IN THE WAITANGI TRIBUNAL
OF NEW ZEALAND

IN THE MATTER	of the Treaty of Waitangi Act 1975
A N D	
IN THE MATTER	of the Te Rohe Pootae District Inquiry (Wai 898)
A N D	
IN THE MATTER	of Wai 1588, 1589, 1590 and 1591 being claims by Phillip Tauri King and Verna Tuteao for and on behalf of Ngaati Mahuta

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STATEMENT OF EVIDENCE OF HARRY MAKI-MIDWOOD
ON BEHALF OF NGAATI NGAHIA AND ON BEHALF OF NGAATI MAHUTA

18 February 2013

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"Whakaturia nga mahi a o koutou tupuna hei raukura ma nga uri whakatupu."
Bring to light the achievements of your ancestors, gifts handed down through the generations to be handed on to the descendants yet unborn.

- Dr. Henare Tuwhangai (Ngati Hikairo, Ngati Apakura)

Mihi

Ki nga mana, ki nga reo, ki nga karangaranga maha,

Tena koutou, tena koutou, tena ra koutou katoa.

Tenei te mihi ki a koutou, ki nga hoa aroha, nga tini tupuna, te iti me te rahi ki tua o te aria,

Haere koutou, haere koutou, moe mai ra koutou ki te kahui o te hunga, kua wheturangitia.

Rarangi maunga tu te ao - tu te po,

Rarangi tangata, ka ngaro ka ngaro.

Ki te kanohi ora, nga rau rangatira ma, nga iwi Tainui nui tonu ra, tena ra koutou katoa.

Tenei te mihi ki te Kingi Tuheitia me te Kahui Ariki whanui tonu. Paimarire ki a ratou.

Ki te Rangatira tino mohio matauranga o te Waitangi Tribunal. Tena ra koutou katoa.

Ko Wai Ahau

1. My name is Harry McComish but I am better known as Harry Maki-Midwood. Midwood is the name of my late stepfather Gabriel Pahake Midwood of Ngati Pikiao. My actual father's name, however, is Brian McComish. Brian lived with his second family in Kawhia for some time around the 1970's, driving the bus and fishing for a living out of Kawhia moana. My mother is Zona Midwood (nee Mackie) who is of Patuharakeke hapu, Ngapuhi nui tonu, of Whangarei te rerenga paraoa. I am married to Natracha of Thailand and have one son named Manaakitetangataoteaokatoa, or simply 'Manaaki'. Currently I am working through my Masters thesis at the School of Maori and

Pacific Development at Waikato University. The subject of my thesis is 'did Captain Kent (Te Amukete) influence politics and warfare in the Waikato in the Period 1827 – 1837'. I maintain that he did indeed and I have set out to prove my thesis. I intend to complete this work in September.

2. My Ngati Ngahia Waikato Tainui descent is from my mother whose great grandmother, Mihi Watara (also known as Mihi Ngawari or Mihi Ngatawhara) was a mokopuna of Te Kanawa Ikatu from the Ngati Ngahia hapu of Ngati Mahuta and Te Rahuruake of Ngati Haua. Mihi Watara married Eruena (or Erueti or Pukekawa) Maki who was of Te Akitai and other descent, mainly from the southern Bay of Islands. Eru Maki may have had some Tainui descent also as he was identified as one of the Patupo prisoners taken into captivity at the Battle of Rangiriri. Eru Maki also fought at Ruapekapeka and Gate Pa in Tauranga as Ngati Wai and Te Papaunahi respectively.

3. The name 'Mihi Watara' is carried in a number of chiefly Tainui lines, both Waikato and Maniapoto particularly and is evidently a name of special significance. Although I have heard this name since birth I am unaware to this day as to the significance of it. Even though there are always one or two in each generation of the Maki descendants who carry on this tradition in naming their daughter after our tupuna, many, if not all of us probably do not know the true provenance of the name.

