Kahungunu hypothesis towards Hakaraia it is possible to trace his evolvment from mission teacher, Kingitanga supporter to warrior/prophet – a role he fulfilled in the Tauranga engagements. Belich proposes that ‘such is the extent to which Hakaraia engaged with Christian-based political theorising that he appears to have established a following as a religious leader in his own right, possibly separate from mainstream Hauhau faith’. He also believes that the following that developed around Hakaraia after Te Ua’s death in 1866, was in some sense separate to Hauhauism.¹¹⁶

After the military defeat and raupatu at Tauranga, which will be discussed later, Hakaraia continued to engage with biblically-derived ideas on how to assert Maori autonomy. In the late 1860s, he encountered and supported the ideas of Te Kooti in

¹¹² Head, pp. 159-60.

¹¹³ *ibid.*

¹¹⁴ *ibid.*, pp.127.

¹¹⁵ *ibid.*, p.159.

¹¹⁶ Belich , p. 109.

whom he saw a figure who carried the hopes of disposed iwi. Hakaraia had settled in the Ngāti Raukawa district of Titirapenga and Patetere after the Tauranga battles and met Te Kooti in mid-1869, on the latter's traverse through the Waikato. Te Kooti addressed a hui at Pukerimu at which Hakaraia was present. 'He spoke for five hours, and made quotations from a large book in the English language. During this long address, which was listened to with great attention by everyone, Hakaraia constantly said to me – "Te Kooti is a true man. I thought I knew a good deal, but this man's knowledge is much greater than mine. I shall have to succumb to him". His knowledge did not only relate to the things of earth, but extended to those of heaven. Hakaraia agreed to accompany him to Tokangamutu'.¹¹⁷

Judith Binney has described the motivations of those who gave their support to Te Kooti:

Another group from whom he would get support were the Pirirakau, a hapu of Waikato, who were settled in the ranges behind the Tauranga harbour. Unlike the main tribes of the Tauranga district, they had refused to surrender after the fighting in 1864 and did not recognise the legitimacy of the government's land confiscation there. Neither Waitaha nor Ngai Tapuika (the two Arawa hapu whom Hakaraia led)...had been acknowledged as having land rights in the negotiations with the government to establish tribal reserves within the confiscated block. In 1870, only Ngaiterangi had been recognised as the former landowners, with some consequent reserve rights. Thus, it was from these disposed tribes, and from the communities of exiles, that Te Kooti would draw his support.¹¹⁸

The different analyses aside, regarding the inspiration of Hakaria's political and religious motivations, it certainly seems clear that his associations with Kingitanga, Hauhau and Te Kooti, were all part of his striving towards a mana motuhake, in the face of pressures by all facets of the new immigrants to alienate the land and mana of his people. Also the condemnation by church and mission leaders of the time, of the theology and praxis of movements such as Hakaraia's, may have been another example of misunderstanding and rejection that further contributed to their sense of isolation.

¹¹⁷ Judith Binney, *The Songs of Redemption*, p.175 citing statement by Maihi Pohepohe, Hakaraia's nephew, to Ngāti He, 20 August 1869, *AJHR* 1870, A-8, p.5.

¹¹⁸ Binney, p.202.

Significantly, Hakaraia refused to surrender following the Waikato and Tauranga Wars, and thus remained in the eyes of the Government a ‘rebel’ who needed to be punished by the confiscation of lands. These confiscations and Hakaria’s final movements will be examined in the next chapter. However, his ‘legacy’ became such a point of controversy within his own iwi that for many years his name ‘disappeared’ from the tribe’s kōrero. He became persona non grata, and in consequent petitions to Crown, most Waitaha descendants attempted to distance themselves from his actions.

‘Even though I am a descendant of the Hakaraia line, I never heard anything about my tupuna from the old people. They never talked about them. My great-grandfather Hori Taupe was Hakaraia Tipene’s grandson. He was born in 1893 and didn’t die until 1976, so I can still remember him. But he never talked about the two Hakaraia. None of them did. We think of ‘old’ Hakaraia as something of a hero now for his fight against the Pākehā, but it must have been a different story back then. Hakaraia fought in defence of our land. The result was that we were labelled as ‘rebels’ and we ultimately lost all our lands in Tauranga. The way the old people were, I think they thought that Hakaraia was best forgotten. In many people’s eyes he was responsible for the loss of our land. That’s the way it was then. The thing is Hakaraia did what was right, it was the Crown that was wrong’.¹¹⁹

‘So when we have a look at the family, who were accused for the loss of lands and the confiscation of the land. [talking about Hakaraia], None of his family ever spoke about it. Because it was shameful because their family was responsible for the confiscation of lands, the loss of mana, the loss of identity and the whole stigma. One of my best friends is Rico Ahomiro and he is a direct descendant of Hakaria, and he didn’t know anything about this until 1998 – that is what happened to his whānau... Because he was not told anything about it by his father, his grandfather or anybody else – as to who he was, who his grandfather/tupuna was, Hakaraia, and what happened. It was all about whakamā. And the stigma and the shame of it. That’s what it was matua. And Waitaha are still like that today. It still continues – the loss of mana over the land’.¹²⁰

¹¹⁹ Ahomiro.

¹²⁰ Rahiri.

Chapter Nine: Raupatu/Confiscation – Consequences of ‘Rebellion’

‘I thought long and hard about being part of the raupatu claim. The old people used to say, “Just leave it”. They didn’t talk about our past out of respect for the family of Hakaraia. So I was concerned that maybe the old people wouldn’t have wanted us to make a claim. In the end, I decided that the story had to be told. There is right and there is wrong, and what happened to us was wrong.

‘Waitaha did not all follow Hakaraia, although in the end we were all labelled as ‘rebels’, and punished through the loss of land. The old people always said that a few who stayed here fought for the Crown. Then there were others, perhaps the majority, who were against the philosophy of Hakaraia but refused to join the Crown’s forces to fight their own people. However, that position may have changed once Waitaha were classified as being rebellious. After that they had nothing to lose’.¹²¹

Despite Hakaraia’s undoubted influence within Waitaha, not all were supportive of Kingitanga. However, Hakaria’s decision to support the movement and to fight in Tauranga was to have profound implications for the iwi as a whole, and not only with the Crown.

One of the issues that developed from their allegiance, was their claim to lands around Te Puke. ‘Loyal’ Arawa viewed the support of Kingitanga by the various Waitaha members as an allegiance to Waikato, and a rejection of their Arawa whakapapa. They thus laid claims to the lands of Waitaha. William Marsh (Wi Mihi Te Rangikaheke) of Ngāti Rangiwewehi, speaking in 1875, explained that the Arawa chiefs decided that ‘those who left their boundaries to assist the King should cease to have anything to do with Arawa, or the land within the Arawa boundary’.¹²² ‘Major Fox (Te Pakeha) reiterated this sentiment when he said that those who went to Waikato, would have their names erased, ‘from the tribes, and they shall lose all interests in our lands...and shall be called Waikatos’.¹²³

¹²¹ McCausland.

¹²² Gillingham, p.31 citing Notes from a meeting at Maketu between McLean and Ngati Rangiwewehi, 29 March 1875, ND 75/2668, in MA 13/18, in KRDB, p.535.

¹²³ Gillingham p. 32, citing, Notes of a meeting between McLean and Ngati Pikiao, 27 March 1875, ND 75/2668, in MA 13/18, in KRDB, p.528.

These came to be known as the ‘toa’ claims, by which Ngāti Whakaue asserted their mana over the coastal lands of Waitaha and others. Their claim was later to cause much dispute, when Kingitanga Waitaha sought to sell their land in the Te Puke and Maketu areas. It needs to be noted, that the inter-tribal and inter-hapū disputes between ‘loyalists’ and ‘rebels’ were the consequence of Crown policy, especially their response in Taranaki, Waikato and Tauranga. As a Ngāti Whakaue speaker said at an 1875 meeting in Maketu to discuss title to lands in that district, ‘If the question of the land had been properly judged at Taranaki there would not have been no war; but because it was not, it gave rise to all the troubles that have followed’.¹²⁴

New Zealand Settlements Act 1863

The term ‘loyalist’ and ‘rebel’ attributed to the various members of Waitaha was derived from the terms of the New Zealand Settlements Act of 1863. This Act allowed for the confiscation of land, without compensation, from any North Island tribe said to be, ‘in rebellion against Her Majesty’s authority’.¹²⁵ Although it was ostensibly passed to introduce new settlers onto the lands, it disguised its real purpose which was confiscation. The Government of the day used this Act, to confiscate and dispose of Māori land in response to the wars in Taranaki, Waikato, and Tauranga. It gave the Crown discretion, to quantify the amount of land to be confiscated from Māori who had opposed the Government. The purpose of the Act was set out in the preamble:

Whereas the Northern Island of the Colony of New Zealand has from time to time been subject to insurrections amongst evil-disposed persons of the Native race to the great injury and alarm and intimidation of Her Majesty’s peaceable subjects of both races and involving such outrages upon lives and property have recently been committed and such outrages are still and of almost daily occurrence And whereas a large number of the Inhabitants of several districts of the Colony have entered into combinations and taken up arms with the object of attempting the extermination or expulsion of the European settlers and are now engaged in open rebellion against Her Majesty’s authority And Whereas it is necessary that some adequate provision should be made for the permanent protection and security of the well disposed Inhabitants of both races for the prevention of future insurrection or rebellion and for the establishment and

¹²⁴ Gillingham, p. 33 citing, Notes of a meeting at Maketu with Ngati Whakaue, 20 March 1875, ND 75/ 2668, in MA 13/18, NZ DB.

¹²⁵ New Zealand Settlements Act, 1863, RDB, p.3295.

maintenance of Her Majesty's authority and of Law and Order throughout the Colony And Whereas the best and most effectual means of attaining those ends would be by the introduction of a sufficient number of settlers able to protect themselves and to preserve the peace of the Country.¹²⁶

Besides, the two main groups demarcated under the Act, there was also technically a third group, and this consisted of those that had surrendered to the Crown as a result of the Te Ranga engagement. These were known as 'surrendered rebels'.

This Act, over which even the Colonial Office had some objections, became law with the proviso that Grey only used it to ensure, 'the permanent pacification of the island and the honour of the English name'.¹²⁷ However, Riseborough summarised the impact as follows:

It rendered, permanently insecure the tenure of native property throughout the Island; it did not distinguish between, the leaders and contrivers of rebellion and their unwilling agents for allies'; the actual confiscation process might take place in secret, without argument and appeal'; and the provision for compensation was as 'rigidly confined' as the provision for punishment was 'flexible and unlimited'.¹²⁸

Tauranga 'Peace Settlement'

The peace settlement negotiated at Tauranga after the Battle of Te Ranga, between Grey and tangata whenua, has been examined by several historians especially as a result of the Tauranga Moana raupatu claims.¹²⁹ An analysis of their findings is outside the scope of this thesis, suffice to say however, that most are agreed that with 'various degrees of confusion' Tauranga Māori agreed to a compromise peace. Their agreement however, seemed to differ greatly from the Crown's point of view, that surrendering Māori, including four Waitaha 'rebels', had placed all their lands in the hands of the Governor and pledged allegiance to the Queen.

The Tauranga land was confiscated in mid-1865, under Section 2 of the Act which provided for the proclamation of districts, wherein which the Governor in Council

¹²⁶ *ibid.*

¹²⁷ Riseborough, 'Ngai Tamarawaho. Protectors of the Prophecy', Wai 659, A report for the Crown Forestry Rental Trust, 1999, p. 58.

¹²⁸ Riseborough, pp.58-59.

¹²⁹ See Riseborough, 'The Crown and Tauranga Moana', p.4; also, Belich, p.196; O'Malley and Ward, p.40.

was satisfied that any tribe or section of a tribe or ‘any considerable number thereof’ within these districts had been engaged in rebellion at any time since 1 January 1863. The discussion over the amount location of land to be taken was not spoken of at the original surrender after Te Ranga, but was broached later, at what became known as the ‘pacification hui’ held at Te Papa on 5-6 August, 1864. However even then, the extent and location of land was not resolved. Final decisions were postponed by Governor Grey; his prevarication due to his difficulty in coming to terms with the local situation:

At present I am not acquainted with the boundaries or extent of your land, or with the claims of any individuals or tribes. What I shall therefore do is this: - I shall order that settlements be at once assigned to you, as far as possible, in such localities as you may select which shall be secured by Crown Grants to yourselves and your children. I will inform you in what manner the residue of your lands will be dealt with. But as it is right in some manner to mark the honourable manner in which you conducted hostilities, neither robbing or murdering, but respecting the wounded, I promise you that in the ultimate settlements of your lands the amount taken shall not exceed one-fourth part of the whole lands. In order that you may without delay again be placed in a position which will enable you to maintain yourselves, as soon as your future localities have been decided, seed potatoes and the means of settling on your lands will be given you. I now speak to you, the friendly Natives. I thank you warmly for your good conduct under circumstances of great difficulty. I will consider in what manner you shall be rewarded for your fidelity. In the meantime, in any arrangement which may be made about the lands of your tribe, your rights will be scrupulously respected.¹³⁰

This comment of Grey’s revealed more than an ignorance of physical boundaries, but perhaps also the more complex issue of customary tenure – it was this ignorance that exacerbated the already complex issues relating to the raupatu. Regardless of Grey’s ignorance, it seems likely that Waitaha would have taken from Grey’s statements that those who had not taken up arms would be protected, and were assured that the amount of land over which mana would pass to the Governor would amount to no more than a quarter of the whole block. But this perception was at variance with Grey’s report to the Colonial Office, that the August meetings represented the ‘unconditional submission of the ‘Ngaiterangi’ who accepted ‘the whole of their lands as forfeited’.¹³¹

¹³⁰ Cited in Riseborough, ‘Crown and Tauranga Moana’, p.27.

¹³¹ *ibid.*

The land at Tauranga, had already been envisaged by the Government, to fit their military resettlement scheme, by which civilian men were granted confiscated land in exchange for three years military service. Tauranga was seen as the eastern outpost of a frontier maintained by military settlements from Raglan to Tauranga. According to Governor Grey, the presence of military settlers was intended to discourage the King movement from undertaking further campaigns against the Crown in the region. By September 1864, about 600 military settlers enrolled in the First Waikato Regiment had arrived in Tauranga and surveying of their prospective lands had already begun.¹³²

Perhaps motivated by this goal, the Government made the simplistic, but ultimately destructive assumption, that the entire Tauranga Moana area was Ngaiterangi territory. 'The respective rights of the various iwi claiming interests in the land were not investigated before the purchasing process was initiated with the payment of a deposit to 'Ngaiterangi'.¹³³ This payment of money to Ngaiterangi, caused further upheaval amongst other iwi with land interests in the area and the controversies further fanned the flames of sovereignty politics in the area.

During 1865, as a result of increasing concern over the issues of confiscation and the loss of land in general, adherents of Hauhau with connections to Kingitanga led Māori resistance efforts. Hauhauism came to Tauranga in December 1864 via a hui in the Kaimai Ranges where Tiu Tamihana, an emissary of Te Ua spoke. As stated earlier, an essential goal of Hauhauism as devised by the Hauhau prophet Te Ua Haumene and subsequently the Māori king Tawhiao, was the retention of mana over their lands. One of their strategies was the division of the country into pooti (posts) which were designated areas for war or for peace.¹³⁴ Tauranga and Maketu were both declared, 'posts of war'.¹³⁵ Consequently two aukati lines, were drawn by Tauranga Māori; one aukati included part of Waitaha's land as it ran 'from the Wairoa, across Te Ranga,

¹³² O'Malley and Ward, p.42.

¹³³ O'Malley and Ward, pp.41-42.

¹³⁴ Head, p.152.

¹³⁵ Gillingham, p.57, citing R. Moorsom, 'Supplementary Report of Aspects of Raupatu in the Mohaka-Waikere District', a report for the Waitangi Tribunal, 1999, p.41.

and from thence towards Maketu'.¹³⁶ Hakaraia also participated in the aukati strategy and placed parts of the Waimapu under the mana of King Tawhiao. A whare was built at Oropi to mark the boundary between King and Queen territory. The aukati was enforced - around 7 January, a military settler, Albert Campbell, was killed.¹³⁷

John Koning has described the fighting between local Tauranga Māori and Government forces in *The Tauranga Bush Campaign 1864-1870*. It also describes more significantly for this study, their resolve to locate Hakaraia; something that proved difficult, for not even kawanatanga Māori would breach the aukati put in place by Hakaraia - making it extremely difficult to trace him.¹³⁸

According to Tame McCausland, 'This was a very troubling time for our people and it led to painful divisions within families as people's allegiances took them in separate directions. There must have been much bitterness. For instance, I recall hearing of Ngāti Rangiwewehi relations burning the whareni of Te Kooti, and yet members of Ngāti Rangiwewehi were involved in the Bush Campaign'.¹³⁹

These 'painful divisions' are especially evident at this time, and some of Hakaraia's own Waitaha people, actively opposed him. Ihaia Tarakawa of Ngai Te Moemiti, for example, claimed to have attempted to dissuade Hakaraia from joining the Hauhaus, and in 1867 was said to 'have consulted with Nesbitt, the Resident Magistrate at Maketu, about capturing Hakaraia and his hapus for introducing Hauhau practices amongst the natives at Te Puke'.¹⁴⁰ Others had distanced themselves from him, by passing intelligence to the Government after being expelled from Te Puke, and others joined the native militia in active of pursuit of Hakaraia.¹⁴¹ Once again, many were forced to leave their papakainga as a result of the conflicts, but a remnant remained at Te Puke. According to Hemi Tarakawa, only a few of Ngāti Te Moemiti and Ngāti Ngauru remained.¹⁴²

¹³⁶ Koning, 'The Tauranga Bush Campaign, 1864 -1868', a report for Crown Forestry Rental Trust, 1998, p.26.

¹³⁷ *ibid*, p.39.

¹³⁸ *ibid*, p.70.

¹³⁹ McCausland.

¹⁴⁰ Gillingham, p.71, citing I Tarakawa and another to Bryce, 23 Jan 1883, NO 83/484, in MA 13/88, NA,DB, doc. 51.

¹⁴¹ *ibid*, citing Clarke to Richmond, 12 Dec 1866, AJHR 1867 A20, p.36, RDB, p.7816.

¹⁴² *ibid*, citing, MMB 3, p.266.

The Government clearly saw Hakaraia as a major threat to peace in the region. Clark expressed the following opinion to the Native Minister, J C Richmond, 'I fear that this struggle will not be brought to a close without much bloodshed. The prestige of Hakaraia's name and his influence with all the surrounding Hauhau tribes will gain him many followers, and from the old man's obstinate and determined character the contest will be a fierce one'.¹⁴³ The government then ordered a direct assault against Hakaraia's settlement at Te Puke. In January 1867, Major William Mair was instructed by the minister of Defence, Haultain to raise a force of 200 armed Arawa. At a pay of 3 shillings per day, they were to 'participate in a campaign to follow up the Hauhaus and disperse them by destroying their villages and crops'.¹⁴⁴ Haultain told Stafford, 'I directed his place to be destroyed as a special punishment to him'.¹⁴⁵ The village at Te Puke was burned and Te Arawa militia destroyed the Waitaha crops, which consisted of 'magnificent potatoes', maize, tobacco, pumpkins, and kumara. Survey instruments, which were taken in protest actions the previous year, were also recovered.¹⁴⁶

According to Waitaha, some Ngāti Whakaue refused to be involved in the attack on Te Puke because Hakaraia had placed it under tapu. Although some have suggested that Te Puke was empty of people, according to Tame McCausland, 'the Crown's Flying Arawa Forces came through and attacked Te Puke in January 1867. Hakaraia was not here at the time, he had gone up to the hills. Waitaha tuturu were living here, and growing food that was supplied to Hakaraia and his followers. The Crown says that the town was deserted at the time the Crown's forces came through, but that is not correct. We know that there was a battle, for the old people used to say with reference to Ohineangaanga, "I patuhia nga hoia" (That's where they battled.) The soldiers knew where to come because they were related to us. After that, the Crown forces went to Kenana. This kōrero is confirmed by Tapuika also. Some of Tapuika fought with Waitaha at Ohineangaanga as they had married into Waitaha'.¹⁴⁷

¹⁴³ Gillingham, p.72, citing Clarke to Richmond, 28 Jan 1867, AJHR 1867, A20, p.44, RDB, p.7824

¹⁴⁴ Taylor, *Te Puke*, p.4.

¹⁴⁵ Gillingham, p.72, Haultain to Stafford, 2 Feb 1867, MS-2047, ATL, p144, DB, p25.

¹⁴⁶ Taylor, p.4

¹⁴⁷ McCausland.

The Te Puke assault was followed up by other attacks on Hakaraia strongholds. Some Waitaha Hauhau supporters retreated back to Te Waerenga and others joined Hakaraia's fighting party. Some skirmishes ensued between Government troops and Waitaha. After one raid on a Hakaraia enclave at Taumata, five women and a young boy were captured. Through the month of February 1867 Government troops, including Arawa, burnt houses and destroyed cultivations at Akeake, Maenene, Taumata, Oropi and Paengaroa. A Hauhau standard given to Hakaria by Tawhiao was amongst the property seized.¹⁴⁸

Although Mair's troops and the kawatanga Te Arawa force continued to search the ranges of the Tauranga district looking for Hakaraia, he evaded capture. It is at this time that he took refuge in the Waikato and established contact with Te Kooti. However on 9 March, Hakaraia, reinforced from Waikato, led a contingent of 70 men on a retaliatory raid against the kawatanga Ngati Whakaue. According to Belich, Arawa suffered considerable 'economic damage' from these raids, before Government reinforcements forced Hakaraia and his allies to withdraw.¹⁴⁹

This was the final known evidence of Hakaraia's involvement with the Tauranga fighting. After the Rotorua encounters, he, and his Waitaha followers retreated to Kingite territory in the Waikato.¹⁵⁰ Eventually many of Hakaraia's Waitaha supporters returned to Te Puke on his instruction, but he later followed Te Kooti into the Ureweras.¹⁵¹ 'Hakaraia's campaign to see Māori autonomy established through the deliverance of God was terminated on 23 March 1870' - he was shot attempting to escape Kawatanga forces at Waipuna pa in the Waioeka gorge. The Crown also recaptured the flag from Gate Pa, which was found on his body.¹⁵² This was the final act of armed resistance by Waitaha against the Government.

James Belich's statement that Hakaraia, is a leader who deserves more attention from historians, is certainly valid.¹⁵³ A more in depth examination of this influential and charismatic figure than allowed here, would certainly add to a further understanding

¹⁴⁸ Koning, p.50.

¹⁴⁹ Belich, p.210.

¹⁵⁰ Ibid

¹⁵¹ Gillingham p.77, citing MMB 12, 18 Oct 1893, p.183.

¹⁵² Binney, p.203.

¹⁵³ Belich, p.210.

of encounter dynamics, as Māori sought to traverse their way through the complexities and repercussions of European settlement.

