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KEI MUA I TE ROOPU WHAKAMANA I TE TIRITI O WAITANGI

WAI 1040
WAI 2179

MO TE TAKE O — **TE TURE TIRITI O WAITANGI 1975 (THE TREATY OF WAITANGI ACT)**

ME

TE TAKE O — **TE PAPARAHI O TE RAKI INQUIRY**

ME

TE TAKE O — **NGA KEREME O RIHARI TAKUIRA MO NGA URI O NGA HAPU O NGAPUHI (A CLAIM ON BEHALF OF THE DESCENDANTS OF NGAPUHI)**

RECEIVED
Waitangi Tribunal
26 JUL 2010
Ministry of Justice
WELLINGTON

WHAKATAKOTORANGA O RIHARI TAKIURA (AKA RICHARD DARGAVILLE)

DATED 26 JULY 2010

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Whakatakotoranga o Rihari Takuira

Ko Hokianga whakapau karakia tenei

Ko Panguru, ko Papata te maunga

Ko Hokianga te moana

Ko Ngatokimatawhaorua te waka

Ko Ngati Kaitutae me Ngati Manawa nga hapu

Ko Ngapuhi ki Te Rarawa te iwi

Ko Rahiri te Tupuna (tuatahi)

Tena koutou, tena koutou, tena tatou katoa

Whakatuwhera/Background

Ko Rihari Takuira (aka Richard Dargaville) taku ingoa. I whanau mai ahau kei Panguru, Hokianga.

Ko toku whakapapa:

Timata mai ia te waka Ngatokimatawhaorua.

Ngatokimatawhaorua te waka

Nukutawhiti-Ngarunui-Ngaruroa- Ngarupaewhenua-Hikuiti-Taura-Tara I Te Po-Tauramoko-Rahiri–Kaharau-Taurapoho-Tupoto-Kairewa-Tamatea-Kiringarahu-Maruwhenua-Waikuhika-Taahau-Matangi

Ruawai (f) = Te Rerenoa.

Tiapakeke = Te Oki

Teihi = Materoa

Ka puta ko taku tupuna

Te Rima = Pirihira Kaweka

ka puta ko Maata me Oriwa Te whanau Tuatahi

I mate a Pirihira Kaweka

Ka moe Te Rima Takuira ia Mereana Pere Riwhi

Ka puta ko Kararaina- Peata- Ruihi- Tiapakeke- Anatia- Kani- Rosa Neta- Haawai-Te Ata- Mita- Rawiri- Wihone

Ka Moe a Haawai ia Ngarui Teawa

Ka Puta ko te tangata e ki atu nei

Te Taha Ki Taku Whaea no Whangaroa Ngati Kawau- Ngati Uru- Ngati Pou

Taame Horo Teawa = Tauke Tupe

ka puta ko Mohiti = Ngarui

Ngarama = Iritana

Hukatai = Matewahine

Kawhata = Tuhikura

Whe = Mereana

Kiritipa = Hauraki (ko Taame Matewahine te tama o Kiritipa)

Hauraki = Mariata Tamehana

Ngarui = Haawai

Ka puta ko te tangata e tu atu nei

Growing up in Panguru: Tikanga, Kawa, Rangatiratanga

[1] Ko nga kupu i tupu ake ahau. I grew up with parents from those of my tupuna above Te Rarawa ki Ngapuhi. Their upbringing was tantamount to the very principles of those of their tupuna in holding steadfast to mana motuhake, which is somewhat lessor to a degree than that of te whakaminenga engari not withstanding that and the fact that our tupuna were signatories to Te Petihana 1831 (the Rangatira's letter to King William) the Whakaputanga 1835 and Te Tiriti 1840, let it be made clear this was no excuse as my Kaumatua Kuia o Panguru forever having stated that they **did not cede their sovereignty to the Crown**, or to the Queen of England Kuini Wikitoria. The common terms used were either 'mana motuhake' or 'rangatiratanga'. These captured the concept of how they expressed mana.

1831 Petihana ki King William

[2] The 1831 Petihana was very important and prominent to Hokianga people when I was growing up. It became almost a whakatuaki for our people when I was young.

[3] 1831 Petihana o Nga Rangatira o Ngapuhi

E te Kingi Wiremu ko matou nga rangatira o Niu Tireni e huihuia nei ki tenei kainga, ki Kerikeri, e tuhituhi atu nei ki a koe; e rongo ana hoki matou ko koe te Rangatira nui o tarawahi, nou hoki nga kaipuke maha e mai nei ki to matou wenua.

We the chiefs of New Zealand assembled at this place called Kerikeri, write to thee, for we hear that thou art the great chief of the other side of the water, since the many ships which come to our land are from thee.

He hunga raua kore matou he oi ano o matou taonga he rakau, he muka, he poaka, he kapana, he oi, ka hokona enei mea ki ou tangata, ka kite matou i te taonga o te pakeha. Ko hou kainga anake te atawhai ana ki a matou nou ano hoki nga mihaneri e ako nei a matou ki te whakapono ki a Ihowa te Atua kia Ihu Karaiti ano hoki tana tamaiti.

We are people without possessions. We have nothing but timber, flax, pork and potatoes; we sell these things, however, to your people, and then we see property of europeans. It is only the land which is liberal towards us. From thee also come the missionaries who teach us to believe on Jehova God and on Jesus Christ his Son.

