

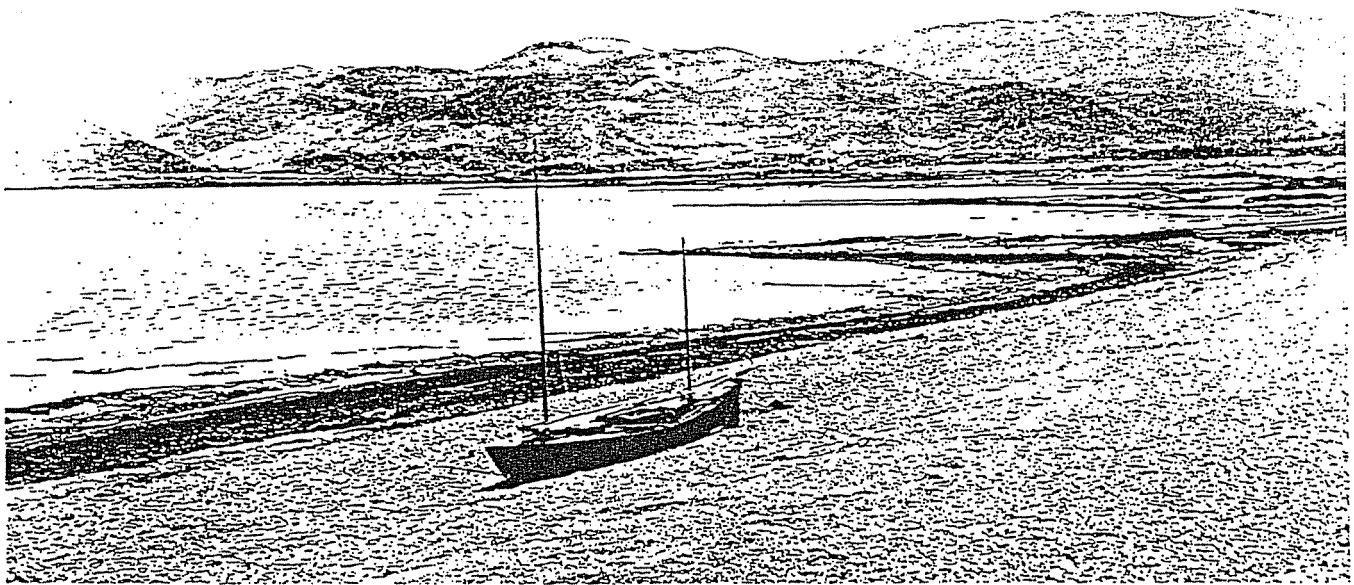
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ESK FOREST CLAIM : WAI 299

MOHAKA - WAIKARE CONFISCATED LANDS



TANGOIO LAGOON *looking North circa 1890 courtesy Alexander Turnbull Library*

CUSTOMARY USAGE REPORT

By Bevan Taylor : November 1993

MOHAKA WAIKARE CONFISCATIONS
CUSTOMARY USAGE REPORT

INTRODUCTION

The Objectives of this Report

The function of the Waitangi Tribunal is to examine Maori grievances resulting from breaches of rights guaranteed by the Treaty of Waitangi. To achieve this the Tribunal needs to consider Customary Maori values as well as legal issues.

This report is an endeavour to address customary Maori values in relation to the Mohaka-Waikare Confiscated lands. It is designed to assist the Tribunal in determining the extent of losses suffered and the effect of those losses on the people.

The task is complicated by the confiscation process itself which resulted in the loss of a wealth of traditional Maori history. Under normal circumstances each of the blocks within the confiscation boundaries would have passed through the Native Land Court to determine the rightful owners but the confiscation cancelled out customary rights, and in most cases no evidence was recorded.

The pre-confiscation Maori lived close to the land and was nurtured both physically and spiritually by it. Much of the evidence documented in this report relates to this. Not only traditional food resources are examined but also Maori medicines, changing diets, a changing way of life and a gradual letting go of a once valued possession.

A proverb associated with the claimants has survived:

KA PA A TANGITU
HA HUAKI A MAUNGAHARURU
KA PA A MAUNGAHARURU
KA HUAKI A TANGITU

This proverb emphasises the reliance the people placed on the land and the sea for their continued sustenance. It also has reference to the sharing of resources between the hapu of the interior and the hapu of the coast.

Then there are the spiritual values. The long ancestral and occupational ties the people have to the land are their identity and their security. To possess land is to have prestige, to be landless is to be nobody. To have been landlords of this territory then be reduced to labourers doing shearing, fencing, and roadworks for the new hierarchy has produced an incalculable loss of self-esteem. One of the results is that the young people no longer identify with the lands of their ancestors.

The Journals of Williams Colenso are the earliest written record of the area, from 1845 to 1852 he passed through the area confiscated in 1867 on his missionary rounds. He observed the daily activities in the various settlements and commented on their cultivations and other food resources. His journal entries have been drawn on to help reconstruct a traditional way of life that exists no longer.

The Waitangi Tribunal claims are Maori claims and the Tribunal expects this to be reflected in the evidence presented. The Customary Usage Report sets out to address this.