The study now turns to the next phase of Waitaha's history which centres on Hakaraia's son, Hakaria Tipene and the alienation of Waitaha land as a result of Crown purchase. The wars in Waikato and Tauranga had placed severe pressures on the iwi; with the resultant fissures and weakened leadership structures. These outcomes left them vulnerable to Crown land purchasing strategies; which in turn were to have severe consequences for Waitaha, eroding their tribal standing and destroying their economic base.

Chapter Ten: Crown Legislation – Land Alienation by Stealth

This chapter is the first of several that examines the correlation between Government policy and the alienation of Waitaha lands. It traverses a complex series of events that is difficult to analyse and understand. However, if it is difficult in retrospect to disentangle and comprehend, how much more perplexing must it have been for tangata whenua who were besieged on all sides by relentless political and social forces with an insatiable appetite for their lands.

‘The actions of the Crown caused huge divisions for my people. People were struggling to adjust to the political upheaval of the times. They were torn about which side to go with, and a lot of whānau were much divided. Customary values were warped by the new order brought here by the British colonisation. During that era old leadership was contested by the new, and the anointed began to be replaced by the self-appointed. That contesting of the traditional leadership suited the Crown. That bitterness that those times created has lingered on to this day. I can still remember the old people saying in a disparaging tone about such and such a family, “oh, they’re Hauhaus”, as if that was something to be ashamed of.

The Native Land Court process warped beyond recognition the customary laws that gave supremacy to ancestral rights to the land. The Native land Court system elevated toa (conquest) claims and marginalised ancestral rights. It was expedient for the Court to have conquerors. Toa claims expedited the process of acquiring land, because it was easier to purchase land off the so-called victors. They didn’t have the same link to the land as those who had ancestral rights. Conquest as a means of gaining rights to land was highly overrated by the judges. The Court didn’t favour ancestry; it was far too complicated for them.¹⁵⁴

¹⁵⁴ Tapsell.

The Native Lands Acts, and the Native Land Court

Nineteenth century Government legislation on land issues was to have a disastrous effect on Māori in general, and Waitaha in particular. A brief examination of these Acts is therefore necessary, including the demonstration of their ‘effectiveness’ within the rohe of Waitaha. Condemnation of these legislations, and the role of the Native Land Court in particular, has appeared variously over the past hundred years in various contexts, even as recently as the occasion of the tangihanga of Te Arikinui Dame Te Ata- i - Rangi Kaahu. In a eulogy to the late Māori Queen, the Land Court was accused by Dr Rawiri Taonui, head of Māori and Indigenous Studies, Canterbury University, of ‘destroying the process of tribal decision-making’.¹⁵⁵

The traditional communal system of land tenure adhered to by Māori, was certainly a frustration to the new settlers. As Tony Simpson has stated, the settler’ objections were not so much philosophical but practical – it made it difficult to acquire land when it was owned by many and this was further complicated by the ultimate right of veto vested in the chiefs. The second strand to their discontent was the Crown right of pre-emptive purchase; settlers had always preferred the possibility of direct purchase. These two ‘impediments’ and the overall agenda to introduce a system of European land tenure, were the inspirations of much of the ‘native’ legislation between 1854 and 1863.

Besides the New Zealand Settlements Act, the Native Land Acts of 1862 and 1865, were possibly the most effective Crown tools in the alienation of Māori land in the nineteenth century. The original legislation established a Land Court, to ascertain title upon application by any hapū, whānau, or individuals, in order to issue certificates to proprietors. The objective, therefore was to individuate titles and override corporate ownership, including the right of chiefs to exercise their rangatiratanga. The 1862 Act has commonly been dismissed by historians, because it was barely acted upon before being replaced by its 1865 amendment. However, according to Alan Ward the first 1862 Act was of profound importance because the ‘principles it introduced continued to be applied, and several of them have major implications in Treaty terms’.¹⁵⁶

¹⁵⁵ New Zealand Herald, Tuesday August 22, 2006, p. A11.

¹⁵⁶ Alan Ward, *National Overview*, Vol II, Wellington: Waitangi Tribunal, 1997, p.215.

This Act, which recognised that Māori were to be owners of their customary titles, as defined in certificates of titles, proved to be a two-edged sword. Although the Act affirmed their ownership in terms of the Pākehā world, these rights were not accorded until they had been defined in a certificate of title. With Crown pre-emption set aside, Māori had in theory, access to the market value of their land, whether by lease or sale; a complaint that many Māori had with the former system of only selling via the Crown. But as there was no provision for public auction or tender, as Sir William Martin, New Zealand's first Chief Justice, subsequently contended, the new system didn't guarantee Māori full market value.¹⁵⁷

The removal of any restriction on direct dealing and on the amount of land settlers could buy, opened the way to 'indiscriminate speculation'. One speaker on the Legislative Council described it as follows:

Much has been said about the teasing which the Natives had formerly suffered by the land purchasers of the Government; but this teasing was nothing to the pressure that would now be brought to bear on them. If they had been teased before, they would now be plagued by land sharks; if they had been chastised by whips they would now be tormented by scorpions.¹⁵⁸

A provision in the Act was the creation of reserves which were meant to deter Māori ending up landless. However, there was no requirement that a percentage of land in a certificate of title should be reserved. Thus as will be seen in the case of Waitaha, they were left exposed to the full pressure of the market place. This was a direct contravention of the Crown's obligations under the Treaty of Waitangi, which placed an obligation of active protection upon Government, and implied at least, that ample reserves should have been allowed for.

Many members of Parliament were unguarded in their observations of the Act's objectives. One member thought that the Act would, 'give a mighty impulse to colonization and would open the way for it to roll over the length and breadth of the Northern Island by removing Native distrust'.¹⁵⁹ Another, a military person in the Legislative Council phrased it in another way, Colonel Russell said, 'it was unpleasant to be living, as we are at present, in a state of sufferance'; if for no other

¹⁵⁷ *ibid*, p.216.

¹⁵⁸ Ward, Vol. II, p.216, citing Stokes, NZPD, 1862, p. 717.

¹⁵⁹ *ibid*, p.217, citing Gillies, NZPD, 1862, p.633.

reason he would support the Bill, ‘as it would enable us, in time to become masters of the country’.¹⁶⁰ Another military member said, ‘It would put the Europeans in possession of Native lands – in fact make us masters of the country, which was the object desired’.¹⁶¹ These quotes give a clear indication that there was a strong connection between the new legislations and the ‘larger objectives of British colonization in New Zealand’.¹⁶²

The revision of the 1862 legislation in the form of the Native Rights Act and the Native Lands Act 1865, which included legislation concerning the Native Land Court proceedings, firmed the intentions of the first act. According to Ward again, the Act, ‘was shaped largely by the pressure of speculator interests in the Assembly’.¹⁶³ It provided for the determination of ‘owners’ of land according to Māori ‘proprietary customs’, and was ‘to encourage the extinction of such proprietary customs and to provide for the conversion of such modes of ownership into titles derived from the Crown’.¹⁶⁴

The constitution of the Land Court changed as a result of the new legislation from an essentially Māori panel under a European chairman to a court comprising a European judge and two Māori assessors. As will be seen, this new form of Native Land Court was to have grievous effects on Māori as the European judges struggled to come to terms with the complexities of Māori land tenure. One of the Judges subsequently admitted that the Court was not uniform in its practice – that each Judge, ‘sails along serenely’, either trusting to his Assessor for guidance or interpreting Māori custom according to his own ideas’.¹⁶⁵

The Court did not encourage an ethos of co-operation, but introduced an adversarial context that further exacerbated relationships between different hapū and whānau. The clumsy and at times extravagantly inefficient system ‘instituted a costly and tedious paraphernalia of lawyers, agents, legal rules and precedents – a morass in

¹⁶⁰ *ibid*, p.218, citing Russell, NZPD, 1862, p.716.

¹⁶¹ *ibid*, citing, Kenny, NZPD, 1862, p.716.

¹⁶² *ibid*, p.218.

¹⁶³ Ward, *A Show of Justice*, Auckland: Auckland University Press, p.185.

¹⁶⁴ *ibid*.

¹⁶⁵ *ibid*, p.186.

which the Maori floundered for decades, frittering away their estates in ruinous expenses and still all too often not getting equitable awards'.¹⁶⁶ The Courts, established under the mixed motives already referred to, had as one of its goals, to enable Māori to exercise a clearer autonomy over their lands. However in many cases they only served to create new confusions and a dissipation of their already fragile autonomy.

It is important to note however, that contrary to some perspectives, and despite the impact of the wars and the confiscations there is evidence to suggest that Māori were not unwilling to engage with te ao Pākehā. These initiatives to engage, included requests for magistrates, the building of schools, and the appointment of Assessors and policemen in the different rohe. These engagements however, were a conscious adaptation, but not an acceptance of total assimilation, as imagined by many Pākehā legislators. Sir Apirana Ngata, was later to write about this period, 'The old men did send us forth as were the Japanese nobles after the West had forced its way into Japan, to learn the material culture of the West in order to prepare the people to take the impact of [Western] civilization with the least harm to essentials'.¹⁶⁷ However, as even Ngata discovered, the rules for engagement with the changing New Zealand infrastructure were often quite different depending upon ones ethnic background. Māori were often at a severe disadvantage when it came to accessing the necessary capital to operate on equal terms in the new modernity.

Waitaha and the Land Court, 1870.

'The Crown was determined to acquire land for settlement and the pressure was on. The way I see it, whether Kingitanga or loyalist, the aim was the same – to protect the whenua. They were different ways of achieving the same goal',¹⁶⁸

'The toa claims had no validity in terms of Maori customary tenure, but it is clear that the claimants in the Native Land Court learned to respond to the distortion of tikanga.

¹⁶⁶ *ibid*, p.186.

¹⁶⁷ cited in Ward, *A Show of Justice*, Auckland: Oxford University Press, 1973, p. 265.

¹⁶⁸ McCausland.

For instance, in the Te Tumu-Kaituna case in 1883, Toi Te Koata of Ngāti Moko stated: “I did tell McLean that I based my claim on ancestry not toa; I now claim through toa because we were told that ancestral rights would not be considered”. The toa claimants refused to acknowledge the ancestral interests of Waitaha to the land, but the irony is that when they went through the Native Land Court they claimed through Waitaha whakapapa because they were still steeped in tikanga. For instance, a Ngāti Whakaue chief Pukeatua, claimed Tapuika lands in the Pukaingataru block based on conquest, but to assert his claim he still adhered to Maori customary tenure by reciting his whakapapa to Tia and Hei... This led to real distortions of customary interests, as the Native Land Court awarded title to lands on the strength of Waitaha ancestors....In a changing political environment, the Caesars interpretation of *veni, vidi, vici* gained foothold. It was that concept that gave other Te Arawa hapū and iwi the expression to claim toa’.¹⁶⁹

As stated previously, most Waitaha had left their Te Puke lands in the aftermath of the Tauranga battles. In early 1870, many returned from the Waikato, under the instructions of ‘old’ Hakaraia, who determined to remain with Te Kooti. They returned under the leadership of Hakaraia Tipene, the son of the old Waitaha warrior.¹⁷⁰ However, many still remained in exile. An 1874 census counted only 24 Waitaha living in Te Puke.¹⁷¹ Some of the Waitaha mōrehu associated with Hauhau, remained in Omokoroa and identified themselves as Ngāti Rangiwewehi. Evidence has been tendered that some Waitaha identified themselves with other iwi – particularly Ngaiterangi – as greater advantage could be gained in this way. According to Tame McCausland, ‘I wouldn’t be surprised if some of our people chose to follow their other tribal affiliations because those other tribes were in a more fortunate and stronger position than us’.¹⁷²

It is possible, that the introduction of the Native Land Court in the Bay of Plenty area in 1865, and its subsequent dealings with local Māori, may have provided one motivation for Waitaha to return to their lands. This new development, created a need for them to reassert their rights over their land. While the majority of Waitaha tuturu

¹⁶⁹ Tapsell.

¹⁷⁰ Ahomiro.

¹⁷¹ Gillingham, p.79, citing AJHR, 1874, G7, p.8.

¹⁷² McCausland.

were away supporting the Kingitanga and then residing at Tapapa with Hakaraia, some, with claims in the Te Puke and Maketu districts took steps to alienate portions of land. These included those with ancestral claims, but also Te Arawa who claimed it through toa.

With these new threats to their land, Waitaha had little choice but to participate in the Native Land Court process. However, the ability of the Court to process claims was very slow. By January 1871, after five sittings at Ohinemutu, Maketu and Tauranga, title to only five small blocks had been determined, none of which involved lands in which Waitaha had pressed interests.¹⁷³ Part of the difficulties encountered by the Courts, were the ownership disputes among various Te Arawa hapū. A dispute at Maketu, in January 1871, between Ngāti Whakaue and Ngāti Pikia led to the closure of the regional Native Land Court – resulting in the suspension of cases in the Te Puke area for an indefinite period.¹⁷⁴ The side benefit to Waitaha of this suspension, was that it gave time for many to return to their lands, to confirm their ancestral interests. However it also had a detrimental impact on land prices, as will be seen later.

This next phase in the ‘protection of the whenua’, saw Waitaha dealing with the status quo of the post-resistance phase. As already stated, Waitaha’s tribal estate was split by the Tauranga confiscation boundary. This anomaly caused great difficulties in the years to come, as they sought to secure title to all their tribal lands under the new legislation; this was followed by the subsequent consideration of whether or not to make them available for sale. The securing of title however, was complicated by the raupatu demarcation line through their land.¹⁷⁵ This line meant that Waitaha were required to engage with two separate Crown processes to secure their title. The Native Land Court, dealt with title on the eastern side of the raupatu line, while on the Tauranga side, a specially constituted Commissioner under the Tauranga District Lands Acts of 1867 and 1868 awarded title to confiscated lands. The Native Land Court considered title to Waitaha’s Te Puke lands before the Tauranga Commissioner considered title to their Tauranga lands, which meant that the Te Puke lands were alienated before those on their western side.

¹⁷³ Rose, p.23.

¹⁷⁴ *ibid*, pp.22-23.

¹⁷⁵ Appendix, See Waitaha Map Book.

Chapter Eleven: ‘Te Kai mo Waikato’ - Alienation of the Te Puke Block

‘The Raupatu resulted in the forced sale of our Te Puke lands. As far as I can remember the old people talking about it, a lot other people were claiming rights in the land. Ngāti Whakaue were taking deposits for the sale of the blocks. They were claiming on the basis of toa. This comes back to our ‘rebel’ status. We were disowned and told that we didn’t exist, that we were Hauhau. It was Ngāti Whakaue who stated that we are Waikato, not Te Arawa: Te Amohau stated: “Te kai mo Waikato”. I bring these things up to give an indication of the ill feeling for Waitaha, because of Hakaraia and his association with Te Kooti, Kingitanga and the Hauhau movement. The reason that we agreed to sell our large Te Puke blocks to the Crown was to prove that we held the mana to the land, [He quotes his tupuna, Ereatarā], “The reason for our selling land to the Government was because of the trouble caused by Ngāti Whakaue taking deposits from private individuals, & surveying & leasing the land...Seeing the way private individuals, & Ngāti Whakaue are acting, I thought it the better plan to sell my land to the Govt. lest I be cheated out of it”. Our chief Hakaraia Tipene was under great pressure in fighting for our lands when they went through the claims process. We had to go through the Commissioners Court in Tauranga as well as the Native Land Court over the Te Arawa side. Our ancestral interests in the Te Tumu-Kaituna Block were lost to the toa claims. Hakaraia abandoned the Waitaha claims to Te Tumu because he was under pressure with all the other court sittings that he was involved’.¹⁷⁶

The purchase of Waitaha’s lands outside the Tauranga confiscation block, took place within the context of large-scale Crown land purchasing under the Immigration and Public Works Act of 1870 and its amendments during the 1870s. This Act allocated money for the purchase of Māori land by the Native Department, as part of an ambitious Government scheme for the rapid promotion of settlement in the North Island. In 1873, Donald Mclean, the Native Minister, established a Native Land Purchase Department, which employed agents in the Bay of Plenty and other North Island regions, to negotiate with Māori for the alienation of their land to the Crown.

¹⁷⁶ McCausland.

Ostensibly, the Crown competed with private purchasers for Māori land, however in practice this was not always the case in the Te Puke region.¹⁷⁷

The suspension of the Native Lands Act in Maketu, meant that the Land Court hearings would not be held. This prevented private parties from purchasing land, as they were not able to conclude transactions involving land that had not passed through the Court. The net effect of this suspension, was a purchasing monopoly of Māori lands by the Crown, which resulted in questionable value being achieved in consequent sales.¹⁷⁸

On September 11 1873, Hakaria Tipene, who had inherited rangatira status for Waitaha from his father, entered into negotiation with Davis and Mitchell, the two Government land agents assigned to the area. He expressed interest in placing the block ‘under the management of the government’.¹⁷⁹

What Hakaraia’s meant by ‘management’ is unclear, however it seems that there was an expectation that the Government would administer part of the land, whether by lease or sale, while the tribe continued to occupy other parts of it. Mitchell recalled in 1878, that Waitaha, like most of the Arawa they treated with in 1873, were agreeable to ‘sell a portion, to lease a portion and to reserve a portion and it was so in Te Puke’.¹⁸⁰ Waitaha’s desire to involve the Government in the management of their lands, seemed to be a strategy they employed, when their title to a block was not officially confirmed, and when they considered that the actions of rival claimants jeopardised their claims to ownership. Eretera’s explanation of why Waitaha sold their land has already been cited in Tame McCausland’s evidence. It demonstrates that Waitaha saw Government’s involvement in their lands, as a way to protect their rights from the toa or mana claims of the kawanatanga Arawa. While some asserted ancestral claims through links with Waitaha, most kawanatanga Arawa laid claim to the ancestral lands of Waitaha, on the grounds of toa or mana stemming from the battle of Te Tumu and from their perceived victory over the Kingitanga.

¹⁷⁷ Rose, p. 5.

¹⁷⁸ Rose, pp. 8-10.

¹⁷⁹ Gillingham, citing Hakaraia Tipene to Native Minister, 11 September 1873, NO 1873/5288 (register entry), MA 2, NA.

¹⁸⁰ Gillingham p.87 citing Statement re the purchase of Te Puke block, by Mitchell and Young, 12 Nov 1878, No 3 in papers attached to Te Puke deed, Auck 805 – L, LINZ, Auckland DB, pp. 358 -369.

Waitaha's fear concerning their lands, also stemmed from the Government practice of defraying surveying and title application costs against land purchase payments. In the case of Te Puke, Ngāti Whakaue, had incurred debts from surveys in the 1860s and consented to the survey lien being charged against the Te Puke block.¹⁸¹ It was this lien that contributed to Waitaha's agreement to sell their land to the Government. In 1878, the iwi claimed that Davis and Mitchell had threatened to mortgage the block if Waitaha did not sell or lease it to the government.¹⁸² Ngāti Reremanu, a Waitaha hapū, also claimed to have entered the purchase agreement for fear of the consequences of indebtedness: 'That land [Te Puke] is gone from us through deceit. We were frightened by this word that Te Puke was going to be taken away and mortgaged. Therefore we were frightened and we consented.'¹⁸³ Kathryn Rose found that Davis and Mitchell had also made similar threats to Ngāti Makino.¹⁸⁴

Ultimately, the land purchase agents, Davis and Mitchell supported Waitaha's ownership of Te Puke against Ngāti Whakaue's toa claims. They decided in favour of three Waitaha hapū: Ngāti Reremanu, Waitaha 'proper', and Ngāti Te Puku o Hakoma, though how this conclusion was arrived at, is unclear.

According to Gillingham, Hakaraia Tipene agreed to sell the Te Puke block to Davis and Mitchell, on behalf of Waitaha during meetings sometime in May-June 1874. The Native Department had set the price at five shillings and acre, but Mitchell informed H T Clarke, the under secretary of the Native Department that he and Davis only required 'a discretionary power up to that limit' as they hoped 'to get the block considerably under'.¹⁸⁵ The purchase price eventually settled at was £4,000 – below the potential price, based upon the five shillings an acre approved by the Government. From the total amount, £1,000 would be used to cover the cost of survey and 'other expenses'.¹⁸⁶ Additional to the agreement to purchase the Te Puke block, Davis and Mitchell in consultation with Hakaraia agreed that a '200 acre reserve would be set

¹⁸¹ Rose, p.120.

¹⁸² Gillingham, citing Maihi and 39 others on behalf of Waitaha to Sheehan, 7 Jan 1878, ND 78/1941, in MA 13/88, NA DB, doc 51.

¹⁸³ *ibid*, citing Ngati Reremanu to Sheehan, 31 Dec 1877, ND 78/273, in MA 13/88, NA DB, doc.51.

¹⁸⁴ Rose, p.216.

¹⁸⁵ Gillingham p. 90, citing Mitchell to Clarke, 1 Jun 1874, (telegram), in MA 13/88, NA. DB, doc. 51.

¹⁸⁶ *ibid*, p.91, citing Te Puke deed, Auck 805 – J, LINZ, Auckland, DB, pp.358-369.

aside from the Waitaha portion of the block, i.e. between the rivers, for the Waitaha tribe'.¹⁸⁷

However, not all of Waitaha were supportive of the sale. In a further sign of the fissure caused by the new environment, the Hauhau supporters based in Omokora, wrote to the Native Minister on 30 June 1874, objecting to Hakaraia Tipene's sale of the Te Puke block.¹⁸⁸ The well known Ngāti Ngauru rangatira, Hemi Tarakawa also objected to the sale. In 1878, he told Hakaraia Tipene in 1878, 'I did not wish to sell land that you sold...to Davis & Mitchell'.¹⁸⁹

The superiority of ancestral versus toa claims, lay at the heart of the dispute over the ownership of several coastal blocks, including Te Puke, Rangiuru, Papanui, Pukaitaru, and Kaikokopu. However the Government agents, Davis and Mitchell ignored the toa claims and continued only with Waitaha for the purchase of the Te Puke block. It seems that their decisions to support Waitaha were motivated more by the iwi's willingness to alienate their lands rather than any clear understanding of the tikanga of land ownership. Perhaps they felt acknowledgment of Ngāti Whakaue's toa claim would restrict the sale of the lands. Despite the agents ruling in favour of Waitaha these disputes were to continue for several years.

A series of meetings, instigated at the behest of Native Minister McLean, to 'settle' the disagreements of the various claimants were held at Maketu, in early 1875. These meetings and the controversies engendered by the hui, are another clear example of the repercussions the new legislations had on inter-hapū relationships.

Both 'selling' and 'non-selling' Arawa gathered at Maketu. The sellers comprised Waitaha, Tapuika, Ngāti Moko, and some Ngāti Pīkiao. Tensions between the two groups were high and reflected the deep rift within the Te Arawa confederation. The position of the toa claimants towards the land-sellers is best summarised by Henare Pukuatua of Ngāti Whakaue, in his greeting to the assembly, when he said:

¹⁸⁷ *ibid*, p.91 citing Note on Te Puke deed map.

