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**PUSHING THE PROCESS: A WHĀNAU JOURNEY
THROUGH THE TREATY OF WAITANGI CLAIMS
PROCESS**

A thesis

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of

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Abstract

This thesis follows the journey of a whānau (ngā uri a Arama Whakatau) in its claim to the Waitangi Tribunal under the Treaty of Waitangi Act 1986. In particular, it looks at inter-whānau dynamics before, during and after the claims process. The connections to the claimant area through whakapapa and establishing ahi kaa rights are identified, as are problems faced by lodging a claim at the whānau level. Aspects of inter-whānau, inter-hapū and inter-iwi politics are considered along with Crown agencies' processes. The primary question posed in the thesis is whether a whānau claim is the more appropriate avenue compared to making a claim through the hapū or iwi. However, the inter-whānau dynamics are the core focus of the thesis in this 'warts-and-all' discussion from the perspective of the participant-observer.

He Mihi

He Mihi

Kororia ki te Atua te Kaihanga o ngā mea katoa;

Kia whakahonoretia Te Arikinui Tuheitia

Ki ngā mate kua ngaro ki tua o Paerau – haere.

Ki a tātou te hunga ora, tēnā huihui tātou katoa.

Ko Taupiri te Maunga

Ko Waikato te Awa

Ko Potatau te Tangata

He piko He Taniwha

He piko He Taniwha

Waikato Taniwharau

Ki tō mātou whaea ki a Kerehi Kaweroa (Maipi), ki ngā matua me ngā whaea
kēkē ki a Te Ngaeroa Hetet (Uncle Nelson), ki a Wharepeke Kaweroa (Uncle
Whare), ki a Koro Sharkey Maipi, ki a Aunty Bella Aoake (Kaweroa) me tāna
tāne (Uncle Wacky Aoake), haere, haere, haere, moe mai rā koutou.

Ko Mauao te Maunga

Ko Waimapu te Awa

Ko Tupaea te Tangata

Ko Tauranga Moana te rohe

Ko aua mihi anō ki te whānau kua riro ki tua o te ārai i Tauranga Moana, ki
Matapihi, ki ngā tipuna ki a Mana Mita Whakatau, ki tāna wahine Kahumeria

Hekapa Netana, ki tō mātou pāpā, ki a Te Koro Mita Whakatau, ki tō mātou tuahine Liza, nāna te kakano o te mahi nei i tō. Ki ō mātou tuakana Billy, kōrua ko James, ki te taina ki a Patrick, moe mai koutou.

Ki ngā tipuna ki a Te Whanganui a Hei, mona te kerēme nei, ki a Arama Mita Whakatau, i tanumia ki te whenua nei, rātou ko tāna tama ko Mita Arama Whakatau, tae noa ki ana mokopuna Te Rikihana Mita Whakatau rāua ko Puti Puti Mita Whakatau, moe mai ra koutou.

Mo koutou te mahi i mahia nei, te tohe e tohetia tonu nei, te kaupapa i tuku iho, ka tuku iho anō...

Tena tātou te hunga ora.

He mihi anō ki ngā hoa awahina mai ki tenei mahi. Ki to mātou matamua ki a David Mita Whakatau, te tuara o te kerēme nei; ki a Nicky rāua ko Lester Harrison, ngā ringa kaha; ki a Judy Te Kani (nee Herewini) rātou ko Marsha me Kare Kelly (nee Kereopa) ngā kiwai o te kete.

E ōku rangatira Tame Roa, koutou ko Ata Bird, ko Hereperita McCloud, ko Tamati Tata, ki a Kiriana Tan, ki a Stephen Clark, kei te nui te mihi ki a koutou me ngā tohutohu mai.

Ka kore e mutu ko aua mihi anō ki taku wahine me a māua tamariki, te takoto o te marino kei waenganui tenei mahi.

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List of Abbreviations

MLC	Māori Land Court
HMB	Hauraki Minute Book
TMB	Tauranga Minute Book
CMB	Coromandel Minute Book
AJHR	<i>Appendices to the Journals of the House of Representatives</i>
NZPD	<i>New Zealand Parliamentary Debates</i>
RMB	Rotorua Minute Book
HREC	Human Research Ethics Committee
RDB	Raupatu Document Bank
CFRT	Crown Forest Rentals Trust
TPK	Te Puni Kōkiri
OTS	Office of Treaty Settlements
DOC	Department of Conservation

Chapter 1

Introduction: research questions and research methods

1.1 Introduction: The Whānau Claim

The birth of Waitangi Tribunal claim Wai '969' evolved from Māori Land Court papers left behind in Liza Dixon's personal effects. Liza, the author's sister, had returned to Tauranga from Auckland after spending more than 10 years raising her two children. Her father's effects were still in testate and Liza was asked to organize his affairs, which included succeeding to his Māori Land Court shares.

Not long after beginning that task, a car accident caused Liza's untimely death. Subsequently, her son, Richard Te Ariki/ Dixon, went to live with the author of this study. One afternoon, while working through Liza's personal effects, the author discovered Māori Land Court papers relating to their father's lands.

This discovery in 1990, led to what was to become a major adventure for the author and his family, relatively easy at times, but on other occasions very difficult. During the claims process, while learning how to investigate and establish a Treaty of Waitangi claim, the author's whānau have learned much about themselves, as well as about the Waitangi Tribunal claims process.

When they prepared to send the land search papers to the Māori Land Court, the family recalled that their father had taken them to different meetings, at a marae at

Bethlehem and at the author's grandmother's marae at Matapihi, meetings they had not realised then were Māori land meetings. Memories started to fall into place. This was the beginning of the formulation of what was eventually to become the research question in this Masters thesis. It was also the start of learning about methods of research that would lead to answering the questions pondered by my whānau and myself.

1.2 Personal journeying

In 1991, I began to investigate my father's land interests. The further I delved into the land records, the more the work became a search for whakapapa as much as land interests. I became engrossed in the paperwork, finding references to how much land our whānau had actually lost. I decided to discuss with the whānau the possibility of lodging a claim so we could fight for the return of the land. Since I did not know how to initiate a claim, I had to learn how.

The first step came in the form of a business management course. Te Puni Kōkiri was funding young Māori into business and, as part of this programme, was offering a free management course. Although still working on the whakapapa side of the claim, I did not realise at the time how beneficial and timely this course would be: the latter proved to be an extremely helpful tool during the actual claim. A career in sports intervened for a time. Then work continued, with, once again, a focus on the collation of whakapapa. Some of the skills I would require I picked up during this phase of learning, skills such as researching library material, interviewing kaumātua and kuia, and reading Māori Land Court records.

Shortly after completing the management course, I began working for a company called Nikau Enterprises while still occasionally researching land and whakapapa issues. In fact, after work I was able to sort out a few whakapapa questions such as the ties between our whānau and Ngāi Te Rangi and Ngāti Ranginui, how we were connected to Waitaha Hei, our close ties to Tamapahore (a leading Ngāi Te Rangi Chief), and how the whānau had become established in Matapihi. But after some time with Nikau Enterprises, I asked myself, “What do I really want to do? And decided that the answer was: “Whaia te ara mātauranga. Whakamutua te mahi a ō mātua tīpuna.” (Follow the path of knowledge, and finish the work of my ancestors).

Coincidentally, at the same time I was asking myself that question the Bay of Plenty Polytechnic was offering a Te Tohu Paetahi course in which I enrolled. I also joined a Kapa Haka called Ranginui and immersed myself in my culture while continuing to work on the whānau land and whakapapa. The Te Tohu Paetahi course proved difficult but I completed the first year successfully. The next decision was a choice between continuing by transferring to Auckland University or to Te Tohu Paetahi at Waikato University. I consulted my whānau, and decided to move to Hamilton and enrol at Waikato University.

The second and third years of my degree were hard but great support from friends, teachers, and my immediate whānau enabled me to complete a Bachelors degree in History and Māori. Meanwhile I continued the work for our whānau claim. In Hamilton, I was able to access a wide range of records from the Māori Land Court

as well as Waikato University's extensive collection, which provided excellent resources for the claim as well as my degree work.

The jigsaw puzzle of how the family had lost so much land slowly began to fit together and I began to understand the processes used to take the whānau lands. Our tipuna Arama Mita Whakatau had fought tirelessly for his rights, but as for so many other Māori in the late 1800s and early 1900s, he was undermined by legislation designed to strip Māori of their assets and to feather the nests of Crown agents.

My research revealed Crown agents negotiating on behalf of entities such as timber factories and goldmines, often without adequate Crown supervision. Our tipuna lost or sold through necessity the majority of our tribal estate, especially because it was rich in resources, in particular timber, gold, kauri gum, and the many inland and coastal food resources available in the Mercury Bay area (Te Whanganui a Hei). It is a testament to Arama Whakatau's tireless struggle that we still have any land left in our whānau at all.

Chapter 2

Research Methodology

2.1 Introduction

What methodology would I need to carry this project to completion? It is a question I often asked myself while sitting at my workstation, typing away. My understanding of the term “Research Methodology” had been simply writing a story after studying the material relevant to the topic. However, after reading Judith Bell’s *Doing Your Research Project* and Gary D. Bouma and Rod Ling’s *The Research Process* I realised that the task was more complex. There are processes to follow which assist in organising research notes and planning the work to obtain a sound and cohesive work.

When first asked by my thesis supervisor what the research methodology I would use was, I could not answer because I did not have a clear understanding of the processes. This chapter sets out how I came to understand these processes. According to Bouma and Ling (2004, p. 8), *“Doing research involves a process or a series of linked activities moving from beginning to end. The research process is not absolutely rigid, but there is a sense in which it will be weakened or made more difficult if the first steps are not executed carefully”*.

I empathized with this statement as I believe that some of my earlier difficulties had been due to not executing the first steps properly. At an undergraduate level I seemed to get away with winging most of my topics as the passion for the topics I

had chosen seemed to get me through the research process. I am a firm believer that passion for the subject matter will carry the work through. However, I needed to have a closer look at the way I was doing my work, to understand how I pieced the work together.

2.2 Research processes

Bouma and Ling broke down the research process into three phases, each with their own steps:

1. Essential first steps: in this phase the researcher clarifies the issue to be researched and selects a research method;
2. Collecting, summarizing and organising Data;
3. Analysing and interpreting the Data.

2.2.1 Phase One: Three steps

To work through these phases one must follow steps. For instance, for phase one:

Step 1: Select, narrow, and formulate the question to be studied.

I was fortunate in this sense, as I had just finished organising a Treaty of Waitangi claim on behalf of my whānau. My thesis supervisor had been the senior speaker at the claim, so when he suggested that it would be a good topic as much of the research was already complete, it fitted in with what I wanted to achieve. The problem was how to turn a Treaty claim into a research topic for a thesis. We discussed what my thesis question would be, and found that the focus was already there in the claim. Instead of joining one of the larger groups in Hauraki, we had

decide as a family to just make a whānau claim, as we seemed to have the numbers necessary to do so.

This thesis project gave me an opportunity to recount to the whānau and anyone else reading, the experiences in carrying through our whānau claim. It was basically a narrative inquiry, whereby I am able to analyse critically, experiences we went through in the claim. There will be possible confusion within this thesis project as it very much overlaps with the claim. There are actually two projects discussed in this narrative, “The whānau claim”, and the “Thesis about the journey through the claim”.

So the central question for the project became whether a whānau claim is the more appropriate avenue compared to that of a claim through hapū or iwi.

I focused on this aspect because the family had experienced quite a few problems during the claim, and I wished to see if the same problems occurred with those that had been involved in a hapū or iwi claim.

Step 2: Select a research design, choosing between qualitative and quantitative research projects.

I wished to focus on a qualitative project but realised that I might need to present some statistics using quantitative questions, such as: How many Treaty of Waitangi claimants have taken a claim as a whānau? How many as a hapū? How many as an iwi? What sort of numbers would a whānau claim need for mandate

purposes? What percentage if any of whānau claims are recognised by the Crown and are not just sent back to be brought under larger groups?

Step 3: Look at selecting ways of measuring changes in variables.

In preparing our witnesses for the stand in the Tribunal process, we had to make sure the questions we asked would let their stories of their youth and years with the grandparents come through. This was just one aspect of the variables that we had to contend with during the claim process. Another was being associated by the Tribunal with claimants from Tamatepo. Other issues included problems with family dynamics, mandate issues, and, finally, legal and funding matters. Perhaps if we were to measure those variables we could ask further questions, such as: What percentage of claimants in Treaty of Waitangi claims are able to access funding from the Crown Forest Rentals Trust? How many claimants experienced disagreements within their whānau on certain issues? Did those claimants have mechanisms in place to counter those problems?

Then, as kīnaki ki te kōrero, we could provide graphs to give a measurable view. This would ideally suit the next step of perhaps setting up tables for analysis (Bouma & Ling, 2004, p. 13)

The next step of Phase 1 was selecting a sample to study. In this particular instance we already had chosen our sample to study: in effect, we were making an in-depth case study of an extended family unit organising a Treaty claim while also making a comparative study of that family group against hapū and iwi claim experiences.

2.2.2 Phase Two: Collecting, summarizing and organising data

What is data? According to Bouma and Ling (2004, p. 20), data are facts produced by research. Data by themselves are meaningless. They acquire meaning as they are related to theories. What is theory? According to the same authors, ‘theory’, put simply, is a guess about the way things are. A theory is an idea about how something works, or what it is like to be something, or what will happen if certain circumstances apply (Bouma & Ling, 2004, pp. 19-20).

The theory that informs this thesis is included within the thesis question: Is it easier to organise a family claim as compared to a hapū or iwi claim? My theory, or understanding, or idea, was that it would be easier to advance a whānau claim. I would show that theory was correct setting out the relevant data, concentrating, as indicated above, on qualitative questions, the “What” questions as compared to the “How many” questions.

By the time I began this thesis project most of the data was already available. As a participant observer within the whānau Treaty of Waitangi claim, I had access to almost all the data relevant to my thesis question, including most of the current Waitangi Tribunal claimant evidence reports from the Hauraki area, published sources on the claim area, newspaper articles and many unpublished sources. As the claim had been a personal journey for me from the beginning I sometimes found it very hard to be objective and felt that at times personal emotions did affect my work such as the negative aspect that comes across at times within this thesis. No doubt a reaction that many researchers will have from time to time.

Bouma and Ling’s data recording sheet for recording observations was an ideal tool to keep the data as unbiased as possible.

In *Table one* following, a small example of how we used this observation tool is provided.

Table 1: An example of Bouma and Ling’s (2004) data recording sheet

What was Observed	Reactions Thoughts
<p><i>-During Claim Hearing</i></p> <p><i>Koroua from Tauranga interrupting whānau hearing to push agenda for Tamatepo Claimants during 2 hours allotted for Harrison whānau claim, even though having ties to Tauranga Koro whaangai to Hauraki parents.</i></p> <p><i>During cross examination of witnesses, as Judy Herewini was speaking, counsel for Tamatepo claimants questioned her on her feelings about the Hauraki area, in particular the land that the whānau were claiming back.</i></p>	<p><i>Very annoyed as could possibly influence the Judge against our case and hoping that his actions would not close off judges to listening to our whole claim and issues. As Koroua interfered in beginning stages of our allotted time, seemed to be planned strategy from Tamatepo lawyer. Was it a coincidence that speaker identified himself as being from Tauranga then disregarded that korero to tautoko Tamatepo.</i></p> <p><i>Shocked that witness was ambushed by co-claimants as expected that sort of broadside from Crown not from Tamatepo counsel and in awe of the Tribunal judges who seemed to come to the aid of the witness. Also not impressed as the two claims covered rohe miles apart. lawyer very much the show pony.</i></p>

Another aspect of data collection actually used but not realised at the time was in depth interviewing. During the lead up to the claim hearing, the whānau lawyer and I interviewed potential witnesses to take the stand during the Tribunal hearing. With Judy Herewini we found that, once prompted, she began to remember aspects of her childhood that she had long forgotten. She remembered living in Te Aroha, visiting the grandparents, different things about the grandfather, and she had her own unique experiences. Particular points of interest from her interview that I was able to cross-reference with other data were the house of the grandparents at Whitianga, which she remembered, and personality of the grandfather. However, when another potential witness was interviewed (Janice Tauteka), we found conflicting stories. When we interviewed David Mita, who was brought up by the grandparents, the stories he relayed were very similar to those of Judy Herewini and confirmed many of the minor details about them. What we did then was to review the existing evidence, and upon the conclusion of all the interviews, we were able to select credible witnesses. The other interviewees were, Mrs Marsha Kelly, Miss Ilene Gear, Mr Paul Gear, and Mr Tureti Stockman, who were also sources of information about the connection of the grandfather to Maungatapu marae.

2.2.3 Phase Three: Analysing and interpreting the data

We studied Māori Land Court minute book records from Hauraki, Coromandel and Rotorua, and private whānau letters; these helped construct a picture of what were the past circumstances. To develop a better understanding of the relevant period and conditions, I investigated pictures, especially photographs, pictures of the various people and places we were discussing. For instance, when discussion

centred on James Mackay, I found a picture of him and read some of his letters and correspondence while he was working on behalf of the Kauri Timber Company as well as working as a Crown agent in the Coromandel region. Those letters and correspondence enabled me to gain some sense of the type of man I was dealing with. When discussing the extraction of timber, gum, flax and gold, I located as many pictures as I could on the specific topic and studied the material to gain an impression of the era. For example, timber shipped from Te Kapowai, needed to be floated down and then shipped out via the Waiwawa and Oteao Rivers to the The Kauri Timber Company mill. These operations involved timber leases, building dams for spilling the logs, milling the logs, and export of the commodity, sometimes identifying what ship was loaded and where the cargo went. In another example, the Happy Jack Gold mine, I looked for its location and any relevant pictures or other material on how much gold was extracted in order to estimate an actual figure on what was taken from the whānau. For flax, I obtained pictures of the place where the flax was processed and of the people who were prominent in the area's flax-processing industry. These pictorial records provided useful context.

2.3 Ethics

According to Bouma and Ling, any participants in research projects must have given their permission for their names to be identified. I had not done this so it was an issue that I needed to address, going back through the work and identify all the people I had talked with and named, then track them down and acquire a permission letter so I could use their names.

The next step was to relate my findings to the research hypothesis, and in essence answer the research question I had posed, giving details of my recommendations and conclusions. Even for this aspect Bouma and Ling gave excellent steps to follow. They commented, *“A good conclusion has two levels, first it clearly states in simple terms what the data reveals. Second, it relates this simple statement to the larger issues”* (Bouma & Ling 2004, pp. 212-213).

As I stated earlier, another helpful book I read to aid in completing this work was *Doing Your Research Project*, by Judith Bell (2004). This work, like Bouma and Ling’s, has a comprehensive outline for steps to take when doing a research project. Within this book I especially liked the section that dealt with narrative inquiry and stories, in particular the part that states, *“Narrative inquiry can involve reflective Autobiography, life story, or the inclusion of excerpts from participants’ stories to illustrate a theme developed by the researcher. A narrative approach to inquiry is most appropriate when the researcher is interested in portraying intensely personal accounts of human experience”* (Judith Bell, 2004, pp. 21-22).

I thought this was relevant in my own work where I had discussed at first my sister, who had begun this work, while providing a brief background on her, then the focus on my grandfather and great-grandfather and the struggles they went through to hold on to their land through all the trials and tribulations they faced. Judith Bell’s work followed almost the same sequences as Bouma and Ling’s work, which indicated that the research process follows a generally accepted pattern.

Bell, like Bouma and Ling, broke the research process into three sections. The first part she called *preparing the ground*. Within this framework, she looked at:

1. Approaches to Research. This outlined possible approaches to use in completing your work, including a case study, surveys, the grounded theory approach, even a narrative inquiry- letting the stories come out within the work- or, as in this instance, a mixture of these approaches.
2. Planning the project. Judith Bell looked at all the issues involved in planning the project, such as selecting a topic, how to get started, hypothesis or researchable questions, the actual working title, a project outline, your supervisor's role, codes of practice for supervision, making records of any meetings, and keeping a checklist to follow.
3. Ethics and Integrity in Research. When I went through this chapter, I realised that some of the claim work I had completed could not be included in the thesis, as I had not obtained formal consent from others. I now had to go back and look at all the problems regarding this subject, research contacts, codes of practice, protocols, informed consent, the actual ethics committee, confidentiality and anonymity issues, intellectual ownership and property rights, while maintaining an adequate record and checklist of every thing I did relating to ethics.
4. Reading, referencing and the management of information. This chapter discussed styles of note taking, and how the researcher might reference the material used. I would need to look at electronic storage and hardcopy

storage and how I would organise my files. I would be looking at information management, and guarding against plagiarism.

5. Literature Searching. This chapter involved searching for the literature I would use, either searching through the library or on the Internet. I would need to devise what sort of strategy I would employ to obtain all the information I needed to finish the project, and much of the information I did obtain was downloaded from the Internet.
6. The Review of the Literature. For my project this would be a discussion of books and articles on the Tribunal, the claims processes, experiences of other claimants making their claims, their outcomes, and what level (whānau, hapū, iwi) of claim is most effective.

As Bell puts it, “*a review should provide the reader with a picture, albeit limited in a short project of the state of knowledge and of major questions in the subject*” (Bell, 2004, p. 100).

Bell also went on to quote Verma and Beard in saying, “*The Researcher must produce a concept or build a theoretical structure that can explain facts and the relationships between them. The importance of theory is to help the investigator summarize previous information and guide his future course of action. Sometimes the formulation of a theory may indicate missing ideas or links and the kinds of additional data required*” (Bell, 2004, p. 100).

Another extremely interesting point she quoted was from Walcott (1992, pp. 3-52), which studied the “theory first approach” and the “theory after approach”. In

my work I believe I had taken the “theory after approach”. The quote from Walcott stated:

In theory first research, we start with a theory, deduce Hypotheses from it and design a study to test these Hypotheses. This is Theory verification. In Theory after research, we do not start with a theory; instead, the aim is to end up with a theory, developed systematically from the data we have collected. This is theory generation (as cited in Bell, 2004, p. 101)

In her second part, Selecting methods of Data Collection, Bell (2004, p. 116) dealt with the following issues:

- (1) Looking at constraints, reliability, and validity of other mediums such as computer data analysis. Some of the constraints were time, the reliability of the material sourced and whether it is actually relevant to your topic. For example, my supervisor thought my original draught spent too much time going over details that were irrelevant, especially in the personal journey chapter. Many of these points have been since reviewed and omitted, so that what remains is now relevant to the work. To crosscheck facts, I had to employ the triangulation method discussed in Bell’s work. For instance, for checking lease agreements with the Kauri Timber Company in Tairua relating to the tipuna’s land, I had to check Māori Land Court records, and then look at the *New Zealand Gazette*, and at two published sources (Williams & Williams (1994) and Riddle (1996)).
- (2) The analysis of documentary evidence. In Bell’s work, she emphasises printed materials, categorized into primary and secondary sources, but

documentary evidence can also take the form of photographs, films slides, and other non-written sources. Within this work, tapes were considered in relation to evidence to be presented to the Tribunal about whakapapa ties to Maungatapu in Tauranga. The source was too vague and discrepancies were found in the whakapapa recited after triangulation with other sources was carried out, primarily whakapapa evidence given in Māori Land Court records and by other claimants within the Hauraki inquiry district. (A specific designation of a region made by the Waitangi Tribunal)

- (3) How to design and administer questionnaires. The only instance that questionnaires were designed for specific reasons within this project was for the questions within the skills analysis part of the claim (whānau development section).
- (4) How to plan and conduct interviews. This was a very new part of the research process for me and I was very fortunate that the junior counsel for the claim was quite experienced in this field, so we followed her lead as she organised interviews with potential witnesses. I did, however, have informal interviews such as the meeting with the Ngāti Whānaunga claimants at Bay of Plenty Polytechnic, interviews with Tureti Stockman and Paora Gear, Kaumātua from Tauranga Moana.
- (5) Keeping Diaries, Logs and a checklist of Critical incidents. I did originally start out keeping a diary but the information was lost in a fire while my family were in the process of moving to Tokoroa from Hamilton. However, items that should be in a Diary are organised meetings with my supervisor, critical data such as the ties to Tauranga,

whakapapa notes from Kaumatua that have now passed away like Tureti Stockman and Paul Gear, who gave extremely valuable insights into the grandfather's activities, where he was from, and who he was as a person. Long before anyone else had discussed the grandfather's ties to Maungatapu and Waitaha Hei, these Kaumātua had informed me of his ties to the place and the people, especially my Uncle Paul who was a mentor to me growing up around our grandmother's marae, Waikari, in Tauranga. Although many files were lost in the fire, much information had been stored electronically, which was fortunate and part of the process involved with data management. Researchers should always have a hard copy and an electronic copy of any information.

- (6) Observation Studies. No observation study was conducted, though one could argue that sitting through the claim process was in itself an observation study.

The final part of the process Bell called interpreting the evidence and reporting the findings. She studied issues such as: (a) Interpretation, organising and categorizing the findings, and (b) Writing the actual report or body of work (Bell, 2004, pp. v-x). Interpreting Māori Land Court minutes was very time consuming and often hard to read, as they were often very small handwritten script and many examples were quick shorthand notes. What I could not read properly had to be checked against the work of other researchers like Tracy Tulloch, Peter Tiki Johnston or David Alexander and then, just to make absolutely sure, checked against other claimant reports. An example of how failure to cross-reference the findings could have led to mistakes was the confusion over my great-grandfather,

Mita Arama Whakatau, and my great-great-grandfather, Arama Whakatau, who was also known as Arama Karaka. In a few of the Hauraki claimant's reports, these two were referred to as the same person. The confusion came about when the great-great-grandfather died and his son took his name upon his death. We crosschecked the minutes and also checked the gravesites, measuring out generational life expectancy, and then matched these to the succession lists in the Māori Land Court.

Another extremely helpful book was *The Modern Researcher* by Jacques Barzun and Henry F Graff. This book divided the research process into two sections, but in general seemed to follow the same sort of outline as the other authors mentioned.

The first section, entitled Principles and Methods of Research, featured discussion on the research report and its characteristics, techniques for finding subject matter, finding the facts, looking at differing sources, verification of your facts and data, handling ideas, truth, causes, and conditions, patterns, bias, and revisionism.

But the section that was more helpful to me was called Writing, Speaking and Publishing. This provided a step-by-step guide for how to organize paragraphs and chapters, how to avoid jargon and clichés, how to make my sentences clear, and how to focus on the emphasis, tone, and rhythm that engage the reader. It also discussed quoting and translating work, citing of sources correctly, footnoting, bibliographies, and revising the work before printing it out. This book was more helpful in the writing stages rather than the research stages. (Barzuyn, Jacques,

and Graff, Henry.F.) The Modern Researcher, Sixth edition, Thomson
Wadsworth, Australia 2004,). pp. ix-xii

Chapter 3

Pre-Claim blues

3.1 Introduction

There were legitimate grounds for a Treaty claim. But how to lodge it? I discussed this with my partner, and we decided to find out.

