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**WAATA KUKUTAI:
RANGATIRA O NGAATI TIIPA 1822 – 1867**

A thesis submitted in fulfilment
of the requirements for the degree

of

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at

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by

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THE UNIVERSITY OF
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Te Whare Wānanga o Waikato

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Image 1: Major Waata Kukutai Chief of Lower Waikato



(Source: Reed, W.H. (n. d) Auckland Museum, alb. 93, p.5.)

“Ma te runanga e whakatu i a au, ka tu ahau”¹

‘I was raised by my people to lead, I accept the authority and mandate invested in me’

¹ Appendix to the Journals of the House of Representatives, Native Affairs 1860, E-No. 1c, 11.

Abstract

This thesis examines the life of Ngaati Tiipa rangatira Waata Kukutai (1822-1867), and critiques historical perspectives that have narrowly identified him as merely a Kuupapa loyalist. This study argues that Kukutai's choices and leadership were driven first and foremost by those things he viewed as crucial to Ngaati Tiipa autonomy and wellbeing. Kukutai was an articulate and well-educated leader of Ngaati Tiipa. Waata was governed by principles of rangatiratanga (chieftainship), mana motuhake (independence) and loyalty to Ngaati Tiipa and to the whenua. He was deeply religious and courageous and was an entrepreneur who sought to protect his people by securing economic independence. This thesis shows how he negotiated colonial structures by forming strategic alliances, and in the process led his people through one of the most turbulent periods in New Zealand history.

Waata was an enigma shaped by loss, vision and hope for a new future in extraordinary times in New Zealand's history. Waata was a polarising personality who held fast to his life principles. He withstood immense pressure from other Waikato chiefs during the Waikato invasion. During the Waikato War Waata was most active, carrying letters, food and supplies to colonial soldiers and earned himself and his tribe of Ngaati Tiipa the label of kuupapa. While Waata was not the only 'friendly chief' during colonial times he has been the most pillorised in Waikato. Seemingly ignored by many historians is at the same time Waata ensued that Ngāti Tiipa land was never invaded by the colonial troops. Waata's actions protected his people and his land and maintained his mana motuhake, his sovereignty over his district.

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Introduction

This Master of History thesis offers a further contribution to the genre of Maaori historical biographies and is connected to existing literary arguments that seek to tell the story from the alternative view of the Maaori subject. I offer a critique of rangatira Waata Kukutai of Ngaati Tiipa, by exploring the historical narratives, in time and context that seek to reinforce his mana and that of Ngaati Tiipa. The stain of kuupapa labelling is a stigma that has too long been associated with Waata and Ngaati Tiipa. I argue strongly that Waata was a visionary, a rangatira who was clever, courageous and ambitious for himself and his people.

The thesis is composed of more than just a biography of Waata but examines his life in relation to the notion of kuupapa. The thesis asks the question was Waata kuupapa or was he a multi-dimensional person who was first and foremost loyal to his iwi but at times he was loyal to the Crown? The use of the word kuupapa by scholars is interrogated here. Dr Monty Soutar, strongly advocates revisions to the existing interpretation of kuupapa and has been prompted by recent suggestions that Maaori leaders, who fought alongside Paakehaa, were somehow *traitors* (author's emphasis) to a Maaori cause.² Ron Crosby's explains that when the noun 'kuupapa' first came into common Maaori and English usage during the wars of the 1860's, it was used in reference to Maaori who were either neutral or 'friendly' or 'loyal' to the Crown.³ Vincent O'Malley simply lists in the glossary of his epic *The Great War for New Zealand: Waikato 1800 – 2000*, kuupapa – Maaori fighting for the Crown.⁴ These three examples of kuupapa will be used to underpin the thesis argument that there is no definitive description that can or should be applied to all the actions of rangatira such as Waata, and indeed other chiefs who fought to protect their people and their land during colonial land invasions.

Waata was a prominent Waikato chief in the tumultuous years leading up to and immediately following the invasion of the Waikato by colonial forces and the subsequent raupatu (confiscation). He is one of a number of mid-19th century rangatira described in

² Monty Soutar, Kūpapa: A Shift in meaning, in *He Pukenga Kōrero, A Journal of Māori Studies*, (Ngahuru (Autumn), Volume 6, Number 2, 2001), p. 35.

³ Ron Crosby, *Kūpapa: The bitter legacy of Māori alliances with the Crown*, (Penguin [N.Z.], 2015), p. 8.

⁴ Vincent O'Malley, *The Great War for New Zealand: Waikato 1800 – 2000*, (Bridget Williams Books, 2017).

the historical record as ‘kuupapa’ – a term variously used to describe chiefs who were ‘friendly’, ‘Queenites’ and ‘loyalists’.⁵ My research reveals that written colonial histories of Waata and indeed other Maaori tuupuna who were labelled ‘kuupapa’ reflect a very superficial and Eurocentric understanding of Te Ao Maaori that continue to attach underserving stigma to their hapuu. The nineteenth century writings still prevail and were primarily sourced from early writers who described Maaori in terms of uncivilised, heathen and savages.⁶ The thesis challenges the notion of the archaic description of tuupuna Maaori, tuupuna kuupapa. I argue further that Waata was and remains misunderstood, largely due to the historical residue of historical colonial writings. The thesis seeks to renounce those earlier colonial writings by portraying Waata as the rangatira he was, who protected his tribe during the most turbulent times, for Maaori during the nineteenth century in Aotearoa - New Zealand.