Ngati Ngahia – E Tu Ana Ahau

4. The evidence I give today will focus on Ngati Ngahia who are a hapu of Ngati Mahuta Waikato. In particular, I wish to bring Ngati Ngahia to the Tribunal's attention as, in recent years, the hapu has been largely inconspicuous. In my view, Ngati Ngahia seem to have been swept up among the greater Ngati Mahuta confederation of hapu in their continued support of the Kingitanga. While the hapu Ngati Ngahia Paretaiko Mahuta itself is essentially of Waikato and Waipa origin, we also acknowledge close relationships with many other hapu and iwi of Waikato and elsewhere, such as Ngati Maniapoto.

5. I wish to emphasise that I am here today as a descendant in common with Ngati Mahuta in order to ensure that Ngati Ngahia take some responsibility

in meeting its obligations in terms of kaitiakitanga and rangatiratanga in this process and beyond.

6. In particular, I wish to bring to the Tribunal's attention the loss of the unique cultural identity of Ngati Ngahia. In my view, the Crown has an obligation under Te Tiriti to ensure that we maintain our unique hapu identity as Ngati Ngahia. When our tupuna Te Kanawa Ikatu signed Te Tiriti o Waitangi at Kawhia in 1840, we believe that he did so with the belief that he would be gaining the solemn assurance that his Tino Rangatiranga and chiefly mana in respect of the tribe's assets, cultural interests and treasures would not be compromised, negated and certainly not lost. Despite this, we are faced today with a loss of our hapu identity, leaving a mere few individuals who fully understand our culture as a once vibrant hapu.

7. The topics my evidence will cover include:

   (a) Ngati Ngahia whakapapa;

   (b) Ngati Ngahia location;

   (c) Ngati Ngahia identity;

   (d) Loss of culture;

   (e) He kakano ahau, i ruia ma i Rangiatea;

   (f) What are Ngati Ngahia expectations in terms of this process?

8. There are others of Ngati Ngahia, some much more senior than myself, but who are presently either indisposed due to their advanced ages or infirmities. They have reposed their faith that I will represent our tupuna interests in a true and proper manner with acknowledgement, firstly, for the Tribunal and its processes, and, secondly, for those whanaunga of Ngati Mahuta who keep the faith in Kawhia itself.

9. Of great importance, at the forefront of our representations, is that there are other whanau, hapu and factions who have long held the fort and maintained the mana whenua and ahi ka in Kawhia for the many of us who chose to live elsewhere in the intervening years since we first gained undisputed occupation here. Therefore, this evidence not only informs the Tribunal that Ngati Ngahia are alive and present and do wish our voice to be

heard into the future, but also as contributing positively in the sense of putting our piece of the jig-saw into the overall picture. Without this small piece, we believe that the history of Kawhia would be incomplete.

10. Somewhat regrettably, though I find myself wanting, in both the necessary expertise and available time and resources, to properly collate and synthesize the significant amount of information that I have learnt of and can locate about our hapu.

11. For example, it should be noted that a comprehensive study needs to be carried out about the important rangatira, Major Wiremu Te Morehu Maipapa Wheoro, more generally known as Major Wi Te Wheoro. Wi Te Wheoro, who was of Ngati Ngahia descent, had significant influence in the Waikato particularly and led Ngati Ngahia and Ngati Mahuta through much of the Native Land Court process. His extraordinary powers of perception and advanced learning in Tainui lore enabled him to grasp what was necessary to serve his people and although at first adhering to the Queen, he was inevitably drawn back to the well-spring of his ancestral heritage.

12. Other aspects that are notable by their omission is the Ngati Ngahia Mahuta involvement in the Hauhau movement. We know for example that both Te Katene and Te Hoe Manuka of Ngati Ngahia Mahuta were Hauhau rebels. Being as they were among those who had their lands confiscated, this would have affected how the Ngati Ngahia strain of Ngati Mahuta portrayed themselves through the Native Land Court process.

13. While this brief of evidence will cover some few pertinent details of our relatively recent history, it is my hope to one day compile a comprehensive well-researched report on Ngati Ngahia. Time restraints have, however, meant that I was not able to complete this for today. With this in mind, I attached and marked **'A'** are my notes on a number of matters relating to Ngati Ngahia such as:

    (a) Rangatira;

    (b) Occupation and Mana Whenua;

    (c) Ngati Amaru and Ngati Hinehua Chiefs;

(d) Pa sites;

(e) Kainga;

(f) Landmarks, gravesites and sacred places;

(g) Pakanga;

(h) Histories and key events;

(i) Relationships to Kiingitanga and other hapu and iwi;

(j) Whakatauki that apply to Ngati Ngahia Mahuta;

(k) Notable events involving Ngati Ngahia and Ngati Mahuta; and

(l) Correspondence relating to Ngati Ngahia.