3.2 Lodging a Claim

Lecturers from the University of Waikato were extremely helpful, by first telling me about the outlines for lodging a claim, and then by providing a booklet called *Guide to the Practice and Procedures of the Waitangi Tribunal*. This led to the putting together of an application and visiting a lawyer. A lawyer from the firm McCaw, Lewis, Chapman (Mr Stephen Clark) recognised that the whānau had a claim. The names of the tipuna, Arama Mita Whakatau and his son Mita Arama Whakatau were evident throughout most of the Hauraki claims. They were very active in Hauraki tribal politics. It was identified within the various Hauraki claimant evidence that much of the lands lost were through alienation by legislation, confiscation, or underhand dealings involving government agents. The family were asked by Mr Clark about their affiliations to Ngāti Hei, Ngāti Tamatera, Ngāti Whānaunga, and what ties we had to Ngāti Porou ki Kennedy Bay (as my last name was Harrison). Our ties to the area were discussed at length with Mr Stephen Clark, a senior lawyer of the firm, who was representing a number of the claimants in the Hauraki area. Mr Clark had an extensive

knowledge of the Hauraki claims. He agreed that the whānau had a claim and that he would represent us. He then informed us that it was now up to the whānau to put together their evidence in the form of briefs of evidence. He stated that the family were lucky in the sense that much of the existing evidence from the other Hauraki claimants supported the evidence we had. He assigned a junior counsel, Mrs Kiriana Tan, to the whānau case.

3.3 Legal aid, registration, and Whānau, support and legal Hui

Legal aid was applied for, the whānau granted assistance, and lodged their claim as a late entry for the Hauraki area. The claim was accepted by the Tribunal and allocated a registration number, “Wai ‘969”.

Shortly after the registration of the claim, there were disagreements within the whānau. The whānau was accepted as a late entry into the Hauraki area claims, with the timeframe the whānau faced, the pressure was on for obtaining wider support from the other families. Before registering the claim, whānau meetings had been organised on the spur of the moment. The wider support base needed for the claim was present, but because of time constraints we had gone ahead with the mandate of only a few members of the extended whānau. In hindsight, we should have held a large Hui at which the whānau selected a team to represent the claim. The method chosen at this point was to be a hindrance in the latter stages of the claim.

The first official whānau Hui was organised in Tauranga Moana, 16th Avenue at the house of an older sister of the author. At this meeting, almost all of the author’s immediate family were present. Of special note was the attendance of the

oldest sibling who was raised as a whāngai child to the grandparents, Mana Mita Whakatau and Kahumeria Hekapa-Netana. During the meeting, it was decided that the claim would go through as an extended whānau claim, encompassing the families of the 11 children of the grandparents, Mana Mita Whakatau and Kahumeria Hekapa-Netana.

At this Hui, the other families extended a minimal amount of support, but the majority came from the whānau in Tauranga. After this mandate Hui, the author returned to Hamilton and began organising and collating the evidence to format it into a brief. The lawyers then organised another meeting to discuss the claim budget.

At this meeting, the lawyers pointed out, that the land in question under claim was held in government hands and administered by Crown Forest Rentals Trust, and therefore the claim was eligible for funding from Crown Forest Rentals Trust.

A large proportion of the land that was under claim was a block called Te Kapowai, which under the name Coroglen State Forest was in government hands. The timing of the whānau application for Crown Forest Rentals funding coincided with some negative publicity. The agency was being criticised and investigated about previous funding for claims organised by other claimants, the whānau were affected by the backlash of that publicity. At first the funding was declined, then later accepted, but under conditions: the money was to be handed over to the lawyers with the provision that the funding was to go toward the costs of the other claimants who were to be heard by the Tribunal the same day, as they would be hosting the Hui at their marae. They (Tamatepo) were to receive \$2500 as the

author's whānau were, but the funding was to be given as koha for staying at their marae, Te Matai Whetu. After the directive received from CFRT, the whānau was outraged that they did not seem to have a say in how they would manage any funding allocated, it was as if the whānau should lodge a claim for unjustified treatment. The option given was unanimously declined, it was agreed that some funding should be given as koha for hosting, but as none of the whānau would be staying overnight at Te Matai Whetu marae, the whānau would require the rest of the funds to meet their own costs.

The author relayed this answer to our lawyer, Kiriana Tan, and found that there would be no release of funding unless the whānau agreed to give all of the money to the other claimants (Tamatepo claimants). Once again, we conveyed this korero to the whānau and received the same response from them. The main point, once again, was that the whānau would not be staying at the marae of the other claimants. Some of the whānau were whakamaa and felt that they should not be staying in Thames as the claim was for the eastern side of Coromandel peninsula, in the Mercury Bay area. It was estimated that we would have one or two meals at the Tamatepo claimants' marae. The whānau had people commuting from Auckland, Wellington, Tauranga, and Hamilton, so the main desire was to make sure those travelling would have support rather than supporting the other claimants. Once again the request was declined, through our lawyer, Kiriana Tan. The arguments between the CFRT representative and our lawyer became more heated with the various points mentioned above being discussed at length. At one stage, the organiser for the Crown Forest Rentals Trust funding in Wellington threatened to withdraw funding if the whānau did not agree to the terms laid out.

We decided to seek outside legal advice, as we felt the pressure from CFRT was illegal and inappropriate. When the representative for the Tamatepo claimants contacted us, it became clear that they had been informed that the whānau would be giving all their funding as Koha. At that point, we, under instruction from the rest of the whānau, made it clear to our lawyers, that if the whānau did receive any funding it would be divided and a proportion would be given as koha but the rest would remain as support for the Wai 969 claimants. We also informed the representative for the Tamatepo claimants that none of the Wai 969 claimants would be staying at Te Matai Whetu marae.

Another meeting was organised with our lawyer with a view to making some sort of progress on the matter, as time was a critical factor. It was decided that if no satisfaction was gained through the junior counsel, then the matter was to be taken up with the senior counsel, Mr Stephen Clark.

Apart from the meetings with the lawyers, there had been four other separate meetings, in Tauranga, Tokoroa, Auckland, and Hamilton. The purpose of these meetings was to gather family members so they could give evidence at the Hearing. From these meetings, four people, as well as the author, were approached to speak at the Hearing. The four were the author's oldest brother, David Mita, who had been brought up by the grandfather Mana Mita Whakatau; the author's first cousin, Judy Herewini, who was living in Te Aroha at the time the grandparents were still living; the author's older sister, Janice Tauteka, and another first cousin, Marsha Kelly, who was around the grandparents when she was a child at Matapihi in Tauranga.

The junior counsel interviewed each person to assess his or her evidence. After listening to the evidence of Janice Tauteka and Marsha Kelly, the counsel found they were vague about some details. David Mita gave most of the background information on the grandparents but he decided he would not speak at the Hearing. The whānau knew they would have a problem with this as David Mita had always been a quiet man, and even though he was recognised as the whānau rangatira, he rarely spoke publicly. He did, however, give his unconditional support, as he had on many other occasions. After studying the witnesses' evidence, the lawyer advised that she herself, the author, and Judy Herewini would give evidence at the Hearing.

After the witness issue had been finalised, a further meeting to call for support from all the children and mokopuna of the grandparents was organised. This was to be held in Auckland.

The timing for this meeting was at a difficult time, as the author was going through financial difficulties, however the author and his immediate whānau funded it. The meeting was held at the house of a niece of the author, house in Manuwera, Auckland. This support Hui did not go well, as few of the whānau appeared; the author did manage to gather together a few nieces and nephews but the author's brothers and sisters and cousins boycotted the meeting. The author now realised that many of the Auckland family were not supporting the claim. Why was this the case?

A support Hui was then organised in Tauranga at the author's older sister's house. This was a prime opportunity for the lawyer to also meet again with some of the whānau and to talk with Janice Tauteka again, as she was still a potential witness. The meeting itself went very well, but after the meeting during general discussion, the lawyer once again found too many contradictions and finally decided not to use Mrs Tauteka as a witness. It was also evident on this occasion that whānau politics were now playing a part in these meetings.

The politics were obvious again when a further support meeting was organised at the house of the author's first cousin. Marsha Kelly and Kare Kelly had given awesome support from the very beginning of the claim, and were supportive during the whole research process, when the author and lawyer arrived at this meeting they found that the author's sister, Janice Tauteka, had cancelled the meeting at the cousin's house and changed the venue to her house. Upon questioning the cousins, the author found that other Hui had been cancelled and whānau that had come to provide support from Huntly, Cambridge, Tokoroa, and Auckland had been turned away. The author's sister, Janice, in Tauranga and another sister, Patricia Harrison, in Auckland, was undermining the support for the claim. Apparently, some sibling rivalry had surfaced. It seemed that not only did the whānau have to deal with funding problems but support was also being undermined by petty whānau squabbles. Only a few of the extended family saw the bigger picture.

To rescue what support was left, we had to find a way to reduce the negative influence of these two sisters, so we organised a private Hui with the oldest

brother, David Mita. This proved relatively easy at the time, as David was working in Hamilton and staying at a motel not far from the author's house. The lawyer, Kiriana Tan, and the author met with David Mita, who once again confirmed his support for the claim. Discussion revolved around the undermining of the claim, and it was decided that David would talk with Janice, and try to sort out the whānau politics. As to the witness issue, David once again identified some of the discrepancies in the korero of the sister Janice Tauteka, and confirmed that Janice was too young to remember much about the grandparents, as was the cousin Marsha Kelly. David did point out that the cousin Judy Herewini did know the grandparents, and was not much younger than he was himself, so she was more likely to remember. David was asked again to be a witness, but he was determined that he would not stand and speak: that was always his way, so it was expected, and accepted.

After the meeting with David, the lawyer, Kiriana Tan, organised a meeting with the cousin, Judy Herewini; the author was unable to be present. The lawyer confirmed that Judy Herewini would stand at the Hearing, so it was now definite: the witnesses would be the author, speaking first, Judy Herewini, second, and the lawyer to wrap up proceedings. Marsha Kelly, the cousin, was to be a backup speaker if needed. After the realisation that the whānau Hui had been undermined the author started to make last calls to the whānau for support: to nieces and nephews, cousins, brothers and sisters the call went out to all the whānau for final support.

3.4 Conclusion

The interference from the two older siblings had almost succeeded in destroying the support for the family claim, but thanks to the influence of the oldest brother, David Mita, and the strategy implemented by the authors partner; to focus on obtaining as much support as we could, and getting through the Hearing, before dealing with the undermining issues. The claim went ahead though it did not have as much support as originally anticipated.

The claim ended up having good support, was well organised, and as will be described later, went quite well. Our whānau were even congratulated by the Judges, Dame Wallace, Dame Stokes and Dr Milroy, for a job well done, Judge Kneebone stayed aloft.

Chapter 4

Ngāti Hei

4.1 Introduction

To understand much of the claim it was necessary to identify where Ngāti Hei had come from and how they had become established in the Mercury Bay area and Tauranga areas. The Ngāti Hei iwi were named after the chief Hei, who was a leading chief of the Te Arawa waka: his nephew Tamatekapua was the captain of the waka and the man that led the waka to Aotearoha from Hawaii (Stafford, 1967, p. 2).

4.2 Ngāti Hei origins

The waka Te Arawa had come to New Zealand because of trouble in Hawaii, where the head chief, Uenuku, was at war with the father of Tamatekapua, Houmaitawhiti. The dispute had arisen over the killing and eating of Houmaitawhiti's pet dog, Potakatawhiti. This kūri had been seen unearthing matter from a boil on the person of Uenuku. This matter was buried under tapu, and the dog was captured, killed and eaten by Toitehuatahi and Uenuku (Stafford, 1967, p. 2). Tamatekapua, Houmaitawhiti's son, had made matters worse by stealing breadfruit from Uenuku's gardens in revenge for the eating of the whānau dog (kūri). Initially, Tamatekapua was successful with stealing the kai (breadfruit) by using stilts to walk into the Uenuku's gardens but, when it was discovered that the culprits were human, a trap was laid, and he and his brother Whakaturia were caught in the act. Tamatekapua was able to escape but his

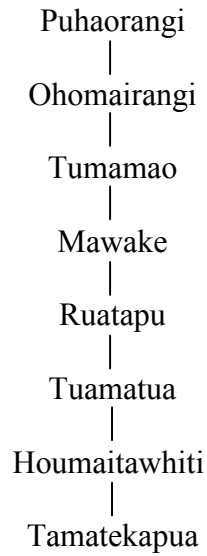
brother was captured alive and taken before the chief Uenuku to be tortured. Tamatekapua returned to see what help he could offer his brother, and using cunning to lull his enemies he was able to help his brother escape. Their victory did not last long as Uenuku and Toitehuatahi followed the brothers and attacked the village of their father, Houmaitawhiti (Stafford, 1967, pp. 2-5).

Even though it is recorded that Houmaitawhiti and his sons won the battle between these rangatira, it was decided that it was better to migrate to Aotearoa, and therefore the waka Te Arawa was commissioned to be built. The builders of this waka were recorded as being Rata, Wahieroa, Ngahue, and Parata. To help shape the waka they used the toki Hauhauterangi and Tutauru to carve the waka. These toki were made from a block of greenstone brought back earlier from Aotearoa by Ngahue (Stafford, 1967, p.5).

Other accounts of the Te Arawa waka state that the waka belonged to Puhaorangi, one of the tipuna of Houmaitawhiti. It was actually built in the Tawhitinui forest and dragged down the Hauhau stream to the sea. The builders in these accounts were the same as those stated previously, but as these people lived at different times it seems that the first owners were Wahieroa and his son, Rata, who lived in Hawaii in 800 AD, the other builders being later owners (Rongowhakaata, Halbert, 1999, p. 24).

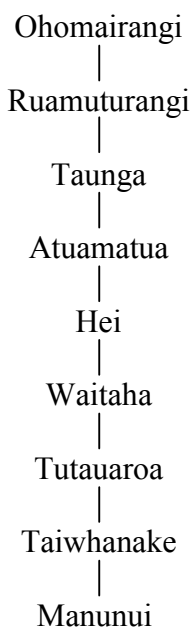
Evidently the waka Te Arawa had been in the family of Houmaitawhiti for a few generations, as the following whakapapa shows:

Figure 1: Whakapapa of Houmaitawhiti (Stafford, 1967, p. 2)



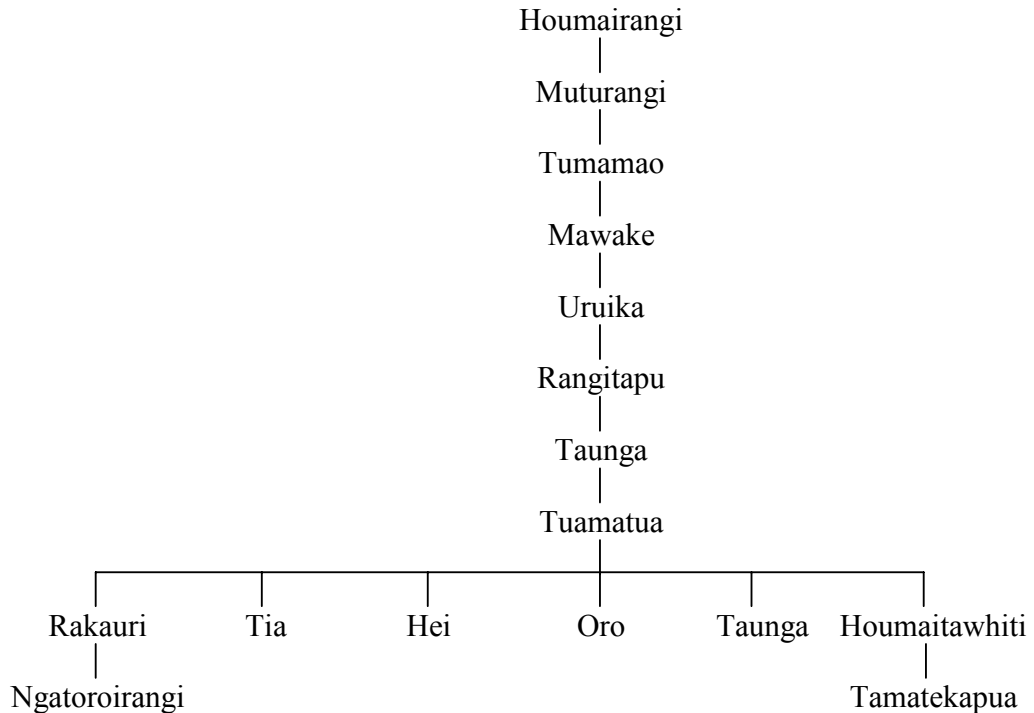
Although that table refers to Houmaitawhiti and his son Tamatekapua, the whakapapa we would like to focus on is that of his uncle Hei, who appears in the following table:

Figure 2: Whakapapa of Hei (Stokes, 1992, pp. 17-18)



However, another fuller variation is the following:

Figure 3: Whakapapa of Hei (Stokes, 1992, p. 78)



The Te Arawa waka first landed at Whangaparaoa where a sperm whale was found beached. A dispute over the whale with those from the Tainui waka who had arrived earlier erupted, but once again Tamatekapua, using his cunning, claimed ownership. From this point, the waka sailed north and stopped off near Moehau (Cape Colville) on an island called Te Poito o te Kupenga a Taramainuku. Sighting the land from the waka, Tamatekapua claimed Moehau. The waka travelled on to Reponga (Cuvier Island) and then on to the Bay of Plenty. It was here in the same fashion Tamatekapua claimed Maketu that Tia claimed further back towards Tauranga, and Hei claimed lands from Tauranga back towards Kati Kati. The waka then made landfall at Maketu, where a monument now stands. (Stafford, 1967, pp. 17-18)

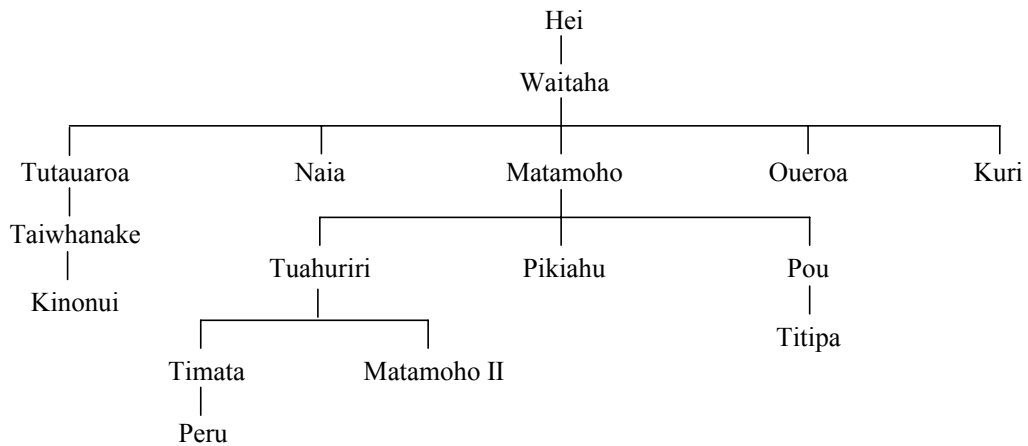
Although it is not known exactly how many people were on the Te Arawa, tradition has given us the following names as occupants on the voyage over:

Hei	Hatupatu	Ihenga
Ika	Kahumatamomoe	Kawatutu
Kearoa	Kurapoto	Maaka
Mapara	Marupunganui	Mawate
Ngatoroirangi	Oro	Rongomai
Rongopurua	Taikehu	Taininihi
Tamatekapua	Tangihia	Tapuika
Taunga	Tia	Tuarotorua
Tuhoromatakaka	Tutauaroa	Uenukuwhaka-
Rorongarangi	Uruika	Waitaha

Whakaotirangi (Stafford, 1967, p. 19)

Hei and his son Waitaha occupied the land lying between Te Puke in the east and Kati Kati in the west, although Hei later went to Moehau to be by his nephew, Tamatekapua, where he died. For a short period, Waitaha occupied land in the Otamarakau area, calling a nearby river Waitahanui (Stafford, 1967, p.23). The following whakapapa shows the descent lines from Hei's son, Waitaha, who settled in the Tauranga/Matata area later during the whānau claim, this became an important factor in establishing the ahi kaa rights of the whānau.

Figure 4: Whakapapa of Waitaha (Stafford, 1967, p. 56)



Naia travelled inland to Rotoehu, where he settled; Matamoho remained in Maketu. Oueroa went to Taupo to be with the descendants of Tia; while Kuri went south and ended up in the South Island where he stayed. Tuahuriri, the nephew of Kuri, went to the South Island also but it is not known whether he went with his uncle or later. Pikiahu settled at Paengaroa on the banks of the Kaikokopu stream, while Pou and his son Titipa remained on the coast at Maketu. Matamoho II, the son of Tuahuriri, lived at various places between Otamarakau and Matata. Kinonui, a great-grandson of Waitaha, went and stayed in Tauranga (Stafford, 1967, p. 56).

The following are said to be the words spoken by Hei from the waka claiming ownership over the lands he surveyed from on board Te Arawa:

Te Papa e takoto mai nei
Ko te takapu o taku tamaiti o Waitaha
(This land stretching out before me
Be the belly of my son Waitaha)

By proclaiming this, Hei laid claim to the Tauranga area as lands for his children. The first to fulfil the wishes of Hei was his son, Waitaha, then Waitaha's son Tutauaroa who lived on the slopes of Mauao (Mount Maunganui). Tutauaroa's son Taiwhanake also lived on Mauao and the following pepeha regarding his mana is still said in some areas of Tauranga Moana.

Ko Mauao te Maunga

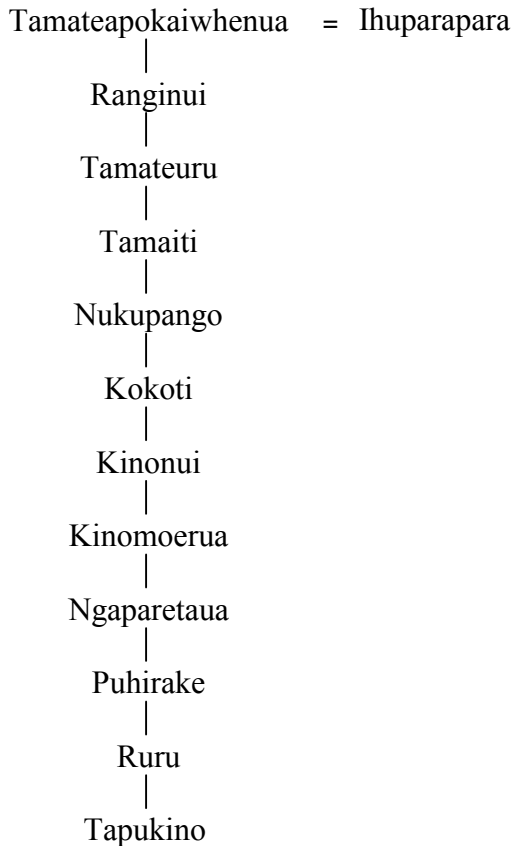
Ko Tauranga te Moana

Ko Taiwhanake te Tangata

Taiwhanake was said to command the mana to request kai through the use of two cloaks, one called Parorouri, the other Parorotea. When he wished for kai from inland, he would display Parorouri, and when he wished for kai from the sea, he would show Parorotea. Thus it was through Tutauaroa, Taiwhanake and his son Kinonui that Waitaha Hei became established in the Tauranga area (Stokes, 1992, pp.17-18).

The Waitaha Hei iwi was further linked to Tauranga through the intermarriage of the people from the Takitimu waka to those from the Te Arawa waka. Hei's son Waitaha had a child called Ruarangi, who was married to Te Moana Kuia. They had two female children, Ihuparapara and Iwipupu. From Tamateapokaiwhenua's marriage to Ihuparapara emerged Ranginui, the originator of Ngāti Ranginui of Tauranga moana (Tata, 1990, pp. 2-3). Kinonui descends from Ngāti Hei on his father's side and from Ngāti Ranginui on his mother's side. The following is an example of his Ranginui side (Tata, 1990, p. 30):

Figure 5: Whakapapa of Kinonui – Ngāti Ranginui side (Stokes, 1992, p. 78)



The ahi kaa has been kept alive for Waitaha Hei in Tauranga moana until the present day. However, there was a setback under Taiwhanake's son, Kinonui, as he and many Waitaha Hei and Ngāti Ranginui were killed by Ngāi Te Rangi under the leadership of Rangihouhiri himself: during the Heke O Rangihouhiri, and later under the leadership of his grandson Kotorerua, who began hostilities again. Kinonui was killed and Ngāti Ranginui and Waitaha Hei were scattered after a stealthy and well co-ordinated attack on Mauao (Mount Maunganui). Kotorerua attacked to obtain revenge for the killing of his father and brother, Tuwhiwhia and Tauaiti: a combined party of toa from Ngāti Ranginui and Waitaha Hei had killed them at Otaiparia at Te Tumu. These killings were in return for the killing of Taurawheke (Stokes, Vol 2, pp.63-64)

After the first onslaught at Mauao, many remnants still remained around Tauranga; some moving to Rotoiti and others back to Otamarakau (Stokes, 1992, pp.59-68). To this day Waitaha Hei is still living in and around Tauranga, either intermarried into Ngāti Ranginui or Ngāi Te Rangi or, as at Manoeka and Pukehina, still as Waitaha Hei. Perhaps the most comprehensive description of the trip from Hawaii and the settlement of the Ngāti Hei and Waitaha Hei iwi in the Tauranga rohe come from the thesis of Alistair Reece entitled “Whakarongo mai Koutou? Ko te reo o Waitaha he iwi whakarearea (Are you listening The voice of Waitaha A forgotten people)”. He writes: “our ancestors Ngāti Ohomairangi built Te Arawa for the migration to Tiriti Moana, the land discovered by their tupuna Kupe. The waka was launched at Rangiatea in Hawaii, and was steered on course in line with the star Whakaahu. The waka was almost lost in the whirlpool ‘Te korokoro o te parata’, but through karakia, Ngatoroirangi was able to save the waka. Our tupuna Hei was on the waka as was his son Waitaha. Hei and his twin brother Tia were the sons of Atua Matua by his wife Karika. Houmaitawhiti was one of their brothers”. Alistair Reece further explains: “Te Arawa landed at Whangaparaoa in Tai Tokerau. After leaving Whangaparaoa the canoe travelled east and landed on the island later named Te Poito o te Kupenga o Taramainuku. While there, Tamatekapua pointed out the summit and named it Moehau, Hei made a Taumau claiming Te Whanganui a Hei, in the area now known as Te Ha o Hei (Hahei)”.