¹⁸⁸ *ibid* citing Maihi Maera te Manu to Native Minister, 30 June 1874, NO 74/3740 (registry entry), MA 2, NA.

¹⁸⁹ *ibid* p.92 citing MMB 3, 18 Oct 1878, p.267.

[A]nd you now see for yourself that there are many troubles among Arawas and that they are divided on land questions. This is an undeniable fact that the parties receiving monies for land within our boundaries are of Waikato, they detached themselves from us that we disclaimed them altogether and now they wish to sell the lands they abandoned, and expect to be solely benefited thereby. They are of Waikato.¹⁹⁰

So deep was the rift that Ngāti Whakaue would not acknowledge the existence of Waitaha. Henare Te Pukuatua, for example, believed that Waitaha did not constitute a tribe, saying that the ‘remnants’ of Waitaha were by then ‘part and parcel of Tapuika’ and that they had been extinct as a tribe since the days of Rangihouhiri.¹⁹¹

However the toa claimant’s anger was only partly directed at the land-selling hapū. They were also directed at the methods of the Government agents, Davis and Mitchell for the methods they used in determining title. For example, Temuera Te Amohau declared: ‘O McLean! O McLean! You who sent that rat here Charles Davis. You sent that bush dog here to devour our land’¹⁹²

It is Rose’s contention that McLean, the Native Minister, while pursuing a policy of peace keeping between different Māori land claims, was at the same time under considerable pressure from the settler Government to purchase as much land as possible.¹⁹³

After the Maketu hui, negotiations to complete the purchase of the Te Puke block continued. In their dealings, Davis and Mitchell continued to negotiate only with the ancestral claimants to lands in the district, including Te Puke, and the sale was finally concluded on 2 August 1875. ‘It enshrined the bargain struck by Hakaraia Tipene with Davis and Mitchell on behalf of Waitaha in May-June 1874. Davis and Mitchell forwarded the completed deed and deed plan to the Native Land Purchase Department on 7 August 1875’.¹⁹⁴

¹⁹⁰ Gillingham p. 103, citing Notes of the meeting at Maketu with the Arawa, 18 March 1875, ND 75/2668, in MA 13/18 NA KRDB, pp.434 -435.

¹⁹¹ *ibid*, p.477.

¹⁹² *ibid*, p.103, citing Notes of meeting with Ngati Whakaue, 22 March 1875, ND 75/2668, in MA 13/18, NA, DRDB, p.464.

¹⁹³ Rose, p.6.

¹⁹⁴ Gillingham, citing Young to Clarke, 7 August 1875, MA –MLP 1 1875/332, NA.

However, after the signing of the deed, it was now dependent upon Waitaha's title to the block being confirmed by the Native Land Court, which would allow the full settlement of the purchase money. This survey was necessary under the Native Lands Act; however, the survey did not happen for some time because of the continued opposition by Ngāti Whakaue, holding to their toa claims. Several meetings ensued as Ngāti Whakaue continued to advance their case, believing that the Te Puke survey was actually a test case with wider political ramifications; as Henare Te Pukuatua advised Ngāti Pehi, 'If you succeed in this case we will prevent any survey in the Bay of Plenty'.¹⁹⁵

The suspension of the Native Land Act in the district, was a major contributing factor in the ongoing disputes. Ngāti Whakaue felt aggrieved that their claims to the coastal lands had not been properly investigated before the Crown purchased the land. The issue came to a head with Ngāti Whakaue threatening to stop surveys on the disputed lands – Te Puke then became a test case for Governments land strategies in the area.

Arguments over the issue of surveys continued for some time and threatened to erupt into violent confrontations. Kaumātua were pitted against younger men with different ideas, hapū faced off against hapū and the government agents entered into 'negotiations' of all kinds, some of dubious legality, in order to facilitate the surveys. The issue was also a topic of debate within Government circles and amongst the new settlers in the Tauranga area, who had a vested interest in the progress of the survey parties. As a result of the ongoing disagreements, the Te Puke purchase was subject to a second review by Daniel Pollen the newly appointed Native Minister, who soon after his appointment met with chiefs from Maketu, and Rotorua. After negotiations, according to the Bay of Plenty Times, Ngāti Whakaue, 'withdrew all their opposition to the sittings of the Lands Court, and urged upon the Government to have the lands surveyed and the titles individualized without delay.'¹⁹⁶ The reason for Ngāti Whakaue's change of opinion over the surveys is not known, but the Bay of Plenty Times contends that Pollen may have enticed them with an offer of schools and other infrastructural improvements.¹⁹⁷

¹⁹⁵ *ibid*, p.114.

¹⁹⁶ BOPT, 24 Jan 1877, p.2.

¹⁹⁷ *ibid*, 20 Jan 1877, p.2.

The Reintroduction of the Native Land Court

Although Pollen promised the imminent sitting of the Land Court, it did not in fact sit for another year. This had the effect of Waitaha not receiving further payments for the block, although a further £25 of the £4000 purchase money had been spent on ‘incidentals’.¹⁹⁸ Government policy restricted payment until the Native Land Courts had investigated title. This became a source of frustration to Waitaha as some of the elderly owners had died in the interim and some despaired of seeing payment at all.

As a consequence to the delays, Te Huruhuru, on behalf of Waitaha, wrote on 16 August 1877 to Pollen and Clark and declared their intention to withdraw from the Te Puke purchase agreement. They blamed the lack of resolution and the non-payment of the balance of the purchase money, and also declared their intention to pay back the advances already made by the government. Te Huruhuru also signalled their intention to open negotiations with a private purchaser:

This is the word of Waitaha to you respecting the money for Te Puke which has not been forthcoming for the past 3 years, viz:- that no further money should be received from the government on account of that Te Puke. The whole hapu of Waitaha including both men and women are of this opinion. The original owners are dead – who are the people to receive the money. We have informed you of this matter before and you took no action thereon, and that is why we have placed ourselves in communication with private pakehas so as to obtain funds wherewith to pay for what has been advanced to us.¹⁹⁹

The iwi consequently offered to lease the Te Puke block in July 1877.²⁰⁰ Besides the death of some kaumātua, and the frustration at the delays, the tribe was under pressure as a result of food shortage, caused by flooding along the Waiari and Kaituna. The Bay of Plenty Times reported that in some places, crops were buried under several feet of debris.²⁰¹ However, the Government was unwilling to release their ‘right’ to the block, despite offers from private buyers that exceeded the original amount offered by the Crown.

¹⁹⁸ Gillingham, citing Return of lands purchased, leased or under negotiation in the North Island, AJHR, 1877, C6, p.10.

¹⁹⁹ *ibid*, p. 129, citing Te Huruhuru and others to Pollen and Clarke, 16 August 1877, ND 77/3155, in MA 13/88, NA, DB, doc 51.

²⁰⁰ *ibid*, citing Jordan to Clarke, 30 Jul 1877, ND 77/3347, in MA 13/88, NA, DB, doc. 51.

²⁰¹ *ibid*, citing, BOPT, 14 Feb 1877, p.3.

In December 1877, Waitaha held meetings held in Tauranga with John Sheehan, the Native Minister in the new Grey Government. However, little progress was made. This prompted further correspondence between Waitaha and the Crown. On 7 January 1878, 40 signatories wrote on behalf of all Waitaha to Sheehan, explaining their reasons for not wishing to complete the transaction; much of Waitaha's concern centred on the uncertainty of the price per acre being offered. In contrast, the offers from private purchasers were made clear at the onset of negotiations. As already noted, although the Government of the day had approved up to 5 shillings per acre for the Te Puke block when negotiations were opened in 1873, Davis and Mitchell had offered Waitaha a set rate of £4,000, of which £3,000 would be paid to the tribe and £1000 reserved for costs. Waitaha now pointed out that the price previously offered was low, especially in view of the amount of time they had to wait to receive the money. As Waitaha signalled in the letter, they were fully aware of the value of the Te Puke block:

‘...that land Te Puke is a good block, the soil is very rich, there is much flax in the swamps on the bank of the Waiari stream and it is also a block that lies well, the timber too can be taken out of the bush in the valley at the back for fencing for firewood and applied to various other purposes for the benefit of the people purchasing the land, there are many advantages connected with that block hence we feel disappointed at the low price given by the Government, but let a large price be given and then we this tribe of Waitaha will all be pleased’.²⁰²

There was also a lingering concern amongst some Waitaha that the Government could not be trusted, to reserve lands from the block that Waitaha wished to retain. Thus, they wrote, ‘the land did not actually become the property of the Government, and the money not wholly received by Waitaha, we therefore think it would be better for us to sell the land to private purchasers for a large price, and return the money received by Waitaha from the Government’.²⁰³

Nevertheless, the Government refused to give consideration to this application citing the Native Land Purchases Act of 1877, which had been enacted among other things, to ‘make better provision for protecting the interests of Her Majesty the Queen in the Purchase of Native Lands’. The Government's refusal was not so much based upon legal prescriptions, but for exactly the reason that Waitaha wanted to recapitulate –

²⁰² Gillingham, p.133, citing Maihi and 39 others on behalf of Waitaha to Sheehan, 7 Jan 1878, ND 78/1941, in MA 13/88, NA, DB, doc.51.

²⁰³ *ibid.*

the ‘very valuable’ nature of the block’.²⁰⁴ On 2 May 1878, Mitchell, on behalf of the Government, applied for an application under section 6 of the Native Land Amendment Act of 1877 for investigation of title to the block.²⁰⁵ The resultant award of the block to the Crown and the final settlement of the terms of purchase are examined in the next chapter.

²⁰⁴ *ibid*, p.134, citing Memo to Clarke, 3 April 1878, on ND 78/647, in MA 13/88, NA, DB, doc.51.

²⁰⁵ *ibid*, p. 134, citing, BAHX 10215/2a, NA Auckland, p.25.

Chapter Twelve: The Alienation Continues

The previous chapter has detailed some of the events, consequent to Waitaha returning to their ancestral land around 1870, in order to assert their mana whenua. Recent legislation in the form of the Native Lands Acts had completely reconfigured the context of traditional land ownership and propelled Māori into complex and at times divisive negotiations over title. Waitaha asserted their rights to Te Puke, on the basis of ancestry, which was in the main accepted by the Crown. Consequently, Government purchase agents entered into negotiations in 1873, to purchase what became known as the Te Puke block. However this transaction was repeatedly delayed, in part because of the contestation by Te Arawa, who continued to make toa claims into the district.

The disagreements particularly with Ngāti Whakaue, were grounded within the fissure that occurred within Te Arawa on account of affiliations either with Kingitanga or the Crown in the disputes of the 1860s. The Crown's suspension of the Native Lands Acts in the Arawa district as a result of these divisions removed the appropriate venue for such conflicts over title, until 1878 when the Acts were reinstated. That stalemate, left Waitaha in a state of uncertainty over the areas of land they were entitled to, and contributed in a large part to the demise of the iwi's fortunes.

The investigation into the title into the Te Puke, block finally began in the Native Land Court in Tauranga on 16 October 1878, seven years after its first sitting to consider the matter. Hakaraia Tipene represented Waitaha, but not all the hapū, – some members presented their own claims. In all there were eleven counter claimants to Hakaraia Tipene's claim. Among them were several Waitaha hapū, including Ihaka Te Hiwi (Ngāti Te Puku O Hakoma), Hemi Tarakawa (Ngāti Ngauru and Ngāti Te Moemiti), Peramara Papanui (Ngāti Reremanu), Ihimera Pikopiko (Ngāti Kahu) and Wiremu Te Whareiro (Ngāti Reremanu). The other claimants were Tapuika and Ngāti Whakaue.²⁰⁶

²⁰⁶ Gillingham, p.138, citing MMB, 3, 16 Oct.1878, pp.250-251.

Hakaraia explained that Waitaha claimed the land ‘through ancestry, occupation, & conquest’. The ancestral claim was through Te Iwikoroke.²⁰⁷ Although Hakaraia Tipene could not calculate how long Waitaha had occupied the land, it was ‘from the time that Hakaraia returned from Nga Puhi country.’ Their occupation was supported by cultivations in the centre of the block, and by pa along the Waiari and Raparapahoe rivers. Tapuika and the various Arawa hapū, on the other hand, asserted claims to Te Puke on the basis of toa.²⁰⁸ These claims were ultimately rejected by the Court while the ancestral and occupation based claims of Waitaha, Ngāti Te Puku O Hakoma, Ngāti Te Moemiti and Ngāti Reremanu were recognised.

Revision of the Land Act

Dissatisfaction and inadequacies in the 1865 Native Lands Act, led to a new Act, the Native Land Act 1873, which required the Court to list every owner of a block on a memorial of ownership. This, in contrast to the legislation of the prior Act, which required that blocks should have no more than 10 owners. Under the new Act, every owner had to consent to a purchase, but once a majority of signatures had been obtained, purchasers could apply for partition of the block. This somewhat problematic exercise of listing the owners’ names was outworked in the Waitaha context, as they sought to list the names to be included on a memorial of ownership. Hakaria Tipene and Maihi Pohepohe drew the list of names for Waitaha. The lists prepared by the two leaders were appealed by various hapū, who complained about the omission of several names. Ngāti Whakaue, for example were never satisfied with the exclusion of their claims. This led Chief Judge Fenton to state, ‘I don’t think that Ngatiwhakaue would be content even if their land titles were settled by an angel from heaven’.²⁰⁹

One of the major disadvantages of the system under the new Act, was that ‘every owner’s signature became a marketable commodity’.²¹⁰ It had the effect of undermining the role of rangatira in their efforts to control sales and often resulted in bitter infighting amongst whānau as they sought to represent their interests. The individualisation of titles also contributed to a fragmentation of land resources and

²⁰⁷ Gillingham, p.344, citing MMB, 3, 1 Nov 1878.

²⁰⁸ *ibid*, p.138.

²⁰⁹ *ibid*, p.143, citing Memo from Fenton, 21 Dec 1878, on ND 78/4806, in MA 13/88, NA, DB, doc 51.

²¹⁰ Ward, Vol 1, p.68.

made it extremely difficult for Māori to organise and develop an economic base on the land. According to Ward:

With land purchase agents always active, communities became divided and demoralised. It was much easier to succumb to the pressure of debt and sell one's interests than to try to farm the land. Even the leasing of land...gave way to selling, largely because owners could not pay tenants for improvements on the land or for restocking it – least not without selling other land. The consequence was the continuing sale of individual interests and a form of pauperisation.²¹¹

Ward's analysis is certainly consistent with the Waitaha experience.

Although the Native Land Court had finally recognised Waitaha as the owners of Te Puke block, the tribe had incurred heavy costs in obtaining the title. This included the hindrance to their socio-economic development as referred to by Ward, and the actual cost in time and money during the title process. For example, in 1880 Wi Hotene Te Huruuru asked that the Government pay for all the rations supplied to them during the Court hearing, since the government had 'obliged' them to attend the Court and thus 'neglect' their cultivations. As a result of the requirement to attend the Court, he explained, Waitaha were, 'short of food during the whole year and suffered there from very considerably, having to buy food instead of growing it'.²¹²

After the Court findings in favour of Waitaha, several meetings were held whereby the tribe gained concessions from the Government land purchase agents on both price and the size of the reserves. The Government was keen to complete the purchase and was even prepared to pay extra for it. Ultimately, an extra £500 was offered and the reserves increased from 300 acres to 1500 acres.²¹³ The reserves were set aside for residence and cultivation in two separate locations. Te Puke 1 of 1,000 acres, adjoined the Ottawa boundary; previously known as Motungarara, now became, Manoeka, literally one thousand acres – the present location of Waitaha marae and kainga.²¹⁴

²¹¹ *ibid.*

²¹² Gillingham, p.142, citing Statement by Wi Hotene Te Huruuru, nd, NLP 80/374, in MA 13/88, NA, DB, doc.51.

²¹³ *ibid.*, p.144, citing Memo re Te Puke block by Mitchell, 14 June 1880, encl. in NLP 80/411, in MA 13/88, NA. DB, doc.51.

²¹⁴ Note: According to Rahiri, the Waitaha kaumātua have resolved to continue with the name 'Manoeka' as a memorial to the loss of their lands – Personal Communication.

Te Puke 2, which totalled 500 acres, was located on the site of the then, Te Puke kainga, which was the site of Waitaha cultivations.²¹⁵ According to the agent Mitchell, they made the concessions to compensate for the delay in settling title, which in turn delayed payment for the land. But it was also in recognition of the value of the block, which had been driven up by private speculators who were offering three times the purchase price offered by the government.²¹⁶

The Native Land Act 1873 and its related Native Reserves Act, sought to protect the integrity of reserves in the land transaction process. The preamble of the main act proposed a 'roll' of Māori land throughout the colony, 'with a view to assuring the Natives without any doubt whatever a sufficiency of their land for their support and maintenance, as also for the purpose of establishing endowments for their permanent general benefit out of such land'. 'Sufficient' for both maintenance and endowment was declared to be a minimum of not less than 50 acres to be retained for each woman and child.

However, according to Williams and Rose, such statutory protective measures were rarely put into practice, and this was certainly the case with respect to the Te Puke block.²¹⁷ District Officer Gilbert Mair, had failed to resolve the question of the reserves with Waitaha, and the offer by the Government to increase the reserve size, was really a cynical move to secure the transaction. In the end the actual acreage granted remained insufficient under the 1873 Act. The list of owners submitted to the Native Land Court included names of 171 adults, which under the Act – should have amounted to a minimum reserve award of 8550 acres in the Te Puke purchase – compared to the 1500 acres actually granted.²¹⁸

Further evidence of the Crown's dubious processes can be seen in the way they bypassed the list process required under the Act. In fact, as will be seen, the lists came to have no real legal standing, a situation that was often misunderstood by Māori. The block was eventually transferred directly to the Crown under Section six of the 1877

²¹⁵ See Appendix: Waitaha Map Book., Map 5.

²¹⁶ Gillingham p. 144 Memo re Te Puke block by Mitchell, 14 Jun 1880, encl.in NLP 80/411, in MA 13/88, NA. DB, doc. 51.

²¹⁷ Williams, p.270; Rose, p.12.

²¹⁸ Gillingham, p.144.

Amendment Act, by doing this the Native Land Court validated the Crown's 1874 purchase and accepted that 'all persons owning the land had been paid for their interests'.²¹⁹ This however was incorrect, the Government had in fact only paid £1,100 on the block by this date, and the question of how to distribute the purchase money had not been resolved. By directly vesting the Te Puke block in the Crown, the deed, with all the names became redundant, except as evidence supporting the court order. Thus there were no grantees and, this lack of definition of ownership, as was allowed under the Act, caused many problems during the final settlement of the transaction.²²⁰

It didn't take long before complaints about the distribution of the purchase money and reserve entitlement poured into the Native Department. At least 30 letters on the two subjects were received from dissatisfied Māori. Their complaints centred mainly, on not receiving the share of the purchase money they expected. Most complaints stemmed from the misconception that the Native Land Court list 'accepted' in November 1878 by the Crown, listed the owners of the Te Puke Block.

The other major concern expressed in the complaints referred to the entitlement to reserves. These complaints arose, because the Native Court had failed to specify the beneficiaries of the reserves; this in turn meant that the question of entitlement became open to contention by various claimants. A final complaint suggested that various Government agents, 'promised' to reserve certain parts of the Te Puke block, and these commitments had not been honoured.

Some of these concerns spilled over into direct action and highlighted the Government's inability to resolve the issues. On 10 and 29 January 1879, for example, Ihaia Tarakawa and Ngāti Whakaue obstructed surveyors who had begun work on the 500 acre Te Puke 2 reserve adjoining the Waiari River.²²¹ Surveying continued with intermittent interruptions but was finally completed on 4 March 1879. With the reserves now surveyed, Te Puke was proclaimed waste land of the Crown on

²¹⁹ *ibid*, p.147, citing Gill to Porter, 27 Oct 1879 (telegram), NLP 79/468, in MA 13/88, NA. DB, doc. 51.

²²⁰ *ibid*, p.148.

²²¹ BOPT, 11 Jan 1879, p.3; 30 Jan 1879, p.4.

31 May 1879 under section 17 of the Waste Lands Administration Act of 1876.²²²

However, despite the completion of the survey of the reserves, complaints about the payment of purchase money continued.

Crown Inquiry

Finally, under pressure from various quarters, the Government instructed H W Brabant, the Resident Magistrate at Tauranga to undertake an inquiry – the two issues for investigation were that some claimants had not received payment for their interests and secondly, that promises made with respect to reserves had not been fulfilled.

The inquiry was held during April and May 1880; Brabant reported to the Native Minister on 12 June 1880. With regard to issue of the payment of money, he found, ‘that the whole matter is in such a state of confusion that I despair of being able to get it into any order’. In particular, he pointed to the fact that the list of the owners of the block was never completed. He laid the blame for this situation on the Government, commenting, ‘To give way to the Natives, is no doubt undignified but the Government have been brought into the position they are placed in by their own officers and not by any fault of the Natives.’ He therefore made several recommendations in favour of the complainants, including forwarding his report the Chief Judge of the Native Land Court to decide in which title the reserves could be settled. He also suggested an additional £200 be paid to Waitaha and further reserves of 200 acres to be set apart for the iwi’²²³

The Native Minister approved all Brabant’s recommendations ‘in order to secure undisputed occupation and Title to the land’.²²⁴ In doing so, therefore the Native Department accepted responsibility for the actions and promises of previous Government officers and ministers. ‘On 6 July 1880 Gill, the under-Secretary of the Native Land Purchase department, informed Brabant that the Surveyor-General would be instructed to lay off a 200 acre reserve under Brabant’s supervision; and that he had authority to spend up to £200 of land purchase money for ‘final settlement of

²²² Gillingham p.156 citing NZG, 10 Jun 1879, No 62, p.781, in MA 13/88, NA,DB doc.51.

²²³ *ibid*, p. 158, citing Brabant to the Native Minister, NLP 80/411, in MA 13/88, NA, DB, doc.51.

²²⁴ *ibid*, citing Gill to Brabant, 12 July 1880 (draft), NLP 80/411, in MA 13/88, NA .DB, doc.51.

all claims and disputes, first sending schedule to this office'. All the above measures were to be taken 'as early as possible'.²²⁵

The Te Puke reserve question, June 1880 – June 1881.

Despite an attempt by Brabant to have the issue of the reserves referred to the Chief Judge of the Native Land Court this was refused. As far as the Native Land Court was concerned, the granting of title to the reserves was the Government's concern and it was consequently returned to Brabant to solve. Brabant immediately convened a meeting of Waitaha at Maketu in order to discuss final settlement of the Te Puke disputes.

The settlement process proved long and controversial. Different groups within Waitaha failed to agree as to the division of Te Puke 1 and Te Puke 2, and the placement of the reserves. The problem, according to Brabant, was that the Native Land Court judgement awarded the reserves for the 'Waitaha tribe and its branches', but that 'Waitaha proper' (represented by Hakaraia Tipene) were refusing to admit the 'branches' to the reserves. The issue was then referred again to the Native Land Court to investigate.