14. It is submitted with considerable humility and with the earnest hope that my evidence today will not sell our tupuna and our historical heritage short, particularly given any Tribunal decisions may have the capability to affect the future well-being of the Ngati Ngahia Paretaiko Mahuta whanui.

15. For the most part, wherever possible, I will draw on the voices of the tupuna themselves who were involved in defining Ngati Ngahia interests in the Native Land Court Hearings. My own whanau, particularly those of old, were and are well aware that we have origins in Kawhia. However, due to being what is termed an 'urban Maori' and being brought up mainly in the suburbs of Auckland, there is a distinct dislocation of knowledge between our ancestral associations and today in respect of the histories that we ought to have upheld. Nevertheless, while acknowledging that the court system was inherently fallible and the histories were prone to construction to suit the aims of the selected witnesses, we can still clearly see a strong seam of truth that runs alongside the whakapapa to the lands and resources. Where historical accounts differ or err on the important issues such as boundaries, then tribal interests naturally come to the fore, and the weight of evidence is adduced in support of the veracity or not of the claim.

16. Other whanaunga hapu will claim multifarious aspects relating to land loss and the consequent social and economic impacts, the blatant lack of regard for matauranga Maori and the Maori world view in the school curriculum, the lack of access to traditional food sources and taonga such as rongoa, the Tohunga Suppression Act of 1908 and how it effectively negated our

traditional ways of managing our vital hauora, our overall health and well-being, and the lack of commitment by the government to ensure the requirement for tangata whenua to have employment before tauiwi and so on. However, of particular interest to my whanau and hapu are some contemporary-type issues that pertain to our historical interests in the rohe of Kawhia. These involve:

(a) the reallocation of tupuna historical interests in order to accommodate outsider interests in the area of Hawaiki;

(b) proposed mineral extraction in the Pakarikari Block;

(c) water take from the aquifer that has it's providence in Te Puna a Rona;

(d) forestry management and planning that fails to properly account for the interests of all descendants concerned in terms of full and meaningful consultation; and

(e) the low standard of housing of our people.

17. Through such claims Ngati Ngahia will also be in support and mindful of considerations as given to us through the Tribunal.

Whakapapa

18. Set out below is the whakapapa from Ngahia and Hikaurua:

19. The children of Hekemaru and Hekeiterangi were Paretahuri, Mahuta and Paoa, the founder of Ngati Paoa.

20. Mahuta married Kiringaua and had Uerata, who married Puakirangi of Ngati Mahanga.

21. The child of Uerata was Rangihoto, who married Putuna of Ngati Koroki. These two had Ngahia.

22. The other children of Uerata and Puakirangi were Wharetipeti, Hourua and Tapaue. Tapaue married Rawharangi of Ngati Mahanga and had Hikaurua, Huiarangi and Te Putu.

23. Hikaurua married Ngahia, his cousin, and had Tukeria who married Paretaiko (Ngati Paretaiko), the sister of Hikairo, and these two had Parekohu, Mautara and Te Kanawa Ikatu and others. Te Kanawa Ikatu married Rahuruake of Ngati Haua, Ngati Te Wehi and Ngati Koroki. The issue of this union were Pare Te Putu who married Titoko of Ngati Amaru. From these two tupuna came Timata, Mere Waitukuru Titoko, Tuatu Katipa and Hikaurua Parauri (the Tukua line).

24. A son of Te Kanawa Ikatu and Rahuruake was Taupiri (baptised Te Kihirini) Te Kanawa married Te Rangitiaho, the sister of Te Wherowhero, and had Parengaope II who married Captain Kent. Te Kihirini had a number of marriages.

25. Turama, the sister of Te Kihirini and Pare Te Putu, married Te Wherowhero and had Te Rata and Tiria, who also married Captain Kent.

26. Through Te Mihinga, the parent of Paretaiko and Hikairo, Te Kanawa Ikatu also descended from Tupahau, Tahinga, Ngaiwi and Te Ariari, who were important founding tupuna.

