WAITANGI TRIBUNAL

Wai 1666

IN THE WAITANGI TRIBUNAL

IN THE MATTER OF	**The Treaty of Waitangi Act 1975**
AND IN THE MATTER OF	**Te Paparahi o Te Raki (Northland) Inquiry**
AND	
IN THE MATTER OF	**A Claim by Ani Taniwha on behalf of herself and others**

BRIEF OF EVIDENCE OF ANI TANIWHA

Date: 28 May 2010

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Waitangi Tribunal
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WELLINGTON

Kei mau ki te kura whero,

Kei mau ki te kura tawhiwhi,

Kei waiho koe hei whakamomona mo te whenua tangata.

♦

Hold on to the precious treasures, To the ancestral treasures,

Leave alone what is harmful to the people enriching the land today.

Hold fast to the genuine and true, do not be beguiled by what is spurious and deceptive.

1. My name is Ani Taniwha. I am the claimant in the claim Wai 1666.

2. I am of the hapū Ngati Kauwau me Kawhiti and Ngati Kahū o Roto Whangaroa.

3. Although I had a great deal of evidence concerning the broader aspects of my claim and family history, I am giving this limited brief of evidence in connection with Stage 1 hearings of Te Paparahi o Te Raki Inquiry, and specifically on the traditional history I have learnt about He Whakaputanga, He Whakaminenga, Te Tiriti and the aftermath.

WHAKAPAPA AND TRADITIONAL KNOWLEDGE

4. My whakapapa on my father's side is:

Whakakii

Te Pou		Awhirangi
Keti		Taura
Kawau		Tiratu
Kaingarua		Tangiparera
Hauhau		Maukihau
Kotaranui		
Te Pona	=	Roera

Mauahara

Taniwha

Hunia Taniwha

Tame Hunia Taniwha

Ani Taniwha

And

Pukeariki		
Ururangi		
Kira		
Kingi Hori Kira (Te Tiriti signatory)	=	Te Kuri
Huhana	=	Mauahara
Taniwha		
Hunia Taniwha		
Tame Hunia Taniwha		

Ani Taniwha

5. My whakapapa on my mother's side is:

Te Tao Honiana Kauea	=	Ringimane
Ratahi Kauea	=	Mereana Napia
Henare Tuporo	=	Te Reo Tate
Wiremu Tuporo	=	Ira Reihana Marupo
Pera Tuporo	=	Tame Hunia Taniwha

Ani Taniwha

and

Marupo		
Marupo Marupo		
Himi Marupo		
Reihana Marupo	=	Mere Hau
Ira Reihana		Wiremu Tuporo
Pera Tuporo	=	Tame Hunia Taniwha

Ani Taniwha

And

Nukutawhiti

Turou me Kauea

Tirarau Kukupa (chief)

Tokai

Maihi

Te Whiwhi

Hone Peti

Makareta

Mereana Napia

Henare Tuporo

Wiremu Tuporo

Pera Tuporo

Ani Taniwha

and

Pokaia — Hongi Hika = Turi Katuku

Hone Heke = Hariata Rongo

Mereana Napia

Henare Tuporo

Wiremu Tuporo

Pera Tuporo

Ani Taniwha

6. I have been given traditional knowledge over the years by many kaumatua and kuia so it is hard to identify exactly where every piece of information came from. Some of the most recent information I've been given, however, came from Tipu Tarawau Kira and his son Poihākina (Syd) Kira. I also was given knowledge by Rowinia (Pixie) Pikaahu Pomana, Alice Brown, and Karena Kiwa Malcolm, as well papatupu pukapuka kōrero. Much of the detail about my tupuna has been handed down through our family as family history.

MEETINGS OF HE WHAKAMINENGA

7. I understand that evidence has been given that there were no meetings of the "Congress" or "Parliament" under He Whakaputanga. To the contrary, the tradition I know is that He Whakaminenga met beginning around 1808 and continued through the signing of Te Tiriti. People still meet in current times under the name He Whakaminenga. The current meetings are held regularly on Wednesdays at the Trust Board building in Kaeo to discuss matters of importance to the hapū.

8. Ngā Puhi chiefs began meeting as He Whakaminenga around 1808 after the battle known as Moremonui. Moremonui was significant because it was the first time Hongi Hika used muskets in battle. Although he used muskets, he was not victorious because his warriors were over-run while reloading. Even so, many warriors were killed. As a result, there was a need for utu so the chiefs began meeting about the aftermath of this battle.