Another cause of dispute was the issue of a road through Te Puke 2. The road was laid off during the survey of Te Puke 2, ostensibly with the consent and assistance of Waitaha.²²⁶ However, Waitaha complained that the road ran through the middle of the reserve and cut up their cultivations. At one stage under the leadership of Hakaraia they obstructed workers as they attempted to form the road. Eventually opposition to the road was dropped but it remained a contentious issue.

While the Government was seeking to solve the problem of competing claims for title, inter-hapū rivalry continued to grow. Ngāti Ngauru, for example wrote to the Government in January 1883, requesting settlement as soon as possible because they could not go on living alongside Waitaha on the reserves indefinitely. Ngāti Ngauru

²²⁵ *ibid*, citing Gill to Brabant, 6 Jul 1880, NLP 80/411, in MA 13/88, NA. DB, doc. 51.

²²⁶ BOPT, 4 March 1879, p.3.

were particularly irritated at having to live beside the former ‘Hauhau’ hapu, who they claimed disregarded the Sabbath by working on Sunday.²²⁷

The Native Land Court reconvened at Maketu on 21 June 1883 to partition the two reserves to the respective claimants. According to Mair, it was ‘unanimously agreed’ that the ‘smaller’ hapū would take their shares in the 500 acre reserve, leaving 1000 acre reserve and the balance of the 500 acre reserve for Waitaha. The reserve was consequently divided into four parts: 2A – Waitaha, 200 acres; 2B – Ngāti Reremanu, 155 acres; 2C – Ngāti Te Moemiti, 50 acres and 2 D – Ngāti Te Puku O Hakoma, 87 acres. In total therefore, the Waitaha hapū received 1200 acres of reserves, Ngāti Reremanu 155 acres, Ngāti Te Moemiti 50 acres and Ngāti Te Puku O Hakoma 87 acres.²²⁸

Any hope that the matter was now settled were soon dashed. Many were still aggrieved at the make- up of the original ‘list’ from 1878. Mair’s claim that the lists were unanimously agreed to was certainly naïve. Several families continued to express their dissatisfaction at their exclusion from the final settlements and the contentious issue continued to be a cause of friction between different whānau and hapū. Despite their objections, these were disregarded and by August 1883, the owners of the reserves had been defined and those parts of the reserves they owned, defined on paper. A Crown grant was issued for Te Puke 1 on 22 June 1883. The grant was subject to the restriction that it could ‘be leased for any term not exceeding twenty one years, but shall be otherwise inalienable except with the assent of the Governor’.²²⁹ According to Alan Ward, the imposition of sale restrictions was a reflection of Government policy to enable Māori owners to become more experienced in the modern economy before they lost too much land in the process.²³⁰ In the case of Waitaha’s, it was too little too late, most of their lands had already been purchased by the Crown at this point and they were left consequently, with only a small portion to satisfy their requirements.

²²⁷ Gillingham, p164, citing, HT Tarakawa to Bryce, 23 Jan 1883, NO 83/484, in MA 13/88, NA, DB, doc.51.

²²⁸ *ibid*, p.168, citing MMB 5, 21 June 1883, p.356.

²²⁹ *ibid*, p168 citing Order for issue of grant, Te Puke, 1, BOF 864/B, MLC, Rotorua.

²³⁰ Ward, Vol 1, p.76.

With the sale of the smaller Whakauma and Waipumuka Blocks to private purchasers in the mid 1880s, Waitaha had alienated nearly all of their tribal lands by the turn of the century. Apart from the fifty acre Waipumuka block which was sold to private interests all had been purchased by the Crown. The details surrounding the title application and consequent sale of these blocks will not be explained for the sake of space, except to say that the patterns are similar to those already detailed in the previous analysis of Waitaha land sales. The negotiations over particular claims were characterised as in previous instances, by inter- hapū disagreements and Government agents inadequately equipped to traverse the complexities of traditional land tenure claims. It seems that economic reasons such as tangi expenses and the cost of repeated Native Land Court hearings, underlay the motivation of some Waitaha to alienate the Whakauma block. In 1891, for example, Te Huruhuru recalled that they received money as an advance for land because they owed money for food connected with the death of ‘old’ Hakaraia.²³¹

The sale of these two sections of land also occurred during a time when the iwi was undergoing leadership changes. By 1891, Hakaria Tipene had died and new leaders from rival hapū each had aspirations to take his place. In the negotiations with the Crown over title it was Hoani Hakaraia, Tipene’s son, who claimed that he was the person to represent Waitaha, but he was challenged by the Tarakawa family of the Ngāti Nguru section of Ngāti Te Moemiti, who were the long time rivals of the Waitaha hapū. The court eventually found in the favour of Hoani Hakaraia and a list of 90 owners was finalised on 7 May 1891, for the Whakauma block²³²

After successfully receiving title for the majority of the block, Hoani Hakaraia, on behalf of Waitaha, offered the Government 1400 acres for 10 shillings per acre. However, the Ngāti Ngauru and Ngai Te Moemiti sections of Waitaha were dissatisfied with this price and with the whole conduct of the sale and made their thoughts known to the government. The Crown ultimately purchased 425 of the 473 shares. Payments for these shares were made to the majority of owners – with nine owners, representing 48 shares declining to sell. The Native Land Court consequently cut out 1682 acres acquired by the government and renamed it Whakauma 1. The

²³¹ Gillingham p.180, citing TMB 4, 29 April, p.271.

²³² *ibid*, p.185, citing TMB 4, 7 May 1891, p.354.

remaining 191 acres was awarded to the nine owners who had held out and renamed Whakauma 2. The piece retained by the Waitaha non-sellers lay in the north –eastern part of the block, between the Mangatoī and Oturuturu streams.²³³

²³³ *ibid*, p.186, citing Plan attached to Order for residue under s7 Native Land Court Act 1888, (Whakauma 2), Whakauma BOF, MLC, Rotorua, DB, pp.456 -466.

Chapter Thirteen: The ‘Return’ of the Tauranga Land

It is time now to return to the issue of Waitaha’s land which was confiscated after the Te Ranga ‘surrender’. These lands extended from Waimapu to the western side of the Ottawa range and inland to Otanewainuku. Governor Grey had promised after the ‘pacification hui’ to return three quarters of ‘Ngaiterangi’ land to them – this in return for their chivalry during the Tauranga campaign, ‘neither robbing or murdering, but respecting the wounded’.

Under the Tauranga District Lands Act, a Commissioner was appointed to determine which lands should be returned to ‘Ngaiterangi’ in fulfilment of Grey’s commitment. All hapū whose customary lands lay within the Tauranga confiscation district were able to make their claims towards title. The Ottawa and Waoku blocks, which were in the western reach of Waitaha lands were among those made available for claim.

Hakaria Tipene consequently explained to the Commissioners Court in April 1875 that he had entrusted the lands within the confiscation district to the Government to decide on title: ‘I have claims within the confiscated boundary which are in the hands of the Govt., all the lands from the confiscated land of the Koreke tribe I have given into the hands of the Government’.²³⁴ Waitaha pressed claims to the Ottawa and Waoku lands, which encompassed the greater part of their tribal lands within the confiscation district. These cases were not heard until 1877 and 1881 respectively.

In 1877, Commissioner Brabant began to inquire into the Ottawa and Maungatawa lands, the approximately 38,000 acres on the eastern side of Tauranga harbour. According to the calculations of petitioners before the Sim Commission in 1923, Waitaha were interested in about 25,000 acres of this land.²³⁵ The hearing lasted 27 days and Brabant consequently created five blocks; but, for an unknown reason he postponed a decision on Ottawa 1 - the block that Waitaha were mainly interested in. This delay caused concern to Waitaha. Consequently, Hakaria Tipene wrote to the Native Minister Daniel Pollen, requesting that land ‘be left in the hands of the

²³⁴ Gillingham, p.191 citing Notes of the meeting at Maketu with Waitaha, 17 April 1875, ND 75/2668, in MA 13/18, NA, KRDB, pp. 492 -493.

²³⁵ *ibid*, p.191.

Government for protection. Waitaha have apprehensions with regard to Pakeha buyers and Maori sellers, because the land has not been adjudicated upon'.²³⁶

Unlike the situation in the wider Bay of Plenty, where the suspension of the Lands Acts between 1873 and 1878, meant that it was almost impossible for private purchasers to alienate lands, land around Tauranga was often sold before the Commissioners Court settled title. Hakaraia was not alone in his concern for the land, as comments by Clarke, now the Under Secretary of the Native Department reveals:

A small section of Europeans in Tauranga seem intent on gaining from Māori “by hook or by crook” all the land that can be procured, without any regard to the future wants of the Natives, or the political questions so often involved in matters relating to Native title. In fact, they speak and write as though they had a vested right in the lands now in the possession of the Natives.²³⁷

Brabant was eventually replaced by Clarke, who was appointed to hear the postponed Ottawa 1 claim in early 1878. As well as taking their ancestral claims into consideration he also examined the ‘loyalty’ of individual sections of Waitaha, and took this into account when considering the extent of land to be ‘returned’. Ultimately he found in favour of Waitaha’s claims. He confirmed that the whole of the Tauranga district including Ottawa originally belonged to Waitaha. He found that Ottawa was divided between Kumaramoa on the west of the range and Te Iwikoroke on the east of it; that the whole of the lands of Kumaramoa and part of that of Te Iwikoroke were subsequently lost in war with Ngaiterangi and their allies, He also found, that Arawa later regained part of the lands of Te Iwikoroke following the successful attack upon Te Tumu. Clark laid down the border of Waitaha and Ngaiterangi at Wairakei. He agreed with the claims of Hakaraia, that they exercised rights of ownership on the Ottawa lands within the confiscation district:

It is quite clear that Hakaraia Mahika had some pieces within the confiscated boundary belonged [sic] to him, he was a descendant of Te Iwikoroke and cultivated upon these three pieces above mentioned...It is also clear that other descendants of Te Iwikoroke had rights to land within this boundary but not so good as that of Hakaraia.’ Thus Clarke agreed with Waitaha that they had valid customary claims to land within the inland area of the confiscation district, however, he rejected their claims to lands near the coast to the west of Wairakei.²³⁸

²³⁶ *ibid.*

²³⁷ O’Malley and Ward, pp.68-69.

²³⁸ Gillingham, p.195.

Punishment for ‘rebellion’

However, despite these findings, Waitaha were not granted the full extent of their ancestral lands around Tauranga Moana. As already stated Clarke, as well as examining their ancestral claims, also took into consideration their political affiliations during the Waikato and Tauranga battles. Unlike the Native Land Court, the Commissioner’s Court was not bound to award title to lands in accordance with proved customary title. Instead, it was set up to compensate Maori interests in the land but only so long as they were loyal subjects of the Crown. Maori who had not submitted to the Crown were explicitly ineligible for compensation.²³⁹ Clarke found that Hakaraia was a ‘rebel’, and stated that his support of the rebellion was the reason that ‘a portion of the land of Ngaiterangi was confiscated’. The label of ‘rebel’ was not applied to the whole tribe however. Clarke acknowledges that other descendants of Te Iwikoroke ‘did not join [the] rebellion [and] were loyal and fought for the Queen’.²⁴⁰

In his decision, he weighed up the ‘sin’ of Hakaraia with the requirements of justice, to those Waitaha who had not taken part in the ‘rebellion’.

It has been clearly established that Hakaraia was a rebel and fought against the Crown it is also right [that a] portion of the land of his hapu should be taken in payment for his sin as Ngaiterangi has suffered. But the land of those persons of the hapu who fought for the Government during the wars. [sic] I now award that the descendants of Te Iwikoroke are entitled to the land lying to the South of the line commencing at Kopuaroa then to the Otawa mountain thence to Otanewainuku.²⁴¹

The awarded block was called Otawa Waitaha 1 block and was found at survey to be 4947 acres. The block was awarded to the descendants of Te Iwikoroke collectively, with the instruction that the ‘individual claims and definition of relative interests will be made when they desire to partition the land’.²⁴² The remainder of the land was divided amongst the Ngaiterangi hapū, Ngāti He and Ngā Potiki.. According to the

²³⁹ New Zealand Settlements Act 1863, RDB, pp. 3295 -3296.

²⁴⁰ Gillingham, p.195, citing, Copy of Clarke’s decision respecting Waitaha’s case, MA 85/6, NA, RDB, p.19465.

²⁴¹ *ibid*, p.19466.

²⁴² Gillingham, p.196, p.19466

calculations of Waitaha petitioners to the Government in 1923, this represented a loss to Waitaha of about 20,000 acres.²⁴³

Clarke's decision to make his ruling on the basis of 'loyalty' or 'rebel' has engendered much bitterness within Waitaha a feeling that continues into the present. According to Tame McCausland, 'To this day we consider that this ruling is incorrect'.²⁴⁴ The Commissioner's delineations on the basis of political allegiances are difficult to justify for several reasons – the most obvious, that it was impossible to quantify the number of Waitaha who joined the war. Moreover, the numbers probably fluctuated between 1864 and the early 1870, as various Māori struggled to formulate their own responses to the complex and ever-changing political situation. Clarke's sharp line between 'loyal' and 'rebel', was in many ways an arbitrary and simplistic decision which had the effect of alienating a large proportion of Waitaha's traditional lands.

In September 1878, Judge JA Wilson held a hearing to determine a list of owners in the Ottawa Waitaha 1 block. Clarke had awarded the land to Waitaha collectively, with leave to individualise title on partition. Wilson subsequently undertook to compile a list of owners. There is little record of how this list was compiled, except that Hakaraia Tipene was prominent in determining the names for inclusion. Included in the list were some who had been involved in the 'rebellion' which some other claimants felt was unfair.

Despite various representations from various claimants, dissatisfied with the exclusion of some names and the inclusion of others from the list, the Government proceeded with plans to purchase the block. In fact, plans to buy the block had been in place before November 1879, despite the incomplete state of the title. By then, 51 of the 79 owners had settled in full and 18 in part, with only the remaining 10 refusing to sell altogether. It is clear, that the Government's desire to buy the land led to the issuing of the Crown grant to the descendants of Te Iwikoroke. Certificate 140 vested the ownership of Ottawa Waitaha 1 block in 77 owners. It was issued without

²⁴³ *ibid*, citing No 86/23/11 Petition of Te Hautapu Wharehira and 23 others, MA 85/4, NA, DB, p.10. Notes on petition of Te Hautapu Wharehira and 23 others, Sims Commission Papers, DOSLI Hamilton, RDB, pp.20172, 20173.

²⁴⁴ McCausland.

restrictions; only days later the Native Land Purchase Department applied for cancellation of the new certificate in order that the Government purchase could be completed.²⁴⁵

Commissioner Clarke's legalistic rearranging of Waitaha's tribal boundary further decimated the tribe's holdings. By 1883, when the certificate of title to Ottawa Waitaha 1 block was issued to them, their tribal estate within the confiscation district was less than 7,000 acres.. Because the Commissioner's had absolute powers under the Tauranga District Lands Act, there was no recourse to appeal to the Native Land Court. His decision effectively extinguished, all traditional title and prevented any challenge on the basis on customary rights.²⁴⁶ For Waitaha, this meant that the coastal portion of their land that had been confiscated by the Crown for the rebellion of Hākaraia, was lost to them forever.

²⁴⁵ Gillingham, p.202, citing Gill to Chief Judge, Native Land Court, 9 Aug 1883, NLP 83/2267, in MA –MLP 1 90/191, DB, p.146.

²⁴⁶ Stokes, 1990, v1, pp.144 -145.

Chapter Fourteen: Crown Response to Sales

The Crown purchase of Ottawa Waitaha 1 took place during the period of vigorous Crown purchasing of Māori land under Julius Vogel's scheme to develop New Zealand's economy. There was also strong pressure from private individuals to purchase land in the Raupatu area. The Under Secretary of the Native Department, H T Clarke, estimated in 1877 that 15,000 acres of Māori land had already been purchased in the district by private individuals, and expressed concern at the rapid alienation of Maori land and the apparently fatalistic attitude of Tauranga Māori towards it. In Clarke's view, 'Māori had taken the position, "Let us eat, and drink, for tomorrow we die". They are perfectly oblivious to the future, and will inevitably pauperise themselves and their successors if the Government do not stretch forth a protective hand to save them from their own reckless extravagance'.²⁴⁷

In response to these 'concerns' legislation was introduced to restrict the alienation of lands returned to Maori under the Tauranga District Lands Acts. A notice issued by the Native Department, in November 1878, requested J A Wilson, the Commissioner, to impose restrictions on all titles, including the Ottawa and Waitaha blocks, because 'the natives should not be allowed to dispose of these lands'.²⁴⁸

This 'protective policy' of the Government certainly did not extend to Waitaha, for ironically, by the early 1880s, the Crown itself purchased the majority of their land, both within and beyond the Tauranga confiscation district. The Government through its various legislations became both the purchaser and the overseer of purchasing methods, thus enabling it to remove impediments to its own purchasing ambitions within the Waitaha rohe. In reality then, Waitaha were not protected by the Crown during this period, and according to O'Malley and Ward, the very restrictions placed upon the land alienation were routinely lifted, and treated as a formality to be completed before transfer of title could be made.²⁴⁹

²⁴⁷ O'Malley and Ward, p.69.

²⁴⁸ cited in Stokes, *A History of Tauranga County*, p.119.

²⁴⁹ O'Malley and Ward, p.82.

Government's blatant desire for land, to satisfy both military and civilian settler demands meant that there were few systems in place to ensure that purchases were transacted on an equitable basis. Their purchase of the Ottawa Waitaha 1 block is a case in point. This purchase was overseen by JC Young, who had been appointed to assist the main land purchase agents Mitchell and Davis in October 1873. He was later appointed to assist Mitchell at the Maketu Native Land Court in 1878, after which he continued in the Government service as a land purchase agent in the district until the end of January 1880, when he was dismissed..²⁵⁰

The Government was interested in the inland bush areas neighbouring Ottawa and Waitaha 1, such as the Oropi, upper Wairoa, and Kaimai, as these areas were seen to carry valuable timber resources. Consequently, Young opened up negotiations for the 4947 acre area in February 1878. The nominated price for the block was £1,000. Payments were made on it throughout 1878.²⁵¹ Suspicions about his purchase methods raised concern with the Government, especially his tendency not to make each transaction 'final and complete in itself.' An audit was ordered in January 1880 by the Native Minister of Young's accounts after the discovery of some 'irregularities' in his records during an office inspection. In April 1880, he was tried but acquitted of larceny in the Auckland Supreme Court after the Government auditor suspected fraudulent practices in his and his clerk, Arthur Warbrick's method of accounting for public money. It was found, that funds that they alleged had been paid to Māori had in many instances never been paid, or had been paid into his own account. In other cases money alleged to have been paid to Māori was in fact paid to storekeepers for goods supplied to Māori.²⁵²

Although an inquiry was undertaken by Brabant into the various transactions it seemed that the Government was more concerned with the mismanagement of public funds and a commitment to complete the land sales than the method of land purchase. Strangely, if an owner had signed a deed, Government then agreed to pay the balance of the money owing, as indicated in Young and Warbrick's accounts. This completely ignored the auditor's findings that Young and Warbrick had at times failed to pay

²⁵⁰ Rose, p.209.

²⁵¹ Stokes, *A History*, p.118.

²⁵² *ibid*, p.211.

money to individual Waitaha, which they nevertheless recorded as having paid. Although in the first instance acknowledging the agents 'dubious' accounting practice, they relied upon these very records when completing the purchase. It seems that Young's acquittal was sufficient grounds for the Native Department's avoidance of a proper investigation.

Complaints of non-payment followed in the ensuing years and these were looked into on an ad hoc basis by the Government. Many of these complainants were subsequently paid, but these sporadic reimbursements over several years, further reflected the inadequacies of Young and Warbrick's settlement process. The Crown's ad hoc treatment of Waitaha over this area, can only be described as negligent and has contributed to the ongoing distrust of Government agencies that continues to the present.

Chapter Fifteen: Waitaha in the Twentieth Century

By the turn of the twentieth century, Waitaha's total land holdings amounted to 2342 acres of an original tribal estate of nearly 60,000 acres. Not all was habitable, with much of it being heavily forested bush blocks. After the sale of much of their land in the 1880s, members of Waitaha remained on their reserves. But by the 1890s, like Māori in other parts of the country, many began shifting away from their traditional hunting and cultivation based economy. These moves were based upon their changing relationship to the land, and were also motivated by a need to adapt to the new cash based economy. Hard currency was needed, not only for living purposes, but also to meet the cost of securing title to their lands and turning these lands into productive units. This money was raised in a variety of ways but land remained the major asset used to facilitate their entrance into this 'new economy'.

The revival in the flax industry, and the erection of mills at Te Puke, Maketu, and Matata provided an opportunity for employment. The new European farmers also employed Māori 'to break in the land', and cut timber for fencing. However, the negative impact of this, was that often young children were withdrawn from school in order to work in the low lying swamp areas around the Kaituna River which caused many to suffer ill health. However, despite the move to employment, Waitaha still relied to a great extent on their traditional food sources, with a particular reliance upon food cultivation. However, poor crops and flooding in the 1890s, severely impacted the tribe.

The Forest Blocks: Waoku 2A, Waitaha 1B, and Whakauma 2.

The final blocks that were alienated from Waitaha's residue of land holdings were the forest blocks of Waoku 2A, Waitaha 1B, and Whakauma 2. These areas of essentially uninhabitable land provided a small income to the iwi through the sale of timber.

The owners of Waoku 2A and Waitaha 1B, which represented the remains of Waitaha lands within the Tauranga confiscation district, sought to maintain ownership despite the pressure of compulsory acquisitions for public works for local authority water schemes. The owners of Whakauma 2B, on the other hand, sold the block to a neighbouring farmer once the timber supply was exhausted and the block became a financial burden on them.

The 250 acre Waoku 2A block, in the southeast corner of the confiscation district, was created in 1885 by the partition of Waoku 2 in the Native Land Court and has already been covered in this study. The block remained in Māori ownership until 1970 when the Tauranga City Council took the entire block for waterworks under the Public Works Act 1928.²⁵³

The 386 acre Waitaha 1B block, was formed from the 4656 acre Ottawa Waitaha 1, in 1883, when the parent block was sold to the Crown by the majority of sellers. The block was then divided into three equal sections, amounting to approximately 128 acres each, and named Waitaha 1B1, 1B2, and 1B3. The owners of Waitaha 1B3, applied in 1912, for the removal of the alienation restrictions on the title, as one of the owners wanted the money to build a new house, and the other had settled away from the district. Consent was granted in March 1913, and the purchase money of £128.13.3 paid in July. Public works claimed two other sections in 1939, but the rest remained in Māori ownership.²⁵⁴

The Whakauma 2 block, was created in 1895 by partition in Native Land Court. This followed Native Land Court confirmation of the Crown purchase of 1682 acres of the parent Whakauma block in 1893. This reserve was 191 acres and had nine Waitaha owners. The survey costs for the subdivision amounted to £2.3.8 and was charged as a lien against Whakauma.²⁵⁵ Unfortunately the amount was never paid and in 1907, the Surveyor General applied to recover the costs, including interest. Consequently, the Court awarded the Crown 10 acres 15 perches, and £3 to discharge debt. The new block, now owned by the Crown was called Whakauma 2A.²⁵⁶ The land that remained after the Government confiscation, now named Whakauma 2B, comprised 179 acres. This steep hill country was eventually sold to local Te Puke farmer, James Prendergast, in 1964, for £500. Prendergast also purchased Whakauma 2A from the Crown in 1966.