Biographical studies of tuupuna Maaori reveal the true complexity of how these rangatira kuupapa negotiated the relentless colonial machine in order to secure mana motuhake and land tenure for their people. I offer a critique of rangatira Waata Kukutai, by exploring the historical narratives, in time and context that reinforce his mana and that of Ngaati Tiipa. This thesis argues for Waata the label of kuupapa was firstly attached by colonial statesmen to serve their own political purposes. The label of kuupapa gained momentum immediately prior to the invasion of Waikato and was liberally applied to any Maaori who seemingly supported Queen Victoria.⁷ Whether or not these rangatira Maaori ‘changed sides’ later appears irrelevant.⁸ Once the label kuupapa was affixed, irrespective of the strategic efforts of the rangatira involved, the continued labelling served to reinforce the propaganda of division and lack of unity particularly in Waikato Maaori tribal society in the nineteenth century.

The colonial representatives in tandem with the Settler government officials also used the label of kuupapa to support their propaganda programme that would justify their own actions to make war on Maaori tangata whenua (people of the land) to illegally confiscate

⁵ Monty Soutar offers clarity to the term ‘friendlies’ when he wrote ‘The European terms ‘friendlies’ and ‘loyal natives’ often convey equally misleading representations in his Ph.D. thesis, p. 24. I would add patronising too.

⁶ Reference for heathen, savages etc

⁷ Monty Soutar Te Wheoro reference.

⁸ Cowan gives an example of Hona, chief of Ngati-Whauroa who had been friendly to the Government turned to the Kingite side and joined their kinsman in the war following the incident at Camerontown, p. 264.

Waikato and other Maaori land. Until at least the 1990's, the written history of 19th century Aotearoa New Zealand reflected dominant Paakehaa worldviews and narratives, with Maaori history largely dismissed as irrelevant and unreliable. Maaori historians have led the charge to de-colonise both the historical discipline and historiography in Aotearoa, bringing forth new methodological and epistemological approaches that have both challenged received historical 'wisdoms' and provided the space for the retelling of our own histories through our own lens.⁹

My ongoing informal interest and research pertaining to Waata and Ngaati Tiipa history over the years has yielded so many written records. However, it is the koorerorero (conversations) held with kaumatua (elders), almost always informal, that aroused my deepest interest. I began to question then, why the written record almost universally by Paakehaa, differ so markedly from a Maaori telling. David Thomson stated that he (or she) 'who pursues the truth through the whole tangled skein of conflicting evidence and opinions' also encapsulates the basis of this thesis.¹⁰ The desire then to portray tuupuna Waata Kukutai as a rangatira of noble integrity, who, when faced with the inevitability of a 'new' world always tried to leverage the best position and future for himself and his people.

The thesis argues that Waata was a rangatira who was clever, courageous and ambitious for himself and his people. Typically, Waata like many extraordinary leaders of his generation was also a visionary and extremely strategic. He introduced religious conversion, economic advancement, and formal education in his tribal district by gifting Rangikariri whenua.¹¹ Waata increased his personal profile as a Waikato rangatira and formed alliances with important colonial people. These friendships resulted in early roles as a tribal warden, then an assessor, and he later was appointed as Head Magistrate of the Taupari Hundreds.¹² He centralised Taupari, his ruunanga meetings in the lower Waikato.

⁹ Professor Tahu Kukutai, email guidance for presentation at He Reo/Voice New Historians conference, Victoria University, Wellington, 1-2 July 2019.

¹⁰ David Thomson, *The Aims of History: Values of the historical attitude*, (London: Thames and Hudson, 1969) p. 101.

¹¹ Reference for Waata re religion, education and farming.

¹² Reference for Taupari Hundreds (Fenton or Armitage).

European styled home, as the central meeting place for all important political events. The contradictory nature of Waata was he, partly through his loyalty to Paakehaa friends, supported the British during the Waikato invasion but ‘was strongly opposed to selling land’.¹³ Te Awa o Waikato (Waikato River) has to date had a much-understated role in the Waikato invasion but in fact was a pivotal waterway for the protection of troop movement and transport supply lines. Waata’s water transport roles ensured Ngaati Tiipa lands were never invaded. He banned guns from Ngaati Tiipa district, and in a contradiction, he later requested guns, but he never took up arms against his Waikato kith and kin. Waata though sacrificed himself rather than sacrifice his life principles and suffer the loss of personal mana due to the decisions and choices he made. I will be concentrating the thesis on the years 1822 – 1867, Waata’s lifetime.

The opening chapter begins with the Kukutai whakapapa (genealogy) and Waata’s potiki (younger brother) status is covered. How did a potiki succeed to become the Ngaati Tiipa principle rangatira is debated. An elaboration on his inherited status as a future rangatira of the Ngaati Tiipa tribe is provided. And Waata’s close relationship with his father Kukutai is recorded. The Ngaati Tiipa tribal lands estate historically included forty-five thousand acres comprising Opuatia, Onewhero and Te Kohanga block in the lower Waikato.¹⁴ In 1857 Waata records the boundaries of the tribal estate and makes his first proclamation on behalf of the ruunanga that Ngaati Tiipa whenua must never be sold. The lands therefore afforded a great significance to the tribe, which was reflected in the mana of the tribe and the tribal leaders. Kukutai dies at Ihutaroa, Te Kohanga in the last intertribal land battle in lower Waikato and Waata succeeds his father as rangatira of Ngaati Tiipa.

In chapter two Waata’s and Ngaati Tiipa’s religious conversion is discussed. The Reverend Robert Maunsell played a large role in Waata’s life from his baptism, to the introduction of formal literacy in the Church Missionary Society mission schools. In response Waata gifted land, Rangikariri to CMS for the Kohanga mission school. The value of missionary focussed education is debated. Seemingly benign land deeds would

¹³ John Eldson Gorst, *The Maori King*, ed. K.O. Arvidson, (Auckland, Reed, 2001), 1st published Macmillan & Co9., London, 1864., p. 29.

¹⁴ The map of Lower Waikato district is a copy from front endpapers reproduced by Stanfords Geographical Establishment, London for the original edition of *The Maori King* 1864. See Appendices A.

enter into lower Waikato and would wrest land alienation away from Maaori owners. Other deeds are commented on and Waata's involvement is speculated.