Kua rongo matou ko te iwi o Mariau tenei me aku mai ki te tango i to matou kainga, koia matou ka inoi ai kia menga koe hei hoa mo matou hei kaitiaki i enei motu kei tatau mai te waka o nga tau iwi, kei haere mai nga tangata kei tango i o matou wenua. A ki te mea ka tutu e tahi o ou tangata ki a matou, ka noho nei hoki he hinu ki te wenua nei he mea oma mai i runga i te kaipuke mau ra pea ratou i riri kia rongo ai, kei oho noa te riri o te tangata Maori. No matou, no nga Rangatira o te Iwi Maori o Niu Tireni.

We have heard that the tribe of Marian is at hand coming to take away our land, therefore we pray thee to become our friend and the guardian of these islands, lest the teasing of other tribes should come near us, and

lest strangers should come and take away our land.

And if any of thy people should be troublesome towards us - for some persons are living here who have run away from ships - we pray thee to be angry with them that they may be obedient, lest the anger of the people of this land fall upon them. This letter is from us, the chiefs of the natives of New Zealand.

Viscount Goderich's wrote the "King's" Reply on 14th July 1832 which Busby brought with him

Friends, - I am commanded by the King to acknowledge the receipt of the letter which you addressed to His Majesty, and which you intrusted to Mr. William Yate to forward to England. The King is much gratified to find that the cause for alarm, which appears to have existed at the time when your letter was written, has entirely passed away, and he trusts that no circumstances may occur in future to interrupt the internal tranquillity of New Zealand, which is so necessary to the maintenance of a close commercial intercourse between its inhabitants and those of Great Britain. The King is sorry for the injuries which you inform him that the people of New Zealand have suffered from some of his subjects; but he will do all in his power to prevent the recurrence of such outrages, and to punish the perpetrators of them according to the laws of their country, whenever they can be apprehended and brought to trial, and the King hopes that mutual good will and confidence will exist between the people of both countries. In order to afford a better protection to all classes, both Natives of the island of New Zealand and British subjects who may proceed or may be already established there for the purposes of trade, the King has sent the bearer of this

letter, James Busby, Esq. to reside amongst you as His Majesty's Resident, whose duties will be to investigate all complaints which may be made to him. It will also be his endeavour to prevent the arrival amongst you of men who have been guilty of crimes in their own country, and who may effect their escape from the place to which they have been banished, as likewise to apprehend such persons of this description as may be found at present at large. In return for the anxious desire which will be manifested by the British resident to afford his protection to the inhabitants of New Zealand against any acts of outrage which may be attempted against them by British subjects, it is confidently expected by His Majesty that, on your part, you will render to the Resident that assistance and support which are calculated to promote the object of his appointment, and to extend to ***your*** *country all the benefits which it is capable of receiving from its friendship* ***and alliance*** *with Great Britain.*

I have, &c., GODERICH. Colonial Office, 14th June 1832.

[4] From this contact grew awareness of the need for the relationship with foreign influences **and** relationships within ourselves. In due course this also led to Busby being appointed as the British Resident following King William's response to the Petihana. The sum of the petition represented an attempt by a broad coverage of Ngapuhi of their own leadership and enhancing the mana of their leadership by developing a relationship with the British Sovereign, in partnership and in person. This in turn became a part of the whakaro culminating in those Hui leading up to Te Whakaputanga. The

Petihana chiefs were loyal to the Whakaputanga. We still are today.

Kawa & Tikanga – expressions continued

[5] The kawa in Maori law was the practice in this community. Our kawa and tikanga was pitted against all the odds being in favour of the Crown and assumed legislative authority. Yet still our whanau hapu were practising tikanga Maori. There was blatant obstinance against the policies of the Crown, as was witnessed through political activism led by Whina Cooper in 1913 who was only 18 years old at the time, over the leasing of the Whakarapa mudflats to Pakeha. These mudflats were an important mahinga kai for us here at Panguru. We cared for them within our own tikanga, which Pakeha now call 'law'. Whina's Father Heremia Te Wake thought to challenge the lease through Parliament and the Court system. Whina and other whanau did not agree and took direct action and as the Pakeha dug the drains, the Maori were filling them in. The Police were called in and Whina and her ope were charged with trespass. This in turn saw the Maori MPs being involved, Peter Buck and his successor Tau Henare, with the advent of the Government's Marine Department withdrawing the Lease.

[6] The eminent authority for Maori seemed to be the Maori Land Court with kaumatua kuia leadership like Whina whom I witnessed in growing up and who had a major political impact on my life after my return from service in theatres of war in South East Asia. With tupuna like Whina's father Heremia Te Wake and the

tupuna Kahu Whero, Nga Whakarehu, Panakareao, Nopera Kamira, Himiona Tupakihi, Rikihana Wiremu, who were prominent leaders in Ngapuhi ki Te Rarawa and who were ardent in the beliefs and practices of He Whakaputanga.

[7] I was born in Panguru in April 1945 just after the War. I was witness to the practices of tikanga and a mould of that era. It is different now. But then it was the practices of our kawa, tikanga that expressed our Rangatiratanga. It was the pinnacle of the way that things were done and gradually over time they were worn down. It got to the point that some of my tupuna tuturu were made to feel guilty about pursuing Rangatiratanga and He Whakaputanga. Some were driven by this to the extremes of religious immersion for solace.