According to the research of Reese, the older brother of Waitaha was Tahuwhakatiki; he left the waka in what is now known as the Whangarei area, and his descendents are the Ngāti Hei and Ngāti Wai of that area. The mountain at the

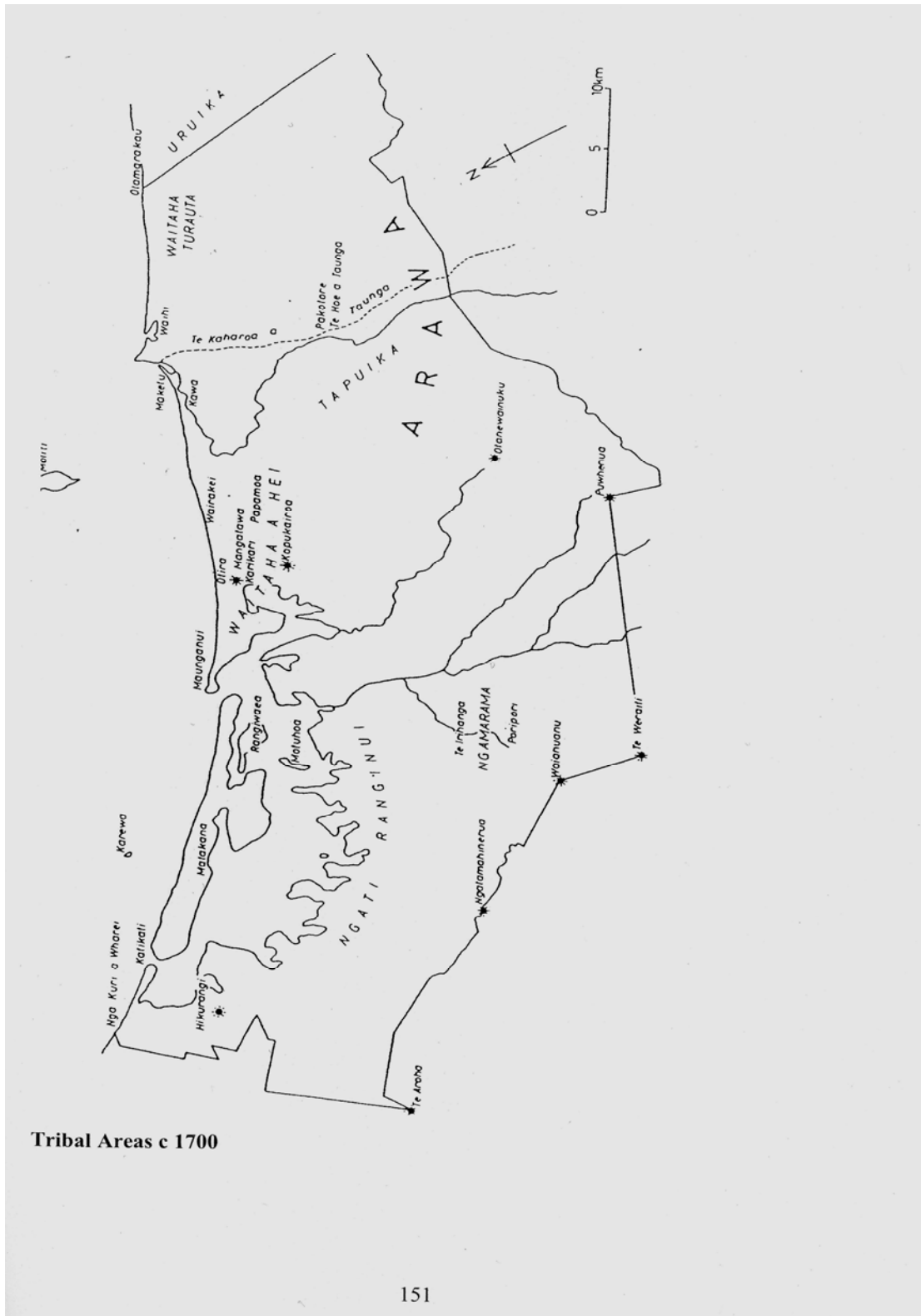
entrance to Whangarei harbour is named Hikurangi after his son. Hei laid the mauri for Ngāti Hei on Papamoa. When he claimed the land for his son Waitaha, he pointed out Te Kurei o Papamoa, which is also referred to as Te Rae o Papamoa. Alistair Reese states that Hei is buried at Moehau along with Tamatekapua. Hei took Tamatekapua back to Moehau; he was sick and had his last Kai at Papamoa (Reese, Thesis, pp. 37-38). According to Reese's research, Waitaha was the son of Hei and Ngataiwhakaki. He was said to have had 22 children. Waitaha married Te Ngaruhora, Ruapotango, and Irakau. From these three wives came Te Manutohikura, Naaia, Mura, Ruarangi, Kumaramaoa, Tutauanui, Rongomaitane, Tutauaroa, Tahuwera, Matamoho, Tamatunui, Taunga, Tuterangiharuru, Kuri, and Papawhero.

Te Manutohikura settled on Maungamana on Papamoa where he shared occupation with Tamatearikinui of the Takitimu waka. Straight out from Maungamana is Otira.

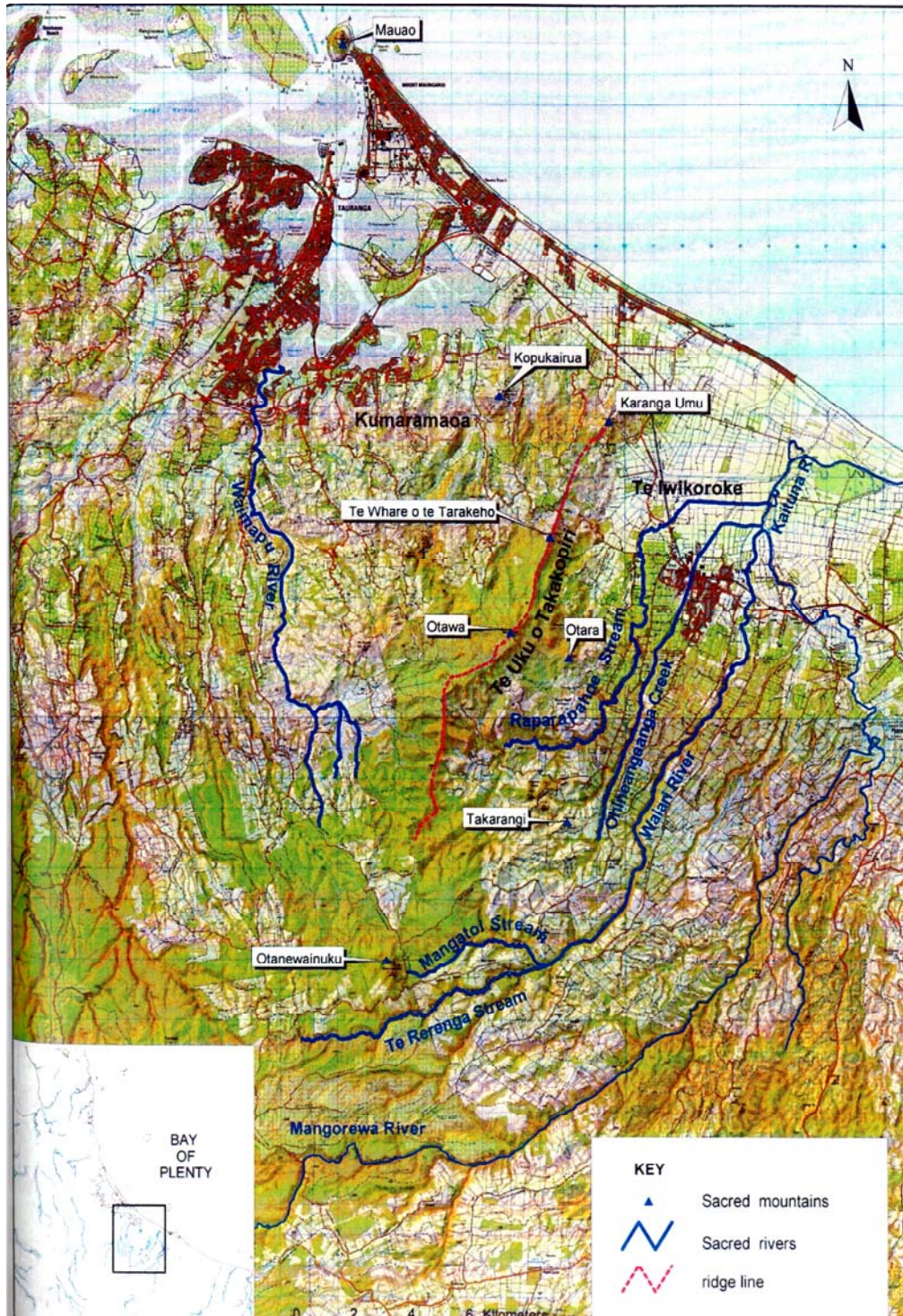
Naia occupied the Papamoa Pa located above the rock face known as Te Rae o Papamoa. Mura went to Hauraki. Ruarangi occupied a pa on Te Rae o Papamoa called Te Ihu o Ruarangi and Karangaumu. The daughters of Ruarangi, Ihuparapara and Iwipupu, married Tamateapokaiwhenua. From this union was born Ngāti Ranginui and Ngāti Kahungungu. Ngāti Ranginui and Waitaha were linked together as one people until the time of Ranginui II. Tutuanui occupied Waimapu in Tauranga. Tutauaroa occupied Mauao, as did his sons, Taiwhanake and Kinonui. He then left and settled at Otamarakau with his other sons, Pou and Tuahuriri, and they settled the area from Pukehine to Otamarakau. Tahuwera and

his younger brother Taunga occupied the inland places at Matawhaura, Rotoiti, and Rotoma. Tahuwera married Pikirunga, daughter of Uruika, from whence Ngāti Pikiāo descends. Matamoho and Tumatuanui settled from Waihi to Pukehina. Kuri went to Te Waipounamu with his nephew Tuahuriri. Papawhero was the daughter of Waitaha. Her great grand daughter Papawharanui married Rangatihi and begot Tuhourangi. Waitaha occupied from Ngā Kuri a Whareī (Kati Kati) to Otamarakau on the Tauranga Moana side. Otawa is the Maunga of Waitaha Hei. The boundary of Waitaha Hei and Ngāti Ranginui was along the Waimapu River and the Waiari rivers. The principal Hapū of Waitaha Hei are Ngāti Haraki, Ngāti Te Moemiti, Ngāti Reremanu, Ngāti Kahu, and Ngāti Te Puku O Hakoma (Reese, Thesis, pp 39-43).

Figure 6: Boundaries of Waitaha c1700 (Stokes, 1992, fig 1.2, p. 27)



*Figure 7: Significant Waitaha sites (Jackson, 2001) Waitaha Wai 664 GIS Map
Book prepared by Moira Jackson, Crown Forest Rentals Trust, and Terralink,
NZ, February 2001.*



As previously mentioned the chief Hei went to Coromandel and established himself there with Te O a Hei and Te Whanganui o Hei (Mercury Bay) respectively named after him. At one stage, Ngāti Hei territory in Coromandel extended from Opoutere, south of Tairua, to Kennedy Bay in the north, but this tribal estate was compressed in the early nineteenth century by attacks from Ngāti Tamatera of Ngāti Maru, and by Ngapuhi of Northland (Bennet, 1986, pp. 14-15). Ngāti Hei endured a long period of conflict with the Ngāti Maru peoples and apart from isolated incidents, they managed to keep away from major conflicts, unlike their relations Ngāti Huarere who were hounded into submission by Ngāti Maru. (Turoa & Royal, 2000, p.49). It is believed that the rangatira Hei died in Coromandel but the exact location of his resting place is unknown. However, some authors such as Mizen are adamant that he was buried at Te O a Hei, which is now known just as Hahei. (Mizen, 1997, p.178).

4.3 Conclusion

As this chapter has shown, Ngāti Hei, and subsequently Waitaha Hei, has a clear history, which ties them to the Tauranga Moana and Hauraki areas. Although neither iwi was able to fully avoid tribal conflicts, their ties to other iwi such as Te Arawa, (in particular Tapuika, and Ngāti Pīkiao), Ngāti Ranginui, Ngāti Whānaunga, and even eventually to Ngāi Te Rangihouhiri, was to be a huge factor in their survival. Waitaha Hei to this day have strong links in the Tauranga area, from Matata including Pukehina, Rangiuru, Manoeka, and onwards to Papamoa, Their Ahi Kaa has not been extinguished in this Rohe, as Alistair Reese's research and those of others referred to in this study make evident. Ngāti Hei (from the father) was able to avoid the major conflicts in Hauraki mainly

through their intermarriage to Ngāti Whānaunga. However, they did fall victim to, first Ngāti Tamatera, and then Ngapuhi, but once again, as this thesis shows, the ahi Kaa of Ngāti Hei in Hauraki has never been extinguished. The stance of both Ngāti Hei and Waitaha Hei has always been independent and, as such, they are regarded as a separate iwi from Te Arawa. Tuwharetoa took a similar stance, even though they all share the same common ancestry and waka. This evidence was to be a key factor in the Treaty claim when the Hearing took place.

Chapter 5

Tribal estate

5.1 Introduction

Within the author's family, there was often korero of how the grandfather, Mana Mita Whakatau, had argued on occasions with his wife, often stating that he had more land than she could think of. There were also accounts of how he had disappeared for short periods and returned with food, money, and stores. From these stories gossip emerged that the grandfather did have lands but had sold them for alcohol. However, a different perspective was uncovered during the research process. It became obvious that the grandfather did have a large amount of land, but he was not an alcoholic who sold his lands to feed his habit. When he disappeared for these short intervals, he was actually going back to his lands in Mercury Bay and working on the blocks, often obtaining birds, seafood, or planted crops, and the money he returned with was derived from the sale of this produce.

5.2 Tribal estate – Te ahi kaa

Upon reading the Land Court records, it became clear that the author's family had been working the land for a long period as the following korero from Arama Whakatau the author's great-great-grandfather illustrates: *"My father worked on this land, caught birds, got berries, made oil, caught rats and made houses on it, no one has ever disturbed us in our occupation from the time of Nukutaurua until now. My cultivations are at Waiwawa (CMB, 2, 1870, pp. 412-413).ⁱ*

It was obvious the family had lost a large amount of land. They originally had quite a vast tribal estate, but the objective now was to identify what the lands were and where they had come from to clearly establish the family's Ahi Kaa (rights of ownership), and to inform the Tribunal about the processes by which these lands had been taken away from the family. The family was fortunate as the chairman of the Ngāti Hei trust, Mr Peter Tiki Johnston, had recently completed a report that supported kōrero that was obtained from the Māori Land Court, Mr Johnston's report included the following statement:

Within the second half of the 1600's the uri o Hei Turepe invaded the eastern coast of Coromandel, Taura, Manukarere and Tao who were described as Mokopuna of Hei Turepe and were identified as being the conquering invaders. Taura's son, Korokaimaro and his grandson Tapatihi were also in the invading army. Manukarere's brother Tinirau as well as his nephew Tiaki was also in the Taua (Johnston, Wai 110, 2000, pp.23-24)

Mr Johnston goes on to highlight evidence from Erana Te Onerere during a Māori Land Court case, stating: *"Ngāti Hei came from Waikato (at Maungatautari) and camped at Te Totara at Thames - where they fought against Ngāti Tamatera and Ngāti Huarere, they killed Moakurarua of Ngāti Tamatera and then moved away on to this land"* (Ngāti Hei country). Erana Te Onerere also recorded that Manukarere and others went from Te Totara to Mercury Bay, and that Te Totara pa belonged to Ngāti Hei. This information gives the impression that Ngāti Hei gradually moved to the east coast of Coromandel over a few generations (Johnston, Wai 110, 2000, p. 24).

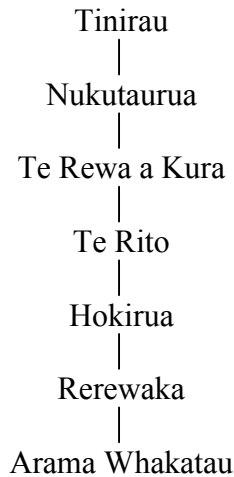
Hei Turepe's grandchildren invaded the eastern part of Coromandel three generations after he had left, and the Ngāti Hei incursion spread throughout the eastern coast and down through Tairua and inland to Waiwhakarunga (Johnston, Wai 110, 2000, pp. 24-25). After the conquest of the eastern coast, the land was divided amongst the hapū. Taura and his family gained land at Ounuora, stretching southwest from the mouth of Whitianga harbour in the area of Owhero creek; he also gained Te Kauanga within the Kauanga Whenuakite block. Within the same block, Tao had two small pieces, Torekauia and Te Karaka; the rest of the Kauanga Whenuakite area known as Te Hohou belonged to Manukarere (Johnston, Wai 110, 2000, pp. 25-26).ⁱⁱ

Other lands claimed by Manukarere were Whenuakite, Te Poroporo, Okauo, Kaitoke, Kopaki, Tikorangi, Te Ranga a Heketoro, Te Pohutukawa, Mataau, Rangitoto, Huruhurutakina, Paturau, Waione, Parakau, Te Hoho, Titirangi, Poutangata, Okaamu, Patukahu, Pungarehuroa, Te Makomako, Te Takapau, Ohoka, Whareterewawa, Tiheru, Te Huruhuru, Whakataha, and Te Whauwhau. Tinirau's lands were to the south of the Kauanga Whenuakite block, and were named Oteao, Kahuwera, and Kapowai. Mr Johnston's report stated that the descendants of Te Riponga, Tinirau, and Manukarere did not live together: they each had their own settlements (Johnston, Wai 110, 2000, pp. 26-27).

This information in Mr Johnston's report confirmed what this author's tipuna, Arama Whakatau, told the Native Land Court during the Native land investigation into the Te Kapowai block in October 1870. Arama Whakatau, the author's great-great-grandfather, stated that he claimed land from Nukutaurua: "*Nukutaurua and his elder brother got the land by conquest and divided it between them, this is part*

of the younger brother Nukutaurua's share" (Coromandel, minute book, 1870, p. 412-413). Nukutaurua was the son of Tinirau. Further confirmation that these were whānau lands was contained in the following whakapapa conveyed by Arama Whakatau to the court (CMB, 3, 1883, pp. 258-259, 272):

Figure 8: Whakapapa conveyed by Arama Whakatau

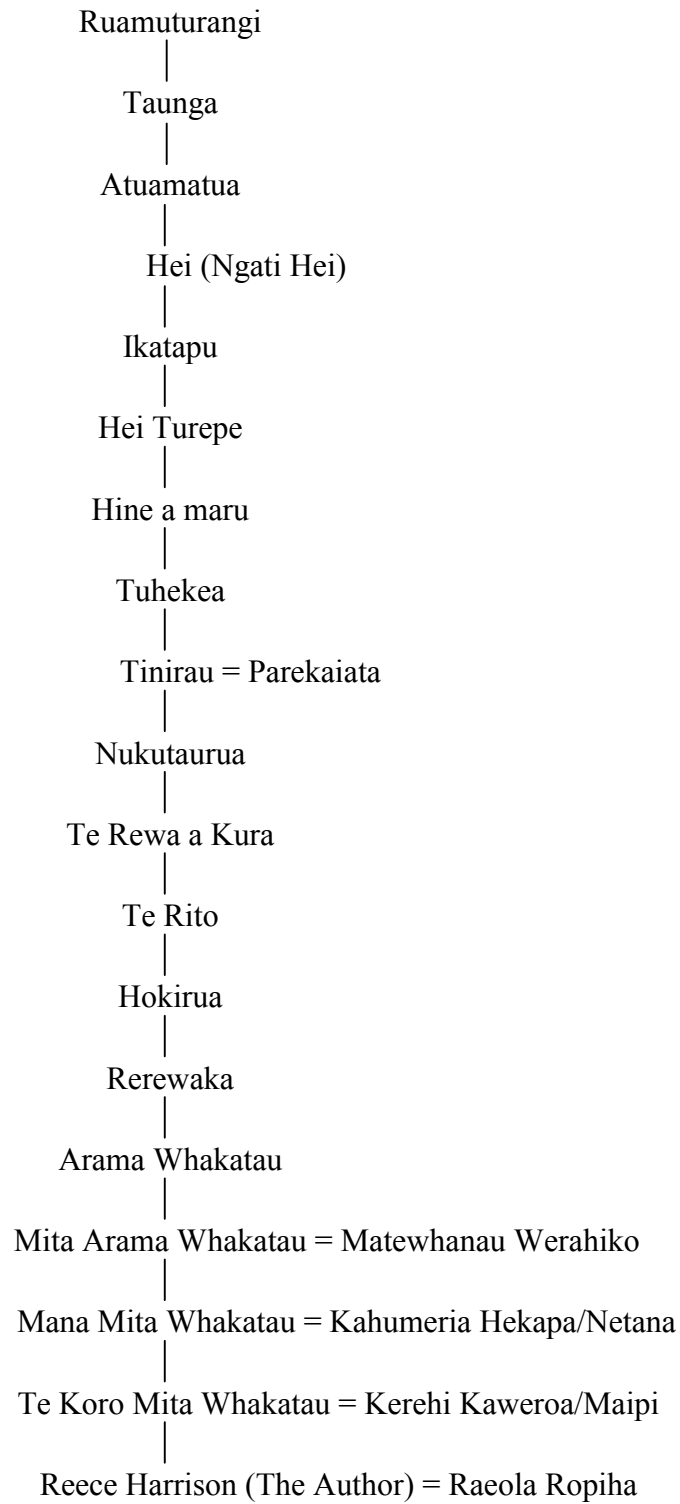


At the time the claim was heard before the Tribunal, the family still had sections of their whakapapa missing. The author emphasized this point within his brief of evidence, stating: "I am unable to give my whakapapa beyond Tinirau as I do not have this knowledge at present. However I am aware that whakapapa beyond Tinirau was presented during the Wai 110 claim, I also understand that this whakapapa evidence will also be covered by Garrick Cooper during the Wai 754 hearing". (Harrison, Wai, 969, p.3)

After receiving transcripts from both the claimants mentioned above and researching their contents, the author was able to give a full account of where the family descend from on their Ngāti Hei side, as the whakapapa in *Figure 10*

shows (Stokes, Vol 2, 1992, pp.17-18) & (CMB, 3, 1883, pp.17-18) & (Cooper, Wai 754).

Figure 9: Ngāti Hei Whakapapa



By utilising whakapapa, the author was able to search through the Māori Land Court and Waitangi Tribunal records to identify which blocks the whānau had ties to; the following are those land blocks:

Te Kapowai (CMB, 2, 1872, pp.412-414).

Oteao, which had been split into:

Oteao 1 (HMB, 9, 1876, pp.252-255)

Oteao, 2 (HMB, 9, 1876, p.256)

Oteao, 3(HMB, 10, 1878, pp.320-321) & (HMB, 11, 1878, pp.18-19, 82-85)

Oteao, 4 (Alexander, Vol, 8.Wai, 100, p.36)

Oteao 4A (Alexander, Vol, 8, Wai, 100, pp.36-37)

Kahuwera (CMB, 3, 1877, pp.12-23)

Taumatawahine (CMB, 3, 1883, pp.258-259, 272)

Rautawhiri o Te Ao (CMB, 3, 1883, pp.328-333, 335-336)

Te Hohou (CMB, 3, 1883, p328)

Te Kauanga Whenuakite (CMB, 8, 1901, pp. 360-367, 372)

Te Pepe (Tulloch, Wai, 457, p.18)

Huhurahi (Alexander, vol 8Wai 100, p.6)

Through reviewing the documentation on these block investigations, the author had established what the whānau tribal estate was, where the lands had come from, the tipuna (ancestors) from whence those lands had come, the names of the

blocks, and had also gathered a great deal of background information on the activities of the tipuna.

The author's grandfather and other whānau relatives had lived upon these blocks now it was time to find out how they had lost their land. As the work intensified, a problem occurred that would arise frequently throughout the claim-namely tribal politics.

5.3 Tribal politics in Hauraki

The first sign of tribal politics the whānau came in contact with was initiated through a relation named Garrick Cooper. Mr Cooper had approached the author's older sister, Janice Tauteka, in Tauranga and wanted our family to place their claim in association with the claimants for Ngāti Whānaunga. However, after discussing the matter over the phone with Janice Tauteka, the author decided that the best way to see what Mr Cooper wanted was to have a face-to-face meeting. The author and Mr Cooper met at the Bay of Plenty Polytechnic and discussed various issues, but of particular interest to the author was the connection Mr Cooper had made between the whānau and Maungatapu marae. As a young boy, the author had played football for Rangataua, a team affiliated to that marae.

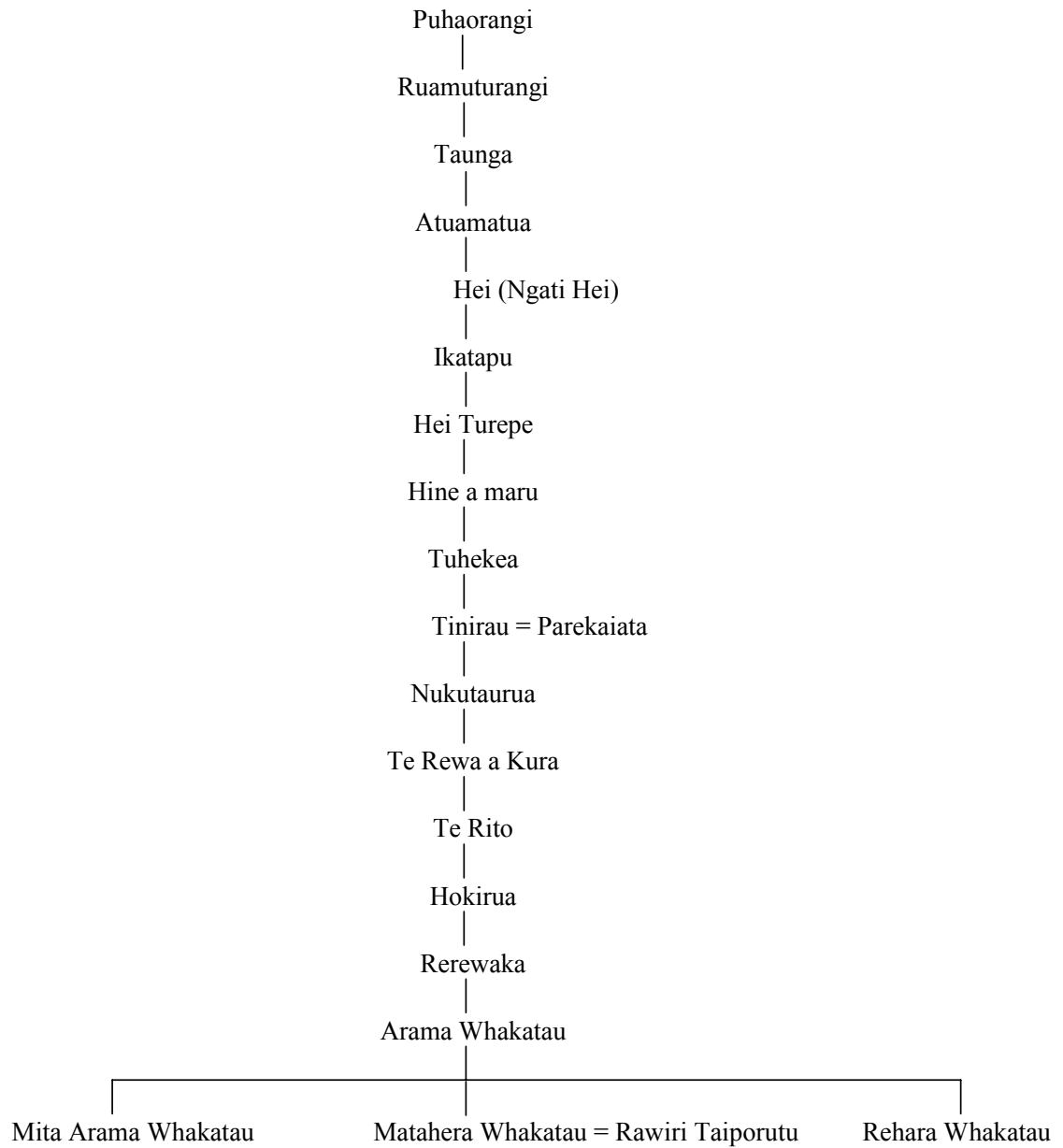
Discussion progressed to the claim. Mr Cooper and the author discussed the land claims in which they were involved, but the author realised that the Ngāti Whānaunga claim would come from more of the perspective of Mr Cooper's tipuna, Rawiri Taiporutu, who was married into our family. Our whānau would be better served by focusing on their own Tipuna Arama Mita Whakatau, his son Mita Arama Whakatau, and his son Mana Mita Whakatau.