The Sources for the Report

Very little has been written about Maori Customary and traditional food resources and usage on the many blocks within the Mohaka Waikare Confiscation boundaries.

The objective of this paper is to compile all the relevant evidence gathered beginning from some of the early recordings of Missionary William Colenso's travels as he journeyed to some of the land blocks between 1844 and 1852. He had witnessed or observed Maori in their scattered plantations.

Evidence gathered also includes that from hapu archival material, Guthrie Smith, John Te H Grace's book and from Maori Land Court minute books, that identify hapu, kainga and areas of mahinga kai.

Living oral accounts by kaumatua (including Europeans) are recorded who all give an excellent account of Customary and Traditional food resource and natural resources for medicinal and constructional usage.

Included in this report is evidence gathered from blocks surrounding the confiscation boundaries, quoted because it overlaps into the confiscations and gives an insight where evidence is scarce due to Native Title being extinguished by the confiscations.

Information collated from the evidence clearly identifies that seasonal gathering of food was being observed by the interior Maori who went bird snaring, pig hunting and gathering food from the bush.

The coastal Maori gathered kaimoana, fished and also planted crops. Because of this seasonal gathering of foods, the interior and coastal Maori shared their food resources.

Coastal areas where kaimoana was gathered and fish were caught included Tangoio, Arapaoanui and Waikare.

The hunting of pigs and bird snaring took place on blocks such as Tarawera, Tatarakaia, Purahotangihia and Tutira. Pakeha cropping occurred mainly on the coastal blocks, Tangoio, Petane, Arapaoanui, Moeangiangi and Te Kuta.

As their food resources stabilized the Maori abandoned their nomadic lifestyle and became permanent whanau hapu on their blocks of land.

Since the time of the Confiscations in 1867 and into the 1950s the Confiscations did not deter the Maori from continued use of and access to their traditional food resources on the Mchaka Waikare blocks.

2. TE KUTA EVIDENCE

The Te Kuta Books are an important primary source because they document an area of Maori history not recorded in the Native Land Court. The land between the Waiohinaanga and Waikare rivers was included in the Mohaka-Waikare Confiscations of January 1867. This extinguished Maori customary title to the land.

The purpose of the Te Kuta hearing is not yet clear. It was heard by a "komiti takiwa" at Mohaka in June and July 1891.

Evidence extracted from the books refers to Maori occupational rights, and their traditional and customary usage of land, and river on the Te Kuta block. Also makes mention of the Waikare, Awa-Totara (Waowaototara), and Te Heru o Tureia blocks.

8. SUMMARY

The Colenso journals are the earliest dated written account we have of the Mohaka Waikare lands. In his travels through the district he gives a clear picture of occupation and of customary usage.

It is clear Colenso as a missionary used two walking tracks which crossed the Mohaka-Waikare Confiscation blocks. The track to the interior followed the Esk river up to Kaiwaka then continued along the edge of the Kaiwaka forest to Te Pohue. The path continued through the Ohurakura forest over the Titiokura saddle and down to the Mohaka river. It then proceeded in the direction of the present day Napier-Taupo highway to Tarawera where the Pa was located.

The coast route passed Petane Pa continuing along the coast to Ngamoerangi on the southern side of Tangoio Lagoon. It continued to Tangoio then overland to Aropaoanui then followed close to the coast line on to Waikare.

Colenso constantly travelled to all these areas carrying out his many duties as a missionary. He saw the importance of Tangoio as a centre of population. It enabled him to make contact with many of the rangatira of the area and those from the other hapu. His early association with Tareha has already been noted.

He had a beneficial influence on the Maori although whalers from the nearby whaling station at Whakaari did little to support him. It is clear that Colenso's presence made it easier for the settlers to make contact with Maori and subsequently to take advantage of them.

He noticed Maori in their scattered plantations cultivating potatoes and kumara, and harvesting wheat, and their dependance on being able to cultivate a wide range and number of cultivation sites. This was particularly so for those communities based away from the coast. Many communities had begun to cultivate wheat and maize on their plantations and provide enough for sale. On one occasion he observed Maori driving pigs to market over the Titiokura saddle to Napier. The Maori displayed generous hospitality when Colenso arrived, sharing whatever food resources they possessed.

Timber felled from the natural bush with the encouragement and assistance of Colenso was used to build chapels for religious services. The communities throughout the area invested considerable time and effort in building chapels, particularly bearing in mind the burden of ensuring sufficient food was available. He was amazed at the capabilities and the pride Maori displayed in the erection of the chapels.

The value of the Colenso Journals is that they show distribution of hapu, identify principal chiefs and subtribes (although not named in this report these are mentioned in the Historical Overview Report prepared by Patrick Parsons) and give an insight into the impact of Christianity on their traditional way of life.

The major source of the Customary Usage Report is the oral evidence collected from Kaumatua; both Maori and Pakeha. It supports the documented material already mentioned in this report.

During the oral interviews most if not all the Maori Kaumatua supported by Pakeha emphasised the importance of their spiritual and culture tikanga. They highlighted participation in, or the observation of customs and work undertaken by their parents and grandparents.