[8] Whina was matriarch in her own right and was known in this country as 'Te Whaea o Te Motu', and for the fight for Maori land rights and her taking the lead in the monumentous 1975 land march from Te Reinga to Parliament in Wellington. Right at that same time there was the noho at Bastion Point which was also a catalyst for Maori protesting land rights and Te Tiriti issues. For many people these events were a surprise, but for us they were an extension of tino Rangatiratanga o o tatou matua tupuna. He Whakaputanga began the modern phase of our understandings of our role internationally, in relation to other peoples. Te Tiriti organised a deeper relationship with the British Crown, but all through, our tino rangatiranga was expressed. In the 1970s, the

debates were ignited again by leaders such as Whina and others from Hokianga, from Ngapuhi.

[9] Our Land March led by Whina and the Bastion Point fiasco also became very prominent for me in my understandings of tino rangatiratanga and the pitfalls of being involved with the Crown because I had just returned from war in Asia. I was conscripted by order of the military under the power of the constabulary and were ordered to remove my people from Bastion Point. It was the saddest time of my life and I was devastated. I had been used by the military as an arm of the Crown to debase our own people. I thought, what is this? This was my career, I was an officer, but it was not feasible any longer. It resulted in my leaving the army.

[10] I whakaro ahau, i haere matou ki te whawhai i tawahi e ki nei mo te painga o Aotearoa. Ka hoki mai ka meatia kia huri ahau ki te pakanga ki nga tikanga o taku iwi mo to ratou wero kia whakahokia mai o ratou whenua?

The Continuum

[11] The reason I am reflecting on these events is that I see them as a continuation of the conflicts our tupuna were placed in by the machinations of the Crown. Our 1831 Petihana to King William set a scene for co-operation, He Whakaputanga 1835 declared our commitment to our tino rangatiratanga in relation to ourselves and to outsiders, this led to Te Tiriti 1840, where we were continuing our own mana and the Crown were to properly govern and look after their own people and trade and work with us as partners. But their actions

differed from their written and spoken words. This continued in the Ngapuhi wars with the Crown in the 1840s and Crown divisions created between us. It continued with further wars all over the country in the 1860s and longer, and then with wars of legislation against our ways, tikanga, to take our lands and undermine our systems of community cooperation. I found myself stuck in the continuing cauldron in 1975 after experiencing war overseas, where I actually realised that we were fighting against tangata whenua who were fighting for their own Rangatiratanga. Suddenly I was pitted against my own people, against our own tino rangatiratanga. I had to make a change and do my part in working for, rather than against our tino rangatiratanga. The continuum rolls on. We are demonstrating what our tupuna expressed in 1835 with He Whakaputanga, again in Te Tiriti. We are committed to acting in concert as a whakaminenga/confederation of Hapu and Rangatira in the modern age. We are still striving to uphold those same tikanga.

[12] The effect of Te Whakaputanga was that we established our position as Rangatira of Hapu of these lands and seas. This was against anyone seeking to say different. In this we gained recognition of our haki o Te Whakaminenga, which protected our trade and provided security for our people.

[13] In fact the practices and kaupapa of our communities were in essence protests about Te Tiriti o Waitangi having been dishonoured immediately following its

signing. The hapu of Ngati Kaitutae, Ngati Manawa, Ngati te Reinga, Ngati Ruanui maintained their own kawa jealously, because this reinforced their own Hapu identity, mana motuhake and rangatiratanga. In Whakarapa and Waireia our kawa was that of Ngati Kaitutae-Ngati Manawa, in line with our people making our own kawa for ourselves and it was always a key topic of korero, debate and anger within the community. Whakapapa was paramount and that whakapapa determined and compelled certain practices and tikanga not in keeping with that was demanded by the legislature of the time.

Etahi korero mo Nga Tupuna

[14] To understand this more me hoki ahau ki nga korero hitori tukuiho na oku matua tupuna. Me hoki muri tatou kia mohio ai te Karauna i pera rawa te kino o taku iwi kia a ratou mo o ratou tino he kia matou te te iwi Maori, tangata whenua o Ngapuhi.

Kupe 950 AD Te Timatanga

[15] Ko te tino Rangatira o nga rangatira i te tae tanga mai o te iwi maori ki Aotearoa ko ko Kupe i tau mai ki te Hokianga, tona waka Ngatokimatawhaorua, ana ke i tona wa i konei ka haere takiwa a ia ki nga rohe katoa o Ngapuhi atu ki te poho o Aotearoa i karangahia tenei ingoa na tona hoa wahine, e Te Aparangi. Ara ka mea a ia me hoki a ia ki Hawaiki roa -Hawaiki pamamao e kore ano a ia e hoki mai.

[16] E hia ke nga tau, na no te maha o nga whawhai i Hawaiki na Tamatekapua moremore takikiki. Na ka ki atu a Kupe kia a Nukutawhiti, i tetahi whenua i kitea a ia na no reira, me mou a ia tona iwi ki reira ka nui ka kupu i tuku atu ki a ia, na hei konei ko the hokinga mai tuarua o te iwi Maori me te waka, e ki a nei ko Ngatokimatawhaorua ara ko Nukutawhiti te Rangatira o te waka ra. Na hei konei ka pureru te iwi Maori ki te rohe whanui o Aotearoa. Kei te mohio te katoa a tatou ki tenei hitori.

