KI MUA I TE ROOPU WHAKAMANA I TE TIRITI O WAITANGI

WAI 1040
WAI 549

MO TE TAKE O Te Ture Tiriti o Waitangi 1975 (kua whakawhitia)

ME

TE TAKE O Te Paparahi o Te Raki Inquiry (WAI 1040)

ME

TE TAKE O He Whakaputanga o Nga Rangatira 1835

ME

TE TAKE O Te Tiriti o Waitangi 1840

ME

TE TAKE O claims in support of the Hokianga Collective

Brief of Evidence of Pari Walker

Dated 30 July 2010

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Ka tukua te tira Mate ki tua O Paerau
Ka noho te tira ora ki te Ao Turoa
Ka tu te tira o Te Parawhau

We farewell the tides of the departed to Paerau, to the other side of the spiritual divide
While the living communities of the material world remain perpetual
Within which the genealogy of Te Parawhau proudly stands

1. My name is **Pari Walker.** I am of Te Parawhau and Ngati Ruamahue Hapu.
2. I am one of many who descend from the Uri of Kukupa, whose son Tirarau, signed He Whakaputanga o Nga Rangatira 1835 and Te Tiriti O Waitangi 1840.
3. I live in Whangarei at Otaika beside the Pa site of our Tupuna Tiakariri, also a son of Kukupa.
4. I have the honour of holding the tohu of **KAI ARATAKI** for the Wakaminenga o Nga Hapu o Nu Tireni and have been honoured by the Taumata Kaumatua of Te Parawhau Hapu who have invited me to assist in their endeavours to provide some clarity for the Waitangi Tribunal and others around He Wakaputanga o Nga Rangatira 1835 and Te Tiriti o Waitangi 1840.
5. In these regards, I humbly acknowledge both the Authority and the Autonomy of the Hapu of Te Parawhau and that Authority passed to the Wakaminenga o Nga Hapu o Nu Tireni in its Collective capacity.

Nga mihi nui ki Nga Rangatira

6. To the members of the Tribunal and associated entourage of administrators, and also to the organisers for these hearings.

Nga mihi, nga mihi, nga mihi nui hoki kia koutou

7. To address He Wakaputanga o Nga Rangatira 1835 one must first understand the Kaupapa of the document, as it was understood and agreed to by our Tupuna when Busby and Williams presented it to them.
8. The information that I freely pass today, is that which has been passed through Hapu Korero and Rangatira Korero within the Wakaminenga. It conveys our perspectives of the Kaupapa underpinning He Whakaputanga o Nga Rangatira 1835, and underpins our understandings of ourselves and our histories.

9. This is important to keep in mind as I deliver Korero which we as a Hapu support. It is not my intention to agree or to disagree with others who have submitted on these matters, their perspectives are their perspectives.

TIROHANGA O TE PARAWHAU KI TE WAKAPUTANGA O NGA RANGATIRA 1835

10. This forms the basis of our delivery, and how we see the Kaupapa unravelled. In our view, the main focus of our Tupuna related primarily to the world of Maori (Te Ao Maori) and how our world could be protected given the arrival of this Hapu Hou to our shores.
11. This was, is and always will be the key focus for us as a Hapu even in this time.
12. To explain this further, I direct attention to a short karakia to fast forward through to the times of our Tupuna.

Ko te timatanga ko IO matua kore
No na te ha
Ki ona uri whakatipu ki runga i te kupu
He mauri he tapu ta nga mea katoa

CONCEPTION

13. This is where we as a Hapu believe the kaupapa of He Whakaputanga was conceived with IO Matua Kore. This is shown quite clearly in the evidential korero given by our previous Pou Korero and is consistent with other technical evidence submitted to these hearings.
14. As the matters have been covered in depth, I will not elaborate further on this aspect except to say we as Te Parawhau absolutely believe it to be so.

E koutou ma e hinga tonu mai ra i te rangi
Hoki wairua mai
Poi poi arawatea
Nga uri whakaheke
Haumi e hui e Taaiki eee

INCEPTION

15. We are ONE with IO and those who have gone before us. The passing of that knowledge was sent through the wairua of our tupuna as they continue to guide us and set our Kaupapa in life.
16. We also believe that this is how our Tupuna received the Kaupapa related to He Whakaputanga o Nga Rangatira.
17. Such knowledge is instilled in our very being. It applies to everything about us, underpinning our conscious, and our unconscious.

APPLICATION

18. From the time we take our first breath, our first noise, our first opening of the eyes we apply the Kaupapa of He Whakaputanga o Nga Rangatira.
19. We live by this knowledge in everything we say or do. It guides the way we behave, the way we interact, the way we govern our lands and people, the way in which we deal with the elements of nature.
20. It is applied without reservation to every decision, every act, every expression.
21. Matua Te Ihi Tito speaks of many illustrious Rangatira of our Te Parawhau Hapu. His korero illustrates how our Tupuna applied governance to their lands and the extent to which they would go to protect their authority.
22. This is not something that is unique to Te Parawhau alone. Rangatira throughout the world have consistently sought and developed strategies to protect their lands and their laws, even this Hapu Hou that landed on our shores.
23. It needs to be remembered that our Tupuna were travelling the world in as early as the 16-1700s. They saw the devastation of other races that was occurring in the name of colonisation. This was the context behind the need to formulate plans and strategies to protect and maintain their authority and autonomy as the Hapu Hou were landing on their shores.
24. From at least as early as 1808, many Maori were discussing concerns they had about the Hapu Hou that had landed on these shores and the impacts they were having. In particular, Maori were aware of the way in which they dealt with other races around the world.
25. Te Parawhau Taiopuru Kukupa, his son Tirarau and many others including Rangatira from Whangaroa were a part of those 1808 discussions which were convened at Te Ngaere where the authority to pursue a pathway of unity was

agreed to by Nga Hapu Rangatira in attendance, and given its green light as we say on Motueka nui by the Tohunga.