27. Ngahia and Hikaurua had Kopa, Takataka, Nanakia, Teko, Kehu, Uakau and Tukeria.

28. Tukeria married Paretaiko and had Potae, Parekohu, Kanawa, Te Ikaatu and Mautara. Mautara had Te Kaaka and the Haututu, Onehe, Ngaaruhe and Taniwha lines come from this tupuna.

29. Kopa had Te Rarangi who married Whakamarurangi, the son of Hikairo.

30. Uakau married Kiwa and had Rangiwahia, who married Te Ehutu and had Pingareka. Ngati Patupo and Ngati Uakau come from this line.

31. The sister of Te Kanawa Ikatu named Parekohu married Taiki of Ngati Naho and other descent. These two had Te Kanawa Whakaete, who married Herehere and had Herewini, and Te Kanawa Kaingamata, who married Matangapawa and had Wiremu Te Wheoro.

32. It was Te Kanawa Kaingamata who is said to have utilised the famous phrase 'Tamaki-makau-rau', or Tamaki of a Hundred Lovers, in reference to the

mana of the Tamaki isthmus being so keenly sought after by a number of would-be resident tribes.

33. Attached and marked '**B**' is a whakapapa which sets out Ngati Ngahia and Ngati Paretaiko connections to Ngati Hikairo, Ngati Patupo and Ngati Uakau.

Location

34. The reason I refer beforehand to the configuration of 'Ngati Ngahia Paretaiko Mahuta' is because this is the main composite hapu, sometimes in conjunction with others, that held mana whenua over the areas of Pakarikari, Maketu and Hawaiki Blocks. In other parts of the Waikato, Waipa or Taharoa, the mana of Ngati Ngahia might either wax or wane, depending on which line of descent might be in ascendancy at that particular time and place. This is according to matters such as marriages (into other hapu or iwi), or for political alliances e.g for war parties, or to strengthen and uphold situational rights (nohoanga), in order to present a united front to would-be interlopers or usurpers.

35. In respect of the essential hapu of Ngati Ngahia Mahuta itself however, nowhere is this hapu more grounded or evident than in the Pakarikari, Maketu and Manuaitu Aotea-South, and Hawaiki Blocks.

36. I have learnt relatively recently that our hapu as Ngati Ngahia Paretaiko Mahuta also have interests in some whenua at Pirongia, quite near the township. We also had shareholdings in parts of the Taharoa lands which may have been consolidated along with others.

Ngati Ngahia Identity

37. Ngati Ngahia are a hapu of Ngati Mahuta. According to Hapeta Turingenge in the Manuaitu-Aotea South case held at Alexandra in 1887, Ngati Mahuta represent the whole of Waikato proper. The hapu name Ngati Ngahia originated with the rangatira Ngahia, the daughter of Putuna and Rangihoto who was married to Hikaurua, son of Tapaue and Rawharangi.

38. Ngati Ngahia Paretaiko Mahuta specifically also have obligations and responsibilities as kaitiaki in the historically important area of Hawaiki, Aotea

South Manuaitu. It is in this area that our tupuna Whakaotirangi established kumara and taro plantations. This area was held in conjunction with representative descendants of other hapu, such as Ngati Naho. As well as this, Ngati Ngahia have overlapping interests in some of the neighbouring blocks such as Pakarikari, in conjunction with Ngati Te Uakau, Te Patupo, Ngati Hikairo and others. Te Uakau, a founding tupuna of Ngati Patupo and grandfather of Pingareka was a child of Ngahia and Hikaurua. The parents of Pingareka were the important Waikato chief Te Ehutu and Te Rangiwahia.

39. All these Ngati Ngahia lines have integrated closely with those of Kiwi of Ngati Mahuta, Whitiora Kumete of Ngati Huiarangi and Te Kiriwai, Pingareka, Te Taniwha and Te Kaaka of Te Patupo, Ngati Uakau, Te Whakaete of Ngati Naho, Te Ehutu of Ngati Mahuta and Pikia of Ngati Hikairo, as they were in close proximity and relationship of one another. To name these is to be somewhat definitive in respect of historical and even contemporary alliance and ambitions, however, as history has proven, it is these hapu as a cohort who have lived closely with one another and have sustained the occupation of the lands in question.