Hongi Hika 1772 - 1828

[17] Me hoki tatou ki toku tupuna i te taha o taku whaea no Whangaroa, a Hongi Hika i whanau mai te tau 1772. He Rangatira ringa kaha kawa atu o NgaPuhi. Ka tae a tatou ki te wa o te taenga mai o te Pakeha (Tauiwi ki Aotearoa) ka tae mai a tatou ki te wa o Hongi Hika. I te tau 1772 ka whanau mai ia. Ko ia te tama tuatoru o Hotete me tona whaea te wahine tuarua o Hotete, ko Tuhikura no Ngati Rehia. I heke mai a Hongi i te toto tuturu he iwa nga tuku iho-tanga na Rahiri tae mai kia ia. He tino nui nga korero mo tenei rangatira, he tangata toa, he tangata rongonui, he tangata mata kite - i te mea i hau atu a ia ki te ao o tauiwi i kite a kanohi a ia i o ratou taonga, me te mea nui rawa atu ko te **PU**. Ko te mea tino kite a ia ko te hokohoko ia a tatou taonga mo a ratou taonga. I te mea e maha nga tauiwi e haere mai ana ki Aotearoa, ki te kimi i o tatou taonga he rakau (Kauri), he muka, he harakeke, he riwai, he poaka, he ika, he aha hoki nga rawanui me nga kai pai. Kihai ke a ia kia riro Rangatiratanga atu ki etahi atu i te mea ko ia te tino Rangatira ki nga iwi o tawahi kei o tatou whenua o Ngapuhi.

[18] I Te tau 1815 ko Hongi te tino Rangatira o Ngapuhi. Na i reira ka ki a ia me haere waenganui a ia me tauiwi hei rapopoto ai nga taonga o Aotearoa. I te Tau 1814 ka haere ia ki Poihakena (Sydney) na hei konei ka piki ake te minita nei a Samuel Marsden, ka hangahia he whare hahi mihinare ki Pewhairangi. I te tau 1818 ka nui ona pakanga ki nga iwi o runga ake. Ko tana moemoea nui rawa atu hei hanga toa riwai kia matatoru te nuinga, hei hoko PU me te Poura. I te tau 1820 ka hikoi a ia ma runga waka Pakeha ki Ingarangi me tetahi rangatira matatau ko Waikato. He korero ano tena mo tona mau Pu, kei reira, ara kua korerohia ena korero etahi atu kei mua i te Taraipiunara.

[19] Heoi ano, ko te mea nui, na Hongi i whakanui ai te maramatanga o ngai tatou o Ngapuhi, e pa ana ki nga mea tauiwi, o ratou na rawe, te nui o ratou na whenua, taone me etahi atu mea, me te nui o o ratou taua toa mau pu. Na ona mahi, tona tutakitanga me te Kingi o Ingarangi me tona Rangatiratanga i timata kia puta te whakaro a Ngapuhi kia whakapai o tatou nei rawe, hei tiaki i o tatou nei whenua, taonga, me o tatou nei Rangatiratanga, kia kore e ngaro atu ki etahi atu iwi Maori, me etahi atu tauiwi. Ka haere te wa, ka puta ko te Petihana 1831, Te Whakaputanga 1835 me Te Tiriti o Waitangi 1840.

[20] Hongi Hika was a pathfinder, a trader, a military campaigner and strategic genius. He saw in England the structure of their kingitanga. He was feted as a great chief. Although the missionaries and the English encouraged the idea of a Maori King, Hongi was not a

conqueror in the sense of occupying the territory of those he fought against. His fundamental beliefs were firmly set in the framework of inter-tribal relations. Against this background, he went to England and from his experiences there, he brought back and initiated what became the Petihana (Petition) to King William, thence to Te Whakaputanga and Te Tiriti, as logical developments. From his experiences he foresaw that at some stage, somehow we would have to share this whenua with others and trade and relationships was going to be the basis of that development.

[21] Ko nga kupu whakaro e toko toru na Hongi – ahakoa tona nei ringa kaha na i roto ia Ngapuhi me Niu Tirini whanui he tangata matakite tenei. Te kupu tuatahi – Ko tana hiahia kia whakatotia te mana ki roto i nga hapu o Ngapuhi. Te kupu tuarua - Ko tana herenga ki nga mihinare me tana kaha ki te tiaki ia ratou. Te tuatoru – Ko tana hoa rangatiratanga i tutaki ai a Hika kia Kingi Hoori IV, ka puta ona whakaro nunui i te whenua nei.

[22] In addition to the internal political volatility of the North, Hongi's life also coincided with a period of increasing contact between Pakeha and Maori. Friendly relations with Europeans gave significant strategic advantages in acquiring iron tools and technology, European plants and animals and acknowledged weapons as well. It has to be said that Christianity he could have done without but tolerated for the sake of expedience assessing it as an avenue to superior resources and opportunities with which to address longstanding enemies. His essential strategy

was to outgun his opponents. His ends however, were always traditional ones - utu in its negative sense delivered to the enemies of his tribe. It was therefore important for him to capture what he saw to be the means and source of his material advantage – the missionaries - and to make them his own, placing them beyond the reach of other tribes. With the establishment of the second station at Kerikeri in 1819, the missionaries drifted finally into the orbit of Hongi Hika. Marsden was thwarted by his own conditions for Hongi's protection of the settlement was derived from his self-interest. The presence of missionaries drew English ships and thus made it easier for Hika to acquire muskets. The Christian community existed (in Hika's time) in the Maori world on Maori terms. In our traditions, Hongi's vision was to increase co-operation in Ngapuhi, so that we could more readily deal with our own and with increasing numbers of tauiwi coming to our shores. He had strong influence with Patuone, who carried on this vision into Te Petihana, Te Whakaputanga me Te Tiriti.