The author reassured Mr Cooper that in principle our whānau would support the Ngāti Whānaunga claim, and Mr Cooper in turn promised their support for the Wai 969 claim. It was at this point that Mr Cooper provided the sections of whakapapa that had been missing from our information: these were from the tipuna Hei Turepe, and further back.

Mr Cooper's whānau actually descend from Arama Mita Whakatau's daughter, Matahera Whakatau. Mr Cooper's whānau claim was initiated by Purangataua Taiporutu (John Patrick Cooney), who was a Mokopuna of Matahera, on 18 December 1998. The land claim of Mr Cooper overlapped with the author's claim through the following blocks: Kahuwera, Rautawhiri o te ao, Te Kauanga Whenuakite, and Te Pepe (Tulloch, Wai, 754)

The following whakapapa shows Mr Cooper's descent to Matahera Whakatau, and his ties to the claimants for Wai 969 (CMB, 3, 1883, pp.258-259, 272):

Figure 10: Mr Cooper's descent to Matahera Whakatau



The author's family descended from Mita Arama Whakatau, and Mr Cooper's family descended from Matahera Whakatau, who married Rawiri Taiporutu.

The next example of tribal politics the family came across was a consequence of the Tribunal placing the Hearing of the whānau's claim together with the Hearing for the Tamatepo claim. Apparently, when Marutuahu was alive, his son

Tamatepo, who was the oldest, had married a slave woman from Ngāti Huarere. This so enraged his father that he set him aside as next in line for the mantle of leadership. This also can be said about Tamatepo's twin sons Rauakitua and Rauakitai, who also left no lasting impression on the area's history. But Tamatepo's mokopuna (grandchild), Rongomai, the son of Rauakitua, did leave an impression; he became the ancestor of Ngāti Rongo U who has flourished to this day in the Thames area. (Turoa & Royal, 2000, pp. 62).

The effects of this were made present during the Hearing; the underlying feelings of animosity from their own Ngāti Maru relatives towards the Tamatepo claim meant that many of the leading kaumātua from Hauraki boycotted the hearing, and this left a negative atmosphere during the Hearing. At first, the Wai 969 claimants (author's whānau) thought the absence of the Hauraki kaumātua was because their claim was for the other, eastern side of Coromandel, and should not have even been grouped with Tamatepo, but it was discovered later that the undercurrent of feeling arose from years of disapproval of Tamatepo by their Hauraki relatives.

The author expected that all the Tribunal claimants supported each other, as it was through the same legislation that both sets of claimants had lost land, but this was not the case, and the stigmatisation of the Tamatepo claimants continued throughout the proceedings.

The author found it interesting to note as an outside observer, the problems that had fractured the unity of Marutuahu's sons, in particular an issue between

Tamatera and Whānaunga. Upon the death of their father, Tamatera received the mantle of leadership from his father. This was to be a problem as the oldest child usually received that honour. In addition, the custom was for the wife of the deceased was to become the wife of the next leader. In this case it was Tamatera's mother's younger sister, Hineurunga. Because of the close relationship between the two, there was disunity, and even outrage, and Tamatera's younger brother, Whānaunga, swore to kill him. To keep the peace, the elders asked Tamatera to leave, he did so accordingly. Tamatera's younger brother, Whānaunga, had spent some years living in Kawhia with his grandfather's people and, on finding out that his older brother had taken the mana of their father he had sworn to kill Tamatera on his return to Hauraki. Their mother, like the elders of the tribe when learning of Whānaunga's intent, sought out Tamatera and warned him to depart to escape his brother's wrath. Not only was Whānaunga intent on injuring his brother but so were his other brothers, Te Ngako and Taurukapakapa, the sons of Hineurunga, the sister's children.

Tamatera took the advice of the elders and his mother, and went to seek refuge with his sons Taharua and Taiuru, who were living at Ngahinapouri. While there, he was confronted again, and moved on to Te Kati Kati o Tamatekapua. Later he was also known to have stayed at the pa Pipimohe on the Waihou River near Hikutaia. After the death of his second wife, Ruawehea, he moved to Whakatiwai, and occupied a pa there. Later in life he was also said to have moved to Whakatane, and died there an old man. (Taimoana & Royal, 2000, pp. 62-64)

After the death of his father, Whānaunga broke away from the parent tribe and began to establish himself and his sons. They carried out their campaigns in the area directly opposite Whakatiwai, but it was not until a few generations after his death that his own tribe became firmly entrenched and expanded into the lands about Manaia. During the Ngāti Hako campaigns, Whānaunga also moved onto Ngāti Hei lands as far as Whangamata. By the time of the visit of Captain James Cook, Ngāti Whānaunga was firmly entrenched on the eastern part of the Coromandel Peninsula although they were often fighting with their own Ngāti Maru relatives. It was the Ngāpuhi incursions, which put a halt to the intertribal fighting, as the threat of the common enemy was overwhelming. (Taimoana & Royal, 2000, pp. 66-67)

The early settlers of Coromandel came in the following order:

Ngāti Hako

Te Kahui Ariki

Te Uri o Po

Ngāti Huarere

Ngāti Hei

Ngā Marama

Ngāi Tai

Ngāti Rahiri

Patukirikiri (Taimoana & Royal, 2000, pp.39-40)

Then Ngāti Maru, which included:

Ngāti Rongo

Ngāti Tamatera

Ngāti Whānaunga

Ngāti Maru

Ngāti Paoa

Then came:

Ngāti Tara

Ngāti Koi

Te Whakatoa

Ngāti Tautahi

Ngāti Porou

Ngāti Pukenga

Tuhourangi (Taimoana & Royal, 2000, pp. 39-40)

However, there are earlier references to:

Te Tini o Maui

Maruiwi

Te Tini o Toi (Taimoana & Royal, 2000, pp. 39-40)

5.4 Conclusion

The array of tribes in the Hauraki area indicates just how much the area was fought over. Intertribal fighting was very frequent over the centuries, with many groups intermarrying or displacing former owners. In the final mix, they all played a part in making the Hauraki region into a diverse and complicated area. The politics from days gone by still show through in tribal divisions. For instance, when the whānau arrived at Te Matai Whetu marae, they received comments from some of the Tamatepo claimants such as lets see these Ngāti Hei Rangatira. Others upon hearing the name Harrison assumed that we were from Ngāti Porou who had been gifted lands in Kennedy Bay for services to Ngāti Maru during war.

The whānau found that the Ngāti Maru descendents regarded Ngāti Hei as a subservient tribe living in the Hauraki area on the sufferance of their Ngāti Maru overlords. Comments also came from our own Ngāti Hei relatives who were adamant that our particular branch of the family had left the tribal rohe so therefore we had no ahi kaa in the area. Our response to this was that the grandfather had not truly left the tribal rohe of Ngāti Hei as research had disclosed that Ngāti Hei tribal rohe extended as far as Pukehinahina towards Matata and encompassed Rangiuuru and Manoeka on the other side of Tauranga Moana. The author's grandfather had lived at Maungatapu, a Waitaha Hei Pa, which had not been taken in war. The inhabitants of Maungatapu marae were originally Waitaha Hei but were infiltrated through intermarriage with Ngā Potiki and the combined peoples became Ngāti He. The author simply pointed out that our family had moved to another place within their recognised tribal rohe. Through research in

the Māori Land Court, the whānau was able to provide details of the grandfather and great-grandfather visiting and working their lands or hunting on their lands in Hauraki and therefore keeping their ahi kaa alive to the present day. The author continues this tradition whenever possible by visiting the lands and diving for seafood around Hahei, Whangamata, Tairua, and Whitianga.

The whakapapa evidence raised a few questions but answered a great many more, including questions such as: How did Ngāti Hei become established in Hauraki? Where did all the whānau land come from? How did the whānau lose that land? Why did the whānau lose that land? Did the other tribes in the area wipe out Ngāti Hei? What inter-iwi and inter-hapū relationships were established? Was the whānau entitled to claim in the Hauraki district? Was the alienation of our lands aided by the government and their agents or was it the result of private parties buying the whenua, he aha?

Chapter 6

First Foreign contact

6.1 Introduction

Within the Coromandel area, there are many theories about who were the first inhabitants of New Zealand. Edward Tregar referred to the first tribe living here as being the Ngāti Kūi, and A. A. Lind, agreed with his observations, further suggesting the Ngāti Kūi were of the same stock as the Kōi of India who were the first invaders of Polynesia from the East. Lind described the Kōi as short in stature but strong (Williams, 1994, p.12). Another author, F. B. Lysnar, recorded the finding of rocks covered with Hieroglyphics, said to be the remains of an ancient temple of a vanished race of sun worshippers, which were in the North of the North Island, as well as Kawhia Harbour and part of the Taranaki bight. The next people to establish were the Tutu mai ao, and then according to Thor Heyerdahl the Urukehu spread into the Pacific, he claimed they were descended from the Peruvians from Easter Island. Lelani Melville wrote about these pale skinned people and credited them as being the greatest seafarers ever. They were distinguished by their red and blond hair, in Tahiti they were known as Manahune, in the Marquesas as Matai ai nana and in Hawaii as Mu (Williams, 1994, pp. 12-13).

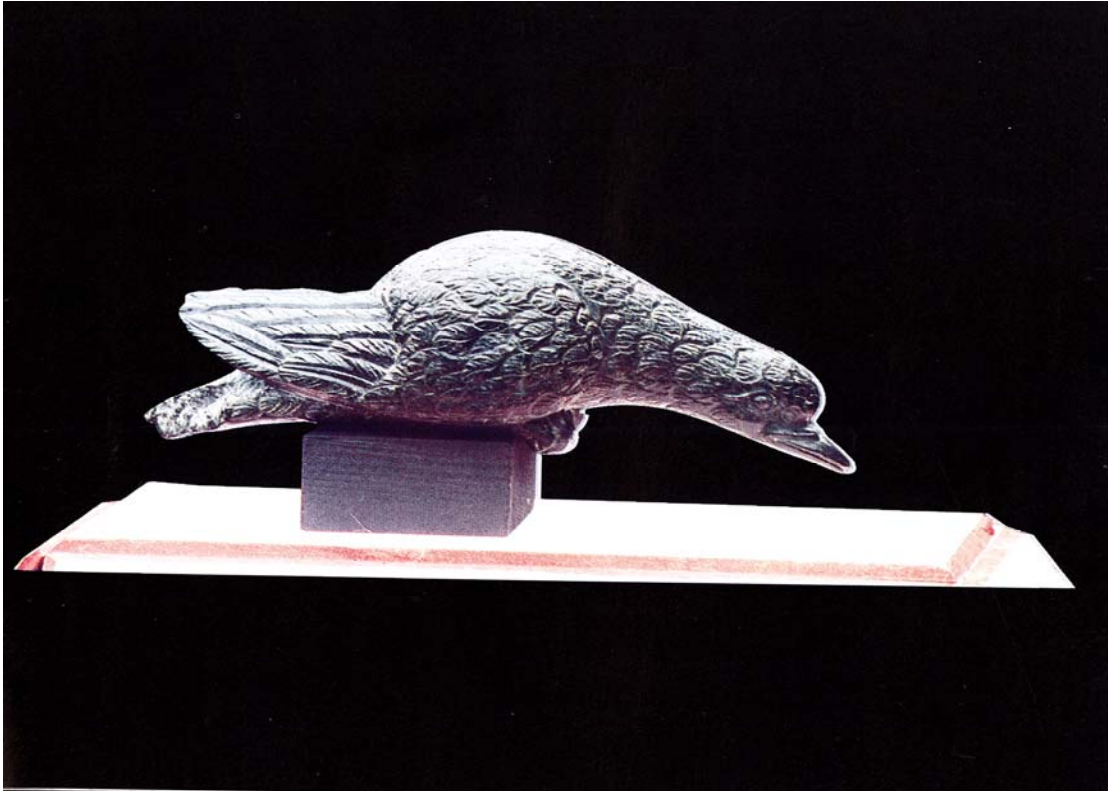
6.2 First European contact

Although we have theories about ties to India and to Peru and South America this only covers indigenous expansion into the Pacific, it does not explain European expansion into the Pacific or which Europeans went on to discover New Zealand. It is generally accepted that the first European to see this country was the Dutch explorer Abel Tasman then an English Captain, James Cook. Ross Wiseman claims some of the first Europeans to discover New Zealand were the Spanish, which is feasible as this part of the world was under the Spanish sphere of influence. He highlights evidence such as an Iron Helmet that was dredged up in the Wellington harbour, about 1888, and maps made by Juan Fernandez in 1576 and by Hernando de Solis in 1598. Wiseman backs up his Spanish theory with a witness account from a Māori chief called Mohi Turei, and another account from a Māori chief Tairoa in 1777 to James Cook. (Wiseman, 1998, pp. 7-20)

Ross Wiseman also places forth another piece of evidence in the form of the Dauphin map, which was drawn by French cartographers and presented to the prince of France in 1536. He writes of Mendonca exploring the east coast of Australia and New Zealand, and of the Tamil bell found by Colenso, which he says, belonged to the explorer Mukiyaten from the late Tamil period in 1170. He discusses “Korotangi” the stone bird brought by Tainui descendants on their voyage to Aotearoa giving evidence of the green serpentine it was made from as coming from either Indonesia or China. Wiseman further explains that the green serpentine rock originates only on the island of Sulawesi between Borneo and New Guinea. Wiseman identifies possible theories of Arab and Phoenician

exploration and even studies the expansion into the Pacific of the Polynesian rat to support his theories (Wiseman, 1998, pp. 83-333).

Figure 11: Korotangi (Manu discussed by Wiseman) fig 39 from Wiseman, Ross. Pre Tasman explorers (Discovery press, Auckland, 1998) p.193.



The author does not discount the possibility that some Europeans could have landed here earlier than Abel Tasman or James Cook, as in Tauranga there is korero about Spanish explorers, and there is also supporting evidence of the Urukehu peoples. In a pre-european battle for Mauao (Mount Maunganui), the Ngāi Te Rangi chief Kotorerua who led the assault was said to have long red hair and green eyes, and there are numerous examples of blond Māori in Tauranga, but the evidence is not strong enough to point to clear migration and establishment as there is with Māori. Researchers continue to seek evidence of Europeans

shipwrecked here and possibly assimilated into the Toi peoples, which may explain the fair features of some pre-european ancestors. There is presently no such conclusive evidence, so we must stay with what has been established. The first verifiable within New Zealand is Abel Tasman in 1642. The next contact was made by Captain James Cook in the ship *Endeavour* who made landfall in Turanganui (which he called Poverty Bay) in October 1769. Cooks first contact with Māori led to several Māori being killed and wounded. Cook sailed south to Cape Turn-again and then retraced his steps north, visited Tolaga Bay, rounded East Cape and sailed across the Bay of Plenty to the Coromandel Peninsular. While there, the scientist on the expedition studied the transit of the planet Mercury, and Cook called the bay Mercury Bay. Cook subsequently circumnavigated New Zealand.

Figure 12: Captain James Cook (Robson, 2004, p. 65) The Captain Cook Encyclopaedia, Random House, New Zealand, 2004)



Figure 13: Replica of Endeavour, Riddle p.2.



This extract from *Thames and the Coromandel Peninsula 2000 years* by Williams and Williams gives a brief insight to the visit of Cook, to the Mercury Bay: Māori from Moehau and Whitianga who had gathered on shore originally mistook the

travellers as Turehu and fled into the forests. Later, after a night attack was driven back, Māori ventured closer and began trading. Cook stayed in the area to observe the transit of Mercury and after exploring the bay in two small boats, he found a large fortified village above the bay. Cook retreated to his ship and moved further out to sea after two Waka Taua (war canoes) approached the ship. He then returned and on Sunday 5 November, Māori visited him under the leadership of a chief called Toiawa, which eased tensions. Cook used Tupaea, a Tahitian he had brought on his voyage, to help translate. Tupaea was an arii and priest from Raiatea in the Society Islands. Soon after the *Endeavour* reached Tahiti, Tupaea came on board and was a frequent visitor thereafter during the ship's stay in Matavai Bay. When Cook sailed from Tahiti, Tupaea accompanied him at the instigation of Banks. In New Zealand Tupaea proved invaluable as an interpreter. Tupaea fell ill shortly before the *Endeavour* reached Batavia, where he died on 20 December 1770, six days before Cook sailed for England. Tupaea's principal contribution to the voyage was a chart, which he drew of the Society Islands on which he named 74 Islands. Tupaea's original chart is gone, but a copy drawn by Cook and once owned by Banks has survived. (Cooks Journals I, pp.291-294, Beaglehole, J.C., 1955)

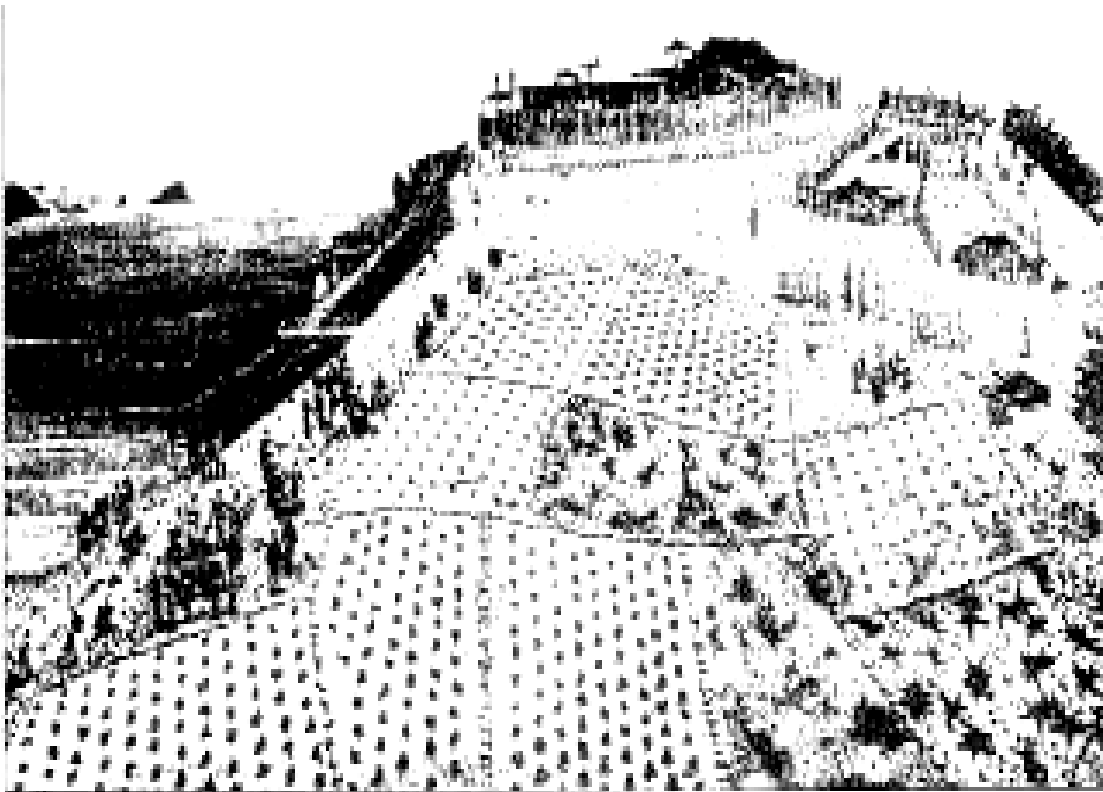
Cook asked Toiawa to sketch an outline of the coast, which he copied onto paper; in return, he gave Toiawa potatoes. The next morning other waka visited the ship to trade, and fighting broke out. Cook's men fired over the new visitor's heads and shot one of the new visitors when tension arose. After awhile tensions eased again, and trading began once more.

Captain Cook cleaned his ship the *Endeavour* and on 12 November 1769 was invited to inspect the two great paa overlooking the bay. They were called Wharekaho and Wharetaewa. He noted the huge trees in the area, and considered these suitable for shipbuilding. Cook left on 15 November 1769 he revisited the first watering place they had visited and named it Cook's Beach (Williams, 1994, pp. 33-37).

Cook's description of "Wharretouwa" (Wharetaewa) is as follows:

This village is built on a high promontory or point on the north side and near the head of the bay. It is in some places quite inaccessible to man and in others very difficult except on that side which faced the narrow ridge of the hill on which it stands, here it is defended by a double ditch a bank and two rows of picketing. The inner row upon the bank but not near the crown but what there was good room for men to walk and handle their arms between the picketing and the inner ditch. The outer picketing was between the two ditches and laid sloping with their upper ends hanging over the inner ditch. The depth of this ditch from the bottom of the crown of the bank was 24 feet. Close within the inner picketing was erected by strong posts a stage 30 feet high and 40 feet in length and 6 feet broad, the use of this stage was to stand upon and throw darts at the assailants, and a number of darts lay upon it for that purpose.

Figure 14: Wharetaewa pā (Williams & Williams, 1994, p. 40)



At right angles to this stage and a few paces from it was another of the same construction and bigness this stood likewise within the picketing and was intended for the same use as the other. To stand upon and throw stones and darts upon the enemy as they advanced up the side of the hill where lay the main way into the place. It likewise might be intended to defend some little outworks and huts that lay at the skirt and on this side of the hill. These outworks were not intended as advanced posts but for such of the inhabitants to live in as had not room in the main work but had taken shelter in it, besides the works on the land side above described the whole village was pallisaded round with a line of pretty strong picketing run around the edge of the hill. The ground within having not been level at first but laid sloping they had divided it into little squares and levelled

each roof these. These squares lay in the form of an amphitheatre and were each of them pallisaded round and had a communication one with another by narrow lanes or little gateways which could easily be stopped up. So that if any enemy had forced the outer picketing he had several others to encounter before the place could be wholly reduced, supposing them to defend every one of the places one after another. The main way leading up to this fortification was up a very steep part of the hill and through a narrow passage about 12 feet long, and under one of the stages; I saw no door or gate but it might very soon have been barricaded up. Upon the whole, I looked on it to be a very strong and well-chosen post and where a small number of resolute men might defend themselves a long time against a vast superior force armed in the manner as these people are.

There seemed to be prepared against a siege having laid up in store an immense quantity of fern roots and a good many dried fish. We did not see that they had any fresh water nearer the brook which runs close under the foot of the hill, from which I suppose they can at times get water though besieged, and keep it in gourds until they use it (Riddle, 1996, pp.38-39)

**Figure 15: Wharetaewa pa looking south over Mercury Bay: as it is today
(Williams & Williams, 1994, p. 45)**



Cook once again noted the abundance of huge trees in the area, recognising a ready supply of timber suitable for shipbuilding (Williams, 1994, pp.36-37).

From the Māori perspective, Te Horeta Te Taniwha, a young man at the time of Cook's visit, recalled the first encounter with Europeans. He recorded:

“But as the goblins stayed some time and did not do any evil to our braves we came back one by one and gazed at them and we stroked their garments with our hands and we were pleased with the whiteness of their

skins and the blue of the eyes of some of them. They collected grasses from the cliffs and kept knocking at the stones on the beach, and we said ‘why are these acts done by these goblins. The woman and we gathered stones, grass of all sorts, and gave these to the goblins. Some of the stones they liked and put them into their bags, the rest they threw away; and when we gave them the grass and branches of the trees, they stood and talked to us, or they uttered words of their language’.

Te Horeta further recalled: “Perhaps they were asking questions and as we did not know their language, we laughed and these goblins also laughed, so we were pleased... We were now at quiet and peace with them and they gave us some food they had brought on shore with them, some of this food was very hard but it was sweet, some of our old people said it was Pungapunga, Pumice stone from the land from which these goblins came. Te Horeta also recalled “there was one supreme man in that ship, we knew that he was the lord of the whole by his perfect gentlemanly and noble demeanour. He seldom spoke but some of the goblins spoke much. But this man did not utter many words; all that he did was to handle the mats and hold our mere, spears and waha ika and touch the hair of our heads .He was a very good man, came to us children, patted our cheeks, and gently touched our heads. His language was a hissing sound and the words he spoke were not understood by us in the least” (Riddle, 1996, pp. 34-35)

The visit that Horeta Te Taniwha was most likely discussing was most likely between Saturday 4 November 1769 to Monday 20 November as Cook was still in

the Area of Mercury Bay. (Beaglehole, 1955, pp.191-206). Te Horeta te Taniwha was to become a leading chief of Ngāti Whānaunga.

Figure 16: Horeta Te Taniwha of Ngāti Whānaunga (Royal, 2000, p. 161) from Godfried Lindauer, oil on canvas, Auckland art gallery.