40. Tukeria was said (by Pei Jones) to have been the first in the Waikato region to be killed by a gunshot at the Battle of Te Kakara against Ngati Toa. His father Hikaurua also died in battle at Matakitaki, quite possibly of a fatal gunshot also. There is a tribal pepeha about this, which Ngati Hikairo are knowledgeable about. It talks about 'Hika and Hope, and Te Houtaewa'. In the opinion of learned Ngati Hikairo kaumatua Meto Hopa, the phrase 'Te Houtaewa' is an allusion to the dreaded curse or affliction that was brought upon our people by the gun, the northern Te Roroa chief Te Houtaewa supposedly having been in possession of muskets even before Hongi Hika. The Hika referred to in the pepeha however is Hikaurua, who, as I have mentioned, fell at Matakitaki. Tukeria is sometimes identified as a chief of Te Patupo and also of Ngati Mahanga and was in command of a contingent of Ngati Mahanga in an early engagement in the north of Kawhia.

41. By virtue of direct descent from Paretaiko, a sister of Hikairo, the Ngati Ngahia configuration as Ngati Ngahia Paretaiko Mahuta Apakura also retain mana whenua in the lakes district of Ngaroto and its surrounding lakes and

formerly luxuriant forests and swamplands. All these areas are steeped in the histories of Tainui iwi and therefore ought to be accorded a great deal more expertise and time than I am currently able to bring to bear. What we as descendants of Ngati Ngahia Paretaiko maintain is that, until we lost these ancestral homelands through war with the Pakeha and legislation, the area was a vital and abundant food supply of the large tribe of Ngati Apakura and teemed with every manner of wildlife that sustained a populous and prosperous community. Ngati Paretaiko, Ngati Hinetu, Ngati Hikairo and Ngati Puhiawe and other hapu of Ngati Apakura were in occupation of these lands, with the distinction that the mana whenua was vested in Ngati Paretaiko.

42. My tupuna, Mihi Watara Ngawari (or Mihi Ngatawhara), and others of Ngati Ngahia, including Whitiora Kumete, Ann Swann (Pakeha), Mere Titoko and Wiremu Te Wheoro had the responsibility of upholding the mana of Ngati Ngahia in the late 1880's in the land courts. Mihi Watara sought to articulate certain histories that she had been taught about Kawhia by her tupuna, Te Kihirini Te Kanawa. This was in the Kawhia Block (Subdivision) Rohe Potae case of 1889 held at Otorohanga. Mihi Watara spoke at some length about boundaries, occupations, settlements, features on the ground such as burial places and markers, people and whakapapa, church attendances and housing and so on. It was her evidence that was referred to in later years by those such as Hone Kaora and Hone Omipi as being part of the definitive korero regarding certain histories in relation to boundaries and occupation of Kawhia post-raupatu by Ngati Ngahia Paretaiko Mahuta and Waikato.

43. What I have found of particular interest is that, although the korero of Mihi Watara in the 1889 case was referred to in later cases by well-versed and acknowledged tribal historians of the times, in recent times very little reference is made to her korero. I have found that, in what was to become the order of the day (the Maori Land Court process), each hapu seemingly was only obliged to portray their own views of their histories and that each of our views were from the places we each stood and experienced the world from. Although perhaps integral to one another's histories, nevertheless, each hapu had its own unique characteristics and its own mana motuhake by which it defined itself. However, to quote Kawhia kaumatua Meto Hopa of

Ngati Hikairo "if you pull on or break one part of a web, then that will distend and have an effect on the entire web." In others words, no hapu (or section of a hapu) exists in isolation of itself. As hapu we fluctuate, we grow and we evolve throughout time and circumstances and it is through this process we are mindful that our tupuna of old knew what they were doing when they defined boundaries and vested taonga such as whenua in certain hapu. Contrary to the belief held by some these days, it was not always in an attempt to disadvantage others, but perhaps more with the view in mind that those whanau had a charge of duty, obligation and care to manage and maintain certain tribal assets well and sustainably. As the hapu expands and contracts, through birth and death, arrivals and departures, so too does its consciousness; it never remains static, and its very nature evolves and changes as circumstances dictate. With the passage of time we have seen that circumstances have not been favourable for Maori and that our land base has gone from beneath our feet. Our charge of duty that formerly bound one to another and ourselves to our land, our *ius cosmopolitan* as Kant would have it, has become nuclearised, insular and self-serving.