[23] **Matangi**. Ko toku tupuna tenei tangata. He rangatira a Matangi o Hokianga, no Panguru, Utakura me Ngati Popoto. I puta mai i te wa tata ki 1800. Ko ia nei tetahi o nga rangatira i haina ai te Petihana 1831 kei Kerikeri, Te Whakaputanga kei Waitangi me Te Tiriti kei Waitangi. I hanga huarahi ia mo te tino rangatiratanga o ona hapu kia tiaki ai nga rawe o ratou whenua, nga hua katoa o ona hapu. E whai tonu matou i ona whakaro, i ona tikanga i raro i te maru o tona mana.

(Further Korero from Charlotte Nasey's Ngati Manawa thesis.)

[24] **Nga Kahu Whero**. Ko te rangatira wahine toa nei i whanau mai i Waihou ki 1800. Ko tona kainga kei Te Reinga, Hokianga. Ko Ngati Te Reinga tona Hapu. Ko tona mana, ko nga whenua o Ngati Te Reinga. Ka moe ia i te rangatira ko Tarutaru, no Waireia. Kei a Nga Kahu Whero te mana kia whakatau i nga rohe-a-whenua, a, kia tuku whenua atu ki tana iwi. I tuku whenua penei atu ki a Mariao, te rangatira tena o Waihou. Ko ia te rangatira i whai mana ki te tuku whenua ki te Pihopa Katorika ko Pomiparia. I roto i enei tikanga, kihai ke te iwi o Te Rarawa i whakahe. He tohu rangatira tena. He tauira o te Tino Rangatiratanga nga mahi o te tupuna nei. I nga wa i haere tona tane ki te pakanga, i haere hoki ia. He tohu tenei o ngaahuatanga maha o nga rangatira wahine o taua wa. I a ia i roto o Matakauri ka tae mai a Moetara he rangatira no Ngati Korokoro ki te patu i a ratou. Ko nga korero i tuku penei ake, i wharikitia i runga i a Moetara i tana korowai, hei tapu i a ia ki te tango i tana patu. E toru nga tau i muri ake i tena, ko Mohi Tawhai, he rangatira o Mahurehure i rapopoto te rangimarie i roto i enei hapu e rua. Na i roto i tena ka noho a Ngati Korokoro i roto o Hokianga ki te Tonga, a ka noho a Ngati Manawa ki Hokianga ki te Raki. I mohio ana a Nga Kahu Whero i a Patuone me nga rangatira o Pewhairangi, a, ko tana mahi ki te noho kainga kei Hokianga ki te tiaki o tona ake iwi me o ratou Rangatiratanga o o ratou kainga. I mohio ana a Nga Kahu Whero i te nuinga o nga rangatira i tuku atu Te

Petihana o 1831 me etahi atu hoki o ratou i haina ai Te Whakaputanga.

Rikihana Wiremu.

[25] I whanau mai i Kaiawe ki te tau 1851. Nana te kehi tuatahi i whawhaitia i te whenua ko Waireia i te tau 1914, i roto i te Kooti Whenua Maori. I tohua e te Karauna, hei hoko i te whenua o Waireia. He motuhake te kehi nei i te mea ka whawhai a Rikihanga kia kore kia ahei kia whakawehewehe, kia hokona atu te whenua o Waireia. E kore e taea kia wini ia, engari, i taea ki te tukuna atu he wahi nohoanga hei kainga mo nga whanau hapu o Ngati Te Reinga, me etahi atu kawenata hei ora ai te iwi, a, kia tae atu nga hua o taua whenua ra ki nga uri o te Hapu. Ko te whakaro o Rikihanga ko enei nga whenua o matou, ehara no te Karauna, a, ka whawhai ia ki te Kooti Whenua Maori. Na tena ka whawhai atu i raro i te Rangatiratanga tuku iho o te Whakaputanga me Te Tiriti. Ka whakapono nga rangatira o taua wa ki te Whakaputanga. Katahi te Karauna ka tahae i nga rawe o te whenua, kawhawhai tonu te hapu na, tae noa ki 1987 i te whakahokinga mai nga whenua o te hapu nei, ki te hapu.

[26] **Heremia Te Wake**. He rangatira o Ngati Manawa, Ngati Kaitutae me Te Rarawa. I whanau mai a i te wa ka tata ki te hainatanga o Te Tiriti, a i hinga atu i te tau 1918. I te tau 1869 i whawhai tonu etahi o nga hapu o Ngapuhi me Te Rarawa. I hanga pa a Ngati Manawa kei Te Karaka, me Onoke i te taha raki o Hokianga. I patu tangata o tena taha, o tena taha hoki i nga wa nei, 29 nga tau i muri ake o te hainatanga o Te Tiriti. Ki oku