Figure 17: Te O a Hei (Royal, 2000, p. 164), Te O a Hei was one of the points of call of Captain Cook

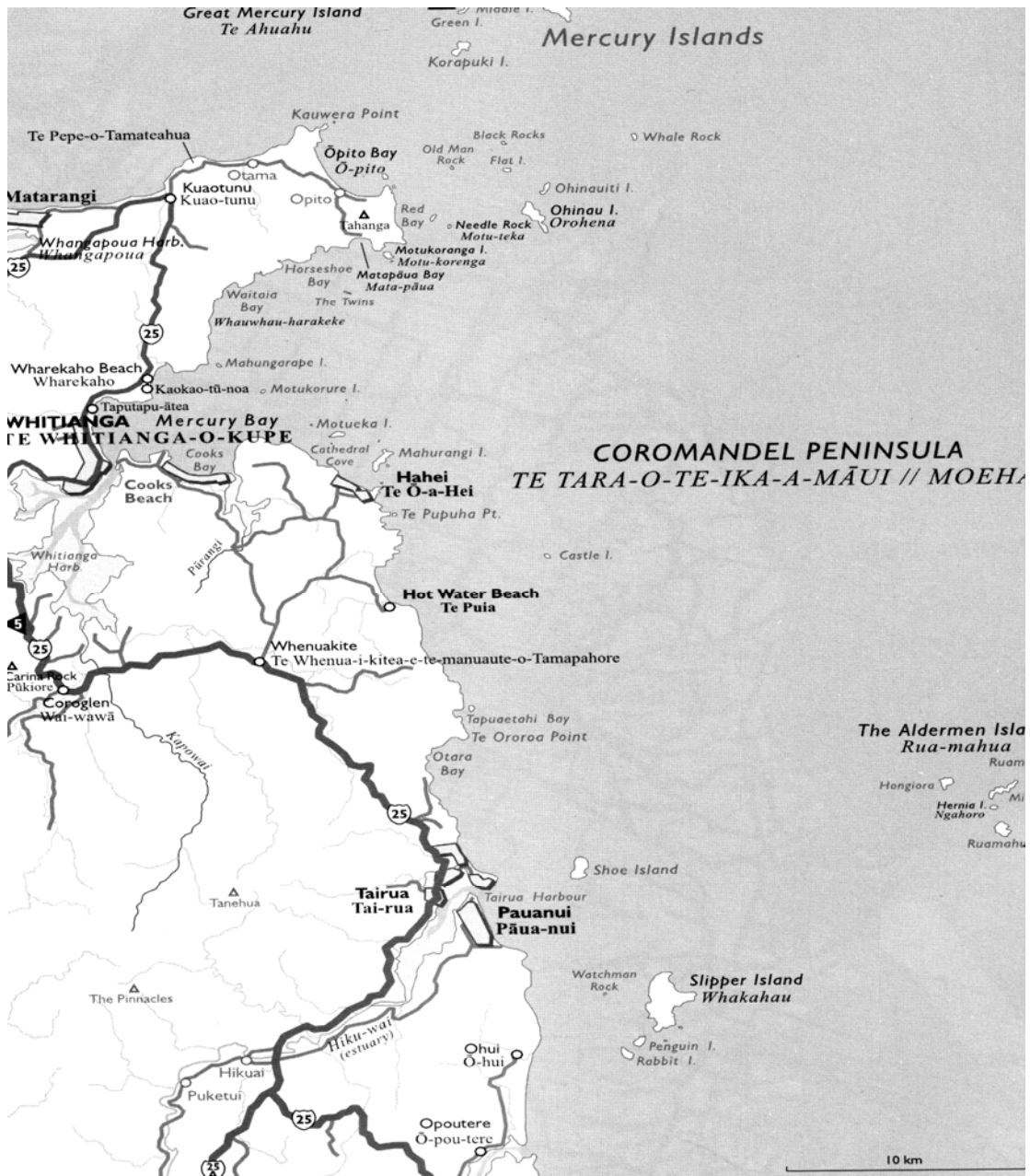
Cathedral Cove (view near Te Ō-a-Hei (Hāheī; see place-name no. 143); *trouer view*)



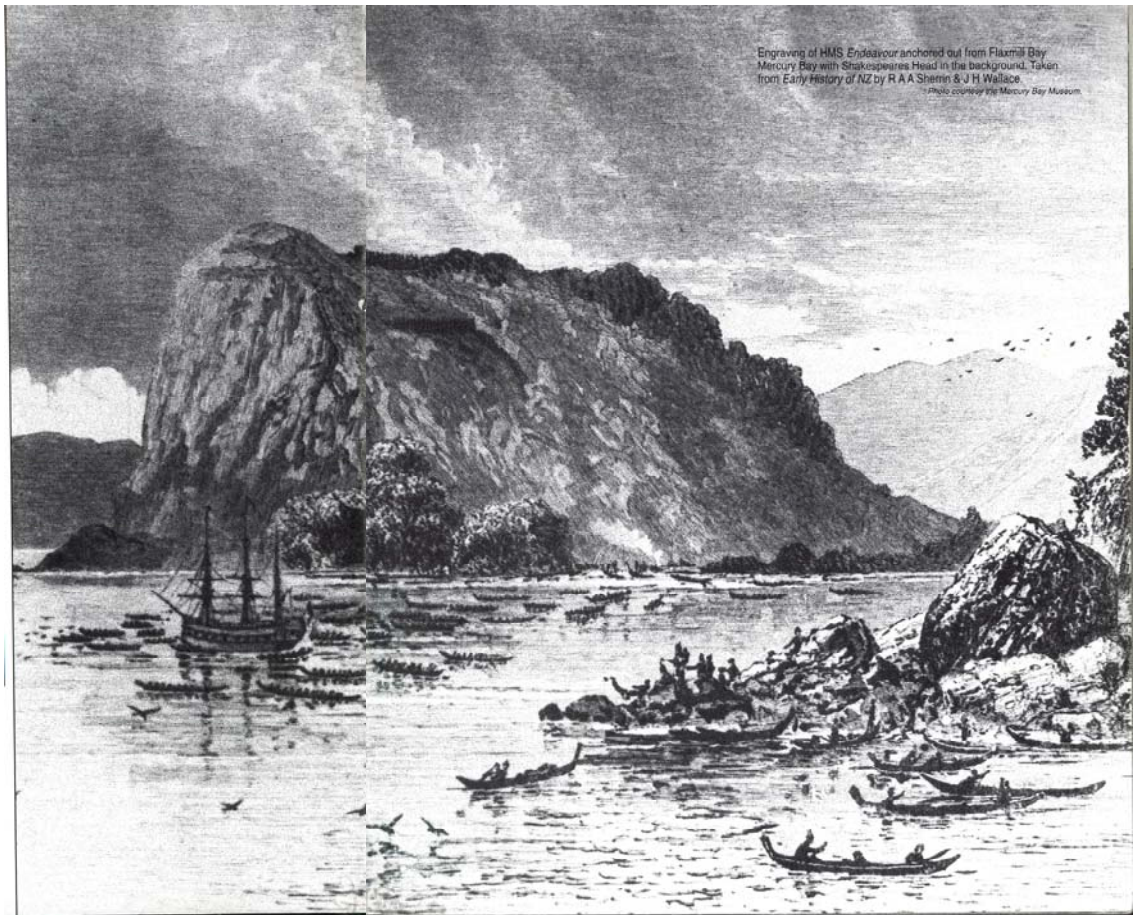
Te Ō-a-Hei (Hāheī; see place-name no. 143); *trouer view*



Figure 18: Map of Hauraki (Royal, 2000, p. 249) Map 6 This Map highlights Mercury Bay which Cook named after studying the transit of Mercury he stopped at many places in this area



**Figure 19: HMS Endeavour anchored out from Flax mill Bay, Mercury Bay
(Riddle, 1996, introductory plates)**



Cook's accounts of his expeditions were widely-read, and his reports of timber resources in New Zealand, including the Mercury Bay district led to many other ships arriving in search of timber and flax. An early example of this was the *Royal Admiral*, which stayed in the area for two months in 1801 before leaving with a full cargo. The *Fancy*, another ship, took spars for the Indian navy: the 200 logs loaded on to this ship measured 60-140 feet in length, and the whole running rigging of the ship was replaced with ropes woven from flax. Another visiting vessel, the *Plumier*, had to have its bow opened to accommodate the huge logs

from the area. The *Hunter* lost some crew who stayed on with the Māori of the area. Kauri from the hills east of the firth and around Mercury Bay was adorning many of the ships of the British naval fleet, the sheer size of the tall masts, long arms, the yards, from New Zealand gave the British Commander Nelson, a sailing advantage over the enemy fleets at the battle of Trafalgar. The logs were highly prized and with the flax proved a good source of trade with Māori for cloth, trinkets, and muskets. (William, 1994, pp. 41-43)

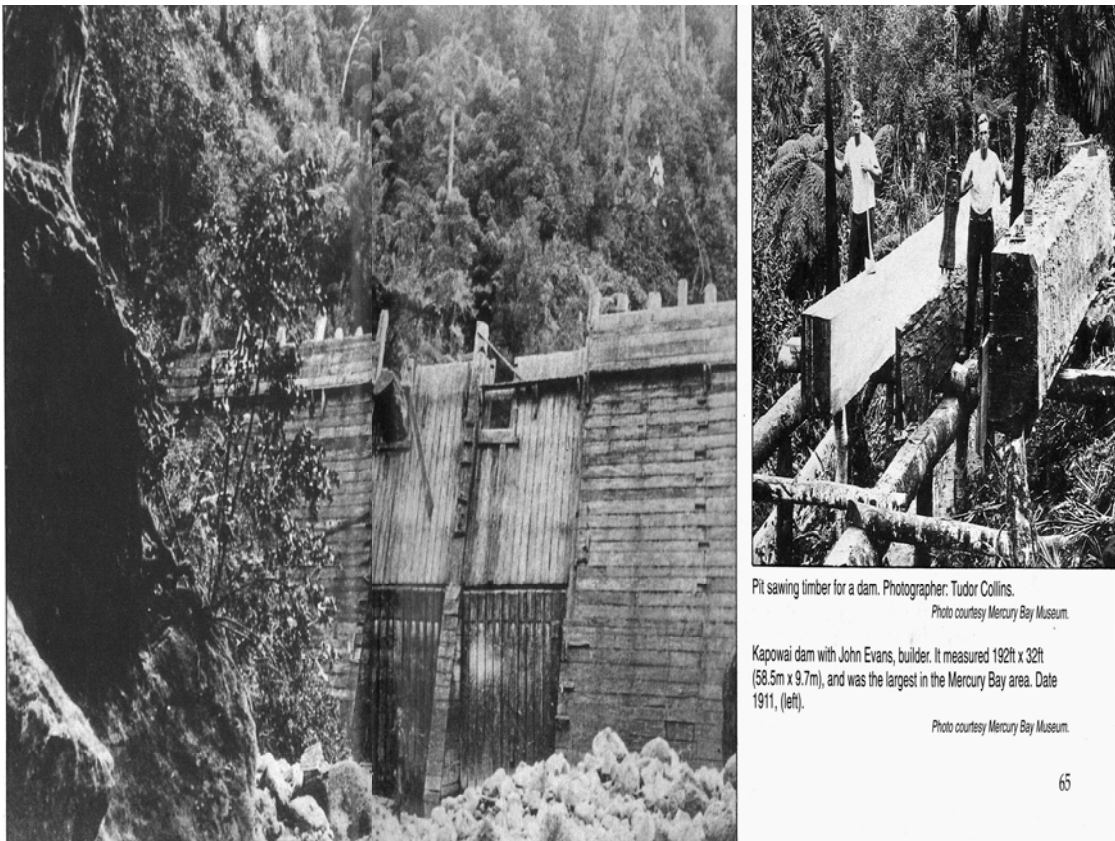
The demand for timber from Mercury Bay led to land purchases and a stone wharf being built at what is now known as Ferry Landing. Gordon Davis Brown, who built the wharf, established himself on the east side of the harbour entrance, and began milling the timber in the area not long after he built the wharf in 1836-1837. (Riddle, 1996, pp.54-55)

Later, as timber felling and milling was to become more intensive, it would lead to the author's family being affected, hence, eventually, one the reason for a Treaty claim to be lodged. The amount of timber taken from one of the land blocks which the Wai 969 claimants have under claim has been calculated: "The Kapowai area was not only one of the last sections of the Kauri to be felled prior to World War one, but was also by far the largest in the whole of the Mercury Bay watershed, yielding an estimation of over 260 million feet of timber".

The main contractor for the Kauri Timber Company, who owned most of the area, was David Castles. He employed several sub-contractors, including Bert Collins, Walker and Partner, Dodger Morrison and David Lynch, Keene and Murray, Sep and Fred Norton. (Riddle, 1996, pp76-77)

Extracting a large amount of timber and transporting the logs to the mills changed the face of the landscape, as the accompanying photographs indicate.

Figure 20: Kapowai Dam (Riddle, 1996, pp. 64-65)



This photograph was taken on the Whānau land block called Te Kapowai, it was a spill dam built especially for the purpose of transporting Kauri logs downriver to the Kauri Timber Company. The next photo actually shows the log after the dam has been spilt, and the final photo shows the Timber Mill where the logs were sent to.

Figure 21: Log drive (Riddle, 1996, pp. 74-75)



Figure 22: Mercury Bay Kauri Timber Company Mill, Tairua 1886 (Riddle, 1996, p. 93)



Even though the author's whānau lost much of the land through the timber trade a few individuals did manage to make a living out of the demand for this commodity, such as the whānau member in the next Photograph.

Figure 23: Packer and Blacksmith (Riddle, 1996, p. 80)



Johnny (Henry) Aparahama, one of the author's whānau: He would supply the bush camps with food, and at times was employed as a blacksmith.

An industry that was related to timber milling industry was gum digging. Prior to the arrival of Europeans in Aotearoa, Māori had used this commodity as a pigment in tattooing and also used the fresh gum for chewing. Other uses included burning the gum in the communal kumara pits to kill caterpillars. John Logan Campbell and Gordon Browne who sent it to London on a trial basis made the first export of 130 tonnes of Kauri gum. It sold for five to eight pounds per tonne, and proved suitable in the preparation of varnish. In 1846 alone, 1,440 tonnes were exported; the average price received was 13 pounds per ton. By the turn of the twentieth century, more than ten thousand tons was being exported each year, fetching up to eighty pounds per tonne. Between 1850 and 1950 revenue received from gum digging yielded more than 25 million pounds. 10,000 tonnes of gum

went through Gumtown in 1882, and it has been estimated that between over a period of 50 years, up until 1914, 100,000 tons of gum went through GumTown. (Riddle, 1996, p. 97)

Figure 24: Gum town 1900 (Riddle, 1996, pp. 98-99)



Gumtown from the Junctions of the Oteao and Waiwawa rivers, these are two of the Boundary Rivers discussed by the author within the whānau claim.

Figure 25: Whitianga waterfront 1890 (Riddle, 1996, pp. 98-99)



This photo highlights the amounts of Kauri gum exported from the Mercury Bay area: The bags to the left are full of Kauri gum.

Flax was another commodity taken from the area, the first flax mill in the Mercury bay area was at Whangamaroro in 1866. In 1869, another mill was established by William Meikle in what is now known as Lyon Park, after a fire burnt the surrounding crop he moved to Whenuakite in 1872 after purchasing 650 acres of land at ten shillings an acre. By 1873, he had built a new mill, which lasted 17 years before he sold the mill and the property to Miss Bewicke, an English woman, who sold it in 1898 to William Hamilton. Flax reached up to 90 pounds a ton during the boom years, 1866-1873 then it dropped in price, as

English traders turned to Indian hemp, as that product was nearer and therefore less costly to transport. When the flax price had declined to 14 pounds a ton, the product became uneconomical and Hamilton closed down his mill. (Riddle, 1996, pp. 152-153).

Figure 26: Flax Mill (Riddle, 1996, p. 152)



Flaxmill (Maramaratotara) Bay, the flax industry boomed in the Mercury Bay area, these are an example of the flax collected for export.

Figure 27: Dalmeny House (Riddle, 1996, p. 153)



Dalmeny House, in Whenuakite, reclining in the front seat to the left is Miss Bewicke the Englishwoman that brought a Flaxmill from William Meikle in 1890, and later sold it to William Hamilton in 1898.

The next commodity to be extracted from Mercury Bay was gold. On 9 April 1898, an assay yielded 11 and three quarter ounces of gold and two and a half ounces of silver to the ton, valued at 47 pounds. The prospectors, Allan McIssacs and William Meikle, were working in the hills south of Gumtown and discovered a trail of gold. This led to a reef three inches thick. In the latter half of 1899, the Kauri Timber Company opened the area up for mining after restricting access earlier in the year. Prospectors Kenny and Murphy moved into the abandoned Claim of Mr F.W. Browne and on 25 October 1898, Kenny and Murphy were paid 263 pounds for 131 ounces of gold from two-and-a-half tons of crushed quartz. There was also a large quantity of silver present. This began the Welcome

Jack mine owned by Murphy, McNaughton and party. The Welcome Jack mine was only two miles from the mine of McIssacs and Meikle, which on 25 May had been formed into the Kapowai Gold Mining Company. By July 1898, this mine's shaft had reached 55 feet and was still yielding gold. The Welcome Jack mine reached a depth of 174 feet by August and was showing an increase in coarse gold. Another mine called the Prince Edward was opened 15 December 1898, other mine's were the Big Beetle, which was run by Alan McIssacs, and Golden Reefs mine, which was overseen by a Mr Lindsay.

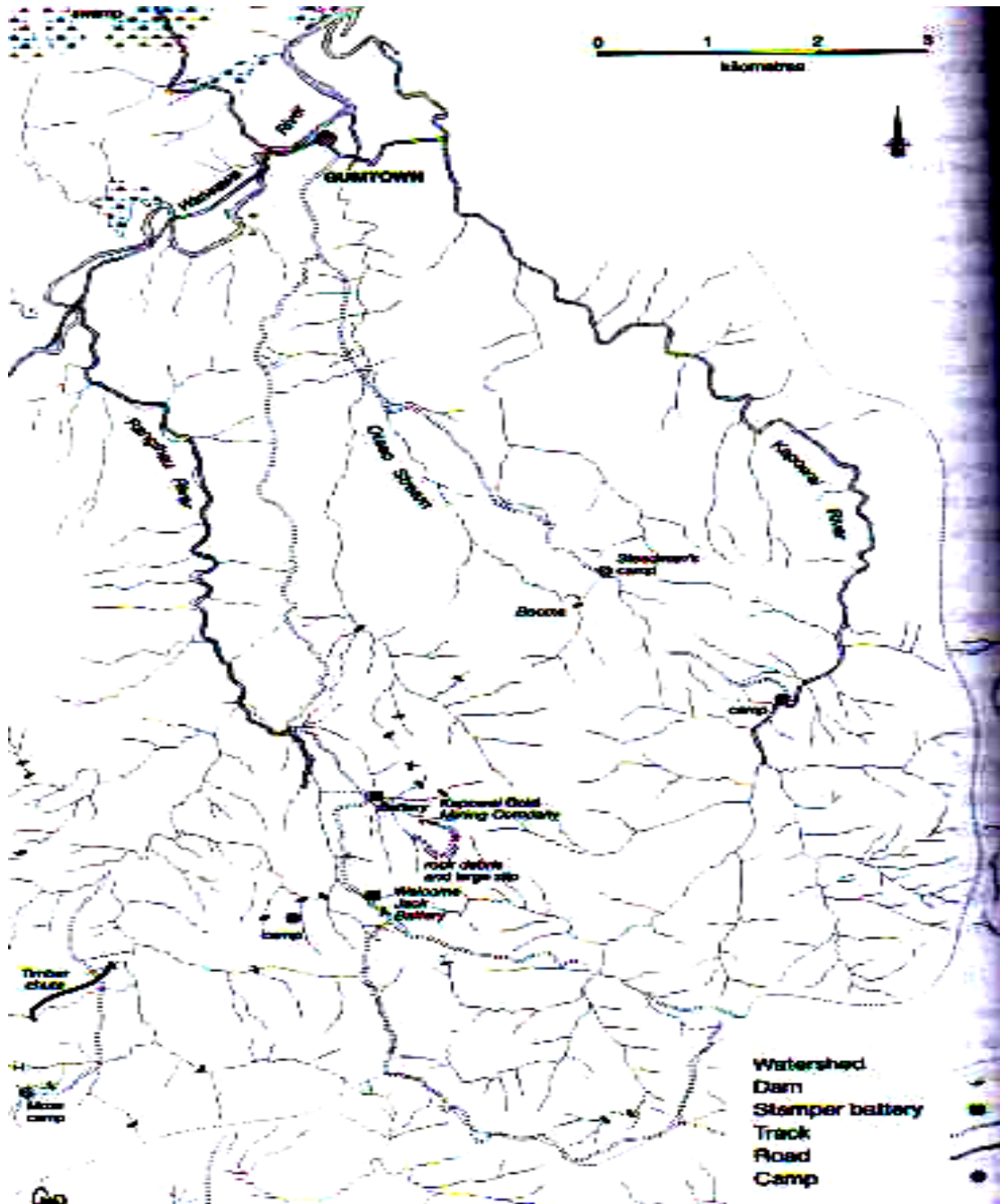
By 1905, the Kapowai mine, which was owned by Michael O'Connor, had crushed 2819 tons of ore with a yield of 2333 ounces of gold, for a payment of 5,599-4 pounds and a total expenditure of 5000 pounds. By 1911, the Kapowai shafts, which had reached a depth of 550 feet, were finally abandoned. (Riddle, 1996, pp. 154-155)

Figure 28: William Meikle (Riddle, 1996, p. 174)



Frederick William Meikle, on his Wedding day: William Meikle made a fortune from taking resources from the whānau lands, first from Gum digging, then from extracting gold.

Figure 29: Gold and Timber workings (Bell & Frazer, 1912; New Zealand Geological survey Bulletin 15.)



Gold and Timber workings in part of the Waiwawa catchments area, 1912, this map highlights the mines and timber in the area that was originally the whānau's tribal estate.

6.3 Conclusion

The first contact by James Cook showed the richness of the area to the world and opened the floodgates to the extraction of commodities from Mercury Bay.

Gradually the resources of Ngāti Hei were plundered, first by the extraction of commodities such as timber, flax, gum, and gold, then by the alienation of land through surveys and title investigations and implementation of undermining legislation. The images and data in this chapter were to become evidence against the grievances the whānau held against the government and the government's agents.

We had now answered the questions about how much was taken and just how the commodities were taken, and who had been responsible.

Chapter 7

Tauranga Moana and its ties to Ngāti Hei

7.1 Introduction

This chapter will show how the whānau were descended from Ngāti Hei and how the whānau ended up in Tauranga. The whakapapa ties between Tauranga and Hauraki are presented, since they answer a question that was frequently asked during the claim: How did the whānau end up in Tauranga, and why do they believe they are entitled to make a claim in the Hauraki region?

7.2 Tauranga Moana and its ties to Ngāti Hei

Some of the earlier people living in Tauranga were Ngā Marama who was of Tainui decent. At the time of the arrival of Ranginui II from Patea, Waitaha Hei was at war with Ngā Marama. Waitaha Hei was already well established at Te Puke and east of Tauranga towards Pukehinahina, and when Ranginui II arrived, he was invited to stay at Te Kahurangi pa near Te Puke. Ranginui II and His followers united with Waitaha Hei to push Ngā Marama out of Tauranga. Ranginui II and his people penetrated deep into Ngā Marama territory and crossed over the Wairoa river, taking up residence at Pukewhanake pa near the mouth of the river. It became obvious to Ngā Marama that Ngāti Ranginui was not going to move, so they decided to force them to move. They did this by drowning some of the Ngāti Ranginui children who were bathing with the Ngā Marama children in the Wairoa River, rather than move The Ngāti Ranginui people returned and in

revenge drowned some of the Ngā Marama children. Ngāti Ranginui was sent an ultimatum by Ngā Marama to leave the area, but Ranginui II and the Waitaha Hei attacked and after a few battles drove Ngā Marama out of Tauranga. Kinonui a brother of Ranginui II settled at Mauao. (Mount Maunganui) (Steedman, 1984, pp.62-65)

Once established there a bond evolved between Ngāti Hei and Ngāti Ranginui. Kinonui's son, Waitaha, and his grandson, Tutauaroa, lived on the slopes of Mauao (Mount Maunganui). Tutauaroa's son Taiwhanake also lived on Mauao and this pepeha is still said in some areas of Tauranga Moana:

Ko Mauao te Maunga

Ko Tauranga te Moana

Ko Taiwhanake te Tangata

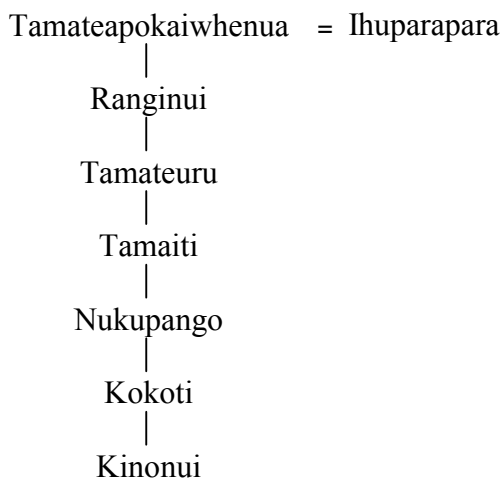
Taiwhanake's mana over the area was so strong that he was able to request kai through the use of two cloaks, one called Parorouri, the other Parorotea. When he wished for kai from inland he would display Parorouri, and for kai from the sea, he would show Parorotea. Thus it was through Tutauaroa, Taiwhanake and his son, also named Kinonui that Waitaha Hei and Ngāti Ranginui continued to consolidate in the Tauranga area (Stokes, vol.2, pp. 17-18)

Waitaha Hei also established ties to Tauranga through the intermarriage of the Takitimu and Te Arawa people. Hei's son, Waitaha, had a child called Ruarangi, who was married to Te Moana Kuia. They had two female children, Ihuparapara

and Iwipupu. From Tamateapokaiwhenua's marriage to Ihuparapara came Ranginui I, the originator of Ngāti Ranginui of Tauranga Moana. (Tata, 1990, pp.2-3)

Apanui at Te Kaha Nui a Tiki killed this first Ranginui, one of the elder children of Tamateapokaiwhenua. (Steedman, 1984, pp. 61-62). It was the second Ranginui who reconquered Tauranga Moana, and Kinonui is one of his brothers (Steedman, 1984, pp. 64-65). Kinonui descends from Ngāti Hei on his father's side and from Ngāti Ranginui on his mother's side. The following is an example of his Ranginui side:

Figure 30: Whakapapa of Kinonui from his Ranginui side (Tata, 1990, p. 30)



(Tata, 1990, p.30)

The ahi kaa has been kept alive for Waitaha Hei in Tauranga Moana until the present day. However, it did suffer a large setback under Taiwhanake's son Kinonui II, as he and many Waitaha Hei and Ngāti Ranginui were killed by Ngāti Te Rangi under the leadership of Rangihouhiri's grandson, Kotorerua. Kinonui II

was killed and Ngāti Ranginui and Waitaha Hei were scattered after a stealthy and well co-ordinated attack on Mauao (Mount Maunganui). Kotorerua attacked to obtain revenge for the killing of his father, Tuwhiwhia, and Tauaiti; they were killed at Otaiparia near Te Tumu by Ngāti Ranginui and Waitaha Hei as a reprisal for the death of Taurawheke (Stokes, Vol, 2, pp. 63-64.) After the first onslaught, many remnants remained, some moving to Rotoiti and others back to Otamarakau (Stokes, Vol, 2, pp. 59-68). To this day, Waitaha Hei is living in and around Tauranga, either intermarried into Ngāti Ranginui or Ngāi Te Rangi or, as at Manoeka and Pukehina, still as Waitaha Hei.

The following Lament given to Alistair Reese by Whareotiriri Rahiri identifies the ties that Ngāti Hei and Waitaha Hei had and still have in the Tauranga Moana area; it was composed by Hokurua Himiona and Bill Ohia:

Te Takapu o Waitaha a Hei

Te Tahuna o Rangataua

E noho au i te papa o taku tahuna

Rangataua;

Te Tauranga o ngā waka

Titiro runga ki taku maunga,

Kei Otawa, ko to Takakopiri,

Ko te Kahureremoa.

Kei Pukemiro te hua o a raua kai,

Rari noa mai,

Whai iho ki to raua horoi kiri,

Kei Te Rerekawau,
Whakaeke iho i te au o Kaiate,
Hono atu ki te awa o Waitao,
Te taonga o a raua kai.
Pae atu ki Paepaekohatu,
Papa mahue,
Te Nohohunga o te Tini,
O te maha,
O Waitaha e!
Tu Rangatira a Kopukairoa,
Titiro iho kia Maunga mana,
E awhi ra i a Tamapahore,
Ia Tahuwhakatiki,
Me Whetu-o-Te-Rangi,
Ngā marae nohoanga,
O ngā mano o ngā Papaka o Rangataua.
Whakawhiti atu au te awa o Waitao,
Ki Ngapeke-e-maha,
Tirahatanga o taku kuia,
Rahera Te Kahuhiapo,
Whakawhiti atu au ki Otukopiri,
Moenga roa o te maha o Ngāti Pukenga.
Whakawhiti atu ano au ki Te Tokitoki,
Ekenga o te korero,
Te ika Huirua a Hikapa.

Awhio atu au te tahuna o Rangataua,
Ki te Hu-o-te-Tuhi,
Puahanga o ngā roimata mahana o taku wai ariki,
Titiro runga au ki Te Auhi,
Whatoro iho ki Te Oue,
Ki Te Puru,
Ngā papa mahue,
Aue te mamai e! Tipoka atua au ki Te Maire,
Hikoi atu ki Maungatapu,
Pa o Te Ariki,
Ko Ngāti He,
Takahi atu au Popoti ki Te Ngāio.
Huri ake au Kei Waikari,
Ko Tapukino,
Kei Hungahungatoroa ko Tapuiti,
Huri atu au te mutunga o taku haere Kei Oruamutua,
Kainga mahue,
Ekenga o te tauki,
Paruparu te kai,
Tu taniwha te tangata,
E Kokoia,
E are e!