9. Over the years, land discussions gained importance in the meetings of He Whakaminenga. He Whakaminenga decided what land Europeans could acquire and from whom. At one time, James Kemp wanted to acquire land from Ngā Puhi. He Whakaminenga met with James Kemp to discuss his desire to acquire land and cultivations. As a result of these meetings, He Whakaminenga decided that Kemp could get land from Tupe. As described at page 1573 of Bruce Stirling and Richard Towers' report "Not with the

Sword but with the Pen" at least some of Kemp's land was the subject of Old Lands Claim 599-602.

10. I do not know of a particular whare associated with as a meeting house for He Whakaminenga. He Whakaminenga met at Te Touwai Bay at Whangaroa Harbour. This location was chosen because Hongi Hika was from this area and was prominent in He Whakaminenga. Tupe, another prominent chief, was from this area. Also, the ringa kaha that enforced He Whakaminenga were also from this area.

PHYSICAL EVIDENCE OF HE WHAKAMINENGA MEETING PLACE

11. I am aware of physical evidence that reflects He Whakaminenga meetings at Te Touwai Bay. There are poupou (poles) submerged in the water there that the Chiefs used to anchor their waka when meeting there.

12. The poupou are not now visible most of the time because they were cut down when the Harbours Act was passed so that the water would be more navigable. They are still there, though. I have seen some of them on more than one occasion. Once I went see them in about 1991 with the old people, and then I saw 5. Later in 1997, I went to see them again, accompanied by anthropologist Dame Joan Metge. We went during a low King Tide. At that time, I was able to see 14 of the pou.

13. One of the poupou aligns to the grave of my ancestor Te Pona who was one of the chiefs who met as part of He Whakaminenga. Te Pona's grave is at the tihi of the pa at Matangirau.

MEMBERS OF HE WHAKAMINENGA AND WHAT THEY DID

14. Te Pona was known as a "ringa kaha" in his day. He supported Hongi Hika, Kawiti, Ururoa, Hare Hongi, and Hone Heke. He was known as their enforcer. Because there are said to be 27 poupou submerged and Te Pona's grave is said to be the 28th of the rangatira, they say that there were 28 chiefs.

15. But I am also aware that there were as many as 34 chiefs that met at Te Ngaere which means "Meeting Place of the Chiefs." The whenua there was called Kiripaka.

16. Part of the work of He Whakaminenga was to enforce and perpetuate the social order under tikanga. This was particularly important after the pākehā –settlers, traders, and missionaries—began to have regular contact with our people.

ARIKI MEETINGS

17. In addition to the rangatira that met as He Whakaputanga, I am also aware that decisions were made by ariki who met regularly. I have heard about meeting places throughout New Zealand, but the one I have knowledge of in this area was a Waimate North, where ariki from this area met.

FLAGS AS SYMBOLS OF INDEPENDENCE

18. I am familiar with the kōrero about the flag being adopted for He Whakaminenga. This flag was used on Māori ships and elsewhere. One of the places where this flag was flown was Waipuna, situated on the western shore of the harbour near Pinea. However, after the signing of Te Tiriti, the flag was no longer flown there.

19. Instead, the British flag was flown by itself at Waitangi. One of my mother's relations, Haratua, helped Hone Heke chop down the flagpole each time he did it. Haratua's mother was the sister of Maripou, the rangatira. It is our family tradition that chopping down the flagpole reflected dissatisfaction about the relationship between the Māori and the British peoples, how the British were taking over government, and over the way the our land was being taken. This marked a break with the English because up until then Hone Heke and Haratua (and others who thought like they did) supported the relationship with the British. But when they understood that the British flag was flown to the exclusion of He Whakaminenga flag, and the land was

being taken against our wishes, they were unhappy and acted, even if only in a symbolic way, to chop down the flag pole.

20. My ancestor Te Pona also went from Whangaroa to Russell to assist Hone Heke when he chopped the flagpole down.

21. When it was said that the French were coming to our rohe, some people were worried because they thought the French were cruel. They asked the British to protect us. There was support among the rangatira for He Whakaputanga because it was understood to secure independence.

BOUNDARY OF HE WHAKAPUTANGA

22. Another tradition I am familiar with has to do with the signing of He Whakaputanga by Te Wherowhero. Before he signed, He Whakaputanga boundary was "the Bombays" referring to the Bombay Hills. The actual boundary known as I Raro Mai o Hauraki was the Waimakariri River near Pokeno where it joins with the Waiuku estuary.

23. When Te Wherowhero signed for Waikato people, the boundary was extended south, but I will leave it to others to give their tradition of where the boundary was and why Te Wherowhero signed.

Dated 28 May 2010.

ANI TANIWHA