whakaro he tohu tenei o te Tino Rangatiratanga, he mahi pakanga, he hanga pa. I taua wa ahakoa i whai rawa te Karauna kei te whenua nei, e whai Rangatiratanga tonu nga rangatira nei. Ka herehere tia a ia i Moutini, mo te patu ia Nuku no Ngati Kuri kia mate. Ko nga korero na tana teina a Te Kawau ke i puhi. Na i te wa ia ia i roto ia Moutini (Mt Eden) hoiano kia ia - ko te whakawatea te Kawana ia a e ngari ka rongo a ia ko te kooti ke ko te herehere ia ia na ka oma herehere ia. Ano ka tae atu a te Komihana a James Mackay me etahi atu rangatira ki a Heremia ka tuku aia kia herehere tia ki Moutini mo te wa tuarua tenei. Kahore e tino roa a ia ki roto Moutini ka oma herehere ano a Heremia, ka tae atu a ia ki Kaipara Ngatiwhatua mutu atu i to ratou tiaki ia ia ka hoki ki Whakarapa, ki Waihou, Motuti, me Motukauri. Na ka whakawatea-tia a Heremia i te mema paremata ko Frederick Nene Russell. He tangata mohio ki te pamu na ka tohua ia ona iwi kia pamu ratou penei nei i te Pakeha. He tangata rongo nui mo te mahi pamu. Nana te mira mahi poura paraoa i hanga i Whakarapa. Ahakoa na ona mahi pakanga, patu tangata, ka huri a Heremia ki te hahi Katorika. Ko tana wahine tuatahi, ko Maraia Topia i marena i 1860 pea, tokowhitu o raua tamariki. I muri mai ka moe ia Kare Pauro Kawatihi ka puta ko Whina, i whanau mai ki 1895, he teina tona ko Heretute, i whanau mai ki 1897. Na ka mohio katoa te ao ko wai a Whina te 'Whaea o te Motu', i mate i 1994.

[27] It is to remembered that the brief history of these tupuna was driven by the inherit beliefs of Te Whakaputanga, kawa and of course those actions consequent from tikanga and rangatiratanga.

[28] E kore ahau i pa kia Whina me mutu aku patere ki mua o tenei whakarara korero takoranga ki mua i te aroaro o te Taraipiunara.

[29] The continual karanga and aue (call and cry) o nga rangatira was "i tukuiho na nga rangatira o te wa, tae noa mai ki ahau e tu atu nei. I te tau 1835 i hainatia i o matou rangatira i te Whakaputanga, ko matou nga rangatira o tenei whenua Niu Tireni". The Whakaminenga signed it as a declaration and covenant of the independence of New Zealand.

[30] E te Taraipunara, mutu ake te hainatanga e Te Whakaminenga, me Te Tiriti o Waitangi 1840 i tukinotia o matou rangatira o Ngapuhi me te iwi Maori puta noa i Aotearoa. Not more than 20 years following the signing of these two most important documents, the Crown went about blatantly dishonoring those covenants.

[31] To come to understand these terrible wrongdoings one must go back in time, seek answers and move forward to where we are today and answer the continuous questions why we were once so wealthy and now so disparate, poor and landless.

Ngapuhi ki Whangaroa. Whakapapa: Toku Whaea

[32] **Ngatau Tangihia aka Ngatau Tangiwai. He Tupuna Whaea no Whangaroa i te taha o toku whaea.** Ngatau Tangihia aka Ngatau Tangiwai in Whangaroa is descended from Roera Makare who married a Danish whaling ship Captain called Christopher

(Kiritipa). Roera was the daughter of the rangatira Maukihau who was protected by moetanga to Hongi Hika's nephew Makare, the brother of Tupe. This was arranged to allow Hongi with Ngapuhi, to access the whenua tuku iho Matangireia (mistakenly known as Matangirau) in Whangaroa. This relationship allowed access to the southern adjoining properties Wairaka, the tuku whenua to Ngati Awa which strengthened ringa-kaha alliances and also the whenua tuku iho Ota, where a major trading station was established. Hongi arranged this marriage to strengthen the alliances with Ngapuhi in the early 1800s and provide ringa-kaha to protect the whenua tuku iho and all trading resources of the entire areas ie; whaling, sealing, minerals, timber, flax, horticulture, fishing and farming pork - Captain Cook had left pigs in the area which had multiplied and were utilised in Wairaka and Waitapu.

[33] The Whakaminenga was well established in these parts of Whangaroa and trade was flourishing, contrary to what was written by Historians and the aftermath of the Boyd saga. Hongi, Kawiti, Patuone, Ururoa, Pororua and others were using the inner Whangaroa harbour at Waitaruke, Pinea, Totara, Te Tapu, Waikoura and Waipango as outlets for trading timber, flax and wheat from Te Huia, Whakarara, Kapiro, Omaunu, Mangaiti, Okaihau/Ohaewai, Puketi, Otangaroa and Kohumaru.

[34] Ngatau Tangihia was known by this version of her name when at Matangireia Wairaka me Whangaroa ki roto (inside). Whenever she was referred to in Whangaihe over to Taraire she was known as Ngatau

Tangiwai. At Whangaihe, Mahinepua, Putataua, Motukawauiti me Motukawaunui, Matauri and Taraire, her mana continued through her mother Waiatua's role as the kaitiaki o nga kawau. Ngatau Tangiwai's tomo to Tame Horo of Ngai Tupango at Whangaihe whose issue are our tupuna Hapaira me Tame Horo Jnr. Ngai Tupango were ringa-kaha with the hapu Maturahurahu of Ngapuhi and consequently occupied those lands.

Whakapapa of Tame Horo snr;

TAHUHUNUIORANGI = WHAITI

KAWA
WHAUTERE
TOHUAO
KAREARIKI =

PAKA
HAKIRO
AHUAITI = RAHIRI
UENUKU KUARE
MAIKUKU = HUATAAKARO
TORONGARE
RUAKINO
TANIWHA
WAIKAINGA
AUWHA
HAUMIA
URURANGI = TE KAMO
WAIATUA = WHAREKAURI (PORORUA)
TAME HORO = NGATAU TANGIWAI

[35] The latter of these tupuna were players in the Whakaminenga and Te Whakaputanga to protect our people, whenua, resources and trade.