The information and personal experiences of these Kaumatua during their childhood up to the present day has only now been recorded for the WAI 299 Claim. They speak of the many areas where natural resources were gathered either for food or as building material and as medicine. Tutira was one such place documented in Guthrie Smith's book. Several of the Kaumatua who are descendants of Anaru Kune and Pera Anaru, both of whom are mentioned in the book, speak of their personal experiences in the same area.

Activities along the sea coast from Tangoio to the mouth of the Waikare river are discussed as well as the inland area of the Maungaharuru range, Ngatapa, Tatarakaia, Tarawera and Purahotangihia. The significance of the Mohaka, Waipunga, Waiohinaanga and Aropaoanui rivers and the Tangoio lagoon is dealt with in this report.

The Maori lived close to nature and observes its tikanga when going fishing, diving for kaimoana and trapping or shooting wild game. By observing the appearance of leaves, flowers and berries on certain native trees they knew when natural resources were available for food or other usage. When going eeling at lake Tutira they would wait for a certain rainfall on a particular

month of the year. They only took what was needed, clearly indicating Maori were conservationist.

Seed for domestic or marketing use was prepared and sown according to the seasons and climate in the various areas. Methods of preservation of natural food resources and cultivated foods are clearly illustrated by Kaumatua.

Maori were the major labour force in the area, as well as being market gardeners providing produce for the various markets throughout the country. To sustain the family throughout the year they were employed as general farm hands, shepherds and manager of sheepfarms. One of the main areas of employment was shearing and woolhandling. They worked on rail and road maintenance and construction works as shovelhands, machine operators and foremen/overseers. In the interior areas of Tatarakina people were employed as packhorse men, moving farming products and provisions overland where road access was limited. Some functioned as storekeepers at Tarawera, providing also a delivery service to and from Napier. Forestry labour was another area where people found employment, not only out in the field but as machine operators in the timber mills. Clearing and felling of bush and the cutting of scrub, and also rabbiting were other sources of employment.

When the 1931 earthquake struck at Petane and Tangoio it resulted in the drying out of the Tangoio Lagoon and general damage to the land. This was closely followed by the depression and the big 1938 flood which ruined all cropping land. In order to keep the families in food the people had to find employment further afield, as far away as Wairoa, often having to accept food as payment.

They then had to return to lands that were virtually ruined by debris and silt. This resulted in the loss of fertility to the small Maori blocks of cropping land which became uneconomical to manage.

Added to that the continued clearing of land destroyed natural resource areas, to make way for pasture farming and settlements.

The introduction of new farming techniques included chemicals in fertilizers and sprays. Usage of such sprays resulted in runoffs from the land, polluting lakes, estuaries and water-ways, resulting in destruction of the ecology. In more recent years the establishment of the Whirinaki timber mill has caused discharge of waste into the sea which has had a damaging effect on our kaimoana resources at the mouth of the Te Ngarue river at Tangoio. This added to the depletion and destruction of our natural food resources.

Modern society has made great demands on the Maori. The Maori way of life has been adversely affected by Crown administration of Maori reserves and legislation requiring licences to fish and permits to hunt. Only having primary school education facilities available and lacking in employment, Maori reluctantly have had to part with the way of life of their tipuna, their ancestral lands, rivers, lakes and sea coast and all their taonga. They have been forced to move into the urban areas to live and compete in a world for which they are not well equipped.

The social impact it had on the people in particular the mokopuna was a loss of identity with the lands of their tipuna along with all the spiritual and cultural values.

The hapu ask the Waitangi Tribunal to return these taonga that once belonged to our tipuna, so that we along with the future generations of mokopuna can stand tall and remain proud of our heritage.

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MOHAKA - WAIKARE CONFISCATIONS



TUTIRA LAKE 1936 *LOOKING NORTH*

KAUMATUA INTERVIEWS

By Bevan Taylor : October 1994

Summary

The first thing which becomes apparent on reading these kaumatua interviews is that they have a very limited knowledge of the Mohaka- Waikare Confiscations. There are several reasons for this.

1. It was a painful experience for their tipuna. They wished to blot out of their minds so did'nt talk about it.
2. They did'nt want their mokopuna to harbour the grievences of the past so they kept this knowledge from them.
3. They felt shame that some of their relatives were used as justification for the confiscations because they had sided with the Hauhau.
4. They felt bitter about the lands retained by the Government or awarded to others without customary rights. The cost of the contesting these injustices was crippling and forced further sales on them.

The second issue that arises is an economic one. The lack of ready cash gave the Crown a permanent advantage in any transactions.

1. Challenging the Kaiwaka ruling through the Privy-Council involved heavy expenses.
2. The expenses of the Tarawera and Tataraaikina hearings required the sell-off of large tracks of native timber.
3. There were no money for payment of rates which amassed until they were forced to sell the land .

4. Maori rehab farmers were placed on farms with no financial experience and little farming experience. Without this support they fared very badly and often had to walk off the land.

A third issue was the lack of command of the English language and British law.

1. A people with little command of the English language were poorly equipped to understand the implications of what they were told much less to understand it in writing.
2. With little or no understanding of the British law they were easily co-erced into legally binding situations which were not in their best interests.