44. Professor Linda Smith (1998, p. 148) notes that:

> *Connectedness positions individuals in sets of relationships with other people and with the environment. Many indigenous creation stories link people through genealogy to the land, to stars and other places in the universe, to birds and fish, animals, insects and plants. To be connected is to be whole.*

45. What is important for the descendants of Ngati Ngahia Paretaiko of Ngati Mahuta and our other constituent hapu and close whanaunga and connected hapu is for our whanaungatanga and understandings of our shared histories, our identity as a hapu or related families, not to be lost any further. It is said that, if you can identify a problem then you are half way toward solving it and I think that, although we as whanaunga hapu within the main Ngati Mahuta confederation are now scattered to the four corners of the earth, we can still uphold the mana of the whenua that we have left and be earnest in our endeavours to keep pact with one another as part of the greater Tainui iwi and waka.

Loss of Culture

46. In my view the Crown had an obligation to protect and preserve the unique identity of Ngati Ngahia. Ngati Ngahia in all its configurations is now quite a large hapu with numbers in the thousands and is comprised of persons from all walks of life. Many of the hapu do not live in the Tainui rohe and many of us feel the drastic loss of the connection to the lands of our forebears and the foundational histories they are imbued with. We lament the loss of matauranga Maori and our understanding of the value of the philosophies inherent in the Maori world view as espoused by our language, te reo rangatira.

47. I have seen this loss occur personally in the short space of only the last two or three generations and lamentable as it is to relate, it is unlikely, at least in the case of my many whanau and hapu, that the situation can ever be satisfactorily and sustainably ameliorated or reversed. Such is the extent to which we have become acculturated to the prevailing colonised mind-set that now has some of us ourselves adjudging the value, albeit unwittingly, of our heritage and thereby the connection with our ancestral lands, waters and most importantly, one another as whanaunga and tangata whenua.

48. The unique world view inherent in the chiefly language of my forbears as an expression of how our tupuna thought of and viewed the world seemingly has lost relevance for many of us these days. It has become overshadowed and, unfortunately, the adage of 'fresh water is lost when it mingles with salt water', has become all too true. The essential glue of our culture, our taha Maori, the vital life force and synergies that once bound our whanau and hapu, is irrevocably mutated, along with our language, and has become subsumed beneath countervailing individualistic self-centred influences and customs. Such self-interested values were considered opposite to those that our forebears upheld as being fit for use for Maori whanau. Along with that mutation and loss has also gone something of our taha wairua, our spiritual connections, our mohiotanga, our ability to reason properly, matauranga, learning of significance to Maori, and our proper sense of place in the wider scheme of things Maori; nga mea Maori as gifted by our Creator to us in our own land, in what was our own place in the world.

49. By the loss of our language and our involuntary assimilation we have effectively been rendered ngoikore or powerless. The method by which we are imbued with understanding and by which we impart understanding has been almost fatally compromised and its effects are resounding today.

50. The massive advantage gained by one race over another is difficult to grasp and comprehend or balance, or even to reconcile these days, particularly when you travel through hundreds of thousands of acres of some of the most fertile lands in the world and realise that less than 5% of these lush lands in the Waikato, Waipa and King country are in Maori ownership. The only significant real estate in the region occupied by Maori is at Waikeria Prison near Kihikihi, where Maori from our rohe make up 70% of the population. It is indeed difficult to envisage how even a semblance of parity between tangata whenua and tauiwi might now be achieved when what lands that do remain in possession of Ngati Ngahia are converted to pine forests that offer but scant real return to our people in relation to the ancestral value inherent in such assets. Through modern day shenanigans and humbug of self-serving persons through the courts, Ngati Ngahia have all but lost effective control of our ancestral lands in Kawhia. This is through the requirement to have a certain amount of shares before you can effectively vote on matters of importance regarding the management and future of the land and assets thereon.