[36] The extensive trading my Whangaroa tupuna (as well as Hokianga tupuna) were involved in internationally expanded from the formal contact begun by Hongi with the King in England, continued by correspondence and meetings and was forged in Te Whakaputanga which was necessary due to our tupuna needing to protect our people, trade and resources against foreign incursions, strange deviant behaviour, violence, attempted land grabbing and acquisitions by various tauiwi shippers, traders and church missionaries.

[37] Te Tiriti o Waitangi was to provide an agreed set of kaupapa from which protocols could be arranged between Rangatira and the Crown in partnership, whereby the Settlers would have protections to allow fair settlement as holding land user rights under Te Whakaputanga. There were never any grounds where it could possibly have been believed Ngapuhi would cede to the loss of land, waters, seas, and governance systems with the resources of trade that the rangatira were already competent in managing.

[38] These Rangatira who were signatories to Te Whakaputanga me Te Tiriti have whakapapa which links them all as Ngapuhi in Te Whare Tapu o Ngapuhi me Pouerua o Tahuhunuiorangi.

Te Whakaminenga me Te Tiriti

[39] I recall the annual hikoi to Waitangi that Hokianga prepared for up to two weeks prior to the event - the 6th of February every year. They would hikoi to meet at this one place called Waitangi. It would take sometimes two to three days for us to get there and the Hikoi would gather up supporting whanau along the way. I recall coming to a Waitangi event with my Karani, Mereana Teihi. No Whirinaki ia.

[40] At Waitangi I would hear nga koreoro i roto i reo Maori. The one important taonga at Waitangi was that the reo was the language of the time, I could understand the language. I heard "E he aha ke enei Ture na te Karauna e utaina nei ki runga i a tatou". "What are these laws that are being forced upon us?" My Kaumatua/tupuna were angry. They went there to meet because they were disgruntled about what was happening and that was not the accord with the agreement that their tupuna had signed up to in "Te Tiriti" - it was not being honoured. Our tupuna Patuone. Wakanene, Moetara ma, tae atu kia Hone Heke, signed up to Te Tiriti with expectations of retaining their own tino Rangatiratanga and the question was asked "what is this that we have now?"

[41] The kōrero from Himi Te Riuriu (Lofty) Matiu, Kaumatua from Waihou was "You know we're here - we are angry about the way our whenua has been alienated to the Kawana. We do not have rangatiratanga over our whenua me ona taonga". The

common word used then was "rangitiratanga". They were there at Waitangi seeking to claw back a notion that was now diminishing at an exorbitant rate. This was the fundamental purpose for coming to Waitangi. It was and still is the only forum Maori are able to argue constitutional and Tiriti rights. They agreed one day a te wa (in the future) Ngapuhi may have its day of seeking redress for the wrongs done in the past and the wrongs that were happening at that period in time. "Kua tahaetia atu o tatou rangatiratanga e te Kawana" they said.

Nga Tumanako o nga Tupuna – Te Whakaputanga me Te Tiriti

[42] Ka patai mai te Taraipiunara ki ahau: 'He aha te mohiotanga o oku tupuna Maori ki Te Whakaputanga?'

[43] Maku e whakahoki penei atu: I mohio oku tupuna i o ratou ake Mana Motuhake, o ratou ake Tino Rangatiratanga o o ratou rohe katoa, ara, i roto i o ratou mohiotanga o nga whenua tawhiti, ıne nga mahi o tauiwi, me nga ahuatanga maha o te pakanga a iwi, ıne nga hononga hokohoko (trade) ki a ratou, katahi ratou ka whakatakoto i o ratou ake mana, kia tuku atu ki tawahi, hei whakamarama ki tauiwi: Anei nga Rangatira o te whenua nei.

[44] I roto hoki i tena, i mohio oku matua tupuna te ahuatanga o te mana o ia Hapu, o ia Rangatira i tona ake rohe. Katahi ka puta o ratou whakaro, kia

honohono ano i roto i taua Whakaputanga, hei Whakaminenga kia mahi tahi ratou i roto i nga mahi me nga raru pea, e pa ana ki a tatou, a, e pa hoki ki a tauiwi. Kei roto i tena whakaro, i hono nga Rangatira ra, kia tautoko ratou i a ratou ake Rangatiratanga i roto i o ratou ake takiwa. Mena he raru no waho ake, ka whakapono ai ratou – me mahi tahi hei whakarite.

[45] Mena ka patai atu te Taraipiunara ki oku tupuna i taua wa: 'E pai, e ahei ranei kia haere mai etahi tauiwi kia tangohia atu ou na rawa, ou whenua, ou na kai, ou hua whenua, ou na hua takutai moana?' Katahi oku tupuna ka whakahoki atu: 'Mena ka haere mai ki a matou, hei tono, hei whakarite i roto i o matou tikanga, o matou kawa, e pai ana. Mena ka kore, ka patua!'

[46] He tauira noa iho tena mo o ratou ake mana, me o ratou ritenga i taua wa o Te Whakaputanga. Ko te mea i puta ake i te Whakaputanga, ko te whakae te Whakaminenga o nga Rangatira, i o ratou ake Rangatiratanga me o ratou whaka-ae tanga ki te mahi tahi ai ratou, hei whakaruruhau i o ratou ake rawa.

[47] Mena hoki ka patai mai koe: 'He aha te hononga o Te Whakaputanga ki Te Tiriti?'

[48] Maku e whakahoki penei atu: 'Na te Whakaminenga i puta mai o ratou ritenga kei Te Whakaputanga. Na te Whakaminenga hoki Te Tiriti o Waitangi i hanga, i haina. He huarahi i arahaina e ratou no nga tau i mua atu ra. He whakahaere tonu i o ratou mahi o 1831, o

1835, me nga mahi me nga mohiotanga o nga tupuna i nga tau i mua atu ra.'