Chapter three looks at the signing of the Treaty of Waitangi at Waikato Heads, missionary roles of active participation to encourage lower Waikato chiefs to sign the Waikato – Manukau English copy. Kukutai and his eldest son Ngapaka sign the Treaty and in doing so Waata abides by his father's decision and thereby swears an allegiance to Queen Victoria throughout his life. An example of a cultural shift away from the principles of mana, tapu and noa to Christianity is given. And lastly Waata's evolving life is depicted through portraiture. His portrait in his colonial Major's uniform begins the assimilation of the word kuupapa into Ngaati Tiipa orthodoxy history.

Chapter four covers the critical period of increasing colonial pressure for Waikato land which results in the election of the Maaori King. Paetai, one of the first significant meeting convened to discuss the emerging King Movement is deliberated as is Waata's actions of attending carrying the Union Jack. Chiefs who advocated against a separate Maaori King Movement and in support of Queen Victoria, such as Waata, became the exemplar of a divided Maaori nation. The terms friendlies, Queenites and kuupapa naming and labelling begin in earnest. Waata's associations and political alliances are reviewed. His statements at the Fenton inquiry reveal much of Waata's political beliefs of that time. The question asked is what his motives were and how did these alliances protect his people and land and Waata was labelled a friendly and Queenite following Paetai. He then issued the He Purutanga Whenua Tenei proclamation on behalf of the ruunanga o Waata Kukutai to consolidate Ngaati Tiipa whenua.

Chapter five focusses on the establishment of the Kiingitanga, and which side Waata arrayed on and why. Waata's involvement and actions in the early stages of the Waikato land invasion by colonial troops is scrutinized. The emergence of ruunanga as a political expression of Maaori rangatiratanga and the covert machinations of Sir George Grey in relation to the impending Waikato land invasion are explored. Waata's role in hosting the important Taupari meeting in December 1861 belies the fact that he still believed a peaceful solution and mana motuhake for tribes was still achievable.

Chapter six covers the final years of rangatira Waata Kukutai. The Waikato Land invasion is touched upon and Waata's auxiliary role is scrutinised. Waata's sees the former Maraetai mission station turned into a military and naval base and the Waikato war on the river runs in tandem with the invasion on land. He had earlier composed his 'tangi whakaoriori' (lament) in December 1863, his grief seemingly consumes him for the remainder of his life. Waata too was a prolific letter writer and his letters reveal the unwavering principles by which he lived his life. The Compensation Court award and the return of Ngaati Tiipa estate offer some relief to Waata. He is now battling the CMS and Maunsell to revive Kohanga: revealed is the betrayal of the Church and indeed Maunsell himself, in contrast and in spite of the historical records that suggest otherwise. To end the theses and this chapter Waata's tangihanga (funeral) is offered as a conclusion to the life of Ngaati Tiipa rangatira Waata Kukutai.

Writing Conventions

Late in my thesis writing I decided to support and incorporate the uniqueness of Waikato – Tainui's writing conventions and the uniqueness of the double vowel phenomenon into this thesis. My decision followed an article in our tribal magazine *Te Hokioi: Kia Tupu, Kia Hua, Kia Puawai, Te Hiwa o Tainui* which detailed the Waikato –Tainui language strategy (Tikanga Ora, Reo Ora) launched in September 2018. Researched by Pānia Papa she wrote 'we look at what those writing conventions are that is unique to Waikato, the beauty of our language and the importance of using our reo correctly to ensure it thrives and not just survives within our tribe'.¹⁵ On occasions where there is no double vowel I have followed the author's preferences with the exception of quoted material, geographical and iwi references.

I have used the words land and whenua, and rangatira and leader interchangeably, due to the context of the sentences or paragraphs. I had a preference for tribe rather than hapuu when writing about Ngaati Tiipa. And lastly I have tried to avoid whenever possible using the word Pihikete. I have a greater personal aversion to Pihikete than I do to kuupapa. Ngaati Tahinga has successfully domesticated the word kupapa by naming their Whare Tuupuna: Kupapa in memory of their papakainga named kupapa.

¹⁵ Pānia, Papa, *Te Hokioi: Kia Tupu, Kia Hua, Kia Puawai, Te Hiwa o Tainui*, Issue 67, Kooanga 2018, Waikato – Tainui, p. 31.

Chapter One: Rangatiratanga and Mana Whenua

Introduction

This chapter examines the whakapapa and inherited chiefly descent lines of the Kukutai dynasty within the Waikato tribe of Ngaati Tiipa. It begins with Kukutai, and his leadership and bravery as rangatira of Ngaati Tiipa. His status is noted as chief of Ngaati Tiipa and memorialised in Ngawaero's paatere to Kukutai for a careless remark he made at the wedding of Te Wherowhero and Ngawaero in Ngaaruawahia in approximately 1815.¹⁶ Kukutai's son Waata was born into the principle rangatira male descent line (uri tarewa) of Ngaati Tiipa.¹⁷ He was the pootiki, but his challenging behaviour exemplified those of a rangatira. Poihipi Ngatete Ngapaka (Ngapaka), the eldest son appears to have declined the leadership role along with two other brothers Hura and Ngarau also known as Poihipi.¹⁸ Waata's immediate older brother Erueti is most often mentioned in relation to Waata because he was overlooked for the mantle of chieftainship, being described as a man of weak character.¹⁹ Examined are Waata Kukutai's early development and the key ideas, tribal history, and political concerns that shaped him as a tribal leader. With the acceptance of Christianity, a new era of chieftainship beckoned that would be built on religious foundations of peace-making, law-abidingness, obedience, service and faith.²⁰ Waata already possessed chiefly mana through his whakapapa and came to tribal prominence as a young chief when he was baptised in 1939 and assumed a native teacher and monitoring roles at Maraetai mission station.²¹ As a young chief in a rapidly changing Maaori world Waata's religious and tribal convictions guided him to become a principled but independent leader of Ngaati Tiipa.