²⁵³ Gillingham , p. 237, citing NZG, 26 Feb 1970, p.273.

²⁵⁴ *ibid*, citing Extract from NZG, 13 Mar 1913, pp.260, 264.

²⁵⁵ *ibid*, p.238.

²⁵⁶ *ibid*.

Throughout the twentieth century Waitaha refrained from selling any major areas of their land. However under public works legislation approximately 41 acres of Waitaha 1B were compulsorily acquired for scenic purposes.²⁵⁷ The land was taken primarily for the purpose of water conservation, to protect the Te Puke water catchments, but also reflected a Native Department concern to protect native bush. The relevant Government agency, 'expressed the view that as the land was not suitable for farming the owners would not be disadvantaged by losing the land'.²⁵⁸ Heather Bassett has found that the owners of Waitaha 1B were not given adequate notice of the proposed alienation and also that the compensation was inadequate. The compensation money for Waitaha 1B2 was paid to the Land Board on 3 July 1940, but it was not distributed to the former owners until 1953; a case of negligence by the Public Works Department, who showed complete disdain for Waitaha through their repeated procrastinations.²⁵⁹

The Compulsory acquisition of Waoku 2A.

The final pieces of land forfeited by Waitaha, were associated with the increase in the urban numbers in the Tauranga -Mt Maunganui area during the 1950s and 60s. This growth necessitated an upgrade to the respective water supplies resulting in being appropriated. In 1965, the Tauranga City Council sought to purchase Waoku 2A, along with parts of Waoku 2, Ohauti and part of Waitaha 2. However, the owners of Waoku 2A rejected their approach partly because there was a three acre burial ground on it.²⁶⁰ The owners preferred an exchange of land rather than outright sale. Negotiations to this end were unsuccessful and the Tauranga City Council applied for compulsory acquisition of Waoku 2A under the Public Works Act of 1928. Permission was given, via consent of the Governor General, whose affirmation was needed because of the presence of the burial ground. The land was vested in the Tauranga City Council by proclamation in 16 February 1970, who declared that the urupā would be 'suitably protected and remain undisturbed for all time'.²⁶¹

²⁵⁷ H Basset, 'Otago Scenic Reserve', a report for the Waitangi Tribunal, p.13.

²⁵⁸ *ibid*, p.38.

²⁵⁹ Bassett p.39.

²⁶⁰ Gillingham, p.246.

²⁶¹ Gillingham, p.247, citing a letter from Sharp, Tudhope and Co to District Commissioner of Works, 22 Jan 1970, in ABKK W4357 A405 53/381 v3, DB, p. 330a.

As was so often the case in Waitaha's experience, negotiations for compensation were very protracted. Finally the Tauranga City Council agreed to settle the claim by exchanging some land for Waoku 2A and making cash payment to meet the difference. A block of 113 acres of Crown land (part Waoku 3) which adjoined Waoku 2A, and 51 acres of Tauranga City Council land adjoining the Crown land were nominated for the exchange. Ironically, this returned to Waitaha, part of the Waoku block that they had claimed before the Commissioner's Court but which had been awarded to Ngati Rehu.²⁶²

The 164 acres received in exchange for Waoku 2A, combined with the approximately 232 acres of Waitaha 1B, left 292 acres of land within the Tauranga confiscation district in 1981 – this, from a customary tribal estate originally estimated to be approximately 30,000 acres.

²⁶² Stokes, 'Raupatu o Tauranga Moana', v2, p.274.

Chapter Sixteen : Te Puke Township and District

Alongside the tangata whenua narrative, there is also another kōrero – that as lived and told by the new settlers. Space does not permit an in depth comparison of the two stories, but glimpses can be seen in Selwyn Taylor’s celebrated book *Te Puke*. This book gives one version and serves to illustrate a contrasting view and contrasting fortunes.

The present location of the town is different to the Te Puke referred to in many parts of this study. The site of the European settlement, is nearer the coast and on lower land than the site where the original name derived. That site is where the Waitaha urupā is located, the new town being established on an area known as Te Puhuru.²⁶³ At the beginning of the twentieth century, the Te Puke district began to experience significant growth. The European population of the Te Puke/Maketu district in 1901 was 787, and had more than doubled by 1911 to 1541, and continued to increase to 3155 in 1925, including in the now well established Te Puke township.²⁶⁴ The fertile lands so heralded by the early European settlers supported a burgeoning dairy and cropping industry, with new settlers encouraged by the economic prospects, arriving all the time.

Contrast this ‘progress’ with that being experienced by tangata whenua. While the European settlers began to make their mark, Māori community life in the district continued in a traditional pattern, with small villages centred upon local marae. Waitaha were based at Manoeka on the Te Puke 1 reserve, on which was sited the large meeting house, Hei.²⁶⁵ The ‘new’ prosperity, being experienced by the new European settlers, all but bypassed Waitaha and other Māori in the district. The ‘exchange’ of land ownership that had taken place in the past twenty-five years, and the consequent dislocation among local whānau and hapū had taken its effect. Similar to other situations around the country, a state of impoverishment was beginning to emerge.

²⁶³ Whareotiriri Rahiri, Personal Communication.

²⁶⁴ Stokes, *A History*, p.170.

²⁶⁵ See Photograph in Appendix.

In 1902, Maui Pomare reported that the living conditions of many Māori were substandard, with standards of sanitation being below acceptable levels. In Te Puke the district nurse, Nurse Heeni, described the sanitary conditions of the pa in the district as ‘disgraceful, not a single house with a lavatory’.²⁶⁶ Food shortages also occurred at various times with the area prone to floods and the resultant failed crops.

The Government’s subdivision policy under the various Native Land Acts which had the effect of investing reserves in a form of multiple ownership, proved in many cases unworkable. In the 1910s for example, absentee owners of the Te Puke reserves agreed to the alienation of some of these reserve lands as they were receiving little benefit. Many only had tenuous links with the land, perhaps a reflection of Waitaha’s policy of including distant relations in the list of owners of the reserves when they were compiled in 1883. Many of these owners held only very minor holdings in some of the blocks, and realising money for their shares was arguably of more benefit to them, especially with the continuing breakdown of communal perspectives. The amount that these shareholders received from yearly rental income, in some cases was less beneficial than what could be gained in the short term from a lump sum payment. These payments could be utilized towards immediate needs, such as the cost of education or clothing. The net effect of these alienations however, was to further remove tāngata whenua from their turangawaewae, eroding their sense of identity and further fracturing an already vulnerable community.

Pākehā often used the argument that land was not producing sufficient rental ‘to be a material means of support to any one of the Native owners and probably never would produce such a rental’.²⁶⁷ Communication from a Te Puke lessee F T Phare, demonstrated the struggling conditions of some lessors. He claimed that he often advanced rent or goods to owners to cover basic living conditions.

The owners often have sick children and they come to me for milk. I give it to them and take it out of their rents when they become due. I have never once refused them, for which they are grateful or make out they are to me, again when they have a death they come to me for an order for timber and furniture for the coffin, and also for tangi they want pigs, poultry, eggs and fat cows, they

²⁶⁶ Gillingham, p.228, citing Frazer-Hurst to Flood, 21 Dec 1906, ND 06/63, in H 1 12629 162/63, NA.

²⁶⁷ Gillingham, p.231 citing declaration of Ben Keys, 19 Jul 1929, in BAJJ A73 130 4804, NA, Auckland.

get it from me, of course on the understanding that it comes out of their rents when they become due.²⁶⁸

Nevertheless, some Waitaha who lived on Te Puke 1 A opposed any reduction in their land holding and in 1913, Tamihana Putoko, opposed the construction of a road on Te Puke 1, which took up 10 acres of the block, because the 1000 acre reserve land was already ‘inadequate for our maintenance’.²⁶⁹ Others opposed the permanent alienation of their lands as the panacea to their financial problems. Usually, this manifested as a preference for leasing land, rather than selling it.

In 1936, there was an outbreak of typhoid at Manoeka, reflecting the poor state of conditions in the area. A survey by Maui Pomare of 36 Pa and about 369 homes in Tauranga County, showed 36.91% ‘unfit for human habitation’. Nearly half had no windows or had earth or unsound wooden flooring, while nearly 80% had defective roofs and were damp. A further inspection in 1956, by the Māori Affairs Department yielded a similar report. Their recommendations included the clarification of titles to enable individual ownership. Consequently, some Waitaha sought titles under the Māori Affairs Act of 1953, which allowed shares to be vested in individuals to create freehold sites for dwellings. The application of this law saw many sites established throughout the Waitaha reserves during the 1950s and 1960s.²⁷⁰ However, by this time economic conditions had deteriorated for many, and the added burden of rates on ‘unproductive’ land caused many to sell their interests.

As a result of the ongoing alienation of sections, reserves ended up being scattered amongst European owned or leased land. Because of their reduced size and lack of legal access, many of them were deemed uneconomic, which created a domino effect. Owners, because of the burdens of rates and the necessity of weed control were placed under extreme pressure to sell their lands to neighbouring farmers. As the blocks decreased in size, they were deemed untenable in the changing economic climate, which in turn led to more sales and smaller reserves.

²⁶⁸ Gillingham, p.232, citing Phare to Registrar, Native Land Court, Rotorua, 4 Nov 1929, 12/14709, MLC, Rotorua.

²⁶⁹ *ibid*, citing, p.231, citing Putoko and others to Minister of Native Affairs, 18 Aug 1913, ND 13/3905, in MA 1 1913/283, NA.

²⁷⁰ *ibid*, p.233.

Understandably, European farmers who too were driven by the economic realities of scale, sought their neighbouring blocks.. In 1958, for example, the owners of Te Puke 2A2B2A agreed to sell the section to a Te Puke farmer who already owned about 10 acres of the block. The farmer's agent argued that the land was 'not worth much to you owners as it is' and that the purchase price offered was 'good'. The owners agreed to sell. Another block, the 11 acre Te Puke 1A2B was used by the lessee only for a hay paddock. Such limitations on the land characterised the value of many until the 1970s.²⁷¹

Winds of Change

However, in the 1970s, the owners of the Te Puke reserves were increasingly inclined to retain their lands. In a report on Te Puke 2D2A2, WM Forbes, the Noxious Weeds Inspector, reported 'a very strong feeling' among the owners of much of the Māori land leased in the district 'that no more Maori land is to be sold'. Forbes ascribed this movement to the increasing value of land in the district for use as orchards. This may have some relevance, however it also needs to be noted that there was at this time, a cultural renaissance of significant proportions happening around the country.

Despite the urban shift, Waitaha had always been able to maintain some sense of their identity through their links with their marae. According to Ranginui Walker:

The bastions of cultural conservatism for the Maori were kinship within the tribal polity, the marae, and the institution of the tangi. Seasonal and migrant workers returned often to their kainga to be with kin in times of celebration or bereavement. Weddings, tangihanga, twenty-first birthdays, and other community events were inevitably held at tribal marae. The marae gave a modicum of stability and cultural continuity in the face of Pakeha dominance and assimilationist pressures.²⁷²

The marae, in rural areas at least, became in one sense, the last bastion of resistance against the eroding tactics of assimilation and land alienation. Despite losing much of its land and many of its leaders, Manoeka was still in the 60s and 70s a centre of social and sporting activity for Māori across the Bay.²⁷³ The movements such as the 1975 Land March, under the leadership of Dame Whina Cooper, saw the retention of

²⁷¹ *ibid*, p.235, citing Inspection report, File no 13/795, in BBLA 4945 1317a 13-795, NA, Auckland.

²⁷² Ranginui Walker, *Ka Whawhai Tonu Matou*, Auckland: Penguin, 2004, p.187.

²⁷³ Personal communication by Ruihi Bidois of Pirirakau, who made frequent visits to Hei for tennis tournaments in the 1960s.

Māori land, become once again the centre of Māori political focus. This was also the case in Waitaha, and it was their marae which were the focal point of that resistance.

Chapter Seventeen: Appeal and ‘Disillusionment’

Having covered the major subject of land alienation, this chapter will now examine some of the efforts by Waitaha to seek redress. It will be seen that these attempts were largely in vain, a result that still resonates within the kōrero of Waitaha today.

‘I never heard the effects of the Raupatu or the loss of language being talked about. Other than to say my mother was colonized in the sense that she thought it was far better to learn English and follow the mainstream than to start leaning about any of the history and the language...[the reason] why it was not talked about was more to do with the shame and the loss, and I suppose the attempts by the old people to revisit the loss of land by Raupatu. They tried all the way through the 1800’s right up to till 1923, they kept petitioning the Crown about the extent of the loss of land of Waitaha. As a consequence in 1923, the Crown turned around and put a law on Waitaha to stop them talking about their grievances, particularly the loss of land, and the effects of the loss of land. And the law that was put on Waitaha was called the Doctrine of Estoppel. So in two ways – one the loss of land through confiscation and having this law put on us – it blew out all the fighting spirit of our old people, I suppose; because they had been to the highest courts that you could go to at that time. The Sim Commission was set up by the Crown to deal with Waitaha and we had two set backs...There was disillusionment. And I don’t blame our people for being disillusioned, particularly after going to some of the highest courts to voice their concerns, only to have it thrown back in their faces. Yes, there would have been a lot of disillusionment. A lot of it was the way the different laws which followed after the Raupatu, which alienated Waitaha even more, particularly their lands. I suppose as a result of that, came a loss of mana, and a loss of identity’.²⁷⁴

Most of the Tauranga tribes, sought the help of Parliament to seek redress for the confiscations of the 1860s. However, Waitaha did not use this right of petition. Reasons for this are unclear, although as Lyndsay Head has pointed out, that when Māori stopped supporting the Government, they almost always stopped writing to it.

²⁷⁴ Whareotiriri Rahiri.

‘Silence is a sign of withdrawal or strong opposition’.²⁷⁵ Sir Apirana Ngata, speaking before Native Minister Coates in 1923 had a similar perspective. He suggested that the North Island tribes affected by confiscation, including Waitaha, were so aggrieved over the confiscations that they had withdrawn from participating in Government-initiated processes, such as health and education reforms.²⁷⁶ Whether this was the reason for Waitaha’s reticence is a moot point. However, as O’Malley has found, the appeals by the Tauranga iwi were nearly always in vain, their ‘petitions were largely a futile gesture’.²⁷⁷

In a rare approach in the early 1920s, Waitaha appealed directly to Parliament over the confiscated lands. Their approach was one among many of the time, as other groups around the motu sought investigation into their own grievances. Sir Apirana Ngata and Maui Pomare were two Māori politicians who campaigned vigorously to secure investigations. In August 1923, a large deputation of seventy rangatira from the Waikato, Taranaki, and the Bay of Plenty, accompanied by Ngata, Pomare, and other Māori MPs led a deputation to Wellington. The aims of this deputation were to call for an investigation into their confiscation grievances.

The tribes, including Waitaha based their claims on legal and historical considerations. They, ‘complained that in or about the year 1866 their lands were unjustly confiscated by the Crown for rebellion against the authority of the Queen’s Government’. Waitaha complained of losing 22,000 acres of their land by the confiscation. At the heart of their claim that confiscation was unjustified, was their appeal that a section of Waitaha had been loyal to the Crown. As was pointed out by their legal representative, some Waitaha had in fact joined ‘the Arawa loyalists’ who prevented the East Coast supporters from crossing Arawa territory in an attempt to join the King at Waikato. Therefore, Waitaha should not have suffered confiscation. Their lawyers reiterated:

The tribes complained that the confiscations were indiscriminate, were unjust, and were out of all proportion to the offences committed by the tribes. No attempt was made to distinguish between loyal and disloyal tribes, or between that portion of the tribe which remained loyal or neutral and that part which

²⁷⁵ Head, p. 2.

²⁷⁶ Gillingham, p.251 citing Minutes of the deputation to Coates, 1 Aug 1923, in MA 85/8, NA RDB, p.19763.

²⁷⁷ O’Malley, ‘Aftermath’, p.103.

actively concerned itself with the hostilities. Nor was there any care taken to demark the land the subject of the confiscations. The boundaries were roughly drawn fixed by lines drawn at right angles to the Coast, so as to include all the rich coast lands and extend for considerable distances in to the back country.²⁷⁸

The appeal centred upon the issue of historical context. According to them, the concept of rebellion was crucial in determining the justification for confiscation. Smith one of the lawyers representing Tauranga tribes argued, ‘If there had been no war, it is incontestable that the Maoris would not have been forcibly dispossessed of their lands by the Crown’ and ‘it is exceedingly important to know whether the cause of the war was to be laid at the door of the Maori people or whether the cause was the fault of the European people’. He also argued that the confiscation Acts, had been administered to the advantage of the Crown and to the disadvantage of Māori. He also maintained that compensation was inadequate for ‘loyal’ Māori and that Māori who were labelled ‘rebels’ were left in an invidious position with inadequate recourse to protect their lands.²⁷⁹

Waitaha also petitioned Parliament in 1923, for the restoration of their confiscated lands, or some appropriate compensation. A petition signed by Te Hautapu Wharehira and 23 others, stated that they ‘were loyal’ to the Crown. It also emphasised their connection to Arawa reminding Parliament of their affiliation to the Queen. As well, while acknowledging that Hakaraia had taken up arms against the Crown, they claimed that the area forfeited by the tribe because of his actions was unjust. The 22,300 acres that they nominated as the confiscated land, according to the petitioners was disproportionate to the numbers who had participated in the ‘rebellion’. Wharehira also distanced Waitaha from Hakaraia, by pointing out that he ‘was a teacher of the Church England resident at Tauranga at the time and was at Tauranga prior to the rebellion’.²⁸⁰ The implication being that at the time of his involvement at Gate Pa and Te Ranga, he was not really a legitimate representative of the Waitaha position.

²⁷⁸ *ibid*, p.253, citing, Minutes of the deputation to Coates, 1 Aug 1923, in MA 85/8, NA, RDB, pp 19760 -19761.

²⁷⁹ *ibid*, pp 19762 -19763.

²⁸⁰ Raupatu Doc Bank, Vol. 138, pp. 52998-9.

The Sim Commission

The Government deliberated for some time but finally appointed the Sim Commission in 1925 to consider the various petitions including that of Waitaha.²⁸¹ The Commission had a mandate to examine four points, though only three were relevant to Waitaha. First they were to inquire, ‘having regard to all the circumstances and necessities of the period’, whether the amount of land confiscated was ‘fair and just, whether as penalty for rebellion and other acts of that nature, or as providing for protection by settlement as defined in the said Acts’. Second, ‘[w]hether any lands included in any confiscation were of such a nature as that they should have been excluded for some special reason’. Third, whether any Maori were entitled to compensation as a result of confiscation, and if so, to what amount, based upon land values of the time. However, the Commission did not have ability to examine the fundamental issue, pointed out by Smith in 1923, as to whether the confiscations were in fact justifiable if taken in their historical context.

The Sim Commission sat in Tauranga for two and a half days from 31 March to 2 April 1927. The lawyer representing Waitaha and other claimants acknowledged that Tauranga Māori had supported Waikato and Taranaki tribes in their resistance to the Crown and were therefore ‘rebels’ in the technical sense – adding that the numbers of participants who had participated was not clear. He also argued that the definition of ‘rebel’ is a debatable issue, which hinged upon the causes of the war. Waitaha’s case was also predicated around the principle that the Crown was wrong to confiscate the land beyond the 50,000 acre block between the Wairoa and Waimapu rivers. The point being that both ‘loyalists’ and ‘rebels’ on that basis were entitled to the full return of their lands. There was an associated injustice they claimed, in that some hapū had lands ‘returned’ to them that lay outside of an area covered by their ancestral rights.²⁸²

Sir William Sim gave scant credibility to the Waitaha claim and devoted only half a page to his findings. He summarised these, with the comment that it was ‘without any merit’. The Commission’s decision was apparently based upon the ‘inconsistency’ of

²⁸¹ Riseborough, ‘Ngai Tamarawaho’, p.111 citing AJHR 1928 G7, p.2, RDB, p.18527.

²⁸² Minutes of Sim Commission, 31 Mar 1927, in MA 85/6, NA, RDB, p.19293.

Waitaha's claim and their supposed failure to have made past claims to the land now claimed.

Waitaha's lawyer, Wihapi, had claimed on behalf of the iwi, for all the 290,000 acres confiscated from 'Ngaiterangi'. His view was that Ngaiterangi had never conquered the land and therefore the mana whenua remained with Waitaha when it was confiscated. However the Commission rejected this view, pointing to the previous petition of Te Haupatu Wharehira who had claimed 22,300 acres within the confiscation area. For them Wihapi's and thus Waitaha's claim for 290,000 acres was a stretch too far. Below is a summary of their decision:

Until the year 1923, every one acted on the view that practically the whole of the confiscated land belonged to the Ngaiterangi Tribe. The Proclamation refers to it as their [Ngaiterangi's] land, and the Acts of Parliament were passed and settlements were made with Natives on this basis. The chiefs of the Waitaha Tribe must have known this, and allowed all these things to be done without protest and without a word about any further claim that put forward in 1878. The fact that the area claimed grew from 22,300 acres to 290,000 acres between 1923 and 1927 makes it difficult to regard the claim seriously. According to the award of Messrs. Clarke and Mackay, made in December, 1864, on which Mr. Wihapi relied, Ranginui and Waitaha were the original owners of the Tauranga district, which was afterwards conquered and occupied by the Ngaiterangi Tribe. The claim made by Waitaha, which came before Mr. Clarke, in 1878 was for an area which, on survey, was found to contain 4,947 acres. If the Ngaiterangi were not the owners of the rest of the land, why did the Waitaha tribe not say so, and assert their claim to all the land when the confiscation took place in 1865? Their silence from 1865 to 1923 is in itself strong evidence that the claim now made is without any merit. But even if the claim had nay merit originally, this long silence is a ground for applying the doctrine of estoppel, and for saying that the Waitaha Tribe, having stood by while the land was dealt with as the property of the Ngaiterangi Tribe, is precluded now from making any claim to the land.²⁸³

Unfortunately, like many Government agencies of the time, the Commission interpreted the term 'Ngaiterangi' to refer literally to that tribe. The Commissioner's intolerance of the amount of land claimed is difficult to understand. Although Wihapi's claim for 290,000 acres might have been ambitious, it is true that Waitaha once had mana whenua over the whole district. Their ancestral claim to the district was acknowledged in Mackay and Clarke's ruling on the Katikati Te Puna purchase in 1864, although it was also clearly agreed that Waitaha had no contemporary claim

²⁸³ Gillingham, p.259, citing *AJHR*, 1928 G7, pp 18-19, RDB, pp.18540 -18541.

to it. It seems that Sim and his fellow Commissioners were strictly enforcing the ‘1840 rule’ – that claims before the Crown related to tribal holdings at the time of the Treaty of Waitangi. However, it was essentially the doctrine of estoppel that prevented Waitaha from pursuing their claim before the Commission. The impact of this law on their claim has continued to be seen by Waitaha as a gross injustice. Thus Waitaha were again disenfranchised from their Tauranga lands because of the Government’s refusal to fully investigate tribal boundaries before completing confiscation. Unfortunately such investigations were outside the mandate given to Sim, but their decision, merely perpetuated the injustices of the past.