[49] I raro i kaupapa o Te Tiriti o Waitangi, i whakapono oku tupuna kia pupuri ano e ratou i o ratou ake Tino Rangatiratanga. Kei te Kuini o Ingarangi ona ake ritenga 'kawanatanga' i *ona ake tangata* kei nga motu nei, me o ratou ake taonga, o ratou painga. Ehara kia whakaae, ahei ranei, kia tangohia atu i te katoa o nga rawe o te whenua, o nga tangata whenua, nga moana, me nga mea katoa. Ehara rawa atu! Ka pupuri tonu oku tupuna i o ratou ake taonga katoa. Anei te ahuatanga o te Tino Rangatiratanga i ki nei, i roto i Te Tiriti.

[50] Ka puta mai he tauira ano mo tenei mea i taua wa i haina ai ratou i Te Tiriti.

[51] Mena i patai mai a Hobson ma kei Waitangi, i 1840: 'E pai, e ahei ranei - kia tangohia e matou i ou whenua, ou wahine, ou na kai, ou hua whenua, ou na hua moana me ou taonga, tae noa ki nga rauemi kei raro i te whenua me nga taonga ki runga kei te rangi, tae noa atu ki o koutou na whakaro, o koutou tinana tapu, o koutou whakapapa me ona tikanga? Ara, mehemea ka takahia koutou i o matou tikanga, ma matou toa koutou e herea, e patu – ka whakapai koutou o matou nei mahi penei i Te Tiriti nei?'

[52] Mena i ki pena atu te ki a Hobson ma, katahi oku tupuna ka whakahoki penei atu:

[53] 'Kahore ano – me hoki atu ki tou na waka, me hoki atu ki tawahi inaianei, kei patua koutou e matou! Me ki atu ki tou na Kuini, ehara matou kia whakaae ki te pukapuka koretake nei.'

[54] Engari ne, ehara i korero pena a Hobson, a Busby, a Williams ma i taua wa. Na reira, ka puta mai te ritenga pono o ngai matou o Ngapuhi: "Ehara i tukuna atu i o matou Tino Rangatiratanga!"

[55] Ko nga hononga o oku tupuna kei roto i Te Tiriti, kia whakakotahi te whakaro o Ngapuhi me nga Hapu Maori me te Karauna, hei whakatu, hei whakarite i te huarahi hou mo nga motu nei, hei haere tahi ai tatou, kia kore e mahi kino, kia tau nga painga, nga hua o nga taonga, i raro i te tika me te pono o te whakaritenga pai o tauiwi me nga Rangatira o nga Hapu.

He Patere whakamutunga:

Ka hoki tenei ki Papata

Ki rakau tupapata i tu ki te hauauru

Ko Ruarei, ko Raparapa

Ko nga uri o Whare-te-rangi

Tu te ra, tu te po

Ka titiro ki Panguru ki Maungataniwha

Ki Whakatere, ki Ramaroa, ki Panguru

I roto i tenei rohe kotahi te iwi.

Rihari Takuira

Wai Number	Counsel
	Angus Budge - Edmonds Marshall Burcher
42	Karen Feint
47, 208, 209, 210, 603, 637	Spencer Webster
159	
162, 751, 1178	Dominic Wilson
211, 650	Grant Powell
227	Steve Clark
228	Herewini Simpson
266	Baden Vertogen/Richard Boast
336	
342, 636, 1061	Michael Sharp
353	
356	
360, 362, 947, 1328, 1355	Kathy Ertel
365	
383	
465	
821	James Hardy
497	
503	John Gooch
522	Paul Harmen
540, 370, 645, 672, 938	Maui Solomon
546	A Tate
580	
611	
659	
664	Karen Feint Brian Garrity John Gooch
668	Spencer Webster
86	R Laybourn A Tate
701	Aidan Warren
702, 707, 708	Annette Sykes/Miharo Armstrong/Jason Pou
714	
717	Brian Garrity
727	Stephen Bryers
755, 807	John Koning
773	
778	Russell Karu
817	
853	
454	Paul Majurey
812	
1226	Darrell Naden

1340, 443, 255, 715, 854	Richard Boast
Unrepresented	
489	Toa Faulkner
Interested Parties	Eastern Bay of Plenty
Local Authorities	Paul Cooney / T Waikato
Hauraki Maori Trust Board	Grant Powell

	No. Reports
	1
Jackson Reeves	6
	1
Wackrow, Williams & Davies	2
Powell, Webber & Associates	2
McCaw, Lewis Chapman	1
Kensington Swan	1
Kensington Swan	2
	1
Holland Beckett	1
	1
	1
Kathy Ertel & Co	5
	1
	1
	1
Holland, Beckett, Maltby	4
	1
Cooney, Lees, Morgan	1
	1
	5
Harris, Tate & Co	1
	1
	1
	1
Thorndon Chambers	1
Russell McVeagh	
Cooney Lees Morgan	
Jackson Reeves	1
Beattie, Rickman Legal	1
Harris, Tate & Co	
McCaw, Lewis, Chapman	1
Aurere Law	3
	1
Russell McVeagh	1
	1
Jackson Reeves	2
	1
	1
	1
	1
Atkins, Holm, Joseph, Majurey	1
	1
Tamaki Legal	1

Kensington Swan	2
	65

Cooney, Lees, Morgan

Powell Webber & Associates