¹⁶ Pei Te Hurinui, *King Potatau: An Account of the Life of Potatau Te Wherowhero*, (Wellington, Polynesian Society, 1959). Hurinui records Te Wherowhero's date of birth as 1775. P.3. He then writes that Te Wherowhero married Ngawaero in his forties.

¹⁷ Fenton, F, 1857/1858: *Observations on the state of aboriginal inhabitants of New Zealand 1859...*

¹⁸ Raupatu Document Bank, vol 104, pp. 38,827- 39, 838. Nini's whakapapa; Poihipi Ngatete Ngapaka but in most other sources it's just Ngapaka – including the 1844 census and MSI-Papers-3735 whakapapa in ATL. In this latter source, Ngarau is called Poihipi. There is ongoing debate about who Waata's mother was, Oiroa or Te Rawharangi.

¹⁹ Francis Fenton's report also detailed Kukutai's death at the battle of te Ihutaroa and the appointment of Waata to succeed him.

²⁰ Maharai Winiata, *The Changing Role of the Leader in Maori Society*, (Hamilton: The University of Waikato, 2014), p.65. Winiata also lists other chiefly attributes such as humility, goodwill and charity.

²¹ Helen Garrett, *Te Manihera: The Life and Times of the Pioneer Missionary Robert Maunsell*, (Auckland: Reed, 1991), p. 82. Maunsell did not name or make explicit reference Waata as a native teacher, however the pen sketch of Waata in 1858 does indicate he assumed that role.

Mana Whakapapa

Waata's was born of the chiefly Kukutai line. His identity as an iwi person, and particularly his impressions of leadership were 'inherited' and 'achieved.'²² Anne Salmond observes that mana was inherited at birth, the more senior the descent, the greater the mana. Salmond adds that the descent continuity of a hapuu was predominantly patrilineal.²³ Kukutai (1775 -1846)²⁴, Waata's father, was a well-known rangatira in Waikato. He was reported as very much a 'warrior' chief.²⁵ Kukutai took part, and assumed leadership roles, in many battles. One such battle is recorded as the 'Amio-Whenua' expedition, in 1821, which was led by Ngaati Whaatua, One-onenui in Southern Kaipara.²⁶ Kukutai's standing is also reflected by an encounter in 1823 with Nga Puhī leader Pomare, who it is said pauses on his way to wage war against Waikato, landing at Papakura 'to see Kukutai, of the Ngati -Tīpa tribe, and Tu-te-rangi-anini'.²⁷ Tuteranganini was a rangatira of Ngaati Tamateraa, grandfather of Tukutuku, Tiipa's mother. Kukutai's mokopuna was also named Teteranganini Potaua Kukutai.²⁸

The account does not mention that Ngatete Kukutai supported Pomare at Te Rore. Indeed, had Kukutai supported Pomare to wage war against Waikato he would have compromised his own iwi relationships in Waikato. However, it does appear that Tu-te-rangi-anini did travel to Te Rore to fight against Pomare. S. Percy Smith observes that when Pomare arrived at Te Rore, fighting had commenced. Pomare levelled his musket, but Tu-te-rangi-anini 'jumped' at him and killed him. It is noted at the end of the account that Pomare was killed by Waikato at Te Rore, Waipa River, in May 1826 and the author's account is not quite right.²⁹ Another account of Pomare's death argues that Pomare was shot in the hand by Te Aho, a son of Kukutai, and that 'the final blow which

²² While leadership may be inherited in the Māori world, it is, as Apirana Mahuika, has argued also "achieved". Waata's senior whakapapa provided one criteria, but his own personal qualities, attributes, and achievements were also important factors. See A. T. Mahuika, 'Ngā Wahine Kaihatu o Ngāti Porou/ Female Leaders of Ngāti Porou' (MA thesis, Sydney University, 1974).

²³ Anne Salmond, *Hui: A Study of Maori Ceremonial Gatherings* (Auckland: Reed, 2005), p. 12.

²⁴ Kukutai birth date is a guesstimate based on his approximate age and the events he attended. DE.

²⁵ Helen Garrett, *Te Manihera: The Life and Times of the Pioneer Missionary Robert Maunsell* (Auckland: Reed, 1991), p. 98.

²⁶ W. H. Skinner, 'History and Traditions of the Taranaki Coast: Te Amio-Whenua 1821-1822', *Journal of the Polynesian Society*, 9:XIV-, (1832), p. 86.

²⁷ S. Percy Smith, 'The Death of Pomare', *Journal of the Polynesian Society*, 34: IX, (1900), p.76.

²⁸ Genealogical table of the Waikato tribes, MSI- Papers – 3735, ATL

²⁹ *JPS*, 9 XIV, 1832, p.77.

killed him' was delivered by Nini as a spear thrust.³⁰ Kukutai is also credited as being part of the taua in 'The Defence of Otaka or Nga-Motu pa', February 1832.³¹

Kukutai continued to engage in battles in his own territory to preserve the boundaries of Ngaati Tiipa land until he was killed in 1846. The older sons of Kukutai, Te Aho and Nini, participated in battles with their father and would perish with him at the battle of Ihutaroa.³²