Post ‘Sim Commission’ attempts at Redress.

Although Waitaha along with other iwi continued to lobby Parliament, and while at various times it appeared that Government was at least willing to re-examine the issue, their claims were in the main rejected. In 1948, the Under Secretary for Māori Affairs, Tipi Ropiha had been requested to report on each petition concerning the Tauranga confiscation. He however concluded, that the petitions had already been fully investigated by a competent tribunal - the Sim Commission. Since this had found ‘that the confiscation was justified and not excessive and that no cause had been made out for further enquiry’, and given that the current petitions did not introduce new grounds of claim, Ropiha concluded that no ‘good purpose would be served by referring the matter to another tribunal’. As O’Malley has pointed out, Ropiha’s apparently detailed investigation, ‘seems to have involved little more than reading and reciting the report of the Sim Commission’.²⁸⁴

Waitaha’s next attempt was to join the pan-tribal efforts of Ngāti Ranginui in their lobbying of Government from the 1950s. These efforts became part of a wider movement under the Tauranga Tribal Executive, which was established in 1961 by the united Ngai Te Rangi, Ngāti Ranginui, Matakana, and Katikati Tribal Executives. This confederation which became known as the Tauranga Moana Executive Committee, negotiated with the Crown during the 1960s and 70s. A settlement was reached in 1981 and this process ended up with a compensation of \$250,000 as ‘full and final’ settlement of the confiscation. The Act under which the settlement was

²⁸⁴ O’Malley, ‘Aftermath, p.142.

carried out, also rescinded the name of ‘rebel’ from Tauranga Māori who took up arms against the Crown during the Tauranga campaign. Section 7 provided, ‘...that after the passing of this Act the character and reputation of Rawiri Puhirake, Henare Taratoa, and all the other members of the Ngaiterangi, Ngati Ranginui, and other tribes who fought in the Battles of Gate Pa and Te Ranga shall be the same as if a full pardon had been granted to them in respect of all matters arising out of, or in any way, related to, those battles’.²⁸⁵

The wording of the Act therefore entitled Waitaha to be beneficiaries to the Trust Board. Tame McCausland who was Waitaha’s representative allocated his seat to Ngai Tamarawaho, a close ally of the tribe. However, Ngai Tamarawaho subsequently withdrew from the board over disagreement about the adequacy of the settlement. The key issue for Waitaha, was that according to Hazel Riseborough, the Ngai Tamarawaho Board members, ‘never agreed to accept the government’s offer’ and by extension Waitaha also.²⁸⁶

The latest attempt by Waitaha, has been to turn to the Waitangi Tribunal, in the latest of a long list of efforts, to have their grievances addressed.

²⁸⁵ S 7, Tauranga Moana Trust Board Act of 1981, DB, pp. 246 – 249.

²⁸⁶ Riseborough, ‘Ngai Tamarawaho’, p.134.

Chapter Eighteen: Why so much land?

The overarching question that many would ask, with regard to the Waitaha story, is surely why the iwi allowed so much land to be alienated. The raupatu of their western interests is easily understandable. Despite the knowledge that their ‘rebellion’ would possibly result in the loss of their lands, leaders such as Hakaraia were completely within their rights, to resist the incursions of the Crown troops and the at times unwanted settlers. However, the sale of the majority of their lands after the raupatu, is more problematic, and needs some consideration. Although some explanations for this have already been made, given that the land alienation is a central theme, a synopsis and reiteration is warranted.

The main answer given by present Waitaha leaders, over the willingness to sell is the issue of mana whenua. As already mentioned Tame McCausland has stated, ‘we agreed to sell our large Te Puke blocks to the Crown to prove that we held mana to the land’. In his evidence to the Waitangi Tribunal, he also cited Ereatara, from 1875, “The reason for our selling land to the Govt. was because of the trouble caused by Ngatiwhakaue taking deposits from private individuals, and surveying and leasing the land... Seeing the way private individuals, and Ngātiwhakaue are acting I thought it the better plan to sell my land to the Government lest I be cheated out of it”²⁸⁷. The imperative to sell, by those such as Ereatara originated in the fissure caused by the ‘loyal’ and ‘rebel’ status, and Waitaha’s association via Hakaraia with Hauhau. According to Waitaha, Arawa claimed their lands on the basis of their kawantanga status. This they felt, in contrast to those who supported the Waikato based Kingitanga movement, gave them access to the lands through a mandate of toa. Hakaria’s descendants, labelled ‘Waikato’, by Ngāti Whakaue, had forfeited their rights to their land, by placing it under the mana of the King, who was consequently ‘defeated’ by the Crown.

The dual pressure from Ngāti Whakaue on the one hand and the Crown on the other brought real uncertainty to a tribe who were recovering from a diaspora enforced by their conflicting loyalties. Some chose to support Arawa’s position and in turn sought

²⁸⁷ McCausland.

to exercise these toa rights to the area, through their whakapapa connections to those Rotorua iwi. As Tame McCausland states; ‘After the Raupatu and the sale of the Te Puke block, we were mainly restricted to two reserves, Manoeka, and a 500 acre reserve that includes our urupā Otaraniania. Our people were very poor. The lands that we were left with came under great pressure because they were the bulk of our remaining lands. People were so poor that they were obliged to sell land, even though I believe that it was the last thing that they would have wanted to do if they’d had a real choice. So even the land we had was whittled away. We have also been marginalised as a tribe by land loss. You can’t live on 1,000 acres, so some of our people chose to follow their other tribal affiliations such as Ngāti He, Ngāti Whakaeu, or Ngāti Rangiwewehi of Ngāti Pūkiao. Those other tribes were in a more fortunate and stronger position than us; they kept more of their land’.²⁸⁸

The side effect of this dilemma of changing allegiances, was the weakening of Waitaha’s leadership structure. It is reasonable to assume for example, that when the younger Hakaia returned to Te Puke, recourse to the Land Courts, and subsequently sale to the Crown seemed the best of several difficult options. With his mana seriously eroded by the ‘desertion’ of his people the young chief was left in an unenviable situation.

As well as the above reasons, the motivation to engage with modernity cannot be underestimated. As already mentioned, Māori were keen to engage on all levels, with the new technologies and the new concepts that were introduced from abroad. These ideas included the desire by some to ‘re-structure’ traditional constraints of kinship and common property rights in order to develop land for themselves and their specific families or communities. However, the unscrupulous ways that some Government agents utilized the new land legislations, meant that many of these modernising experiments had disastrous effects on the fabric of Māori society. The above mentioned effect upon leadership structures is only one. The many claims before the Waitangi Tribunal, both past and present testify to the Crown’s complicity in these failed experiments and also the abrogation of their duty under the Treaty to oversee the process of change.

²⁸⁸ McCausland.

Another reason for the sales, may have been that Māori themselves were naïve about the finality of such sales. Rangatira in the main were supportive of missionaries and settlers settling among them and often gave or sold land to encourage the benefits that these new arrivals were perceived to be bringing. This raises the debate encountered in the Rotorua and Tauranga areas, over the terms ‘ka hoko’ and ‘ka tuku’, and their meaning within te ao Māori. These were the terms used in the ‘sale’ documents between Māori and purchasers. With reference to sales in the Tauranga region, Vincent O’Malley proposed, ‘Clearly many Tauranga Maori believed they continued to maintain some kind of rights over or interests in Te Papa long after the bloc had been sold to the CMS’.²⁸⁹

Also in 1990, the Waitangi Tribunal ruled on a case, the Te Ngai block in Rotorua, which had been purchased on behalf of the CMS by local missionaries. In this instance Rotorua Māori who had had little exposure to European concepts of buying and selling land, later proposed that they still maintained interests in the land. Although the word ‘hoko’ had been used in the transaction, the Tribunal pointed out that according to the Williams *Dictionary of Māori Language*, the word can mean ‘exchange, barter, buy, or sell’. It concluded, that it was ‘reasonable to conclude that those who agreed to the Te Ngai deeds believed that they were bartering or exchanging, rather than parting with the land forever, in return for certain secular and spiritual services that the missionaries were expected to provide’.²⁹⁰ These references to the Tauranga and Rotorua instances, are not included as ‘proof’ of the same perspective by Waitaha, as no evidence has been suggested along these lines. However, it has been included to illustrate that the period of the 1870s especially, were a time of cultural and social upheaval, and that the concepts of ownership in the two merging worlds were quite different. The complex debates, seen in the various Land Court sittings, are sufficient illustration of a system that failed to protect Māori from vicissitudes of this upheaval.

²⁸⁹ Vincent O’Malley, *The Te Papa Block: A History of Church Missionary Society and Crown Dealings, 1838-1867*, Crown Forestry Rental Trust, November, 1996, p.29.

²⁹⁰ Waitangi Tribunal, *The Ngāti Rangieaorere Report, 1990*, Wellington: Brooker and Friend, p.15, cited in Alistair Reese, *Te Papa: CMS’s Naboth’s Vineyard*, p.20.

The final reason for the sales however, is that Waitaha, like many Māori across the motu were forced into the sale as result of the various legislations of the day. These new laws worked hand in hand with the new economy, to entrap indigenous land owners. The costs associated with the individualisation of title, propelled Māori in many cases into debt; threatened with prosecution of unpaid debts, they were then inclined to take more advances from Government officers on their remaining lands. A cycle of dependency and Catch-22 developed, as they accepted advances not only from the Crown but also from private traders and store keepers against their land. In an ironic paradox, for the most part they were unable to access finances to fully develop their lands to compete in the new environment. This was a situation that lasted until Ngata's land schemes in the 1920s, by which time Waitaha had already lost the majority of their lands. These compounding factors, and their continuing inability to obtain justice for their raupatu lands left the Waitaha community fragmented and demoralised. It became easier to sell their land interests and join the various migrations in search of work, as the opportunity to engage in traditional land use became more and more disrupted. The compound result of all this, was a form of pauperisation, that has remained for many to the present day. Manoeka, the remnant land of Waitaha, sits within some of the most expensive horticultural land in the country, an irony that is not lost on some of its residents as will be seen in the penultimate chapter.

Chapter Nineteen: Waitaha Today

As a consequence of the events described in the previous chapters, Waitaha were left virtually landless as an iwi.²⁹¹ Survival became the order of the day for many, and this is still the experience of some Manoeka residents, as the ‘voices’ in the next section will demonstrate. To preface their comments however, a reminder of their loss will again put their kōrero into some perspective.

Seen in totality, the extent and rapidity of Waitaha’s land loss is certainly disturbing. In 1865 the Crown wrongly confiscated approximately 30,000 acres of Waitaha land within the Tauranga confiscation district, and returned to Waitaha ownership only 6,603 acres of the confiscated lands. In the 20 years following the confiscation, the Crown proceeded to purchase from Waitaha the bulk of their remaining lands, including the land returned in the Tauranga district, the total alienation amounting to 30,634 acres. These were the 25,000 acre Te Puke block, in 1878; the 4,500 acre Otawa Waitaha 1, in 1883; the 1680 acre Whakauma 1 block, in 1885, and the further losses through private purchases which amounted to approximately 1500 acres. In 1939, 41 acres were compulsorily acquired under the Public Works Act 1928 and the Scenery Preservation Act 1908, for water conservation and the protection of native bush.

It is clear that the 1500 acres of reserve in the Te Puke block that were awarded to Waitaha were insufficient to sustain them economically.

In 2001, Waitaha tried again for justice. This time, seventy-four years after their submissions to the Sim Commission, they took their take to the Waitangi Tribunal. The 1923 Commission declared their claim was, ‘without merit’. However, in a complete reversal the Waitangi Tribunal in 2004, concluded:

Waitaha...suffered harshly from land loss resulting directly from Crown Treaty breaches in the Tauranga district. The extension of the confiscation district boundary in 1868, the deliberate discrimination shown against them by the Commissioners in the allocation of returned land, and the purchasing tactics

²⁹¹ Waitaha Map Bk , Map 5.

used by the Crown in acquiring Ottawa-Waitaha, left Waitaha with little land left in the Tauranga inquiry district.²⁹²

Present day ‘voices’

This study proper, began with the different ‘voices’ of Waitaha, introducing themselves and describing their journey from Hawaiki, their early history, and their extensive land interests in the Bay area. It is appropriate that the final words belong to them. These kōrero are personal reflections on the past, the present, and the future, including the continuing impact of the loss of land on their people. For not only have Waitaha lost their economic base, but they have also lost the mana that is associated with their whenua, and with the loss of mana, the loss identity. However within their kōrero, there can also be seen the resilience and a growing optimism, by some of the iwi that they are entering a ‘new day.’

‘Yes there is a mana deficit for Waitaha. It all comes down to the fact that Waitaha were left with these 1,000 acres after all the purchases and the confiscations. Waitaha were once one of the biggest tribes in New Zealand. There is Waitaha up north in the Whangarei area, there used to be Waitaha permanently established in Tauranga Moana up to the time of the confiscation. Half of Te Arawa recognised themselves as Waitaha. And of course you have Waitaha down in the South Island. But because of only being allocated 1,000 acres, a loss of mana resulted from the loss of land, which resulted in a loss of identity. Because Waitaha were now not staying on their ancestral lands, they were moving out to other areas which they could whakapapa to. And they assumed those iwi and hapū names and as a consequence half of Ngāti Pikiao who are from Rotorua, are actually Waitaha. But because Pikiao never suffered the land losses that Waitaha did, they ‘forgot’ their Waitaha side and assumed their identity as Ngāti Pikiao. Now over here in Tauranga, particularly in Welcome Bay, Hairini, and Maungatapu; that’s where the major confiscations happened here in Tauranga – they were all Waitaha. But after the confiscations of land, people stopped calling themselves Waitaha, or you would have your house taken away from you. What I am talking about is ancestral lands and the lands they were brought up and lived on. Now what they did, they simply assumed another identity, another name. It was all out of expediency. The expediency was that, “Well we’re going to lose everything if we

²⁹² ‘Tauranga Moana Report’, p. 405.

keep calling ourselves Waitaha. So now we will call ourselves Ngāti He, Ngai te Ahi, Ngāti Pukenga, Ngā Potiki. So it was assuming other identities which created the loss of mana. Really when you had a look at why the loss of mana occurred you would have to go back to the foundation, I suppose of identity – and that’s the mana of the land’.²⁹³

‘In a way, the Raupatu defined our future, not only because of the loss of land but also in terms of our identity. We were labelled as ‘rebels’ through the actions of our rangatira Hakaraia. That put us in a different position from the rest of Te Arawa, and as I have said, we’re not in the Te Arawa Confederation today. On our Te Arawa side, we have fought for recognition for many years. We have always carried the stigma of being rebels. To this day, when I attend tangihanga around Rotorua, occasionally someone will mihi to me as Tapuika. It doesn’t happen as much now, but it used to be quite a common occurrence and I found it very hurtful. The most important thing to achieve through our claim [to the Tribunal] is the restoration of our mana’.²⁹⁴

‘All the ancestral links to our lands, from Moehau to Te Awa of Te Atua, have been contained into less than fifteen hundred acres...Because Waitaha was pohara (poor) in terms of land it was expedient to be Ngāti Whakaue or Ngāti Pūkiao, or any other tribe in possession of land. This meant that Waitaha lost many of our tangata. It’s human nature for allegiances to shift to follow those who have the land and the mana. My family is an example of this phenomenon; most of our family disregarded their Waitaha lines and that’s understandable because of the poverty-stricken state that Waitaha was left in. My family followed their Ngāti Whakaue/Ngāti Pūkiao lines, not only because my Whakaue side had more land, but also because they didn’t carry the stigma of being Hauhaus. I was a bit of an exception in my family because I was brought up by my grandparents. My kuia was a descendant of Rakitu, and she didn’t let me forget my Waitaha side. Now I follow my Waitaha side, as a tribute to my kuia. There is no doubt that Waitaha were devastated by the cultural invasion of the Crown. The soul of our grievance is that our history has been marginalised and forgotten. We have lost our history, our heritage, our maunga, and our waahi tapu.

²⁹³ Rahiri.

²⁹⁴ McCausland.

Those things should be the soul of a nation...we want to see the mana of Waitaha restored and our history resurrected'.²⁹⁵

'So yeah, I think for me as a younger generation and for the generation that is here, we felt dispossessed and disillusioned and dysfunctional. When I returned to Manoeka, it was pretty disheartening. This is probably the Calcutta of the Bay of Plenty in some cases. People don't live here, they just survive. They don't plan for tomorrow, there is no goal setting, they just survive from one day to another...And that's disheartening to know that the people here, they have no hope. It's very dark here. My Mum made me aware, she said, "It will get to you. Manoeka will get to you; the poverty, the drugs, the beatings, the violence, the alcohol, the parties"....They are my own people and unless you can feel their pain and identify with them, you really can't take them anywhere. I think disillusionment is the huge one. Obviously with their parents not having land, they have become disillusioned with society, they have become disillusioned with European systems...to the point where they are just rebellious....they have got nothing to live for. There is no hope. We have recently lost two people, one of our young fellas screaming down the main road and hit one of the pine trees outside the engineering place. He was from here. Even the older guys. We have got two guys on the run, it has been published in the paper. A thirty four year old, got caught driving under the influence o P. A forty year old, who is on the run, was manufacturing P in the back of his car. His son is at Te Puke high school, he goes around telling his sir name, "dah dah de dah, I'm a dah dah de dah"! Proud! Staunch as! Because he knows that he will inherit what his father has got. If his father is head of the mob, which he is, this fella is going to be the president soon. And that's all he thinks he is going to fit into.

At AFFCO, we have had young people working. They go from \$100 to \$700 per week. They don't know how to deal with it. They are on the grog or smoking "blows". It would be interesting to see how many Waitaha kids have been expelled from Te High School within the last year. That would give you some indication of impact, yet it is not just land, but land is resource. Just recently I found a guy at AFFCO, he has a last name, the same as my koro. He knew of him, so I brought him

²⁹⁵ Tapsell.

back here. So we had a chat, and I told him his whakapapa and how it comes back here [to Waitaha]. When he arrived he had his head hanging, he left another way, – he knew who he was. There is a relationship between mana and whenua, and whenua and whānau – tangata whenua. So you have the tangata, which is the people and the whenua which is the land. And so there is a relationship, that spiritual linkage, within the tangata whenua. There always is. There has to be. In the Māori worldview we have to nurture it, and look after it as it is our own mother – our Papa-tū-ā-nuku, to care for us. So we can care for it and pass on to the next generations....I spoke of our land being the whenua and the relationship between people and the land. When you start to take that away you are taking their mana, you are taking their spirit, their identity, their inheritance away from them. And so therefore it gets to the point of demoralisation, whereby there is no association with the land or the whenua'.²⁹⁶

‘Our vision for the future is very much tied up with looking back at where we have come from. Our people need to understand our history, and the impact of the loss of land, then and now, in order to be motivated to go forward and build our future. I believe that the loss of most of our land marked the beginning of the exodus of our people from their nohonga kainga. Your kainga should always support you to live happily. When you are happy in your kainga, your wellbeing is at peace. The loss of land impacted on that. We soon found the land was insufficient, that we couldn’t support successive generations. That was the beginning for the search of sustenance elsewhere and the beginning for the migration from the homeland. Some of our people went to the cities and the home ties became weakened by that. Inter-marriage with other iwi happened, and it was into those strong iwi the children assumed their identity. That has continued to happen. Eventually the loss of whānau from your nohonga kainga weakens your identity, your strong whakapapa links. There’s a strength in knowing your home and your identity. There is a weakened mana where you become buffeted by the winds of change, generally and socially. You are more vulnerable to economic downturns. When your people lose your strong identity then you start following global cultures that become a substitute for your tikanga.

²⁹⁶ Ben Skudder.

We are a people that have been dispossessed, marginalised. Our people lost their way – they could no longer see their iwi as being their strength, and they started following movements like gangs that have their roots in other places. Many of our whānau up Manoeka Rd. are influenced by gangs, and even if they are not in gangs they are influenced by that culture. That is a loss for Waitaha.

We are unable to provide for our youth at present. We do not have the resources, we have few tribal assets. We can't look after our kids, we can't put resources into education initiatives for instance. The employed whānau are in the lower bracket, in terms of jobs and not able to give good support to our kids, even to supporting basic living standards. Our homes are not strong homes. Our people have been undermined to such an extent that they are not picking themselves up and encouraging their children to succeed.

We have developed a dependency, we have lost that self-motivation to do things, and what has come over the top has crept in a dependency on benefits. The family units in Waitaha are not as strong as our other tribal links. If the iwi is already weak, then the iwi cannot sustain its own growth. Our people have just about lost all hope. To maintain Waitaha's identity has been really tough. A lot of them were following Ngāti Rangiwewehi and other iwi. My family is very strong Waitaha on my mother's side, as a family we have always tried to maintain and encourage our kids, there are still families in Manoeka that do that but there are a lot that have lost that. A lot of people are locked into the pokies, gambling. This hopelessness is a very, very hard cycle to break.

This is what I have seen happen to Waitaha. We have to arrest these trends in a number of ways. We need land to accommodate our people in the future. This is the whole thrust of our Treaty claim.

About 10 years ago, I came home to look after my mother, and I realised at that point that the state of health of the Waitaha people was so bad that we had to address that before we could do anything else. We had no health services. Our people were dying. The health of the people hadn't been looked after and they hadn't looked after themselves. For instance the influence of the gangs and drugs impacted on people, and there weren't that many Waitaha people left. There were no health services

specifically addressing the major health issues that people had, for instance diabetes, asthma, and heart problems and so on. Our people just got sent to the GP and after that hospital. There were no services being delivered where our people were. We started to explore even more and found out how bad our health was, people were dying too young. They were bad through neglect of not wanting to go to the doctor, there was a particular mentality that people would only go to the doctor when they got really sick.

So we approached the Government and said our people are in poor health, our people do not have any services, people were dying, and the Government wasn't addressing the services that Waitaha were getting. We were saying, we need these services, we can assist. At that point the Government was beginning to understand that these services needed to be tailor made to Māori needs, rather than being lumped under general services. It meant that the Government had to commit themselves to ensure that we got those services. We were assessed as a high priority health risk due to the state of health of our people. With Government funding we were able to establish our hauora 10 years ago. Our focus is on primary preventive health, as we believe that by doing this you will have fewer problems with very expensive secondary health care. Community health has to be the vision for the future. Our GP has 2,600 patients on the books of our GP service, of which 1600 are Māori, and the majority of those are Waitaha. The indicators this year are clear that we have arrested something major. We have addressed the serious chronic ailments of our people. We had some really chronically ill people who are still alive and kicking. We haven't had any babies die this year.