26. At the completion of this hui **Rewarewa Tahi** at Mahinepua was identified as the first Pa to be aligned to the Wakaminenga o Nga Hapu o Nu Tireni. From that time the Kaupapa of Unity of Nga Hapu Rangatira i raro mai Hauraki and He Wakaminenga o Nga Hapu o Nu Tireni was debated and discussed in depth by many Rangatira throughout the northern alliance (i raro mai Hauraki) for the next 27 years.

27. Following on from this, in 1834 a trade agreement was reached with Maori Rangatira and their autonomous intent was recognised by the monarchy in the gifting of a trade flag.

RECOGNITION

28. When the flag was handed to Maori and raised above Kororareka, the HMS Alligator paid an important and significant acknowledgement to Maori by firing a **21 gun salute.**

29. It is important to comprehend this recognition of sovereignty in accordance with the Military custom of Britain. It is an honour reserved to heads of state while governors and prime ministers only warrant a **19 gun salute.**

30. This trading flag became the flag that represented Maori and those that lived on our lands and this flag went through some modifications.

31. One year later, on the 28th day of October 1835 after **27 years of Wananga/discussion, He Whakaputanga o Nga Rangatira 1835 was presented for acceptance by Busby and Williams and received the affirmation of Nga Rangatira o Te Wakaminenga o Nga Hapu o Nu Tireni in its WRITTEN FORM.**

WRITTEN FORM

32. There are some key points to consider when analysing the reasons our Tupuna found this document to be acceptable and these points are embodied in the document. I highlight them below as being absolutely crucial to understanding what this document meant and how it was to be portrayed to the rest of the world:

    a. **The** Who – **Nga Tino Rangatira i raro mai Hauraki**;

    b. To be known as – **Te Wakaminenga o Nga Hapu o Nu Tireni**;

c. The land is at peace and there is a desire for this to be maintained. Maori put aside old animosities and joined us on this Waka Wairua;

d. There is to be no other law or legislative authority other than that of Hapu;

e. Maori shall control trade under their flag;

f. Those that come to this land will be protected, but the hereditary connections are important and Rangatiratanga is to remain with the Mokopuna;

g. The King of England is to be informed of our decision and to thank him for the kara (Flag).

33. These key points which are embodied in He Wakaputanga o Nga Rangatira 1835 direct attention to matters that were already in existence. The expression was a matter of fact, not one of aspiration.

34. This is important to keep in mind when seeking to understand the Te Parawhau perspective. The Declaration was about a continuance of Autonomy, not a cession of Dependence.

35. It was in this context that the document was readily accepted.

ACCEPTANCE

36. Some five years later, after England had recognised He Wakaputanga and its contents, on the 6th day of February 1840, our Sovereignty was formally recognised within the Treaty making process that led to the ratification of Te Tiriti o Waitangi 1840 which was agreed to by Te Wakaminenga o Nga Hapu o Nu Tireni Rangatira.

37. The ongoing agreement to protect rangatiratanga from attack is an admission of this and Te Tiriti o Waitangi 1840 should therefore be seen as a document that records an agreement to protect that which is embodied within He Whakaputanga o Nga Rangatira 1835, which in turn was a protection mechanism for Nga Hapu o Te Motu as they work together to protect Te Ao Maori.

38. This is as it was, and really, it is the common sense approach to what always will be.

Non Signatories

39. Finally, to all those present, and to those who can't be here, I unashamedly declare that Te Wakaminenga o Nga Hapu o Nu Tireni is alive and well today. Together, we follow those philosophies of He Whakaputanga o Nga Rangatira as they have been passed to us through our Tupuna Rangatira, Te Tirarau Kukupa and others.

40. In these regards, Te Parawhau Hapu is a member Hapu of the Te Wakaminenga collective and shall remain so.

41. We confirm here today that we individually and collectively [assert] that our Sovereignty, Authority, and Autonomy was not ceded, relinquished or given up in any way by our Tupuna Rangatira, Te Tirarau Kukupa. Any assertion otherwise is not only a lie, it is an outright insult.

Deception Phase

42. Since the signing of Te Tiriti o Waitangi, we have been fed on a diet of deception by those who would have our tupuna remembered as ignorant savages so that they could justify their place and their authority in this country.

43. We believe that an imposed authority has been placed over us in total breach of both documents and there is evidence that it started on the 7th of February 1840. I put to the hearing it more than likely started after the **hakari** on the 6th.

Kia ora mai tatou katoa

Dated at Whangarei this 30th day of July 2010

Tohu o Nga Rangatira