51. The hapu has become such an admixture and composite of 'others' too that it is difficult in the extreme to retain the mana of the whenua in the original whanau and hapu to whom it was first apportioned. People these days contrive what they will in attempts to manufacture korero to give weight to prejudicial views as to what initially constituted the mana of the whenua and moana. However, if we truly subscribe to and uphold mana Maori and mana tupuna tuku iho (the mana as bequeathed through our ancestry) then the division of lands and resources must accord with those who were in original possession and occupation, as gained through the conquest over Ngati Toa.

52. It has to be said that it is only by the continued dedication and determination of a great minority to uphold the mana of our tupuna and maintain the home fires that we even yet manage to retain a toehold in this sacred and once

unique land of our forebears. Without the dedication and, at times huge sacrifice over and above the call of normal duty of our home people, we as a people who are still fortunate enough and able to touch our home bases and have a marae to belong to, would be 'he iwi ngaro', or the lost people even more.

53. These days those all too few who keep our connections warm are our real kaitiaki, our real guardian angels looking over our shoulders and sadly are rapidly becoming fewer and fewer. Many of us take this duty of care for granted, however, everything they do, every duty, every obligation they uphold for us has a cost associated with it. We only have to look around at the number of our semi-elderly and aged ones now around the marae who are infirmed and in a deplorable state of health and relative impoverishment and we can see the immense toll that the burden of carrying the responsibility and load of work for a vast majority of others has had upon them.

54. The loss of our hapu identity as Ngati Ngahia impacts drastically on the all too few individuals that carry responsibility for the majority that have lost regard and understanding as to what things are of importance to our culture as a once vibrant hapu. I maintain that this is a result of Maori being acculturated or brainwashed to uphold the values of the coloniser in preference to our own, despite the assurances given by the Crown under Te Tiriti of the protection of our Tino Rangatiratanga. Our own ways of learning and knowing and determining have been suppressed, ignored, negated and devalued to such an extent that we have become duped and deluded into believing that the ways of our ancestors are irrelevant and of little importance and that the individualistic, globalised economical view is what constitutes the ideal world in which to grow as tangata Maori.

55. I seriously doubt that our tupuna of Ngati Ngahia Paretaiko Mahuta subscribed to such a tenet as 'progress at any cost', or at the cost to our mana motuhake, ourselves as Maori. I don't believe our tupuna sold or gave away our tino rangatiratanga, our ability to determine our futures for ourselves.

He kakano ahau, i ruia mai i Rangiatea

56. I will never be lost for I am a seed that was sown in Rangiatea. My DNA comes all the way from the ancient land at Rangiatea, from many generations ago until today. It has come right to Hawaiki at Kawhia Aotea and now myself here today alive and talking at Maketu Kawhia. The thing that separates me from that thread of learning and understanding that wends its way back through the ages to our ancient heritage, is that insidious partner to colonisation; the Native Land Court and individualisation, which put the rights of the individual before the hapu.

57. Ngati Ngahia whakapapa to many other hapu and to the land itself and all its associated histories and yet, according to Pakeha law and process I have not as yet 'officially' succeeded to the land from whence I came and am therefore dissociated, disenfranchised from or dislocated with that connection. This to such an extent that it can now therefore be 'redesignated or consolidated' and even sold out from under our noses without either my conferral or consent.

58. Right up until recent times it was enough for my own whanau of Ngati Ngahia-Mahuta to know that we were 'connected in there'. We didn't need the Land Court to tell us that we were from Kawhia or Aotea, Ngaroto or elsewhere, or that we were a part of a much larger hapu. We already knew that korero and had that understanding. Therefore I say, we will never be lost or disconnected while a particle of that pool of genes yet still remains. Despite what Courts do and however colonised we may become, we are inevitably connected to each other and to the whenua and the rangi, the earth and the sky through our whakapapa. We might never be lost as such, however, in the interim, while we are wandering about, seeking to place ourselves in this world, we will continue to suffer and carry the ignominy and pain of dislocation and consequent disempowerment. Such a state brings bewilderment, grief and disillusionment.