I spent my professional life in education, and it is dream of mine to turn things around in education. I am strongly of the view that we need to take some sort of initiative in education as we are doing in health. Our education statistics are bad. I say to the Crown, stop building youth prisons, and give us the money to pour into education. Many of the people in prison are illiterate, they can't read, and they can't write.

My dream always was to have a school for Waitaha. I would put the money into smaller classes when our kids start school, more one on one individual teaching, and you will not have the problems as they come up. I would make sure they have a good

preschool education and primary education. Our kids can then have a real choice of what they want to do at secondary school. At the moment our children are dropping out of school, and they are getting expelled younger and younger. Nowadays some of them are as young as 11 or 12 and are still at intermediate school.

We have our marae, I still see a glimmer of hope in the support we give our kids at the marae. Whenever we have a tangi all the kids gravitate towards the marae, and you see them all working hard out the back there. The marae is still a link between the kids and their weakened homes, and that heartens me. You never get kids tagging at the marae, there is still respect there, but they go to town and do it, and some of them are taking part in burglaries.

Waitaha lost most of their land through the Raupatu and the Crown purchases. We don't have any assets as an iwi, apart from our marae. We have very little land, we don't have farms, we don't have forests, and we don't have any means of generating an income to benefit our people. I see what other Te Arawa iwi who have assets are able to achieve, the opportunities that they can generate for their people, and it greatly saddens me that Waitaha people do not have those opportunities. There is an enormous opportunity cost to Waitaha for every year lost. While iwi with an asset base are at least able to make some progress, we fall further and further behind.

How can we utilise our land for the benefit of the people? We need help to do that. We don't have the capital to do it ourselves. The Government hasn't assisted us with any substantial iwi promotion of any industry that might promote the welfare of Waitaha, even in kiwifruit, although there are some individuals who have benefited from Government funding for development of kiwifruit orchards. That is another spin-off where we have become individualised rather than collective. There has been a promotion of individual effort, which I believe weakens our tikanga. In the future we want to get back to the collective.

The whānau who got funding to develop into kiwifruit eventually got into debt when the Government stopped the funding, and that broke down the initiative. What they failed to do was that they gave one-off funding and they expected you to come right. Waitaha didn't benefit, although individual families within Waitaha did. Most can

keep their heads above water with a little bit of profit. Those were good initiatives that could have been developed, but were let go by the government. We had a joint initiative with Tapuika orchardists and we were going to build our own packhouse but that fell through. We have thought about trying to establish a business enterprise for Waitaha, but we are not in a position to do that without the capital required to get off the ground.

Where is the leadership? Where is the leadership in families? Even family leaders are being brought to account. Where is the leadership in our iwi that has been lost a lost iwi? There are people within our whānau that are good people. You can say that the muzzling of our people for so long, we have only made a comeback since we brought our Treaty claims in the first stage of the Tauranga Tribunal hearings. This process has done wonders for us. For the first time, Waitaha have told our story, instead of others trying to do it for us. You can see the change in the identity of the people, I would characterize it as a renewal of spirit, and there are new leaders coming through who are learning our history and our tikanga.

Now, that our history is being put out there, we are more able to face people now, we are not being slated. On the marae we are addressed as Waitaha, haere mai Waitaha. That is quite a development for us. There is a real lifting in the air. I still maintain it goes back to those historical things, where we were threatened, if the powers that be told you are no-one of consequence, if you are told that, it filters all the way down. That has changed since our Tribunal hearings in 2001'.²⁹⁷

'I came from the other side of the river – that's the Tapuika side. Manoeka people would say, "You came from there –what are you doing here" Yeah! "What are you doing in this neck of the woods"? They told my husband even, "Gosh, you shouldn't marry her, she shouldn't get any where near you"...Yet I love them here. I grew to love them. Because they took good care of me I guess...They treated me like I was royalty. These people [at Manoeka], its like you come in from another world into their world...You know the difference between this side and that side [Tapuika]. It is still

²⁹⁷ Punohu McCausland, Interview.

there. There is a total difference. The Tapuika side they all know their tikanga and era mea kātoa. This side tries. They do well. They do ok. But the first thing they have is their smoke and gambling. Those are number one before tikanga and whatever.... I think they've got this thing, 'what the hell, we can't get anywhere, I mean, Pākehā dominate us, so what's the use... We may as well live our lives and just exist". ...[Our young people], what knowledge do they have of our history? Some of them are not interested, because, even with that actually they are saying, "Pākehā don't recognise our tikanga, they don't recognise that we owned the land. I mean, look at them now, they are still fighting us and taking our land - the latest one is the foreshore. They have just gone and placed the foreshore in their care. Ae! The young people are saying, "See, they've done it again". The Government is doing this. And they have done it for centuries, and they doing it to the young people, so what do the young people do? "Let's go out and get drunk everyday". That's just an example of what happens here. And I believe it is that everything is constantly taken away from them, constantly...it's a no go sort of a thing. And they are seeing it everyday. Now they know, they are hearing the older people, they hear about the claims being made. And they hear about the Government's refusal to compensate. So what do they say? "See, see, we told you"! And these are these are the young people, "It's hopeless, you fellas (the kaumātua) keep trying and it's hopeless". It is affecting the young people, coming up generations, they are saying, "they're going to win the Crown, they have won all the time...This is what the young people are saying, "Oh yeah Ratshit", excuse me, but that's the common term. "Ratshit eh". They walk up and down this road, and that's what they say. And it's quite sad...they are in that frame of mind. It's hitting us because that is the next generation that's coming up. It's terrible they've got that kind of attitude. So we are trying to say to different ones in the community, "come on, come with us". So what we are doing is dragging along some of them, "Come to the hui". They say, "But they talk Māori and we don't understand Māori". "Well yes, but we'll explain to you what is happening during the hui, don't worry, but we need you to come with us"...There is this desire to be knowing the language. You watch them. When you are speaking, I have noticed that when I am speaking te reo, they will stand there beside you and just listen. Even if they don't understand. So I'm knowing that a whole lot of the younger generation, they want it, they want to know it... They don't want to go to the Wānanga and whatever... "Oh, they're crap, we gotta write all this stuff down" and "we gotta be there on time", they don't want to be there on time.

They just want to be there when they want to. Like we have a hui down on the marae, and these kids they are there, they're all there, to awhina ngā mahi. You know and that's awesome, they love it. They love working on the marae. It seems to be their thing. And I say it is, because they have a deep love for it, deep down there. They are awesome, to cater, they are awesome to clean up, kei te mahi i ngā marae. Ae, they do have a heart for things Māori. And so I am grateful for that. Now they won't learn Māori if it is from a school. If it is formal – they won't learn. But I notice, if any one of us down at the marae are talking together. You watch these young people sidle along, they are there to listen to it. And what they like is the behaviour of it. Like when we are talking together its happy and there is this awesome katakata (laughter) kind of thing...I love those kids. Even though they tutu. They do things that are really dangerous. Ae, they come in ... “hey Nan, kia ora” . I really appreciate them.....We are opening ourselves up at the moment and we believe that a lot of this opening up is painful, but we are going to continue and say, “this is who we are”. We have got to stand on it....There is hope though. I believe we are really being challenged, to stand up and be counted. I do know, and a lot of us do know that is what we need to do. Our karakia on the marae are pointing to the fact that we need to stand tall, tū tangata tonu. We need to do that....If I was talking to Pākehā, I would say, “Get to know us, Get to know everything about us. We are not what you think we are. We have hearts, we have visions, we love, and we care. Get to know us better”. I think its lack of knowledge on their part. If they got to be knowledgeable, it would be more beneficial for them too’.²⁹⁸

‘I’m really worried about our kids – for all our children’.²⁹⁹

‘Growing up in Manoeka was interesting. What I understand in terms of growing up as Waitaha, that’s a long story, I now know it is really quite a tight knit community, whether good or bad. You can draw your own conclusions from that. There is a stigma in growing up here, although I didn’t hear it, we felt it most of the time because we were kind of ostracised...Yeah, we were perceived basically as not, ‘second best’ but being ‘troublesome’ to say the least. By both Pākehā and Māori. Even from our own extended whānau; because there was this distinction between

²⁹⁸ Heeni Potene.

²⁹⁹ Te Moni Te Moni.

those who were townies, or urban and those who were rural or country. And my understanding when I was growing up, and had explained to me, was that it stemmed back to an ancestor of ours called Hakaraia.

This is an inherited thing that followed on from those days. Most youths in my time felt it was “us” in terms of Manoeka youth growing up, basically against everyone else, – against the authorities and powers. So that’s how it was growing up here... It was only when I got older that I started to look at some of our whakapapa and our history and the whole journey discovered who I was, in terms of being Waitaha. You started to learn some of the historical things. It was only then that you were able to put your own experiences in some sort of context and you are able to realize that we were only acting out in terms of how our ancestors before us, the legacy that they left us. And basically we were just caught up in the whole thing, in the whole legacy without even realizing it. Being ‘anti’ everything and basically Waitaha have the philosophy as an iwi, being against everyone else. There are some good things about that, lots of good things... At school, it was another place that you went with whānau and friends. Although it would be fair to say that you stayed with the same whānau and friends from here... Waitaha has always tried to find acceptance of who they are. Not have other people trying to put on us, who we are. From what I understand in talking to various people about the journey of Waitaha, we have struggled as an iwi over our identification. Its other people trying to tell us who we are. After the ‘doctrine of estoppel’ it was like a silence was put on our people, and I think what is happening now is that silence is starting to be lifted, and we in Waitaha are learning how to deal with it. We are for the first time realizing that we have our story and who we are and that the whole journey has to be uncovered in many respects.

Like I said earlier, this is a legacy that has been handed down, the Waitaha rangitahi don’t really know the historical thing. They’re caught up basically, in a pattern of behaviour that has been handed down to them and they don’t really know how to express it and they don’t know how to change things really... when they get angry, they don’t know how to articulate that anger, in their frustration they strike out and it gets them into a lot of trouble. I think the impact is still here and until the Waitaha story is changed and until the generation that has been exposed to the type of legacy that has been left behind, it’s always going to be a thorn in the side and some of that

needs to be stopped. And one of the first steps to do that is education...Hakaraia, who chose to stand alone basically, and made a decision to stand alone not only against the Crown but also Te Arawa, meant for many years that Waitaha's name was sullied even by their own people. Which gave them the mentality that it is us against everyone else, even against our own, if I may say that? That I think, has been detrimental. Because that has given that whole approach to life that it's us against everyone else – which puts them at a disadvantage almost immediately. But the strength is the people tend to speak with one voice, there is a high sense of loyalty to each other. But even that is detrimental, because it can get you into trouble. I can see a lot of positive and a lot of strengths behind that whole attitude of being independent, single minded and determined in life's pursuits. But at this stage it has largely being negative, because to turn that whole legacy around means being exposed to the whole Waitaha story, and seeing it for what it is and accepting it for what it is. And basically moving forward. But all the signs are pointing that, and maybe this is not the best analogy, but "every dog has its day". And there is a sense in Waitaha that our time is coming, people appreciating where we stand and the way I understand it it's an inspirational story – the history of our tupuna, the story of what they achieved. So I am looking forward really, in terms of the future. I look forward with expectancy that things will change. It probably won't be in my generation, but my children's generation. One of the best ways I can describe that is who Waitaha is. If I talk to my whānau from Tapuika, they seem to be in many ways a lot mellower than we are in Waitaha. One of the reasons I put that down to is, if you talk to people from Tapuika from my own generation, that's a story that they are familiar with. They are really familiar with the whakapapa, with the stories, and because they have been exposed to that much earlier in generations prior. They have kind of found it a lot easier to fit in, which is really good.

My sense is that Pākehā have no real understanding of the situation of Waitaha. My intuition tells me that the gap is getting wider. Yeah, in terms of understanding - I don't know how true that is. All the information that I am getting in terms of what is coming out of tertiary institutions, about tikanga Māori and Māori history, it seems to be widening. I struggle to see how they quantify that in terms of statistics, but that's what they say. There's lots of reasons why that might be happening is in terms of immigration, in terms of being Waitaha and being Māori, we are the only people who

are going to decrease as a nation, because our numbers are here. It ostracizes us and minimizes us and sidelines us even more. But in terms of Pākehā I think the gulf is expanding. I think if you asked Pākehā who the main iwi of Te Puke is, I think most of them would be struggling. I think that says something.

Getting back to our school, Te Puke High School, is an example of the community. We just had an ERO that has come through the whole school, part of the preliminary findings, they are suggesting that TP High School as a training institute have done very little to make an appreciation of Māori students within its teaching realm. Because Māori within the local secondary school are about 37% I think, of the role. But the report is suggesting that there is very little to no appreciation of things Māori within this community. I think that TP High School is just a reflection of the greater community. From a purely Māori perspective, I think there is very little understanding. We are tangata whenua, the original people of New Zealand, and for me it has never been about recognizing that we have a special part to play, but that we are here and that is who we are. I don't know, but I think that any thinking Māori would say that 'this is not about Māori wanting any special privileges'. This is about being accepted for who we are. So my question would be for non-Māori, would be just accepting us for who we are. We are not asking for anything more than that really. For me in terms of the whenua, and the land confiscations, it's not about remuneration for me... For me though that is the least of the issues, the main issue for me is to be respected for being Māori. We don't want all these tribunal claims to be about money or be about land or all of that. It is just about recognition that we are tangata whenua. In some ways that gives us a special place in history, but it doesn't extra privileges. That's how I see it anyway'.³⁰⁰

³⁰⁰ Reg Te Moni.

Chapter Twenty: Conclusion

The study, 'Are You Listening?' is a discourse that has presented the kōrero of the Te Arawa iwi, Waitaha a Hei. The study began with a synopsis of three current Pākehā 'voices', to which the Waitaha kōrero has been offered as a rhetorical challenge. It continued with an informal mihi and whakapapa from some of the people of Manoeka, the papakainga of Waitaha, and this was followed by a description of their arrival to Aotearoa/ New Zealand. Through the testimony of one of their surviving kaumatua, an explanation of their early land interests was given, which illustrated the extent of their mana whenua and status within te ao Māori, before the arrival of the Pākehā. Despite the early nineteenth century inter-hapū conflagrations which saw a diminishing of their interests, Waitaha remained a significant central North Island iwi with considerable land interests up until 1840.

The arrival of the new immigrants to the country, was to have a huge impact on the iwi. From the time of Hongi Heke's musket inspired raids, until the final compulsory purchase by the Crown in 1939, Waitaha's lands were systematically and mercilessly alienated. The tribe experienced internal turmoil and fissure through the years of the land wars and the various Government land legislations. Their consequent attempts at autonomy at this time, through such movements as Kingitanga and Hauhau caused their tupuna to be hunted by the Crown, and slandered by the new Pākehā settlers and other Māori. It is difficult to determine the greater loss to Waitaha, their marginalisation within their own tribe Te Arawa as a result of these efforts, or the consequent loss of land through the raupatu and sales of land to the Crown.

Waitaha kuia, Puneho McCausland, has called Waitaha, the 'lost iwi' referring to their loss of mana and the tendency for some to follow alternative tribal affiliations. I have called them a 'forgotten' people – but the meaning is the same. Through the years they have attempted by various means to cry out for justice and a restoration of their reputation. Many times they have been rebuffed and according to some, a hopelessness descended upon many of the people. Even now, Manoeka struggles under a reputation of lawlessness and disdain, its streets and infrastructure showing years of neglect by local Government.

However, it is a new day and because of the resilience of the present leaders and the opportunity afforded by the long overdue Treaty of Waitangi legislations, Waitaha are on the ascent. As one of the other interviewees Reg Te Moni said, acknowledging his own depreciative irony, 'Every dog has its day'. Despite the historical and local indifference to their plight, there is the sense, that that thing which Waitaha kaumātua seek to achieve, 'the restoration of our mana' is imminent. This renaissance it seems, will take place whether Pākehā are listening or not!

Toi te kupu, toi te mana, toi te whenua.