Waata Kukutai's leadership would have been strongly influenced by the legacy left to him by his father. Ngatete Kukutai understood, and behaved, as a rangatira of some standing and attended the most prestigious and important events within Waikato in his time. One famous recorded incident that involves Kukutai is commemorated in 'Te Waero's paatere'. The incident that caused the offence occurred when Te Wherowhero, married the aristocratic Ngawaero of Ngaati Tuwharetoa in approximately 1815.³³ According to one version from Te Taite Te Tomo, Ngawaeroa became the object of criticism from the women of Waikato and Ngaati Maniapoto at her marriage to Pootatau Te Wherowhero. This Ngaati Tuwharetoa version has four verses.³⁴ The second version by Pei Te Hurinui of Ngaati Maniapoto describes the wedding as a great tribal gathering held at Ngaaruawahia. Enormous quantities of food were provided by Te Wherowhero's tribe, but some visitors were disappointed because an important food item was missing. Although Ngawaero belonged to Ngaati Raukawa and Ngaati Maniapoto, tribe's known for their vast forests and famous for their birds, there were no preserved manu (birds) at the feast. The absence of manu was the subject of comment at the time, and it is recorded that a high chief Kukutai made a caustic remark: 'Ka hua au kei te tamahine a Tukorehu rewa ana te hinu manu o nga maunga', that was repeated to Ngawaero.³⁵ This was an insult to Ngawaero and her people and she returned home to remedy the shame. Her

³⁰ S. Percy Smith, The Death of Pomare, *Journal of the Polynesian Society*, 38: X, (1901), p.82.

³¹ W. H. Skinner, 'The Defence of Otaka or Nga-Motu Pa', *Journal of the Polynesian Society*, XIX: XVIII, (1832), p. 25.

³² Native Affairs, 'Papers relative to Native Affairs', *Appendices to the Journals of the House of Representatives*, 11, E. No 1c, 1860.

³³ Pei Te Hurinui, *King Potatau: An Account of the Life of Potatau Te Wherowhero*, (Wellington, Polynesian Society, 1959). Hurinui records Te Wherowhero's date of birth as 1775. P.3. He then writes that Te Wherowhero married Ngawaero in his forties.

³⁴ A. T. Ngata & Hirini Moko Mead, *Ngā Mōteatea: The Songs, Part Four*, (Auckland University Press, 2007), pp. 68-69. Collected by Sir Apiranga Ngata, Translated by Hirini Moko Mead.

³⁵ Pei Te Hurinui, p. 136.

people carved a waka manu, which was so large that when filled with hua (preserved birds) it required eight men to carry the vessel. Tribal poets also composed the paatere which Ngawaero triumphantly sang as she made her grand entrance onto the marae at Whatiwhatihoe adorned with the famous tiki heirloom, Te Ngako. The paatere makes explicit reference to Kukutai's insult:

E noho ana anoo ite papa tahi o taku koro, whakarongo rua aku taringa ki te hiha tangi mai a Kukutai!
 Me aha koa i te awa, whakawhiti ki Puniu. Tee pikitia i te piinakitanga ki Turata: ko Te Arawa! E kore au, e Kahu, e aro iho. He kai tata waiho tonu i te huanui!
 Ngaa pikita ki Te Matau, kia maarama te titiro auahi kookiri mai ki Mangahana: ko Te Huanui! E kore au e peka noa, kei ngurunguru hua e te tangata
 Me whakarangi-puukohu e au ki Hurakia, hei a Te Whare!
 Me whakatangi te korowhiti ki Tiitiiraupena hei Te Momo!
 Tua ana hau i te pou tuu papa o Te Raro, kia taakiri tuu au i te wai o te huariki!
 Uu, ee, araraa! Te whakamaa i ahau, ee!³⁶

English translation of Ngawaero's paatere (from Ngā Mōteatea: A. T. Ngata & Hirini Moko Mead)

1. I am sitting on my grandfather's floor,
 My two ears listen,
 To the rantings coming from Kukutai,
 They might come from the river crossing at Puniu,
 On ascending the gently slope to Tuata there is Te Arawai,
 I should not take notice, oh Kahu, as it is food soon to be consumed:
 Let them remain on ascending pathways at Te Matau
2. See clearly the swirling smoke,
 At Mangahana there is the pathway,
 I shall no go there lest I be the subject of gossip,
 I shall be a forest fairy to Te Whare, at Hurakia:
 Let me whistle towards Titiraupenga and where Te Mom is,
 There I stand beside the bird snare posts,
 So the berry juice of the coprosma will allow me to stand free of tapu,
 Hue! There! How shamed am I!

(Ref: Taite), p.69.

Both versions identify Kukutai as a significant voice whose sarcastic remark relating to the absence of hua provoked a serious response. Kukutai's remark was said to be repeated by the women of lower Waikato and the Ngata version alludes to this. The

³⁶ Pei Te Hurinui, pp.139 – 141.

Hurinui version which is the version here describes in greater detail both the Ngaaruawahia and Whatiwhatihoe events. Kukutai also attended the Whatiwhatihoe hui and Tukorehu responds to him on behalf of his daughter and his tribe.³⁷ Kukutai's mana, as a significant Waikato chief, was recognised because Te Wherowhero, who was Waikato ariki, appears not to have remonstrated with Kukutai either.

Kukutai's son Waata matured and became as unafraid and outspoken as his father. As a young chief he too challenged ariki Te Wherowhero in 1857 at Paetai when he made his entrance bearing the Queen's Union Jack flag, in opposition to the Kiingitanga flag.³⁸ Waata demonstrated again how fearless he was again at Paetai, when he challenged Te Wherowhero on his proposed naming as King.³⁹ He was the potiki of his whaanau. Ernest Dieffenbach observed 'of the sons of a rangatira, the first and last inherit the greatest dignity and are called the Ngako-o-te-whenua, the fat of the earth'.⁴⁰ Waata understood his own mana as chief of Ngaati Tiipa. He would continue to challenge and act with authority for what he perceived would be the betterment of his tribe. Waata's sense of leadership, then, came from the knowledge of his inherited whakapapa status.

Whakapapa tables and the Kukutai whakapapa descent lines have been difficult to correlate due in no small part to Kukutai having seven wives. This has caused the lineage to be widened and lengthened and unfortunately reliance of accuracy has to be placed on other sources. A case in point was who was Waata's mother? Was she Oiroa (Oeroa) or Te Rawharangi. I have chosen to accept my grandfather's written account. These descent lines are illustrated in the following whakapapa table:

KUKUTAI WHAKAPAPA

Tapae = Te Kura

Tamatera = Te Pareatai

Huingahau = Waitarere

³⁷ Pei Te Hurinui, pp. 142-143.