Translated as:

I rest on the shores of my harbour,
Rangataua;
Where the canoes landed.
I glance up at my mountain,
Otawa, where dwelt Takakopiri and
Kahureremoa, at Pukemiro, their source
Of food, readily available, following
Down to their wash, place Te Rerekawau,
Drifting down with the current of
Kaiate, joining the Waitao stream,
Where they steamed their food.
Banking up against Paepaekohatu,
The abandoned pa where resided the multitudes,
O Waitaha, e!
Kopukairoa stands challenging, glancing down
Towards Maunga Mana, embracing Tamapahore,
Tahuwhakatiki and Whetu –o-Te-Rangi, the
Marae where dwelt the multitude of
Ngā Papaka o Rangataua
I cross the Waitao River to
Ngapeke-e-Maha, where rests my ancestress,
Rahera Te Kahuiapo, I cross to Otukopiri,
Final resting place of many Ngāti Pukenga.
I cross again to Tokitoki, culmination

Of the declaration, double victim of Hikapa.
I traverse around Rangataua.
Sand banks to Te Hu-o-Te-Tuhi, where spurts
The warm tears of my hot pool.
I look up at Te Auhi, reaching across to
Te Oue, to Te Puru, abandoned pas,
Oh the Pain! I cut across to Te Maire, then
Stepping across to Maungatapu, residence,
Of the high chief, pa of Ngāti He,
Striding across Te Popoti to Te Ngāio.
I cross over to Waikari, where dwells
Tapukino, at Hungahungatoroa is Tapuiti,
I turn to complete my journey at Oruamatua,
Abandoned home where the proverb was confirmed
Mollusc their diet, the men as demigods awake,
Arise e! (Alistair Reese, pp.31-33)

Our family has ties to Tauranga Moana through our grandparents, Mana Mita Whakatau, who was of Ngāti Hei and Ngāi Te Rangi, and Kahumeria Hekapa/Netana who was of Ngāi Te Rangi and Ngāti Ranginui. The grandfather, Mana Mita Whakatau, was from Maungatapu Pā which was originally a Waitaha Hei pa (Hei's son). This Waitaha Hei pa was under a chief called Hikapa.

Tamapahore, another of the author's Tipuna, had lost his son, Tamapiri, and his brother, Tamapinaki, in battle to Hikapa, and was thirsty for revenge, so he planned an attack under his grandson Rangihouhiri-a-Kahukino. This

Rangihouhiri III led an attack and enticed the Waitaha Hei from their pa; he managed to catch them in a trap but lost too many men to force the issue and retreated to Mangatawa. Tamapahore was not satisfied with this outcome and devised a plan; he encouraged Taraka, a Ngāi Te Rangi/ Ngā Potiki man who had married Hinewai, a Waitaha Hei woman, to live in the pa and to intermarry with the Waitaha Hei. Two generations after his grandson Rangihouhiri-a-Kahukino had attacked, Tamapahore's plan to intermarry had succeeded, and a Ngāi Te Rangi and Ngāti Pukenga man called Turapaki had become chief of Maungatapu pā.

Rangihouhiri-a-Kahukino, while still impatient to appease his grandfather, was rash enough to challenge Hikapa to single combat, and at Tokitoki at Ranginui point, Rangihouhiri III was killed. Mana Mita Whakatau, the author's tipuna, is of Ngāi Te Rangi /Waitaha Hei descent from the union of these two Iwi.

After the death of Turapaki, the people of Maungatapu became Ngāti He. (Steedman, 1984, pp. 85-87)

As the lament highlights many of the Tribal connections to different places in Tauranga corresponds with some of the research we have discussed in this study, and has been passed down over the generations.

The grandmother of the author is of Ngāi Te Rangi and Ngāti Ranginui and comes down from the union of Rangihouhiri-a-Kahukino to Hinewa, who was a great, great grandchild of Ranginui. (Steedman, 1984, p. 86.)

7.3 Conclusion

Waitaha Hei have never left Tauranga. They have been assimilated into Ngā Potiki, Ngāti He, or Ngāti Ranginui and Te Arawa, but some still live within their old tribal boundaries, as the author reiterated here. The information showing the whakapapa ties between Ngāti Hei, Ngāti Ranginui, and Ngāi Te Rangi were important within the Wai 969 claim, as it highlighted the connections the whānau claim had with Tauranga and with Mercury Bay, and established without a doubt that the ahi kaa of the claimants was not extinguished. Waitaha Hei still keep their ahi kaa alive in Tauranga Moana, Pukehina and Manoeka, while the ahi kaa for Ngāti Hei still burns bright in Pare Hauraki. Thus the question of what ties the whānau had to either district was answered fully.

Chapter 8

The ‘Claim’

8.1 Introduction

Once the whānau ties had been explored, the next part of the process was specifying the claim itself: what exactly were the grievances? What were the whānau angry about? What had we lost? And what were they hoping to gain from the claims process?

8.2 The Claim

The grievance was that the descendants of Tinirau (the whānau) had lost their rights of ownership, authority over, and access to their lands, waters, estates and forests within the Hauraki area. The family’s tribal estate had been lost or alienated by underhanded means, and this had left the whānau without the resources that otherwise would have had a beneficial impact upon their lives.

The whānau highlighted that the Crown had breached the principles of the Treaty of Waitangi in respect of their lands, waters, estates and forests. In particular:

- a) The Crown had a duty to actively protect the claimants and the use of their lands and waters to the fullest extent practicable;
- b) The principle of partnership and the duty of the crown to act towards the claimants reasonably and with the utmost good faith had not been adhered to;
- c) Therefore the whānau reserved the right of redress for past breaches.

There were four causes of action that the whānau and lawyers discussed.

8.2.1 First cause of Action: Failure to protect the land base and other resources in breach of the Treaty of Waitangi.

Between 1840-1964 the Crown facilitated and failed to prevent the permanent alienation of all of the land interests of the claimants within the inquiry area, and those lands were permanently alienated via a series of mechanisms and processes which included:

- Native Land Court investigations
- Crown purchase of interests following the Native Land Court investigations
- Lands taken under the Public Works Act

8.2.2 Second cause of action: Native Land Court investigations

In 1865, the crown introduced Native land legislation and set up the Native Land Court, which provided for a system of title investigation and allocation.

In the latter part of the 19th century, the native land court investigated a number of land blocks within which the claimants had interests, they being:

Te Kapowai

Taumatawahine

Kahuwera

Rautawhiri-o-te-ao

Te Hoho

Oteao no's 1, 2, 3, 4, and 4A

Parts of Te Kauanga Whenuakite

The results of these investigations were as follows.

8.2.2.1 Te Kapowai

Te Kapowai was investigated by the Native Land Court in May 1870. The application was made by James Wathen Preece and William Australia Graham acting as agents for Arama Whakatau. The area was 8663 acres. The case was heard in October 1870, and interests were given to the three children of Arama Mita Whakatau, who were Mana Mita Whakatau, Matahera Whakatau, and Rehara Whakatau. The costs of survey for the block was in dispute with Edward Dean, a surveyor, claiming 216 pounds-11-6. A lien in favour of Dean was issued at the same time as the title. Later Te Kapowai was purchased by the Crown for 700 pounds; the deed was dated April 1875. However, the deed was not signed by two of the owners. In Native Land Court records, the tipuna Mita Arama Whakatau stated that a Mr Schapp was to pay for the survey costs and Edward Dean pointed out that Arama had showed him the boundaries. However it seems that the survey costs were included in the Government's purchase price. (Alexander, Wai 100, pp.12-13)

After further investigation, by myself, Mr Schapp was identified as one of the owners of the Upper Mill; a mill set up on the flat land between, and near the mouth of both the Waiwawa and Whenuakite rivers, the other was a Mr Annsene. It is possible that a deal was made between the government and Mr Schapp to

purchase the timber lease for Te Kapowai for the large stand of Kauri timber on the block, as seven days after the Government secured the block. Cutting rights were secured by Mr Schapp and Mr Annsene for 99 years at a rental price of 10 pounds 10 OD per year, from the Government. (Riddle, 1996, pp. 78, 95 & Alexander, Wai 100, pp. 12-13)

In March 1874, Arama Whakatau wrote to the Superintendent of Auckland Province about money owed to him by James Mackay for the sale of Te Kapowai. Mackay responded: “Mr James Preece made this arrangement at first and paid a deposit on the land, I was prepared to pay the money at any time if the natives had appeared to sign the deed, which they have not yet done, and I refused to pay part of them unless all were present” (Alexander, Wai, 100, pp12-13). Arama Whakatau died between 1874 and 1876, as Puckey, the native agent for Thames, had received the Crown’s deed for Te Kapowai in 1875 and after one year, he had returned the deed to the Native Land Court without speaking to Arama Whakatau as he had by then passed away. Did Arama receive the payments from Mackay for Te Kapowai? The researchers have not found any evidence of this payment. Te Kapowai was declared Crown land in July 1879. (Alexander, Wai 100, pp.12-13)

8.2.2.2 Kahuwera

This block was sold to the Mercury Bay Saw milling Company. However, there is no evidence of how much the block was sold for or whether the owners actually received any money for the block. No deed of sale or other documentation signed by the owners has been located for Kahuwera. The only documentation found has been a court order signed by Judge E. P. Puckey on 15 July 1889, declaring that

the Mercury Bay Saw milling Company had purchased Kahuwera from the Māori owners; on 30 September 1889, a certificate of title based on the order was issued (Tulloch, Wai 475 #b1, p. 42, & Alexander Wai 100 #a8, p.7).

8.2.2.3 Oteao 1

In December 1879, shortly after the title was investigated in this block, two of the five owners, Rahera Tainui and Erana Te Oneone, sold their interests to Alfred Edward Johnston, an Auckland accountant, for 5 pounds each. Johnston later transferred his one-third interests in the block to the Kauri Timber Company Limited. The owners who held the other two thirds of the shares in the block leased their interests to Leyland O'Brien Timber Company Limited for ten years from March 1906. (Alexander, Wai 100 #A8, p. 32)

8.2.2.4 Oteao no.1

This is the only block left in the possession of the author's Whānau. However, a portion of this block was taken for a road under the *Public Works Act 1908*. The amount taken was 2 rods and 7.8 perches, The Native Land Court considered compensation in October 1924, but made a nil award. (Alexander, Wai 100 #A8, p. 32)

8.2.2.5 Oteao no. 2

This was investigated by The Native Land Court at the same time as Oteao 1 and allocated to the same list of owners with the same allocation of shares, 2/6ths to Mita Whakatau and 1/6th to the other four owners. After the title investigation, the Crown purchased all the interests for 19 pounds, pursuant to a deed dated August 1878; the trust commissioner certified the deed later the same month. (Alexander, Wai 100 #A8, p33) & Hauraki Minute book 9, p.256)

8.2.2.6 Oteao no. 3

The research on this block revealed that significant costs were passed on to the Māori owners through the court investigation process. The title for this block was investigated in April 1878 and interests were granted to Mita Whakatau and five others (in this instance Mita Whakatau is also referred to as Arama Karaka) (Alexander, Wai 100 #A8, pp. 34-35; Hauraki minute book 10, pp. 320-321; Hauraki minute book 11, pp. 18-19, 82-85).

The Crown was very eager to have this block investigated. In fact, J. W. Preece representing the Crown had already paid some money toward the purchase of the block. Mita Whakatau challenged the government's evidence, saying:

Mr Mackay did not give me on the 27th April 1875, 96 pounds on account of this land. He gave me at the court at Coromandel 2nd June 1876, 5 pounds; my name was Mita before my father's death. At his death, I took the name of Arama. I was christened Mita. Mr Mackay has not paid debts for me to the amount of 96 pounds... I know of the money paid me by Mr Mackay. I have had 5 pounds paid to me here by Mr Shortland, and 5 pounds at Coromandel, also my sister Matahera 5 Pounds. 15 pounds is all the money I acknowledge to have received from him. I never signed any document like the one (voucher) now before the court. I have signed a receipt on an ordinary piece of paper for 5 pounds (Hauraki minute book 10, p. 320).

The hearing was adjourned for Preece to obtain further evidence from Wellington. However, the next day the court awarded the interest in the land to Mita Whakatau and five others. Preece applied for costs and these were awarded against Mita Whakatau in the amount of 13 pounds 19s, 6d. A survey lien of 50 pounds was also notified against the block, and one month later the crown purchased the block for 234 pounds in a deed dated August 1878, once again the investigation of this block highlighted how costs were passed on through the investigation process to the owners of Māori land. (Alexander, Wai 100 #A8, and p.35)

8.2.2.7 Oteao 4, and 4A

Oteao 4 was investigated in August 1878, and was awarded to Mita Whakatau and five others. Later, between July 1898 and July 1899, the Crown purchased the block; it seems that the block was then split again into 4 and 4A and then sold. (Alexander, Wai 100 #A8, pp. 36-37).

8.2.2.8 Taumatawahine

This block was investigated by the Native Land Court on 31 July 1883, and on 2 August 1883 it was awarded to Mita Whakatau and four others. The block was amalgamated into the Whakapoi block in January 1970 and became known as Whakapoi no 2. Seven other blocks were amalgamated at the same time, including Oteao no 4B. Whakapoi no. 2 was then vested in a section 438 trust. On 16 February 1972, the whole block 373 acres 0 rods and 26 perches was sold by the Māori Trustee Office to Dalgety New Zealand, Kapowai Farms Limited and B.W. & N.A. Readhead (Coromandel minute book 3, pp. 258-259, 272) & (Tulloch, Wai 465 #b1, p.146).

8.2.2.9 Rautawhiri Oteao

The native land court investigated this block in August 1883 and, after hearing evidence from a number of Claimants, the court awarded interests to Arama Whakatau and five others. No restrictions were placed on the block and the new titleholders were charged Court costs of 1 pound. Charles Frederick Oliver purchased Rautawhiri O-te-ao on 22 December 1964. Oliver farmed alongside the block and cleared ragwort from it. At a meeting of owners at Paeroa on 3 September 1964, the owners passed a resolution agreeing to the alienation. Oliver paid 450 pounds for the land to the Māori trustee as the owner's agent. He also paid outstanding rates on the block of 15 pounds 18s.2d. (Tulloch, Wai 475#b1, pp. 134-136, Coromandel minute book 3, pp.249, 265, 268-270, 328-333, 335-336).

8.2.2.10 Te Hoho

This block was investigated on 7 August 1883, interests were granted to Mita Whakatau and three others. There is now very little trace of what happened to the block. Nevertheless, the author did find why the whānau had been given interests in the block, and that it had been amalgamated into the block Te Kauanga Whenuakite no. 5. Johnston emphasised the importance of this block in his report: "One of the main reasons she (Rehara Tainui) wanted to hold on to it (Te Kauanga Whenuakite no.5) was because there was a block of land there called Te Hoho, which contained the Papakainga, the Pa and the Urupa that fronted the Waiwawa river". (Johnston, Wai 110 # a6, p.43)

Figure 31: Te Hoho Church (Riddle, 1996, p. 175)



At the rear of this church fronting the Waiwawa River is a cemetery that possibly has the gravesite of our Tipuna Arama Mita Whakatau.

Mita Whakatau's appeal for interests in Te Kauanga Whenuakite in 1901 is identified in the records: "Also admitted that Arama Whakatau and Matahera Whakatau are buried on the land at Hohou" (Coromandel minute book 8, pp. 360-367, 372). Mita Whakatau was not granted interests in the block.

In carrying out the investigations for these blocks, the Crown did not actively protect the claimants' interests in the use of their lands and waters to the fullest

extent. It failed to recognise and protect customary Māori ownership of the blocks concerned, by introducing a new land tenure system without proper consultation which in turn destroyed the existing concepts of customary land tenure. By vesting land in individual grantees, the Crown introduced a system whereby individual interests could be alienated.

The Crown in essence created a system in which the claimants' descendants incurred various costs associated with the investigation of their land blocks, in particular survey lien, charges, or other debts such as shop accounts and travel expenses. As many Maori Land Court sittings were held outside the places of residence of the whānau, court costs which prejudicially affected the author's whānau.

were also introduced by the Crown.

8.2.3 Third cause of action; Crown purchase of interests following the Native Land Court investigations

None of the blocks referred to above had restrictions of alienation placed on them. After the investigation process, the Crown purchased interests in many of the blocks, thereby diminishing the interests of the descendants of Arama Whakatau

8.2.4 Fourth cause of action – Lands taken under Public Works Act

Further lands were alienated under the Public Works Act, specifically 2 roods 7.8 perches in Oteao 2 taken for a road in January 1924, No compensation was paid to the owners. This further diminished the land holdings of the descendants of Arama Whakatau.

8.2.4.1 Prejudicial effects

By virtue of the Crown's legislation, acts, omissions, practices, and policies in acquiring and facilitating the transfer of the claimants' ancestral lands and resources, the descendants of Tinirau through to Mana Mita Whakatau and his mokopuna have suffered by the dislocation and disassociation from their ancestral land, kainga, resources and wahi tapu. Their social organisation and traditional leadership structures have been affected and almost destroyed; they have sustained a loss of Mana and Rangatiratanga, and have had to tolerate the destruction and desecration of waahi tapu and other significant sites within their tribal rohe.

The government and the government's agents had participated in the destruction of their traditional tenure system. In general, the Moko and children of Mana Mita Whakatau have suffered the loss of their economic, spiritual, and cultural base, they have been left with fragmented land holdings which are of little utility or economic value, and have at present an insufficient endowment of land for their present and future needs. The whānau has suffered in terms of their collective unity, health, welfare and education.

8.2.4.2 Relief sought

Having identified what the claimants' grievances were, the next question to be answered was what the whānau were seeking the relief sought was:

- A definite finding that the Crown breached the principles of the Treaty as set out in the statement of claim;
- An apology from the Crown for those breaches;

- A judgement that all land owned by the Crown within the claim area and any improvements thereon including reserve and conservation land be returned to the claimants;
- Crown compensation for the claimants for the prejudicial effects as a result of the Crown's legislation, acts, omissions, policies, and practices as stated in the statement of claim;
- The Crown to pay the full costs incurred by the claimants for the preparation and presentation of their claim and the costs in recovering any land recommended to be returned and all other costs incurred in securing the implementation of recommendations;
- Any other relief the tribunal might see fit to recommend. (Clark & Tan, Amended statement of claim, pp. 1-8)

The whānau knew they had received the lands from their tipuna Manukarere and Tinirau, who had fought for those lands and acquired them through conquest. Furthermore, the lands had remained in the possession of the whānau throughout the wars with Marutuahu and his sons and throughout the raids by Ngapuhi. But the tipuna were ill equipped to face the threats that legislation placed on Māori. Even though Colonial governments talked of protecting their new citizens, Māori were constructively alienated from their lands directly and indirectly.

Before 1862, it was generally accepted that Aotearoa (New Zealand) was owned by Māori and that in essence, Māori held title to the land. Before the land could be owned by the government, Māori title to New Zealand had to be extinguished. Then the government could give Crown grants to settlers. The native title was

seen as a burden on the Crown's sovereign title; as such land was not freehold but was governed by the rules of Māori customary law and alienable only to the crown: and Crown pre-emption was recognised in Article II of the Treaty of Waitangi. (Boast, Mcphail, Smith & Norman, 1999, pp. 48-49)

The principal method used by the Crown to extinguish Māori customary title before 1862 was pre-emptive purchase by deed, and by means of these deeds roughly two thirds of Aotearoa, including virtually the whole of the South Island, had passed out of Māori ownership by 1862 (Boast, Mcphail, Smith & Norman, 1999, p. 49.)

The *Native Land Act 1862* was brought into operation in a few districts as a consequence of armed conflict. It was soon repealed and replaced by the more comprehensive *Native Lands Act 1865*. The major difference between the two Acts lies in the investigation of titles set out in the 1865 Act. This Act had three core features:

Waiver of Pre-emption: the Crown waived its general pre-emptive rights to extinguish the native customary title, which had been clearly stated in the preamble of the *Native Lands Act 1862*. This, then, cancelled the right of pre-emption as set out in Article II of the Treaty of Waitangi, and allowed Māori owners to obtain a certificate of title to their lands, and subsequently a crown grant, and then they could sell the land to whomever they wished on the open market.

Conversion of Customary title to Freehold title: the Native Lands Acts allowed Māori to convert their land from customary to crown-granted freehold tenure.

This tenure was established through two steps:

- 1) The owners of a block of Māori land had to prove according to Māori customary law that they were its owners; if successful, they would be recorded as the owners in the courts records and issued with a court certificate of title.
- 2) The court's certificate was then produced to the Governor as the Crown's representative in exchange for a crown grant in freehold.

The Native Land Court: This institution was set up as an informal body in 1862, when the Governor was allowed to establish by commission or order-in-council a court or courts that were to have the purpose of ascertaining and declaring who, according to native custom, were the proprietors of any native lands and the estate or interest held by them therein. This Court was made more formal in the 1865 Act, which required the concurrence of a Judge and two assessors, in making decisions. The assessors were to be natives of New Zealand. (Boast, Mcphail, Smith & Norman, 1999, pp.51-56)

In this way, what has been called the classical English feudal tenure process was introduced to New Zealand; for the English, historically, the only true owner of land is the Crown who can grant estates of land to its subjects. A crucial problem that arose from the *Native Lands Acts 1862 and 1865* was that Māori customary law did not recognise individual ownership of land. The land was owned by the

whole Hapū and iwi, not any one or two individuals, but with the introduction of these acts came the proviso that a certificate of title could not be issued to more than ten people. There was also a provision that land could be vested in a tribe, but this provision does not seem to have operated in practice. (Boast, Mcphail, Smith, & Norman, 1999, pp. 58-60)

The Native Land Acts and the Native Land Court system introduced by the Colonial government allowed Māori land to be readily alienable to private purchasers. The Acts led to rapid loss of land, increasing Māori landlessness and poverty. At the same time the actual court processes were dislocating and expensive for Māori. The individualisation of title adversely affected Māori and led to inter-whānau, inter-hapū and inter-iwi disputes due to fabrication of evidence, manipulation of whakapapa, or exploitation by omitting key witnesses. Many Māori were alienated from their tribal lands by these native land acts. (Boast, Mcphail, Smith, & Norman, 1999, pp. 61-64)

In summary, the grievance of the whānau was that the descendants of Tinirau lost their rights of ownership, authority over and access to their lands, waters, estates and forests within the Hauraki region. The Governments, despite its responsibilities under the Treaty of Waitangi, failed to protect the whānau's land base and their resources of those lands by allowing those lands to be alienated through a series of mechanisms and processes, especially:

Native Land Court investigations;

Crown purchases of interests following the Native Land Court investigations;

.and the taking of land under the *Public Works Act*.

After laying out the evidence the night before, and going over some of the questions that might be presented with the senior speaker, the author and whānau that had travelled over to the claim Hearing earlier settled down to sleep. The following day, 18 June 2002, was going to be long. The numbers that had travelled over were quite small, but expecting a much larger crowd the author had hired out an extra room for other members of the whānau. All told, only nine that travelled over the first day.

After an early breakfast, the whānau started to arrive, first two sisters and three nephews. The next group of whānau did not arrive until the whānau went up to the marae; there were five carloads of extended whānau waiting to support the claim, which produced great relief among those who had arrived earlier. The whānau gathered outside the marae, was called onto the marae (karanga), the usual protocols were followed, and a small kai was organised for our whānau. During the kai, an informal Hui was held to discuss the process for the day, to decide who was to give evidence, how much time would be allotted, what was expected of the whānau and what could be expected from the judges.

The hearing itself began early. Formalities (mihi) were exchanged and at that point our senior speaker, Mr Tom Roa, opened the proceedings on behalf of both claimant parties. At a later stage of the Hui, we would recognise how fortunate we

were with our senior speaker. Earlier it had been decided that the author's whānau would be the first claimants and would be allotted two hours. The first to speak for the author's whānau was the junior counsel Kiriana Tan. She summarised what our witnesses would say. First would be the author's first cousin, Judy Herewini, second would be the author himself and finally the lawyer would wrap up proceedings. The hearing progressed, with Judy Herewini being cross-examined quite intensely by the lawyer for the Tamatepo claimants, Mrs Annette Sykes. The author found this quite distracting, as it seemed to him that the claimant cases and areas had nothing to do with each other. Efforts were made to have Mrs Herewini express her feelings toward the tribal lands. However, one of the judges, Wharehuia Milroy, came to her rescue and through saying, a few leading questions managed to divert the attention of the other claimant's lawyer. Next to speak was the author. The questions flew thick and fast. Which Ngāti Hei was the whānau descended from, was it Hei Tirepe or Hei from Te Arawa.

What was the whānau's ahi kaa for the area? How has it come about that the whānau lived in Tauranga? What right the author had to speak? Was all the whānau represented? Still the cross-examination was not as bad as expected. Finally, the lawyer summarised the korero, stating the breaches and what parts of the Treaty had been breached the kinaki o Te korero was the senior speaker's conclusion.

8.3 Conclusion

The Hearing was over. Our fears that there would be no support for the claim had vanished the whānau support had been excellent. There were a few tense moments but, as the judges said, the whole claim had been handled well. The whānau had

felt deep collective relief. At the Hearing, everything had been focussed on specific details, and we had now identified, quite precisely, how we had lost each individual land block, who had been the key people in facilitating the alienation of those blocks, and what methods or processes had been used to take the lands and resources. The Seabed and Foreshore issues were to become a whole separate debate because of new legislation introduced by the Government. All the whānau's evidence was presented, and it was now up to the Tribunal and presiding judges to decide.

The whānau retired for a break between claims, and a meal. This was the point when an informal Hui was held and it was decided that some of the whānau would stay to support the other claimants, and some would go off with the author's partner to view the lands claimed by the whānau. As one of the senior researchers for the claim, I still had a job to do, to support and Tautoko the other claimants who had hosted our whānau at their marae.

The senior speaker and myself stayed back to support the Tamatepo claimants.

Chapter 9

Post-Claim blues

9.1 Introduction

The Hearing was completed. What was next on the agenda? The whānau gathered together and had a meeting to review what had happened and to decide upon directions for the future. Although some of the families went straight home, there were a number that wished to see the whenua, so it was arranged that the author's partner would take those that remained from Thames to Hahei, and there they would view some of the whenua under claim.

9.2 Post-Claim discussions, Hui and counter claims

The whānau were shown the boundary rivers, Waiwawa and Rangahau, and the stream Oteao which formed the dividing line between the lands of the ancestors, Tinirau and his brother Manukarere. These were some of the lands the whānau were fighting to be returned.

Meanwhile, back at the Marae Te Matai Whetu, the hosts were about to serve lunch. Originally, the author attempted to persuade the whānau to stay for lunch but they were eager to actually stand upon the land claimed. The author, the whānau lawyers, and the senior speaker stayed to tautoko the other claimants' hearing, Kiriana Tan, one of the whānau lawyers, explained that our claim went very well, and she intended to celebrate that night with one of her friends. Overall, we were happy, and she was happy. The claim had been very stressful for Kiriana

Tan, especially with the disagreements that had occurred between her and the author, but the end result was excellent for all parties. Even the senior lawyer, Stephen Clark, was happy with the claim.