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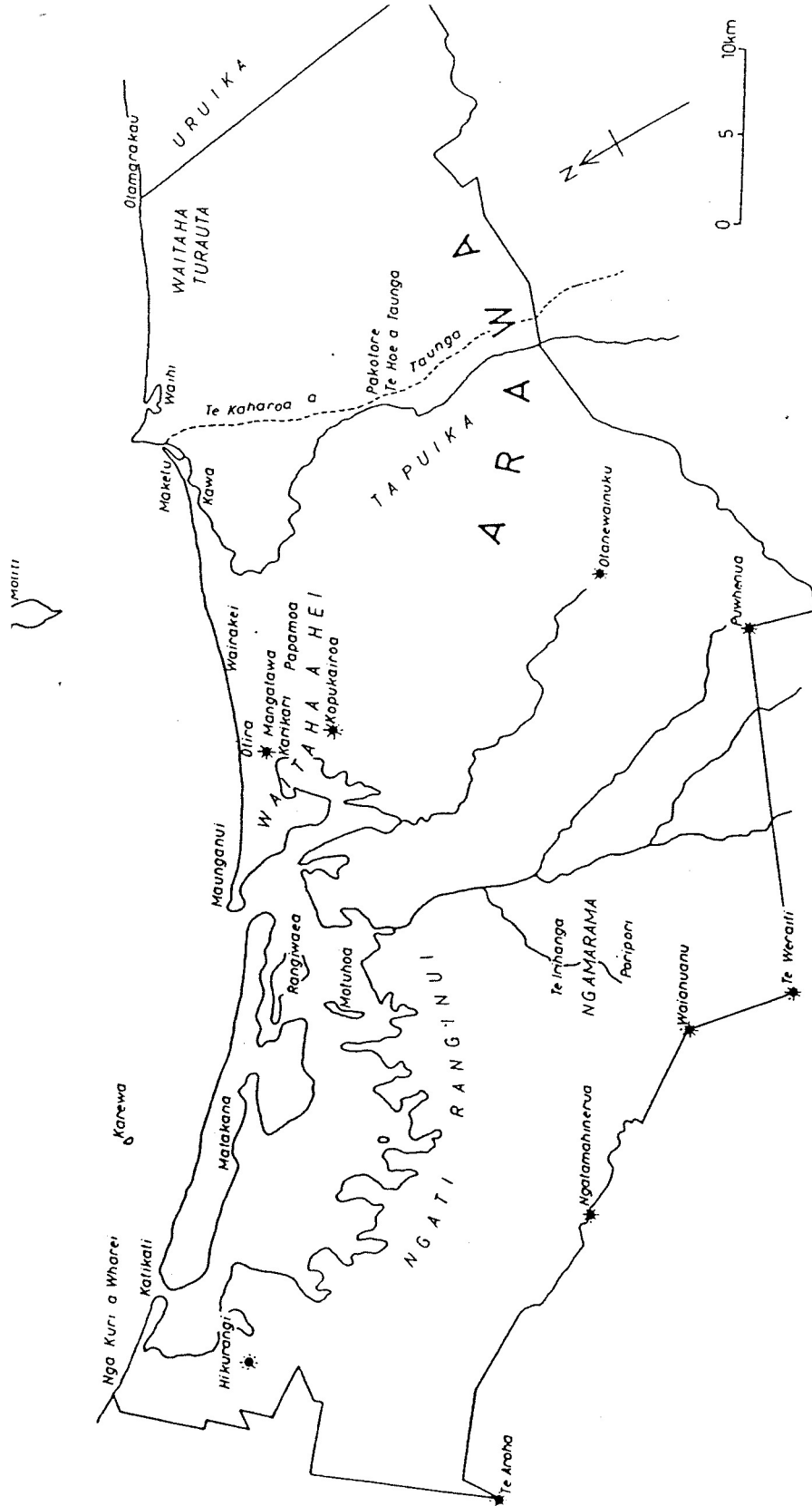
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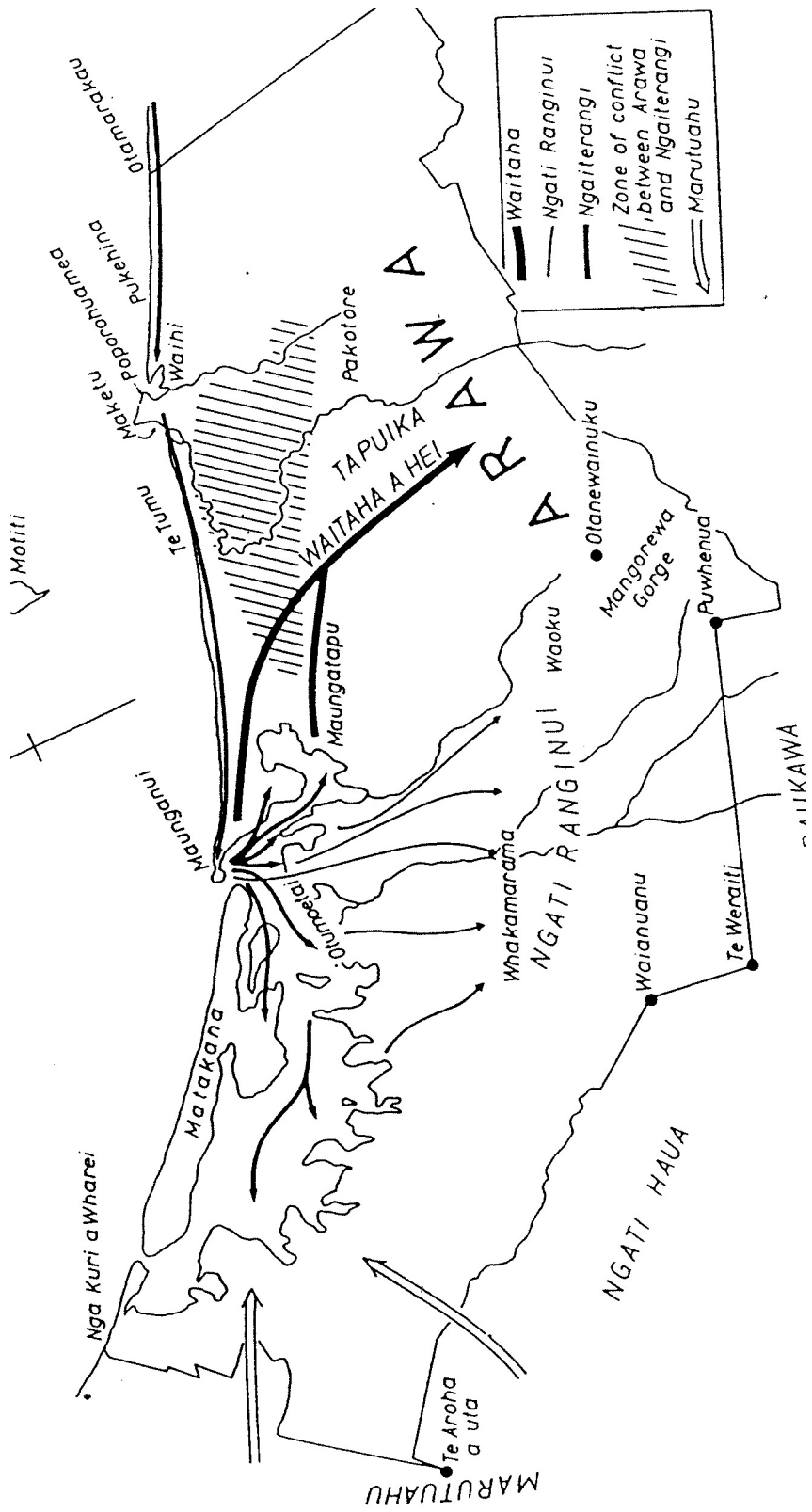
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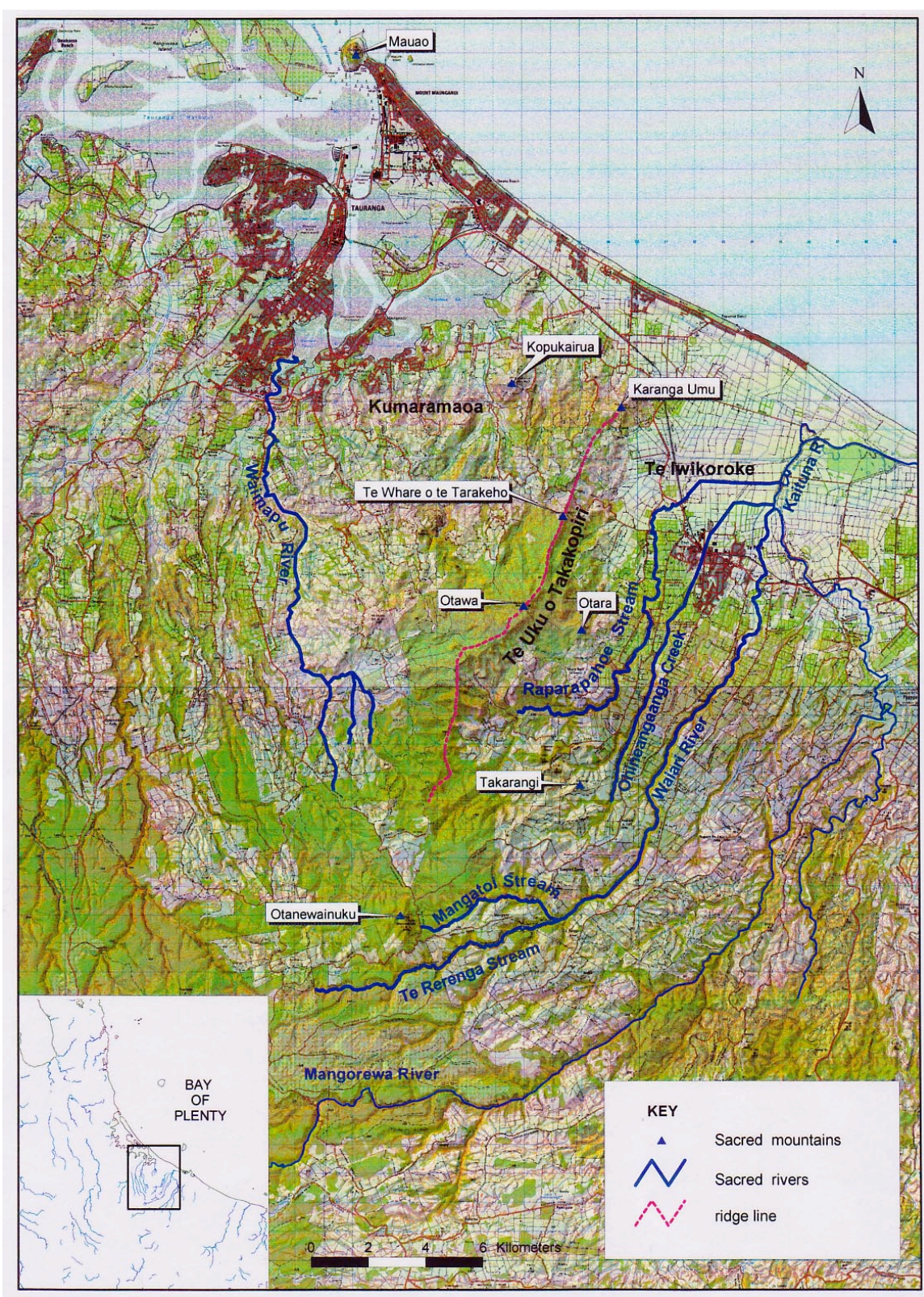
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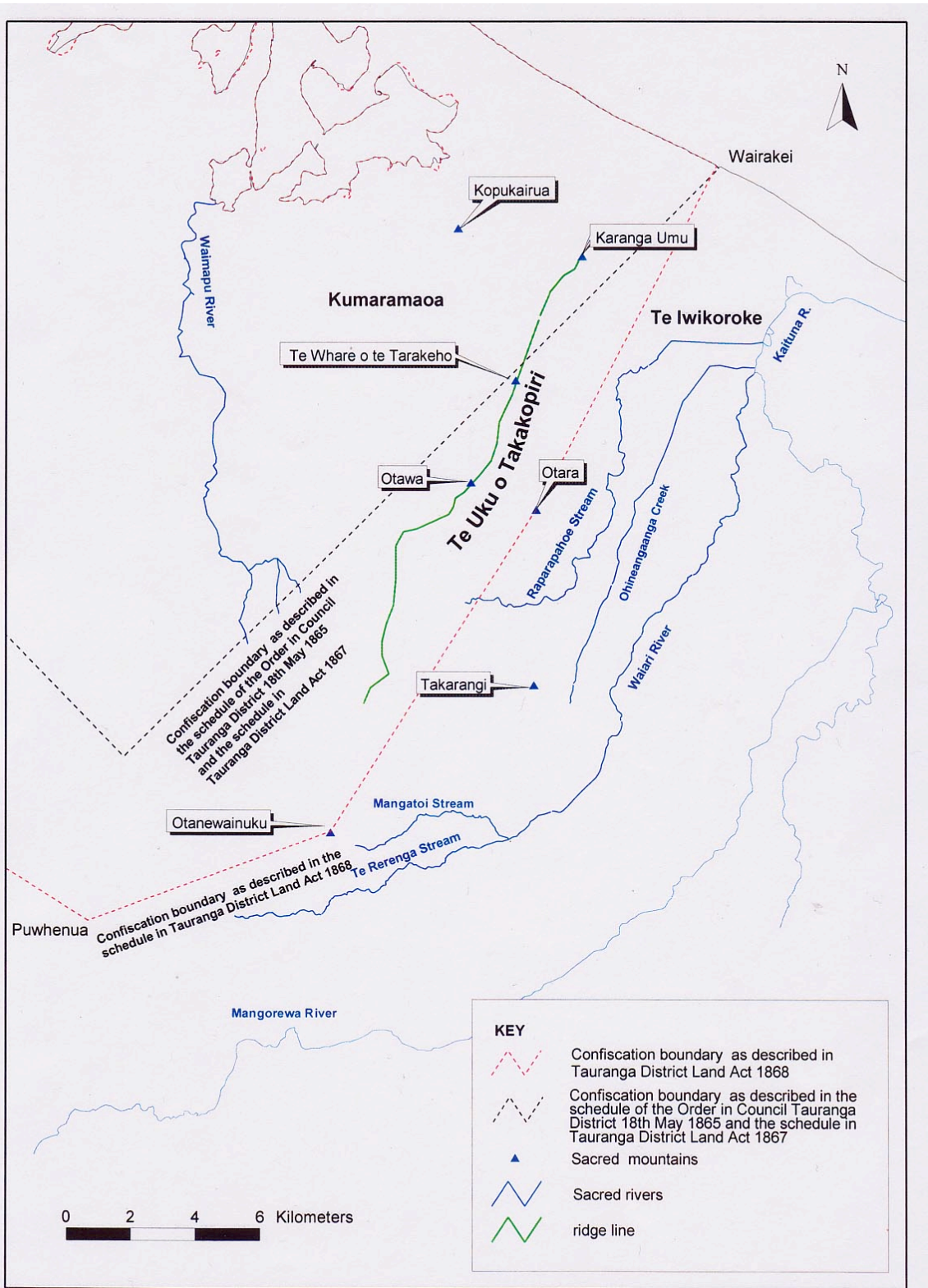
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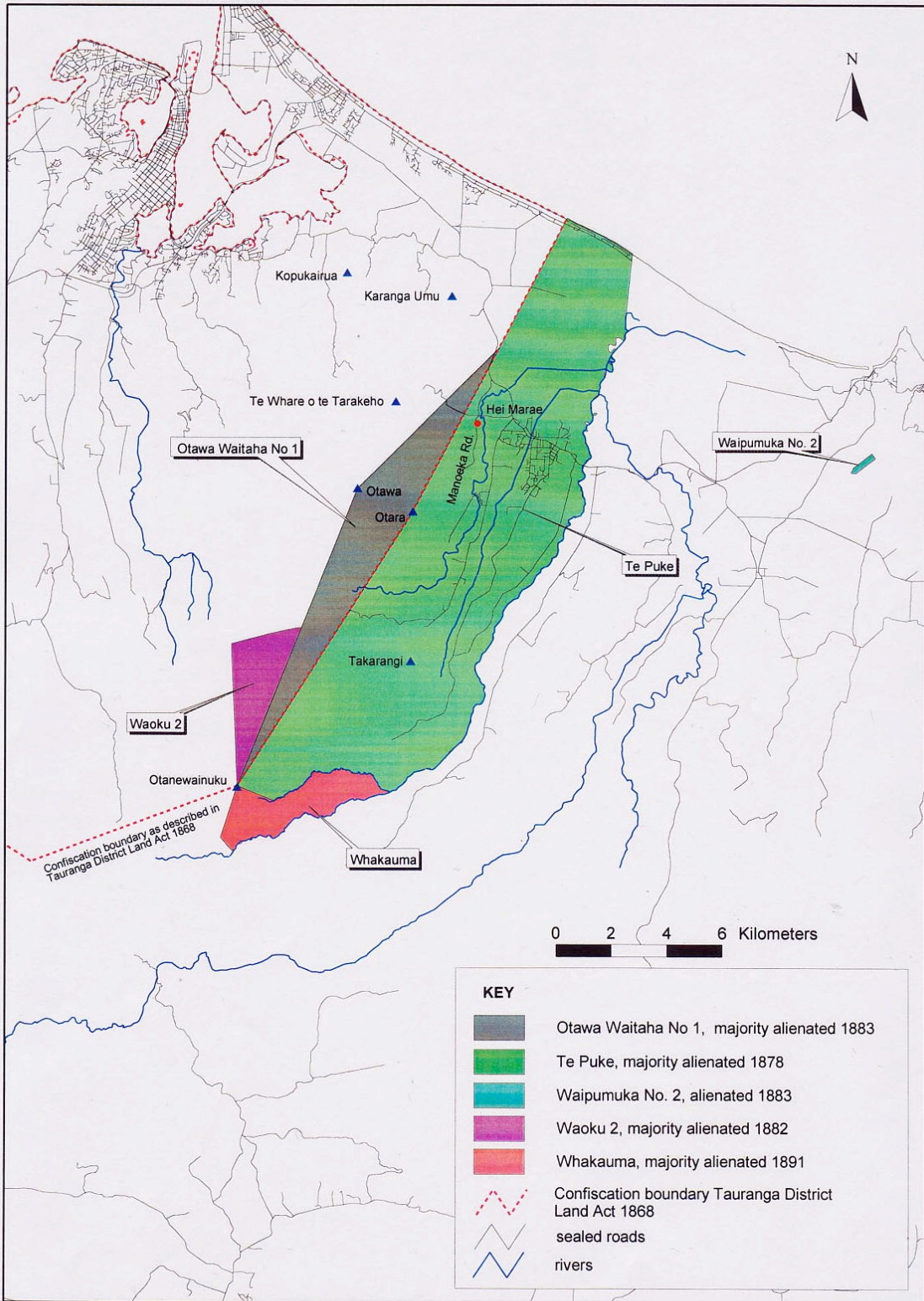
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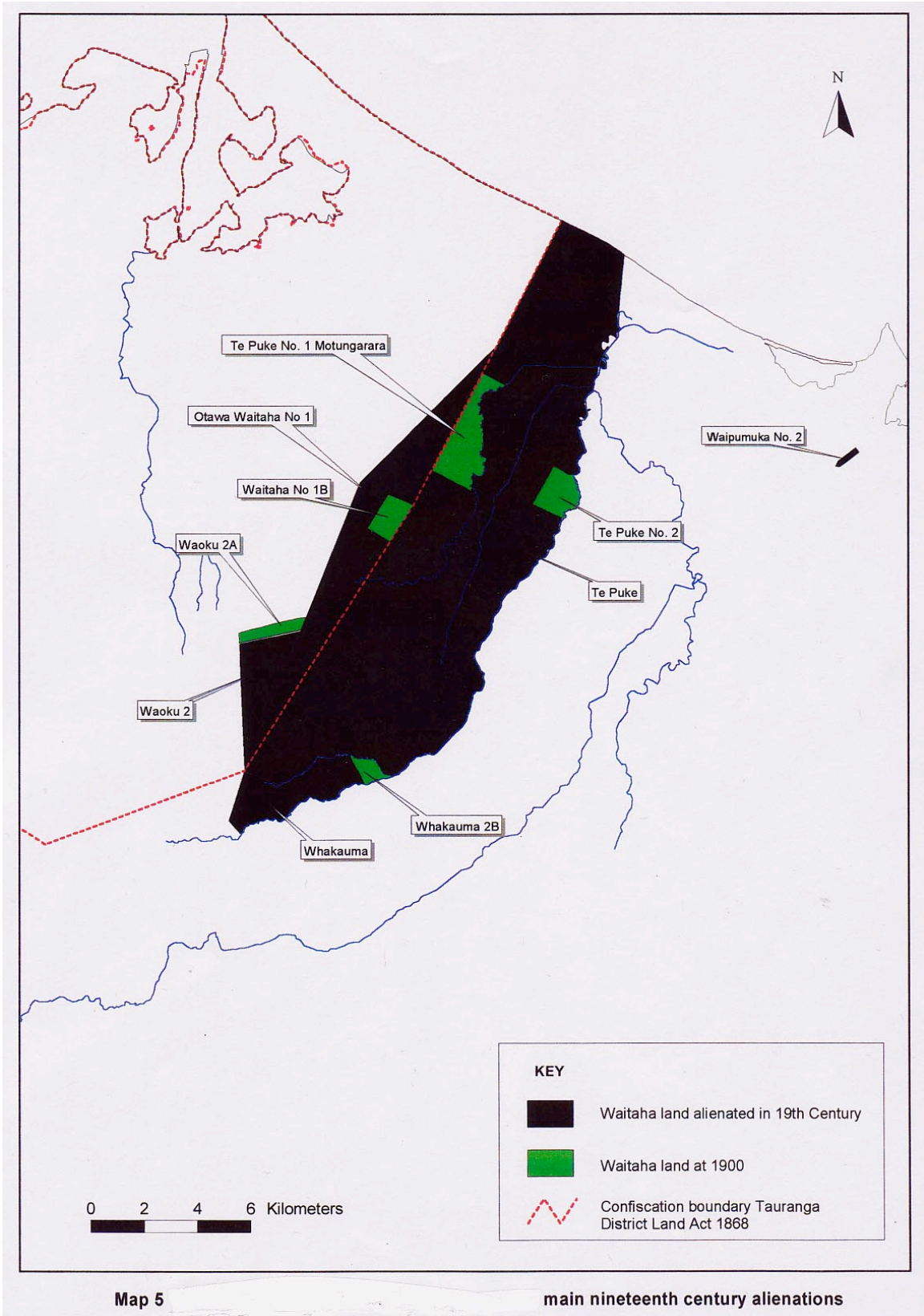
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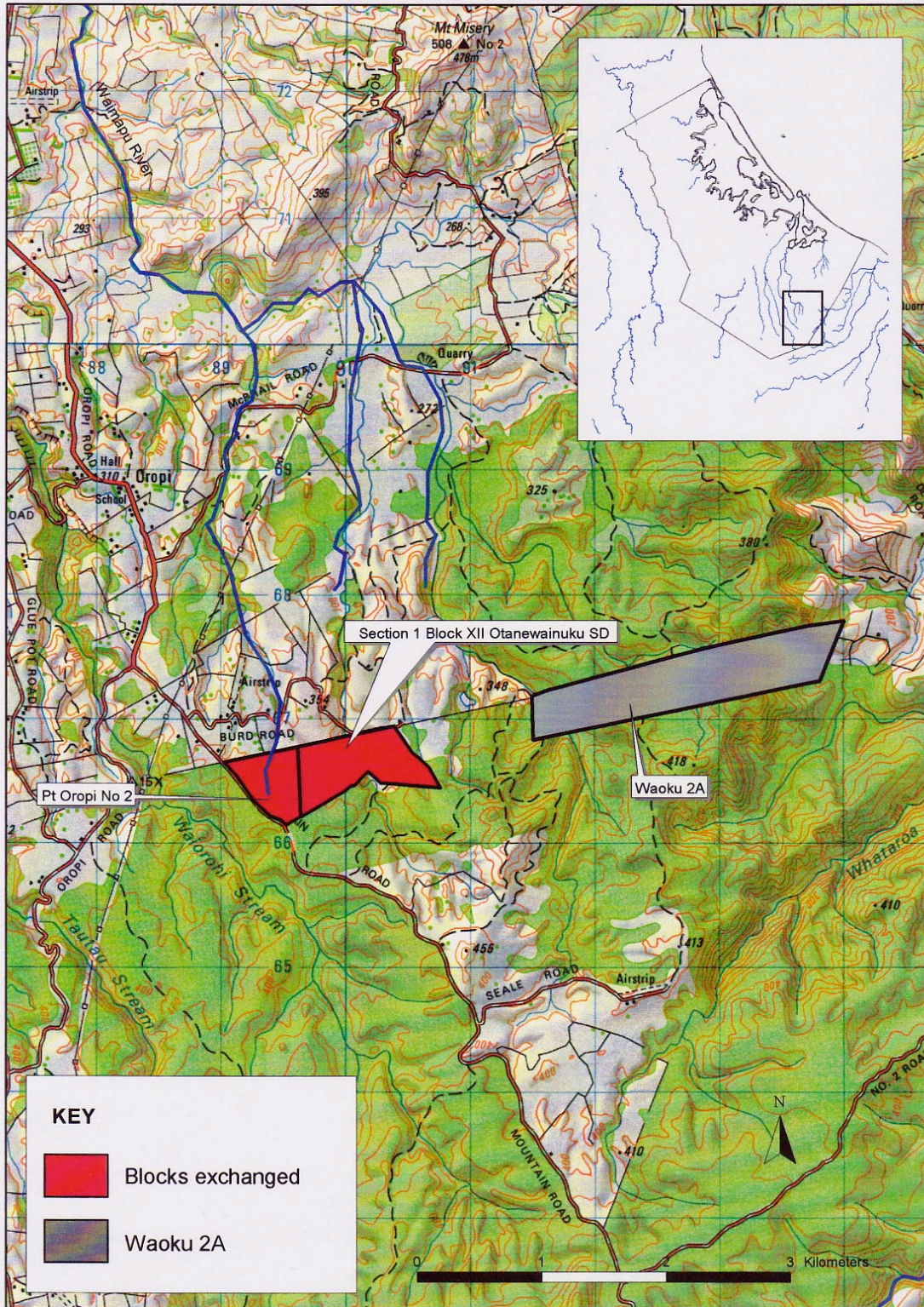


Map 3 Various Tauranga raupatu boundary lines in relation to Waitaha research area



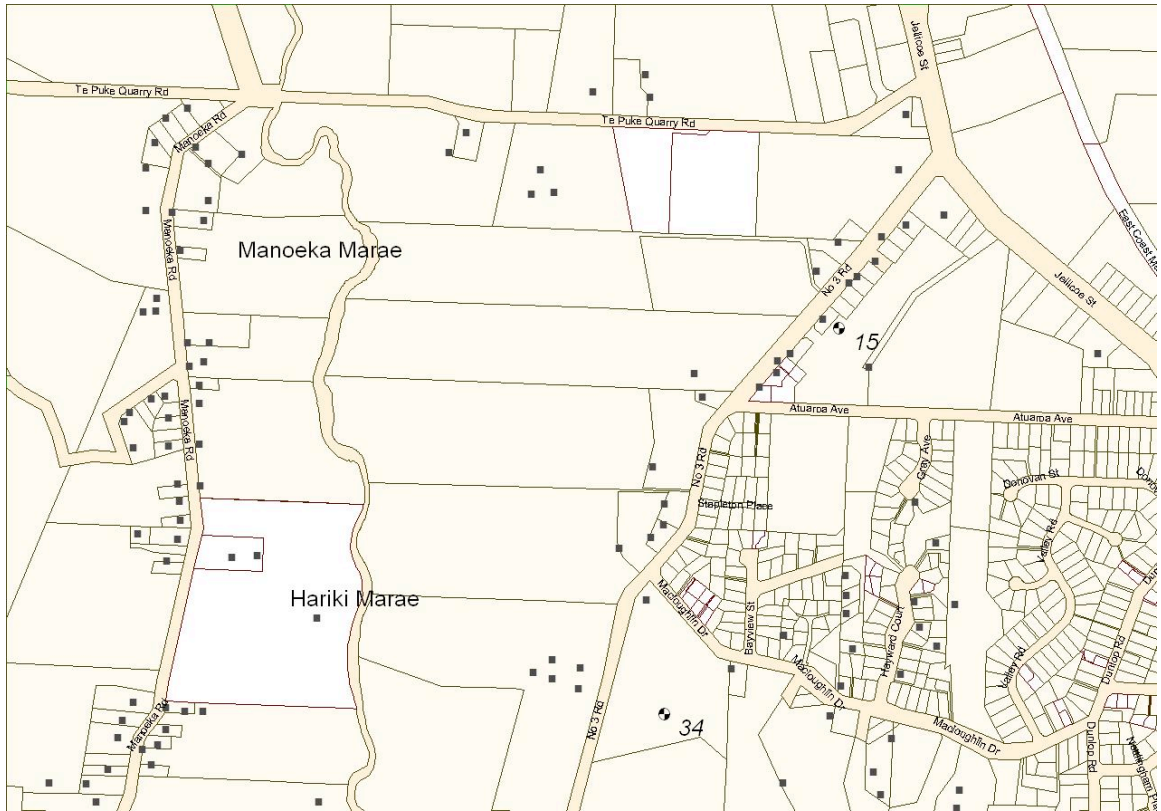
Map 4 Land blocks awarded to Waitaha in 19th Century under Tauranga District Lands Acts and Native Lands Acts





Map 6 Showing land blocks exchanged as part of settlement for Public Works takings of Waoku 2A, 1970 - 1981





Aerial Photograph of Manoeka



Hei Marae **Photo: Alistair Reese**