³⁸ John Eldon Gorst, *The Maori King*, ed. K. O. Avidson, 1st edition 1864 (Auckland: Reed, 2001)

³⁹ Vincent O'Malley, *The Great War for New Zealand: Waikato 1800-2000*, (Wellington, Bridget Williams Books, 2017), p.88.

⁴⁰ Earnest Dieffenbach *Travels in New Zealand*, (London, John Murray, 1843), Facsimile edition Christchurch, Kiwi Publishers, 1999, p. 113.

Kukutai

Te Rangiharerunga (w1) Ngapaka Poihipi,

Te Ahoterangi te Ringamutu (Te Aho)

Kukutai = **Rangihaea (w2)** Ruihana Nini (Nini), Te Hura Harapete (Hura),

Kukutai = **Rangiaia (w3)** Ngarau Poihipi

Kukutai = **Rangimataruru (w4)** Te Kahapo, Toea, Te Hurumutu

Kukutai = **Kuku (w5)** Timoti Wharekereru

Kukutai = Te Oiroa (w6) Erueti, **Porima Kukutai (Waata Kukutai)**

Kukutai = **Te Rawharangi (w7)** Erueti and Waata are sometimes connected to Te Rawharangi

Kukutai, simply known as Kukutai is known to have had at least twelve sons by his wives. The complexity of the Kukutai whakapapa are that some sons are mentioned and some are not. Additionally, the intergenerational descendent lines that should distinguish between sons, uncles and nephews remain blurred usually due to the same names appearing in every generation.⁴¹ Ngapaka is recorded as the tuakana (eldest son), then Te Aho from Kukutai's first wife Rangiharerunga. Waata was very much the pootiki, and as such would probably have been the indulged child. His leadership style was the antithesis of his father's former warrior status. Waata's keen observations allied with his political astuteness and Christian beliefs compelled him to seek more peaceful resolutions to disputes. Waata Kukutai's whakapapa and his inherited mana came almost uninterrupted through his father's line. The retention of his chiefly mana, and his principles would be a constant driver in Kukutai's life. In most records Waata's mother is recorded as Oeroa or Oiroa, the sixth wife of Kukutai.⁴² However, in Tuteranganini Potaua's evidence before the Compensation Court in 1868. Waata's mother is listed as Te Rawharangi, Kukutai's seventh wife. Waata's name was listed as Porima Waata Pihikete Kukutai.⁴³ As previously stated, he had older brothers from Kukutai's more senior wives, and was very much the pootiki.

⁴¹ Koro Waka Kukutai recorded the Kukutai whakapapa on his headstone beginning from Kukutai, then recorded Oiroa as Waata mother. This is the version I have followed, although there are other versions that state Rangiwaharangi as Waata's mother.

⁴² Gary Scott, *Dictionary of New Zealand Biography*, <http://teara.govt.nz/en/biographies>.

⁴³ Karu Kukutai, Whakapapa handout, *ATS:MS – Group – 0622, Mercer MB11/278, 27/05/18*.

After his father's death in 1846 at the battle of Ihutaroa, Waata inherited the mantle of Ngaati Tiipa leadership at twenty-four years of age. His accession would have been considered quite controversial at the time, although not unusual in Maaori society. His elevation to rangatira, despite having older siblings and relatives suggests that his elevation was agreed and confirmed by the tribal ruunanga. The many whaanau that comprised Ngaati Tiipa already had an acknowledged ariki. That was Kukutai's eldest son Ngapaka Poihipi Kukutai who signed the Treaty of Waitangi at Port Waikato using his initials N. P. Kukutai on behalf of Ngaati Tiipa.⁴⁴ Ngapaka seemingly relinquished his leadership duties to his younger brother, perhaps due to the fast changing times brought on by the arrival of Christianity and the Treaty of Waitangi. A further question however remains: was Waata's elevation to be rangatira a deliberate act of accession based on his missionary education and therefore perceived to be the right person for the role or was he the sacrificial son surrendered by his older brothers because they did not want to take on the pressures and expectations of leadership? The tribe's decisions on the prospective leader began from the eldest son Ngapaka and continued down through the Kukutai male line only.⁴⁵ Therefore the younger Kukutai must have been selected and supported in his role to become the rangatira by tribal kaumatua and the tribal ruunanga.

Old Traditions, New Commitments

Following Ihutaroa, Waata Kukutai succeeded to become principle rangatira of Ngāti Tiipa ascending to the mantle of his father Kukutai. Waata would have been an observer at the last battle his father fought at Ihutaroa. In later years he wrote a tangi whakaoriori that detailed his profound sorrow at the loss of his father and brothers.⁴⁶ He witnessed the futility of war, and the waste of life with the exacting toll these events would have on Ngāti Tiipa. It was at this crucial time, and already a committed Christian, Waata appeared determined to forgo traditional tribal war as a means of settling land disputes.⁴⁷ Under his leadership he instigated new ways to resolve conflict and he sought a new and peaceful direction for his people. It would take another eleven years, at the Paetai meeting, before Waikato ariki and rangatira collectively agreed to end inter-tribal warfare

⁴⁴ Ministry of Culture and Heritage, The Waikato - Manukau Sheet of the Treaty of Waitangi, National Library of New Zealand, Personal visit 11th February 2019.

⁴⁵ Anne Salmond, *Hui: A Study of Ceremonial Gatherings*, 4th edition (Auckland: Reed, 2005), p. 12.

⁴⁶ Te Pokiha, *He Tangi whakaoriori*: Letter from Taupari, 9th December 1863, MSY-2046-2146, Sir George Grey, 1812-1898, Maori Manuscripts 1845-1905 Collection, Alexander Turnbull Library, Wellington, New Zealand.