59. Mahuika (2010, p.158) states that:

> Members of another iwi do not have the right and mana to speak for and/or commit another iwi to anything, without the specific authority of the iwi for

whom they claim to represent. All iwi, large or small, possess their own mana and autonomy, which cannot be usurped by another.

60. This is not to say however that Ngati Ngahia necessarily believe that we are an island unto ourselves. We duly acknowledge whanaunga hapu that may have overlapping boundaries and also acknowledge those many shared lines of descent that converge on various Ngati Ngahia whanau from other hapu and iwi groups.

61. The fact that we do not hold 'exclusive rights' in our rohe is virtually a given, and this is made even more clear if one was to look at the geographic location of the hapu situated as it is between two harbours. Moana Jackson expands on the notion of 'overlapping interests' and how counter claimants may have derived their interests in our rohe. At any given time there may be many co-claimants to our rohe. Jackson (2010) states that:

"In Ngati Kahungunu a notion of kauhanga or "passageways" developed as the means to facilitate access by others on approved and negotiated terms. In certain circumstances access or use rights might therefore be granted to others with whom Iwi sought a relationship, while in other cases they might be developed in new ways without diminishing the mana or integrity of the tipuna title itself."

62. An amalgam of some of those tribes who formerly vied for occupational rights go to make up the hapu of Ngati Ngahia Mahuta that is still in occupation today.

63. With neighbouring and whanaunga hapu, Ngati Ngahia have fallen in our hundreds, if not thousands, to defend our people and our homelands. Remains of the casualties of war in our rohe attest to that fact. As the fortunes of the hapu waxed and waned and our numbers drastically rose and fell, sometimes overnight, important essential strategic alliances were formed with inner harbour and other tribes that assisted the hapu in terms of numbers to maintain our front-line role.

64. These alliances strengthened our whanaungatanga ties throughout the region and also strengthened our turangawaewae at Maketu, our united place to stand, essentially as a hapu, but also as a minor part of other greater wholes. These relationships are what underpin us still through to today.

What Are Ngati Ngahia Expectations In Terms Of This Process?

65. We repose a measure of faith in the Tribunal as enlightened representatives of the nation and primarily seek recognition for Ngati Ngahia as a composite hapu among others who share a duty of care and responsibility for Kawhia that is based upon our histories in common and relationships of old. When our tupuna Te Kanawa Ikatu of Ngati Ngahia signed the Treaty of Waitangi at Kawhia in 1840, we believe that he did so with the belief or hope in mind that he would be thereby gaining the solemn assurance that his Tino Rangatiratanga and his chiefly mana in respect of the tribes assets, cultural interests and treasures would not be compromised and negated and certainly not lost.

66. We believe that Te Kanawa Ikatu, as a chief of extraordinary ability, prowess, discernment and vision, would have entered into this covenant with the Pakeha in good faith and some large measure of understanding that what he was signing was a solid assurance of parity and cooperative, shared endeavour, that would bear good fruit and benefit his people. From what we are given to understand of this important tupuna we posit that it is extremely unlikely that there was any other motivation for signing the Treaty other than to bring well-being, prosperity and increased opportunities to equip his people for the world that he could see was changing. At the time of the Treaty, Te Kanawa Ikatu and the other Kawhia chiefs could never possibly have envisaged a time when his hapu would be ousted or duped from the possession of their lands and taonga katoa, let alone our self-determination, our tino rangatiratanga.

67. In view of the above it is envisaged by Ngati Ngahia that we are party to any further deliberations and developments that pertain to our historical interests in the rohe, with particular emphasis being accorded to those interests involving, but not limited to, land and water. We want this

assurance and guarantee by the Tribunal that the pact that was made in 1840 still, to coin a phrase, “holds water”, and has integrity. This emphasis is made in recognition that it is by the ownership of our lands and waterways by which we will maintain our esteem as a people, our essential mana motuhake as tangata whenua, first nation people from this country.

68. The final word goes to our beloved tupuna the late Te Atairangikaahu (the Lady)

“No reira tukua au akoranga kia pupu ake i roto, whakamahia katoatia nga taonga kei roto I a koe.”

69. Therefore draw from all that you have within you, your God-given gifts. In doing so we, as a nation, will experience, as promised, prosperity and spiritual fulfilment.

Naa

Harry Maki-Midwood