The Tamatepo claimants presented their witnesses and their evidence. However they went over the allotted two hours for submissions and, as time dragged on, the panel of Tribunal judges became more frustrated, and eventually called a halt to proceedings. This led to heated discussions but the Judges were adamant about halting proceedings. After a small meal, the author and senior speaker returned to the motel the author had booked for the whānau and retired. Later that evening the author's partner returned and reported on how the rest of the whānau had fared viewing the whenua. She said that they had driven to Whenuakite and parked close to the houses in the area, not far from the local primary school. While there the whānau looked over the state forest (Coroglen), and she explained that this was originally called Te Kapowai, and was part of the forest and land that the whānau were claiming. Then they drove to Hahei beach, with the majority of the whānau going down to walk along the beach.

The author's partner explained to the whānau that this beach would be part of the foreshore claim, as would Cook's Beach, and other parts of Mercury Bay. Later the whānau drove around to view Cook's Beach, and then went on to the whenua itself as far as the road would allow. At the top of the road, the whānau had a question session, and finally the convoy moved to Tairua where the author's partner gave the whānau money for a kai. After having fish and chips, they

departed to their various homes. After we summarized the proceedings of the day everybody retired for the evening.

The next morning the senior speaker returned to Hamilton, taking with him several passengers, while the author and his family stayed to relax after the stress of the Hearing. Now the day was over, it was as if a burden had been lifted from the author's shoulders. The claim had gone well, but there had been a few incidents, such as when the lawyer's folder was stolen with her brief of evidence. There were several demands for money from some of the family members who were guided to the land by the author's partner. A couple of whānau members had even come to the hearing intoxicated, and approached the lawyer with the intention of sabotaging the hearing. They did not carry out these intentions, possibly because of the large number of people present. The same persons refused to stay for lunch at the marae and instead demanded a meal at Tairua, but apart from these isolated incidents the day went well.

The next few days after the claim, the author and his family relaxed in Thames. After they returned to Hamilton, a meeting was arranged by the lawyers at their offices. This meeting discussed what had happened at the claim Hearing and what would happen next. Kiriana Tan was not present at this meeting but Mr Clark was, and he explained that the whānau would now need to attend many meetings in the Hauraki area to help support their claim and to establish themselves in preparation for settlement. He explained that the first negotiation would be with the Hauraki Trust Board, followed by the larger groups like Ngāti Maru, Ngāti Whānaunga, Ngāti Tamatera, Ngāti Hei, Ngāi Tai, Ngāti Rongo U, Ngāti Paoa, Ngāti Porou,

and Ngāti Pukenga. And further down the track our whānau would be negotiated with, he advised that it would be best if the whānau affiliated with one of the larger groups such as Ngāti Hei. The author was in full agreement with this. However, it would still need to be discussed with the whānau. There was another option, to affiliate with Ngāti Whānaunga.

The author was willing to merge under the umbrella of Ngāti Hei but advised the family against uniting with Ngāti Whānaunga as he was of the opinion that the Ngāti Whānaunga side was only an option through Rawiri Taiporutu, who was an in-law to the tipuna Mita Arama Whakatau. The author then organised a meeting to be held at his oldest brother's house in Tauranga. This brother, David Mita, was well respected by the different whānau, and many of those that were not present at the claim were able to come to this post-claim Hui. The Hui was organised for Sunday 21 July 2002, at 10 Arawata Avenue, Welcome Bay, Tauranga. On Saturday 20 July 2002, the author received a telephone call from one of his brothers asking where he was. The author explained that the meeting was organised for the following day but was told that the author's sister, Janice Tauteka, had told the different families that the Hui was to be held on the Saturday. The author and his partner went through to the Hui on the Sunday, even though they were unsure if anyone would be present.

The author arrived and found that some family members had gone home on the Saturday, but many were curious and wanted to know about the claim. The meeting began and the following were present: David Mita, Davinia Mita, Kiri Mita, David Jnr Mita, Ashley Mita, Deanna Mita, Thomas Ross, Shayna Mita,

Dasha Van Silfhout, Codi Van Silfhout, Melissa Mita, Mark Lloyd, Mathew Dixon, Karaina Dixon, Samuel Dixon, Janice Dixon, Rangi Tauteka, Kathy Moss, William Moss (from the whānau of Te Koro Dixon); Kevin Harrison, Patricia Harrison, Lester Harrison and his partner Melissa, Terry Harrison, Tania Harrison, Jessie Harrison, John Manual, (whānau of Sarah Harrison); Jullian Pakura (whānau of Iraia Dixon); Yvonne Kopuru, Korina Dixon and her partner, (whānau of Robert Dixon); Kare Kelly, Aroha Kelly, (whānau of Margaret Kelly); Reece Harrison, Raeola Ropiha, Rahuia Harrison, Anaru Harrison (whānau of Hera Harrison and Te Koro Dixon).

Diana Mita was acting secretary for the meeting. One of the first questions asked was, what was the meeting for? The author explained that the reason was to update the whānau on how the claim went, to obtain the mandate of the whānau and to form Te Kapowai whānau trust so the whānau could have a legal entity to receive any returns from the land claim, and to unite the whānau completely. The meeting began with discussion on how to form the trust, then moved on to talk about how the claim went.

Before the meeting could move onto further business, there was an argument between the author and Patricia Harrison,. an argument which grew to include Kevin Harrison and Terry Harrison. The issue concerned the Tuakana Taina relationship between the author who was whaangai to Te Koro Dixon from his sister Hera Harrison. Even though he was whaangai from Margaret Kelly to Hera Harrison, Kevin Harrison was considered the Tuakana of the Harrison whānau and, as the author was a birth child of Hera Harrison, Kevin Harrison felt that he

could exercise his rights as Tuakana to have the author answer to him. Although the author did recognise Kevin as the Tuakana of the Harrison whānau, he accorded his main priority to David Mita who is the Tuakana of the children of Te Koro Dixon to whom the author was made a whaangai. The argument became quite heated when another Tuakana of the author, Lester Harrison, intervened.

David Mita reinforced his full support of the work the author was doing and the korero turned back to discussing the claim. Yvonne Dixon stated that her whānau was fully supportive of her as spokesperson for them, but Jullian Pakura was unsure of Iraia Dixon's whānau's support, although she did support the principles of what the family were trying to achieve. Kare Kelly was unsure of her family's full support; she mentioned the supports as being Marsha Kelly, herself, and Aroha Kelly, but was unsure of Christine, Wayne, Jeff, and Roger Kelly's support.

As the Hui progressed, the atmosphere became calmer and forming a Trust was discussed, the brief of evidence from the claim was presented and some were circulated for the family who did not attend the claim to. The next topic was to nominate David Mita as chairman of Te Kapowai whānau trust, and his daughter was elected as secretary.

It was agreed that each family would go back and look at succession to their parents and at the possibility of uniting their shares for Oteao no.1 under one umbrella, with each whānau electing their own representative as a trustee for the trust. (Minutes from Tauranga meeting, 21 July 2002)

Finally, as the Hui was about to finish Terry Harrison stood up, after prompting from Patricia Harrison, and read out a prepared statement giving their whānau mandate to the author in all matters relating to the land claim. The exact words were:

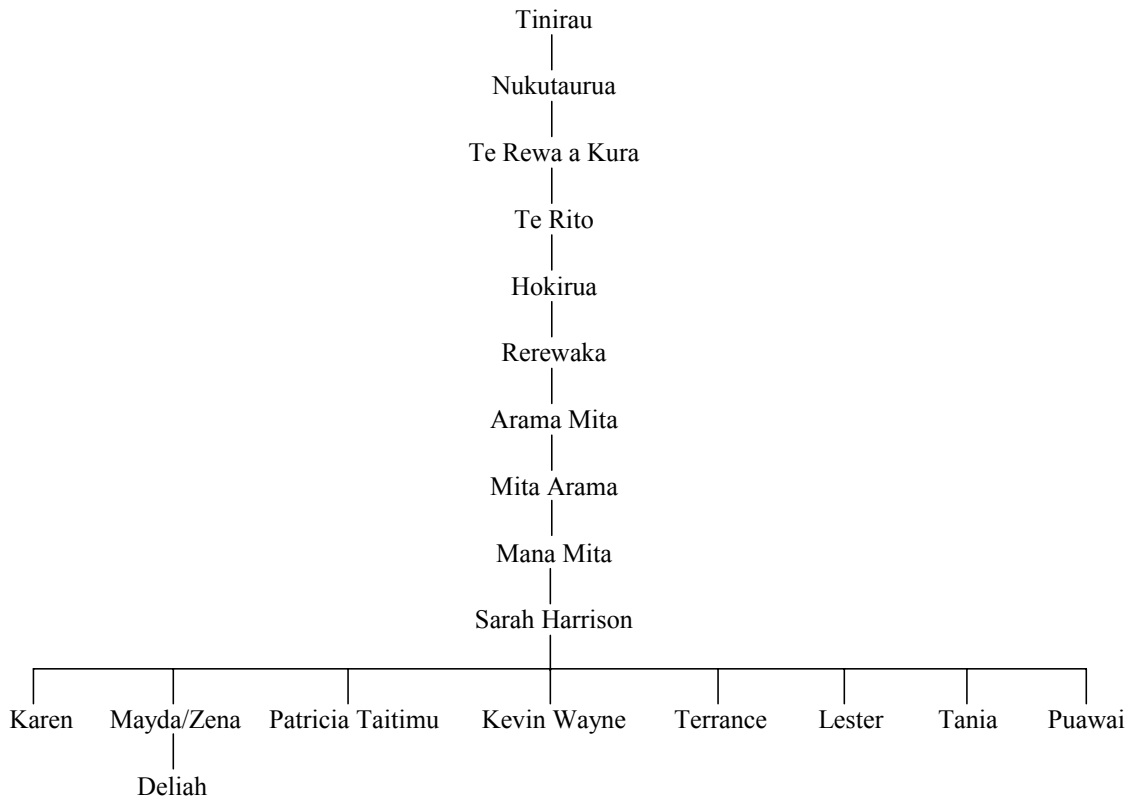
We the Harrison whānau trust would like to indicate the intentions of this whānau. The intentions of the whānau are:

In principle to support the proposal or actions of Reece Harrison in regards to the succession to the land.

To indicate the intentions of the Harrison whānau trust; we will reserve the right to govern and maintain the autonomy of the full interest and full shares pertaining to Sarah Harrison.

We make this claim in full duress knowing full well of our genealogical history as:

Figure 32: Harrison whānau trust genealogical history (Harrison whānau trust document, 21 July, 2002)



This was a complete contradiction to what was indicated, as it was stated that no support would be forthcoming from this branch of the family. As the meeting ended and general conversation began the author's brother, Lester Harrison, emphasised that the older brother, Kevin, been influenced by the korero of their sister Patricia who had a personal grudge against the author. This was accepted by the author. From this point, the author decided to focus on only those families who were fully supportive of the work that had been done.

The author organised a larger more elaborate Hui for Hamilton, to be held at the University of Waikato. This meeting would be held when the majority of the developmental work was completed. This was planned to be the first of three Hui,

and to co-inside with the settlement stage of the claims in Hauraki. The vision was to introduce a whānau database, establish a whānau website that would allow greater communication and network building, and to register the whānau as beneficiaries of Te Kapowai whānau trust. The author's partner organised a registration form that would aid in organising the whānau to prepare for any possible settlements.

The following was to be the proposed format/Agenda for the Hui:

Day one

Karakia

Minutes from final Hui ki Tauranga

Summary of claim, whakapapa and history display, maps of lands in historical claim-journal

Break for morning tea

Update on final submissions

Collection of whānau registrations for establishment of whānau database

Discussion of whānau representatives for "Te Kapowai whānau trust"

Guest speakers from Māori Land Court

Break for lunch

Discussion of settlement team and voting structure for deed of mandate, discussions on deed of mandate, covering claimant group and rohe, definition of who claimant group are, names and addresses, rules of eligibility, identification of decision making process, accountability of

claimant group, names of signatories for deed of mandate, their authority to sign.

Post-claim preparation for settlement team

Break for tea

Day 2

Karakia

Collection of individual trust documents

Discussion of uniting each individual whānau trust under Te Kapowai whānau trust and formation of trust into legal entity, trust constitution

Break for morning tea

Skills analysis and identification of whānau networks, possible upskilling

Guest speaker and course convener for upskilling, avenues such as tourism, computers, aquaculture, fishing, horticulture, forestry, farming

Break for lunch

Summary of Hui

General discussion

Karakia

Break for tea

Preparation for the organisation of this first Hui would begin the next part of the author's long-term plans, "whānau development, and economic development".

9.3 Conclusion

Through the whānau in fighting some of the whānau had become disillusioned with the claim. It seemed as if the people who had tried to sabotage the work had

succeeded. My role as one of the researchers for the claim had almost come to an end. I had to now don a new hat and help my partner with what we considered the development section and preparation for settlement. The whānau politics now determined the direction we would follow and that path led to questions such as, why not amalgamate the claim with either Ngāti Whānaunga or Ngāti Hei.

It was interesting to note the difficulties experienced by the Tamatepo claimants. They had mandate problems, as the Hauraki Trust Board was indicating that it would not support them, even though at the hapū level they seemed to have a great support base. Meanwhile, our own whānau was experiencing something similar, but more to do with personality clashes and Tuakana Taina issues. It looked as if the same problems present at a hapū level, was also being experienced at a whānau level.

Chapter 10

Future blues: Economic development

10.1 Introduction

The author and his partner had from this stage just as much work to do as when the claim began. Meetings were to be organised again, but now with people from Te Puni Kōkiri and the Māori Land Court, as well as keeping in touch with how the Hauraki claims were progressing, and dealing with unpredictable family members.

10.2 Towards economic development

The first work the author carried out was organising a meeting with a representative from the Māori Land Court. We originally asked for Mr Lindsey Wilson, from the main office in Hamilton, as on previous occasions he had been extremely helpful and there was a wealth of knowledge in the Hamilton office. Mr Wilson was not available so, on the recommendation of the author's partner, Mrs Delia Wilson was approached instead. During the meeting all the particulars about the whānau claim were discussed, and it was clarified that if the whānau wished to have a vessel for return of any funds or land from the settlement process, then they would need to make sure that Te Kapowai whānau trust was a legal entity.

Another issue that arose was the final completion of the author's father's land succession which had been pending during the claim work. A Hearing date was

set for 29th March 2004, and was to be held in Tauranga. The author was to organise signatories for those that wanted to be trustees, but only for the land block Oteao no. 1. All the whānau shares for Te Koro Dixon's other lands were to be divided equally amongst his children. This meant travelling to see all the siblings, taking Trustee consent forms. The first trip was to Tauranga, and while there the author spoke to his sisters, Janice Tauteka and Cathy Moss consent forms were left with them, together with directions to complete them and post back to Delia Wilson at the Hamilton Māori Land Court office. A copy was left with Janice Tauteka for the author's brother, Mathew Dixon, to complete and return also.

The next journey was to Auckland where a visit was made to Rangi Panui, another sister, who was once again left consent forms. There was then a trip to Kaitaia and Whangarei to see another two sisters, Heeni Ngapeka and Marama Dixon. In this instance, the author made sure that both siblings signed their consent forms as there had been discussion amongst the rest of the family that these two were not interested in any of their father's affairs. This was far from the case as they were extremely keen to become trustees, and were actually upset they had missed the whānau land claim. Apparently they were among those who had been misinformed.

A journey was made to Wellington to see the oldest sister, Barbra Rosson, once again the consent forms again left with instructions. A final trip was made to Tauranga to the oldest brother, David Mita, and once more the author made sure the forms were signed. With the signed forms of David Mita, Heeni Ngapeka,

Marama Dixon, and the author's own signed form handed to Delia Wilson, it was just a matter of handing over the Trust form that the author had drafted and waiting to see if any other whānau members would join and become trustees.

After reviewing the paperwork, Delia made some amendments to the Te Kapowai trust format and called the author to inform him that of the other members of the whānau only Barbra Rosson had completed her forms, and she would be another trustee. The trust amendments were ratified and all was ready for the succession and trust formation to go ahead.

The next mahi on the agenda for the author was the organisation of a meeting to obtain funding from Te Puni Kōkiri to aid in the development of the whānau under the "closing the gaps" policy. The person the author approached for this was Mrs Maxine Emery from the Hamilton office of Te Puni Kōkiri. The meeting with Mrs Emery went well. The whānau fitted the government criteria, and all that was needed was a proposal. The criteria were:

1. Applicants must be whānau, hapū, iwi, Māori organisations or Māori communities.
2. The initiative must be consistent with the definition of capacity-building, i.e.; "A process which seeks to strengthen the ability of whānau, hapū, iwi, Māori organisations and Māori communities to build the strategies, systems, structures and skills they need to control their own development and achieve their own development and achieve their own objectives".

3. Your application for funding is consistent with your capacity assessment.
You must be able to identify which groups are expected to benefit from the project.
4. You must clearly identify what benefits there will be for the Māori community.
5. Your project needs to have wide Māori community support, participation and commitment.
6. Your initiative must include and benefit disadvantaged groups.
7. Your initiative must discuss the interests of Mana Whenua and accord their interests due attention.
8. Your initiative must clearly specify the expected deliverables and time frames for achieving them.
9. You need to plan for the effectiveness of your initiative.(Te Puni Kōkiri, funding criteria pamphlet, July,2002)

The next Hui the author had with Mrs Emery was to sort out the details for the forthcoming whānau development Hui. Between the two of them and the author's partner, they planned to hold three Hui for development.

The first Hui was in line with what the author was organising with Delia Wilson from the Māori Land Court. The objective was to unite the 11 families that came from the author's grandfather, Mana Mita Whakatau, under the umbrella of Te Kapowai whānau trust, with each family organising their own successions and choosing their own representative as a trustee for the trust. This first Hui was also planned to update the whānau on the progress and success of the whānau land

claim, and to select a settlement team. The final purpose of this first Hui was to begin the compilation of a whānau journal, which would include the whakapapa that binds the different family together. In addition we would also discuss the correct procedures for meetings and collect details for the whānau database.

The intention was to gather the whānau in Hamilton, to identify what was needed to form the 11 whānau into one trust, and to work out how the whānau would be able to unite their shares for Oteao no.1. To do this, it was proposed that either Lindsey Wilson or Delia Wilson would speak at the Hui as representatives of the Māori Land Court. This would be followed by a presentation by the author, discussing how the Treaty of Waitangi Hearing went, and a preliminary discussion about who might be a part of a settlement team. Following a break, it was proposed that a whakapapa session showing the different whānau would be displayed and a historical journal would be compiled for the whānau to take away with them. During this Hui, names and addresses would be gathered so registration forms could be sent and establishment of the whānau database could begin.

A later segment of the Hui would comprise educating the whānau on the correct procedures on holding meetings, for example, the chairperson's role, secretary's role, and so on. Finally, a session was planned for discussion of the deed of mandate for a claims settlement team. And to explain the form and the function of the deed of mandate for the Office of Treaty Settlements. (Capacity Building Funding proposal Te Puni Kōkiri 30/06/03, p.5).

It was estimated that the cost for this Hui would be smaller than the following two Hui as this was more of an engagement Hui, according to the criteria set out by Te Puni Kōkiri.

The second planned Hui was to be more intense, the objectives being the full establishment of the whānau database, the implementation of the strategic plan, an outline of the structure of Te Kapowai whānau trust, the setting up of a communication network for the whānau with a website, a six-monthly newsletter, and the completion of the historical journal. For this Hui, it was also planned to take the information from the registration forms and whatever else could be gathered at the Hui itself to identify the skilled persons needed for key positions within the Trust for its activities in the future.

To help attain these objectives there would be an overhead power point display of the strategic plan and how it fitted in with the trust, as well as presentation of the whānau journal, a handout on the email address of the whānau website, distribution of the whānau newsletter, and a skills analysis of those present, while handing out registration forms to gather more information on the rest of the family.

The final Hui was planned to implement the business plan for the whānau, with a view to the whānau becoming self-sufficient, and to see if all the targets set had been achieved. This would be in essence, an accountability study to see if any problems needed rectifying and to see if the direction in which the trust was heading was appropriate.

As background for this business plan, a feasibility study was planned on which business activities would be best for the whānau, perhaps fishing, forestry, horticulture, diving, aquaculture, or tourism. Once these avenues had been identified the next step would be to set up a business and marketing plan, and, finally, to establish the business itself.

The other major part of this third Hui was to be a complete analysis of the whole organisation to see if the targets set had been met, and if the correct personnel were in the correct roles and, if not, to make changes so that the organisation would be efficient.

The overall proposal was approved by the Te Puni Kōkiri representative, Maxine Emery. The next stage was to wait for the trust to be made into a legal entity. The official application was made on 30 June 2003. Rather than sit on their haunches the author and his partner went ahead and booked Te Kohimarama marae at the University of Waikato. Everything seemed to be going according to plan. A newsletter was sent out to whānau and a map of directions to the University marae was enclosed.

Meanwhile the author was keeping a close eye on how the Hauraki claims were progressing, and eagerly awaiting the Tribunal's findings for the Hauraki area.

The author had received a copy of the closing submissions to the Tribunal from the Crown on 11 November 2002, and was very worried about point 1057, under the relief section p.315, which stated:

As to negotiation, the crown strongly prefers to negotiate with large natural groups (usually iwi in the traditional sense of whakapapa based grouping) towards the comprehensive and final settlement of all the historical claims of a group. The direct negotiations process is therefore focused on all the grievances of a claimant group, not on individual, whānau, hapū or marae claims. Iwi level settlements generally mean that the claimant group covered and the area under claim are larger. This makes the process of settlement easier to manage and work through, and facilitates the resolution of overlapping interests. Additionally, the costs of negotiations are also reduced for both the crown and claimants. (Closing submissions, Wai 686, 2002).

This comment emphasised for the author that it would be prudent to amalgamate with one of the larger claimant groups, and changed the direction of all the projects the author had planned. The main focus was now to wait for the Tribunal's findings, align the whānau claim to one of the two larger claimants that had approached the whānau, and design the future plans of Te Kapowai whānau trust accordingly.

10.3 Developing Te Kapowai whānau trust

The objective of setting up this trust was to form a vehicle that the whānau could use to drive forward into the future. As the focus of the claim changed, the direction became more of setting the design of this properly.

The structure of the Trust was to have a chairperson ideally the appropriate candidate being the oldest brother, David Mita, and ten trustees, one trustee from each of the 11 families of the author's grandfather, Mana Mita Whakatau. Each of those trustees had to be selected by their own separate families, in essence giving them the mandate to represent their own family. They would all legally also need to amalgamate their shares in the block Oteao no.1. to form a large share that the whānau could utilise in future.

The trust would be run initially by an interim manager chosen by the whānau. The manager would be in charge of a management team consisting of a business development manager, a sport and recreation manager, and an office and administration manager who would also have the responsibility of administering a Tangihanga fund. This office and administration arm would co-ordinate the other arms of the trust. In effect, the interim manager would be answerable to the 11 trustees, but the rest of the organisation would operate under the interim manager and the administration arm.

The trust was envisioned to have a historical arm which would have a database of all the beneficiaries, a whakapapa book with the land and whānau history within a

whānau journal, highlighting how the whānau acquired their lands, how they had been alienated, future plans for the trust, and so on.

The trust would have a business development arm, which will deal with possible ventures such as exporting natives, tourism, fishing tours, diving tours, bush walking, horse trekking, traditional Māori tour packages, nursery and plant sales, fruit and vegetable sales, lodge hire age, camp hire age, historical tours, kayaking, river walks, gold and rock hunting, and kauri gum hunting.

As mentioned before, the trust would have a Tangihanga fund which would deal with Tangihanga amongst the whānau. This would be funded by a small annual fee imposed on all the beneficiaries of the trust, and would also be open to receive koha from any groups which wished to contribute larger funds. Of course, all accounts for this fund had to be kept in order and would be accountable to the office and administration arm.

The trust would also have an environment and resource management function which would liase with regional organisations such as Environment Waikato, district councils, and other iwi groups, plus government departments like DOC, to ensure Urupa, historic places and waahi tapu are protected, as well as the waterways, including Te Kapowai River, Rangahau River, Oteao stream, and the Waiwawa River.

A sport and recreation branch would be included which would co-ordinate activities such as youth camps, Mau Taiaha, fishing charters, diving charters,

Kapa Haka, educational evenings, and also extend to cover drug and alcohol abuse and gambling abuse.

The Trust would also include a multimedia branch which would deal with computer education, assisting people to learn about emails, designing websites, word-processing, also video production and editing, perhaps including activities like preparing short documentaries, about the whenua, Hauraki and Tauranga areas.

The hierarchy of the organisation would be as follows:

Trustees

Interim manager

Management team-consisting of

Office and Admin-Business arm- Historical arm-Sport and Recreation arm

-Multimedia arm- Environment arm-Tangihanga arm.

Under these different branches would be the different teams

(Design model Te Kapowai Whānau trust, 2001)

As mentioned before, the relevance of the proposed three large Hui had changed, and instead of holding the Hui the author and his partner began to carry out the majority of the work through their own efforts. The author had designed the Trust deed and was waiting for the Māori Land Court to legalise it. The author and his partner compiled a checklist of mahi to complete and set about achieving the mahi themselves, with the idea of holding just a single whānau Hui:

Funding-

As far as this was concerned, the proposal was ready approved by the Te Puni Kōkiri representative and simply awaited the legal formation of Te Kapowai whānau trust before being sent off to Wellington to be approved officially.

Koha for speakers-

This would be taken care of through the funding proposal.

Venue costs-

The marae at the University of Waikato required a deposit to be paid, but the majority of the venue cost would come from the proposal for funding.

University map-

These were provided free of charge by Waikato University.

Newsletter completed and website formed-

The newsletter was completed and copies were ready to be sent, but the website was proving a bit more difficult. The author's partner was prepared to commit to finish this before the whānau gathered.

Trust forms ready for whānau-

These had been collected and were ready to be presented after the representative from the Māori Land Court spoke about how to go about succeeding to each whānau trust.

Outline of Meeting roles-

The author collected an outline from the Hillary sports commission of each of the different roles for a trust, such as secretary, chairperson, trustees. The forms included details of how a meeting should be run and the functions of the various officers.

Historical journal completed-

The Journal task was quite complicated, as the author had to research many of the Maori Land Court records again to make ensure that all information was correct. Details such as where the name Rikihana came from amongst the whānau were uncovered, as was the full history of how the family received the land, and then lost the land, and whakapapa up to the grandfather and grandmother.

Te Kapowai whānau trust format-

As the author had designed this, the format and reasons for the structure of the trust were easy to explain.

Settlement team roles and responsibilities- issues for mandating

To go through this part of the process the author was hoping to have a representative from the Tribunal explain how to choose a settlement team. In addition, the author managed to borrow the copy of a format for mandate for a particular iwi claim. This would serve as an example the whānau could follow.

The following extracts are from that handout and were originally from the booklet *Healing the past, Building the future*

A deed of mandate;

-States who has authority to represent the claimant group in negotiations with the crown

-Defines the claimant group, its rohe and the claims that are intended to be settled.

The crown worked out a formal procedure to make sure that the claimant groups provide definite proof that

-The crown is dealing with the right claimant group and representatives

-A process is in place for identifying as many claimant group members as possible

-The group's representatives are properly mandated to negotiate the settlement of their historical treaty claims.

-A process is in place for dealing with any overlap between the group's claims and those of other groups, e.g. when their particular rohe partly coincide with each other.

Once the crown is satisfied that the claimants have met these conditions, it can recognise the mandate to negotiate.

What is a deed of Mandate?

This is the formal statement prepared by the claimant group stating what the mandate covers and how the claimant group approved it.