⁴⁷ Winiata, p. 65.

in Waikato.⁴⁸ Waata Kukutai was imbued with mana whakapapa and possessed all the requisite characteristics of chieftainship. When Waata made the decision to forgo physical battles, he exchanged physical combat with verbal diplomacy utilising his vast array of oral skills, to preserve tribal autonomy.

Image 2: Ink sketch from Horace Fildes Collection



(Source: M. A. Tagg, 2003)

Waata was a forceful and charismatic speaker throughout his lifetime. In 1857 he was depicted in an ink pen drawing preaching to his people at the Kohanga mission station.⁴⁹ Again, in 1857 his speeches were recorded from the Paetai meeting.⁵⁰ His impassioned speeches to his people were also recorded during the Ngaati Tiipa ruunanga meetings.⁵¹ As Waikato navigated and embraced Christianity, old physical battles morphed more into verbal contests. This expression of rangatiratanga was intense, and oral debates could frequently last many days as indeed the Taupari meeting did. Waata's leadership expressed through oratory skills developed to the point where he was recognised as the mouthpiece and spokesperson for his people. Secondly, his undoubted intellect and

⁴⁸ Gorst, p. 38.

⁴⁹ M A Tagg, *Te Ahiwera – A Man of Faith together with Recollections of a Waikato Missionary*, (Anglican Historical Society, edition 2003), p. 46.

⁵⁰ Gorst, p. 40.

⁵¹ Te Karere Maori or Maori Messenger, *Taupari*, Vol. 2. No. 3, 5 February 1862, pp. 8-11.

compassion for his people was displayed when he was a native teacher at Maraetai. He was a committed Christian and he had been one of several sons of chiefs at the mission schools in Maraetai (Waikato Heads).⁵² At the Waikato Heads Mission Station the Reverend Robert Maunsell wrote that ‘Several young men of first rank have been baptised and are acting as teachers for their respective tribes.’⁵³ Following Waata’s baptism in 1839, he became a committed Christian who regularly conducted the native services held at the Maraetai and Kohanga mission stations.⁵⁴ He was thus educated in both Maaori and Paakehaa worlds specifically to lead.

Waata’s leadership first and foremost reflected his deeper desire to protect the welfare of his own iwi. This style of leadership, as Maharaia Winiata writes was a feature of Maaori society before and after the arrival of Europeans.⁵⁵ Waata Kukutai’s meteoric rise and succession to ariki and rangātira status within Ngaati Tiipa was more than just a matter of birth right. Winiata writes that the status of chieftainship, in that era, whether ariki or rangātira was primarily by ‘order of birth.’ He argues further that ‘if the natural heirs proved unequal to the demands of tribal leadership then political leadership was then circulated among those males of aristocratic status who were courageous...and showed a deep concern for tribal welfare’.⁵⁶ Viewed in this light Waata’s accession to leadership would have been a political appointment given that he still had older brothers who were living. Additionally, there were specific roles for kaumatua and tohunga.⁵⁷ The importance of whakapapa or genealogy within these realms cannot be underestimated. The kinship ordering of the birth of siblings, was carefully but actively protected, because of the status it afforded the male primogeniture. There was, however, an equally important characteristic within Maaori leadership and that was leaders or chiefs must have had ‘the magical factor’, charisma.⁵⁸ Winiata wrote that the charismatic qualities of mana and tapu were fixed in the status of the ariki. An important rite which only ariki

⁵² Garret, p. 175. Unfortunately, Reverend Maunsell did not record the names of the pupils or native teachers at Maraetai mission station. He does however record Waata’s name separately as a principal chief.

⁵³ Garrett, p. 85.

⁵⁴ Henry E. R. Wily and Herbert Maunsell, *Robert Maunsell, L.L.D.: A New Zealand Pioneer, His life and Times*, (New Zealand: A. H. and A. W. Reed, 1938) pp. 55-56.

⁵⁵ Maharaia Winiata, *The Changing Role of the Leader in Maori Society*, (The University of Waikato, Hamilton, 2014), pp. 36-37.

⁵⁶ Winiata, p. 37.

⁵⁷ Winiata, p. 35.

⁵⁸ Winiata, p. 38.

could carry out correctly was that of exhumation.⁵⁹ Waata undertook this rite of exhumation for Ruihana Nini, rangatira o Ngatitipa (sic) along with two hundred and six other tribal members. On the 21st of May 1861 he wrote from Taupari to Te Reta Maori to announce that Ruihana and his children (people) had died in the battle of Ihutaroa and Ngaati Tiipa had gathered to mourn their loss and then removed them to another place to be buried.⁶⁰

Waata well understood well the concepts of tapu and noa. James West Stack wrote that Waata ‘was one of the most sensible and intelligent Maoris he ever met’ and that Waata had related many interesting facts of the fatal effects which followed the transgression of the rules of tapu.⁶¹ Although Waata was the potiki, he had been taught the appropriate rites for exhumation, and he had been schooled in the concepts of tapu and noa. As the indulged potiki of a chief and his ability to move between the old world and the new world with his concern for tribal welfare would have been identified prior to his assuming the leadership role. Ranginui Walker is more succinct when describing Maaori evolution in this period. He states that the basic socio-political land –holding groups of pre-European Maaori society were hapuu, independent clans led by rangatira, of whom he added considered themselves first among equals responsible for the political and economic welfare of the hapuu.⁶²

The arrival of missionaries in 1814 ushered in to the Maaori world new religious concepts. However, it was not until the 1830’s that Waikato began to embrace Christianity that active conversions began. Bronwyn Elsmore writes that the main factors that influenced Maaori to accept Christianity were their early attitude’s as ‘protectors’ toward the missionaries, who also had to rely on the goodwill of chiefs of the area’s where the mission stations were placed.⁶³ But it was the remarkable enthusiasm and

⁵⁹ Winiata, p. 40.