Assessment of mandate by the office of treaty settlements, OTS assesses deeds of mandate with advice from Te Puni Kōkiri. The decision on whether to recognise the mandate is eventually taken by the minister in charge of Treaty of Waitangi negotiations, and the minister of Māori affairs. When assessing a deed of mandate OTS and Te Puni Kōkiri are looking for an open, inclusive process, through which the prospective negotiators can show that they have received a mandate from the claimant group. They must,

-Check that the deed of mandate describes the claimant group and the claims covered lists the group's representatives and outlines the mandating process used.

-Check that the deed authorises the negation of a comprehensive settlement and that all the historical claims of the claimant group are included.

-Consider the supporting material to the deed.

- Consider the process for managing the mandated representatives, to make sure that it allows for all-important decisions to be made openly and fairly, with the opportunity for all eligible members of the claimant group to take part.

Ngāti Hei representative and benefits of operating under them

To implement this part of the Hui, the author intended to invite Peter Johnston the chairman of the Ngāti Hei Trust to speak with the whānau and to explain the whānau ties to Ngāti Hei and the benefits the whānau would receive through affiliating to Ngāti Hei.

Whānau representative letters-

For this part of the Hui, the author would need to make sure through the whānau newsletter that the different Trustees understood that for them to represent their whānau they would need letters of confirmation and that they were a whānau representative as mandated by their respective families.

Separate Whānau trust formats-

The different whānau would also need to form their own Trusts. For instance the whānau of Robert Dixon might form the Robert Dixon whānau trust and then select their own mandated representative.

Succession forms-

The author would make available at the Hui enough whānau succession forms for each whānau to do their own successions. This subject would also be discussed by the Māori Land Court representative.

Whakapapa-

For this segment of the Hui, the author would prepare a handout of the whakapapa down to the grandfather, Mana Mita Whakatau and his wife, Kahumeria Hekapa Netana, as well as organising a power point display on the whakapapa while highlighting different characteristics of the various tipuna.

Whānau registration form-database set-up

The author's partner compiled a form that would give information that could be used to form a database for members and could be used to as part of a skills analysis in the future.

The information would be gathered onto a set database programme to aid the future needs of the trust.

The information requested in the registration form includes, the beneficiary's name, address, date of birth, place of birth, contact details,

mother's and father's names and *their* parents' names, list of birth dates of any children and their gender, school attended, last year of schooling, highest qualification achieved at secondary school, certificates received, tertiary education if any, work qualifications and personal interests such as hobbies.

Māori Land Court representative

It was hoped that there would be at least two representatives from the MLC to discuss issues with the whānau, to assist each whānau organise their own respective trusts and successions, and to discuss any problems they might encounter.

Business representatives

This part of the Hui would be dedicated to people with business experience, who have been successful in their own various fields, and who could answer different questions about possible whānau business ventures.

Business plan-

This portion of the Hui would be devoted to analysing in detail possible business ventures to narrow down the options and decide exactly which business venture might be the most profitable and practical.

Waitangi Hauraki findings-

This part of the Hui would be to update the family about the tribunal's findings.

The preparatory planning had now been completed for one large Hui instead of the originally scheduled. The next mahi, was to sound out the whānau and see if they were keen for one larger Hui to wrap up the claim

The last contact the author had with the whānau was the meeting in Tauranga on 21 July 2002. Since that date the majority of the work for the claim had been carried out by the author and his partner. Te Puni Kōkiri funding was set up, (Capacity funding proposal, 30 June 2003) the author's whānau (Tauranga Dixon whānau) had succeeded to their father's land interests, and formed Te Kapowai whānau trust into a legal entity (29 March 2004). The trust had five trustees: David Mita, who was also chairman, Barbra Rosson, Heeni Rikihana, Marama Dixon, and the author. All the work in preparation for the large Hui was complete, but during the time it took to finish the work and get ready, the iwi of Hauraki had been contending over which group had the mandate in the area, and the factions had split off into two camps-those that stayed under the Hauraki Trust Board, and the other faction which went with Ngāti Maru.

The following is an excerpt from an article which was published in the *Waikato times* on Saturday 29 July 2006:

With the release of a Waitangi Tribunal report last month – which found that Hauraki Māori are among the most land deprived in the country just who negotiates for Hauraki for a multimillion-dollar settlement is in dispute. The Marutuahu working group, which claims to represent six Iwi including 80% of the Hauraki population, and the Hauraki Māori trust board, which claims to represent 12 Iwi including Marutuahu, both want the job.

The report from the Tribunal had been completed as the article stipulated in the previous month (6 June 2006). The report also served as a memorial to one of the Judges Dame Evelyn Stokes who had recently died. Dame Stokes was one of the Judges presiding over the case for the whānau. The respect for this Judge was immense; it was very sad that such a brilliant woman had passed away.

The report was three volumes long, and it touched on many issues relating to the whānau, including gold. According to the Crown under section 12.5.4 Whitianga (Mercury Bay), “Some gold was discovered at Kapowai in the headwaters of the Rangihau stream, a tributary of the Waiwawa River, but no mining occurred until 1898. A small amount of gold was extracted in the early 1900s”.

The Crown asserted: “Gold apart from land, was not considered a taonga in Māori culture.” (Executive summary, 5.1, The Hauraki Report vol 1, Waitangi Tribunal, 2006) This effectively shut the door on any form of redress for the extraction of gold from Te Kapowai or Coroglen as it is now known.

There were, however, several positive aspects that came out in the report. These included the statement that “the crown does accept that the particular feature of the Hauraki inquiry, and a factor contributing to the eventual outcome[s], is the combined effect of the facilitation alienation created by the native land laws, and a vigorous Crown land purchasing policy”. (Executive summary, es.7, The Hauraki Report, Vol 1 Waitangi Tribunal, 2006. pp. xxxviii-xxxix)

Furthermore, the Crown admitted:

It was appropriate for the Crown in the early 1860s to establish some sort of commission or tribunal to clarify customary land rights rather than leave this to land purchase officials. But there was little consultation with Māori or regard for Māori opinion as to the form and the practice of that tribunal, either at the outset or during the next 100 years.

It was not unreasonable that customary tenure should be modified to meet the needs of the commercial economy, including the aspirations of Māori to farm their own land. But the extent and nature of that modification was far too drastic and owed little to Māori wishes. The titles created facilitated alienation of the land by sequential purchase of undivided individual interests in titles, followed by a succession of partitions. The system destroyed the traditional balance between individual and community rights, fostered factional division and frustrated rather than assisted Māori aspirations for commercial farming, by either individuals or groups. Instead, it created a sense of fatalism among Māori as to the lands passing and a pauperising opportunity to obtain money for day-to-day needs by selling individual interests.

As crown witnesses have conceded, the native land act 1873 (under which most Hauraki land was alienated) did not include an adequate mechanism for community control over either alienation or development of the land.

The memorial of ownership created by those act-empowered title-holders to alienate the land and little else.

About 70% of Hauraki land was acquired by the crown between 1870 and 1914, most of it under crown monopoly through proclamations of crown pre-emption in 1872 and 1874 and under the government native land, purchases act 1877, which meant that Māori were prevented from selling or leasing on an open market.

The cost of securing land court titles (survey costs and court costs) commonly drew Māori communities into debt and eroded any potential advantage in securing the titles in the first place.

The Native land act 1909 attempted to deal with the increasing fractionation of Māori land titles by allowing decisions to be made at ‘meetings of assembled owners’. This resulted in considerable areas being alienated by majorities on the night, even though they might not hold a majority of all interests in the blocks concerned.

Each of these points from the executive summary .7 Land law and Purchase were relevant issues that the author had addressed within the whānau claim.

Other relevant findings that were of importance to the whānau claim were set out in the executive summary.6 Timber:

Timber leases, that is, the purchase of cutting rights, were made between Māori and timber millers, mainly in respect of Kauri, notably from the late 1850s. These were technically illegal, or at least extra-legal, but were condoned or assisted by crown officials. After 1865, fresh agreements were negotiated under the Native land acts, to formalise the previous ones, and some new agreements were also reached. Then in the 1870s, the government commissioned James Mackay to buy large areas systematically on the “Coromandel Peninsular. Mackay was in many cases already acting for the timber millers in their lease negotiations and suggested that the crown purchases be subject to Timber leases, in which the millers had invested heavily. Ministers agreed. The claimants have submitted that Mackay and the government colluded to drive down the price paid for the land. We do not consider that this case is made out. It is normal commercial practice to discount to discount the price for land when the resource that constituted much of its value has been sold. The fact that Mackay was acting for both the crown and the millers certainly suggests a conflict of roles, but such multi roles were not unusual in the nineteenth century.

On one hand, the government agrees with the author’s korero, but then the findings indicate:

Multiple roles by Mackay but that these roles were not unusual in the nineteenth century. Crown land purchase agents were generally directed to pay low prices for Māori land and it is not self evident that Māori would

have got better prices for the land had a different agent been employed. The finding also found that Timber merchants also usually paid for the cost of surveys. The Native Lands Act 1867 allowed them to secure what was effectively a lien over the land for their advances, which commonly lead to private purchases of the land, especially at Whangapoua and Mercury Bay, as Māori struggled to redeem the debt (The Hauraki Report Vol 1, Waitangi Tribunal report 2006, Published by Legislation direct, Wellington, 2006, p. xxxvii)

Executive summary 9 pertaining to Taonga and Waahi Tapu, recognised that waahi tapu had not been looked after: “The Crown has acknowledged that where Māori requested reserves to be set aside for Urupa or waahi tapu, its fiduciary obligations required the crown to do so”

further on it states:

In practice, however, the nature of freehold titles, especially when held by private parties, meant that only where waahi tapu were pointed out and specific requests made for their reservation did the crown offer active protection and not always then. The loses of waahi tapu were therefore part and parcel of the alienation of the great bulk of Hauraki land (The Hauraki Report Vol 1, Waitangi Tribunal report 2006, Published by Legislation direct, Wellington, 2006, pp.xii-xiii.)

Also relevant to the whānau claim was Executive summary 12 relating to land taken under the Public Works Act, as part of the Oteao block had been taken for roading purposes and no compensation paid.

The Crown submitted that in considering whether Māori land should be taken for public works a balance has to be found between the Crown's Kawanatanga rights under article one and the Rangatiratanga guaranteed by article 2. They accepted that in general Māori land should be taken for public works only where there are no other practicable options and after appropriate consultation with those affected.

The crown also submitted the following finding:

In general we find that the general notification procedures for the taking of Māori land were inadequate and disadvantaged Māori owners. This is partly the consequence of the creation, by the Crown, of a complex system of multiple ownership and the vesting of control of fractionated interests in the Māori Trustee, a crown official, rather than in Māori tribal authorities (The Hauraki Report Vol 1, Waitangi Tribunal report 2006, Published by Legislation direct, Wellington, 2006, pp. xiiii-xiiv)

Executive summary 13, Impacts on Māori uses of lands and waterways, was also relevant to the whānau as the Rangihau, Waiwawa and Oteao rivers were boundary rivers that were affected by mining and timber floating. The crown states:

While some Māori benefited in the short term from some aspects of the mining and timber industries there is also overwhelming evidence of damage, in both the long and the short term, to their traditional resources, with very limited compensation...

Further on, the findings state:

The crown's duty of active protection of Māori Rangatiratanga over valued resources was often not honoured in Hauraki (The Hauraki report Vol 1, Waitangi Tribunal Report 2006, Published by Legislation direct, Wellington, 2006, pp. xiii-xiiv).

10.4 Conclusion

In summarising, the Tribunal's findings were beneficial to the author's whānau claim, since they found that:

As noted in chapter 1, this is a Ngāti Hei whānau claim with regard to the alienation of 11 blocks in the Mercury Bay area. The issues raised by the claimants are, generally speaking, those at issue for all Hauraki Māori and we therefore do not repeat our discussion and findings with regard to these general matters here. We do however note that the claimants are correct in suggesting that their claim does provide us with a useful close study of the effects of land alienation on an individual whānau and this is something

that we have borne in mind in our deliberations. In General terms, we consider the Wai 969 claim to be well founded, and recommend that this claim be included in a comprehensive settlement for the Hauraki inquiry district (The Hauraki report Vol 3, Waitangi Tribunal report 2006, Published by Legislation direct, Wellington, 2006, pp.1247-1248).

The findings of the Tribunal had been received, many issues had been identified, and others had been ignored. Our whānau had dispersed from the last meeting, but now everything was ready for fresh effort to take the whānau to the next stage. We were fortunate that the arguments in the Hauraki area had delayed the settlement process.

Chapter 11

Conclusions

11.1 Introduction

At the time of printing this thesis Hauraki iwi were still fighting over the settlement process, as far as our claim was concerned that was just another variable that we would overcome. The final stages of our claim were almost complete and although it seemed an odd way to finish the work, the whānau politics had determined our path; as did the recommendations from the Office of Treaty Settlements, and the advice we received from the Tribunal, we were to amalgamate with the hapū claim and await settlement.

11.2 Significance of the research

The work we had done for the whānau was driven initially by at first Arama Whakatau, then his son Mita Arama Whakatau. When the work reached our generation, it first went to my sister, Liza Te Ariki, and when she died the work came to me. At times, it has been very stressful on my family and me, but we have weathered the storm. The research was originally undertaken to prepare a Treaty claim for the whānau, and subsequently became a thesis project. The original plan for the whānau was to organise and run a Treaty claim on behalf of the eleven children of our grandfather, Mana Mita Whakatau. We made this decision at the request of representatives of the whānau and felt at the time it was the correct avenue to follow, as the number we were looking at for our mandating purposes

was close to over 300 people. However, circumstances determined we were in future to follow another path, working through the hapū. The whānau claim was a journey of discovery for our family, as the thesis project has been, we have learnt about our whakapapa and we have met other whānau, we have found out how we came to be where we are now, it has been very enlightening.

For the thesis project, the primary question is whether a whānau claim is the more appropriate avenue compared to a claim as part of or in associated with the hapū or iwi.

11.3 Limitations of research

There have been a number of limitations to this research project. The first and foremost has been my lack of experience with the Tribunal process. The research was largely completed before the thesis methodology was organised, which has made the task of fitting the work into a thesis context very hard. Interviews with Tribunal staff members have been very hard to obtain as the few I have talked to have, either no time to speak or were unable to answer my specific questions.

Time was a limitation, how much time does one put into work that has already been nearly one hundred years in the making. Our whānau to date has no returns, the settlement process stalled because there is a lack of unity within both our whānau claim and within the larger hapū and iwi claims in Hauraki. Will I even see the full completion of this work in my lifetime? A thesis has a time frame of a year or two; this mahi was begun by the tipuna and will continue beyond my life, it is appropriate to say ka whawhai tonu matou, mo ake tonu.

After reading Alistair Reese's thesis I found that my work was limited in the sense that the connection between Ngāti Hei and Waitaha Hei had been broken through: geographical distance, through loss of information and communication, and disassociation. I was extremely interested to know about the Maunga and Awa in Tauranga, the original settlements and connections and about the remnant Waitaha Hei in Tauranga. The history of Hauraki and Tauranga are bound through the father (Hei) and the son (Waitaha). Perhaps a good thesis project in the future could be to look at the whole people both Waitaha Hei and Ngāti Hei.

Another limitation with this project was; will our family ever see this work? So of the whānau have a lack of education and do not understand the ties we have to Mercury Bay, this thesis will serve as an educating tool to inform our whānau on our ties there.

Other limitations were: Funding problems for the claim; inter whānau arguments; being placed with a hapū claimant group for a different part of the Coromandel Peninsula; funding problems from CFRT; arguments with the whānau lawyers; inter whānau politics; mandating problems; problems with the organisation of Te Kapowai trust.

How would I go about collecting the data for this project?

I was fortunate in the sense that the majority of the data for the claim could be used in this thesis, but looking at research for a whānau and hapū or iwi is very different. On a whānau level the evidence is usually about three or four accounts.

An issue was the organisation of that data, looking at what was relevant to this project. Triangulation of my sources to make sure the information was correct. And ethical issues such as what information was I able to disclose without standing on toes.

What methodology would I employ to collect that data?

This was quite a grey area for me, but the books by Bouma and Ling and by Judith Bell were fantastic in helping complete what I believe is a Qualitative Case Study, incorporating some comparative aspects, and some narrative aspects of a whānau's journey through the Treaty of Waitangi process.

This was a journey of discovery for both the whānau and me.

Am I too bias to do this work without inputting my own perspectives?

I believe that yes I was too bias in some aspects of this work, for instance the inter-whānau politics that I have discussed are from my perspective we have not heard the voice of the other participants, or the claims process often this was very emotional and yes I did often become forceful with issues that needed to be completed, but within the thesis project I have put my point of view across and set out my own experiences during this journey.

What information would be relevant to the subject and what would not be?

There was quite a wide range of information that was not relevant, pieces were cut from my first draught for this reason, but what are the criteria to cut something, as far as I was originally concerned it was all relevant I have since amended my stance on this issue.

How would I make sure I had checked all my facts properly?

The method I used to make sure our information was correct was Triangulation of references; through this method we were able to find quite a few discrepancies as discussed in the project.

How many claimants had taken a Treaty claim through as a whānau as a hapū or as an iwi?

After discussion with the Tribunal, it seemed as if quite a few whānau had taken through a Treaty claim however, they all faced similar problems as we did.

11.4 Recommendations for future research

The research work within the Waitangi Tribunal claim for the whānau was very different to the research work in this thesis. I found that the two roles were very different, in the one aspect I was leading the whānau back to our whenua, trying to energise them to feel the passion I felt for the claim, and the desire to redress the wrongs that had affected our family's, whereas in the role of a thesis writer it was more observation and organisation behind the scenes, often quite frustrating, both were experiences that will stay with me forever.

The findings of this thesis lead to the following recommendations:

For any Treaty of Waitangi Tribunal claim, the claimant must be an experienced researcher; it is far too hard to gather the evidence one must, to present a credible claim. I began this work around 1991 and it has taken this long to get to just this

point as I have had to learn to research data. If an experienced researcher is not available, then I recommend hire or commission an experienced researcher to complete the work.

Although there are booklets such as *The Guide to the Practice and Procedure of the Waitangi Tribunal*, and Tribunal website expert advice should also be sought from people that have experienced the process, either former claimants, employees of the Waitangi Tribunal, or university lecturers who have been associated with claims, or lawyers specialising in that specific field.

Understand exactly why you are completing your project and plan out the methods of obtaining your data, how you will incorporate it into your work, making sure it is relevant and accurate, and plan out the structure of your project with attainable goals.

Identify who your audience is and whom this project is likely to benefit or affect

Taking a whānau claim to the Tribunal involves the same problems as that of a hapū or an iwi, the only difference is it is on a much smaller scale so my recommendation is to anticipate possible difficulties like some of those discussed in this thesis.

Make sure your working group for the claim has clear mandate from the whānau, hapū, or iwi, otherwise, any decisions made will be questioned and perhaps eventually opposed.

Make sure the claimant group's settlement team do not have any inter-whānau dynamics that could interfere with the work they will be doing for the whānau.

Make sure that your claimant group has clear structures in place for the return of any assets, whether land or money, and a strategic plan for the management of these resources.

When seeking professional to aid for your group make sure you are able to work with these professional and be certain that they have had experience in the relevant tasks.

Initially I believed that because a whānau claim would be much smaller, it would be easier to handle inter-whānau relationships. I thought it would be easier to obtain mandate from a smaller claimant group. And I anticipated that structures within a smaller whānau group would be easier to organise, such as forming a trust. After experiencing the problems on a whānau level first hand, and studying the issues of a hapū claim, I strongly advise for any group wishing to take a Treaty of Waitangi claim to the Tribunal that it is best to do this on a hapū or iwi level.

I further recommend that your group prepare for any difficulties you may encounter. These could be funding problems, inter-whānau, and inter-hapū or inter--iwi dynamics, even politics of the day, the media coverage for the last few years concerning Treaty claims has created an undercurrent of animosity toward

claimants, which I have experienced first hand as a labourer in my current employment. Make sure that the team you have working for the wider group is clearly mandated and has adequate experience for the tasks they must complete as well as structures in place to achieve the entities strategic plans.

Whom would this research project most likely benefit? Most immediately, the research will benefit the whānau of Arama Mita Whakatau, down through to the descendants of Mana Mita Whakatau. Hopefully we have given an insight into the positives and negative aspects of laying a whānau claim. The Waitaha Hei whānau from Tauranga Moana, I know this work will benefit the Waitaha Hei whānau in Tauranga as it will give them an aspect of how the other whānau have been over the centuries,

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Glossary

Whakapapa -	Family tree
Kapa Haka-	Maori action song group
Whānau-	Nuclear family
Hapū-	Sub-tribe
Iwi--	tribe
Korōua-	Elderly male
Tautoko-	To support
Whangai-	Adoptive procedure employed by families
Koro-	Elderly male
Kaumātua-	Elderly male
Rangatiratanga-	self autonomy
Kainga-	Home
Rohe-	Home area, district
Moko-	Grandchild
Hui-	Gathering
Kīnaki-	embellishment of speech, ingredient
Tuakana-	oldest sibling of a family
Tēina-	youngest sibling of a family
Tangihanga-	Funeral, grieving process
Koha-	donation in form of money, Kai , support
Mokopuna-	Grandchild
Kuri-	Dog
Rangatira-	Chief
Waka-	Large carved Maori Boat
Toki-	Axe
Ahi Kaa-	Establishment of occupational rights

Korēro-	Speech, process of talking
Mana-	Prestige, Strength of character, integrity
Kai-	To eat

Glossary

Moana-	Sea
Toa-	Warrior
Tupuna-	Ancestor
Karakia-	Prayer
Taua-	War party
Whenua-	Land
Arii-	Tahitian priest
Papakainga-	Home land
Waahi Tapu-	Place set aside as sacred
Mau Taiaha-	Maori weaponry use
Urupa-	Cemetery

Place names

Whangarei-	<i>City in North island</i>
Hikurangi-	<i>Mountain in Tauranga</i>
Mataphi-	<i>Suburb in Tauranga</i>
Hawaiki-	<i>Home of Maori</i>
Aotearoha-	<i>New Zealand (Land of long white cloud)</i>
Whangaparaoa-	<i>Near Auckland, named after Whale discovered in Bay</i>
Moehau-	<i>Mountain in Mercury Bay</i>
Maketu-	<i>Settlement near Te Puke in Tauranga</i>
Kati Kati-	<i>Te Kati Kati o Tamatekapua, Town near Tauranga but was originally near Athenree and Bowentown.</i>
Otamarakau-	<i>Settlement and Mountain near Tauranga</i>
Waitahanui-	<i>River near Tauranga named after Waitaha</i>
Te Puke-	<i>Town near Tauranga</i>
Matata-	<i>Next town after Te Puke gateway to East coast</i>
Kaikokopu-	<i>Area in Tauranga</i>
Otaiparia-	<i>Battle site in Tauranga</i>
Te Tumu-	<i>Battle site and pa in Tauranga near Maketu</i>
Manoeka-	<i>Small settlement near Te Puke in Tauranga</i>
Pukehina-	<i>Settlement between Te Puke and Matata</i>
Rangiatea-	<i>Island in South Pacific</i>
Whakahu-	<i>Star used to guide travelers from pacific islands to New Zealand</i>
Tahiti-	<i>Island in South Pacific</i>
Waikari Marae-	<i>Maori settlement/ pa in Tauranga</i>

Te Matai Whetu marae	<i>Maori pa in Thames</i>
Waimapu river-	<i>River in Tauranga was part of boundary between Waitaha Hei and Ngāti Ranginui</i>

Place names

Waiari river-	<i>River in Tauranga was part of boundary between Waitaha Hei and Ngāti Ranginui</i>
Rangihau river-	<i>River in Mercury Bay, Coroglen, was part of boundary for descendants of Tinirau (Ngāti Hei)</i>
Waiwawa river-	<i>River in Mercury Bay, Coroglen, was part of boundary for descendants of Tinirau (Ngāti Hei)</i>
Oteao Stream-	<i>Stream but was a river in Mercury Bay, Coroglen, was part of boundary for descendants of Tinirau (Ngāti Hei)</i>
Te Kapowai river-	<i>River in Mercury Bay, Coroglen, was part of boundary for descendants of Tinirau (Ngāti Hei)</i>
Tairua-	<i>Township in Mercury Bay</i>
Hohou-	<i>Settlement also known as Te Hoho place where Tipuna Arama Whakatau is buried</i>
Te Kauanga Whenuakite-	<i>Settlement in Coroglen Mercury Bay</i>
Rautawhiti o te ao-	<i>Land block in Coroglen Mercury Bay</i>
Kahuwera-	<i>Land block in Coroglen Mercury Bay</i>
Taumatawahine-	<i>Land block in Coroglen Mercury Bay</i>
Kawhia-	<i>Township on West coast</i>
Manaia-	<i>Land block in Coroglen Mercury Bay</i>

Whakatiwai-	<i>Settlement in Coromandel Peninsula</i>
Te Pepe-	<i>Land block in Coroglen Mercury Bay</i>

Place names

Pipimohe pa-	<i>Settlement/pa site in Coromandel Peninsula</i>
Waihou river-	<i>River in Coromandel Peninsula</i>
Wharetaewa pa-	<i>Pā site and settlement of Ngāti Hei in Mercury Bay</i>
Wharekaho pa-	<i>Pā site and settlement of Ngāti Hei in Mercury Bay</i>
Otawa-	<i>Waitaha Hei settlement in Tauranga</i>
Rotoiti-	<i>Area in Rotorua affiliated to Waitaha Hei</i>
Rangataua-	<i>Settlement in Tauranga</i>
Whakatane-	<i>Large town on East coast of North island</i>
Mauao-	<i>Mount Maunganui in Tauranga</i>
Tokitoki-	<i>Settlement in Tauranga</i>
Patea-	<i>Plains area in Coromandel Peninsula</i>
Whitianga-	<i>Township in Mercury Bay</i>
Maungatautari-	<i>Mountain in Waikato area</i>
Maungatapu-	<i>Pā and settlement in Tauranga</i>
Pare Hauraki-	<i>Name of Hauraki Coromandel Peninsula area</i>
Te Ika O Maui-	<i>North Island</i>
Te Totara pa-	<i>Pā near Thames</i>
Turanganui-	<i>East coast town/city</i>
Whangamata-	<i>Township in Mercury Bay</i>
Rangiuru-	<i>Waitaha Hei settlement in Tauranga</i>
Te O a Hei-	<i>Ngāti Hei settlement now called Hahei</i>
Te Whanganui a Hei-	<i>Great Bay of Hei -Mercury Bay</i>

Tribes

Ngāti Haraki
Ngāti Te Moemiti
Ngāti Reremanu
Ngāti Kahu
Ngāti Te Puku O Hakoma
Ngāti Ranginui
Ngai Te Rangihouhiri
Ngāti Pukenga
Ngāti He
Nga Potiki
Waitaha Hei
Ngāti Hei
Tamatepo
Tamatera
Ngāti Whanaunga
Ngāti Ohomairangi
Marutuahu
Ngai Tai
Ngāti Rongo u
Ngāti Paoa
Ngāti Porou
Ngapuhi
Nga Marama
Urukehu
Turehu
Te Tini o Maui
Maruiwi

Ngāti Tautahi

Te Tini O Toi

Ngat Tara

Tribes

Ngāti Koi

Te Whakatoa

Patukirikiri

Ngāti Rahiri

Ngāti Huarere

Ngāti Hako

Te Kahui Ariki

Te Uri o Po