⁶⁰ Te Manuhiri Tuarangi and Maori Intelligencer 1861: Te Reta Maori, Te Karere Maori (Maori Messenger), Volume 1, Issue 8, 1 July 1861, <http://www.paperspast.natlib.govt.nz/newspapers/>. Accessed 20/06/19 Note: The translation copy is bracketed (people) in this copy.

⁶¹ A. H. Reed ed., *More Maoriland Adventures of J. W. Stack*, (New Zealand, A. H. Reed and A. W. Reed, 1936), p. 196.

⁶² Ranginui Walker, Rangitiratanga, Kāwanatanga and the Constitution in *A Land of Milk and Honey? Making Sense of Aotearoa New Zealand*, eds. Avril Bell, Vivienne Elizabeth, Tracey McIntosh and Matt Wynyard, (Auckland, University of Auckland, 2017), p.26.

⁶³ Bronwyn Elsmore, *Like Them That Dream: The Maori And The Old Testament*, (Auckland, Reed, 2000) 1st edition 1985, p. 18.

aptitude of Maaori for literacy that finally gained acceptance of missionary presence.⁶⁴ Waata fully embraced literacy, religion, and the new material offerings that accompanied the missionaries. Waata was not alone in ushering in a new era. He was negotiating a new world and had to make decisions for their people. He was, as much as anything experimenting with the various ideas and technologies available to his people.

Ngaati Tiipa Whenua

Waata Kukutai delineated the boundaries of Ngaati Tiipa land in 1857, with clear instructions not to sell to Paakehaa and he wrote and published the named boundaries and subsequent instructions in *Whetu o te Tau*.⁶⁵ Waata's instructions were explicit, that it was not right to sell land. He issued these instructions after he had attended Paetai in 1857 where he announced his support for Queen Victoria by carrying the Union Jack into the meeting.⁶⁶ The motivations of kuupapa were noted in the major work *Tangata Whenua: An Illustrated History*, of Maaori who aligned with the Crown:

The kuupapa alliances became a significant part of the new Māori politics of the later 1860's. Their decisions and actions would always be their own, based on intricate calculations of the balance of power between the tribes, and on the best means to protect the land and its resources. Their reasoning was often remarkable similar to that of the groups they fought against.⁶⁷

Waata was equally adamant that Ngāti Tiipa would not sell land to Paakehaa.

Ka puritia tenei whenua, ahakoa poka te tangata, ki te korero kia hokona ki te Pakeha, ekore e riro, ka tau te whakaaro o nga runanga ki te pupuru i nga whenua timata mai i te puaha: a, Pukekawa atu ana.

This land will be retained. Despite what people say or do, if it is said that it will be sold to the Pakeha, it will not be given. It is the decision of the runanga to hold on to the lands starting from the puaha right through to Pukekawa.⁶⁸

The correspondence was to Hare Reweti at Akarana (Auckland). Waata had begun the article: 'He kupu tenei no te Runanga o Waata Kukutai mo nga whenua o Waikato.' –

⁶⁴ Elsmore, p. 28.

⁶⁵ Hepurutanga Whenua Tenei, in *Whetu O Te Tau*, Volume 1, Issue 2, 1 November 1857 from Papers Past. <https://paperspast.natlib.govt.nz/newspapers/> accessed 21/05/2019.

⁶⁶ Paetai korero

⁶⁷ A. Anderson, J. Binney & A. Harris, *Tangata Whenua: An Illustrated History* (Wellington, Bridget Williams Books, 2014), p. 271.

⁶⁸ Hepurutanga Whenua Tenei in *Whetu o Te Tau*, Volume 1, Issue 2, 1 November 1857. Translation by Kaumatua Denis Te Wakatoto Holland, pers com to Denise Ewe 9 June 2019.

These are the words [instructions] from the committee of Waata Kuketai in reference to the land of Waikato. This early declaration of opposition to land sales serves to refute assumptions that Waata was entrenched as a kuupapa that he would risk his land and his people for the colonial administration he supported. Although Kuketai declared his support for Queen Victoria throughout his life, he was an avowed opponent of land sales, a position he never altered from.⁶⁹ See Appendices A.

Te Wharenui o Te Kotahitanga

The Ngaati Tiipa tribe occupied a large area on the Western side of the Waikato River beginning from the Tuakau Bridge, traversing up to Onewhero and stretching down to Kawhia then diagonally across to Tauranganui. Historically Ngaati Tiipa whaanau had named whenua and these lands had historic landmarks such as streams, trees and hills that acted as demarcation lines. Whaanau knew these boundaries, and each had ingoa Maaori that informed all that this area ‘belonged’ to a particular whaanau. Additionally, these areas comprised of kainga whenua which have linked whanau and whenua together. In Ngaati Tiipa today, these names have survived colonial overlaying by European surveying, and are portrayed and remembered in tukutuku panels at Te Kumi Pa, Te Kohanga.⁷⁰ These kainga whenua are still referred to by their traditional names by whaanau who still remain on their whenua taketake (historic land ownership). According to Ranginui Walker, Maaori attachment to land is rooted in mythology, tradition and the long history of tribal wars and that tribal wars served to demarcate territorial boundaries.⁷¹ Waata was equally adamant that the protection of Ngaati Tiipa territory was paramount to tribal well - being.

The land of milk and honey

The Waikato region was fertile and productive and Waikato iwi were successful and prosperous.⁷² Ngaati Tiipa, under the leadership of Waata became entrepreneurial in their outlook. An example of Waata’s entrepreneurship is perhaps best recorded when he leased twenty head of cattle, 800 sheep and lambs, with ninety [sheep] taken on terms

⁶⁹ Gorst, p. 29.

⁷⁰ Nanny Heeni Kani & Rereokeroa Shaw designed, named, and facilitated the weaving of the tukutuku panel designs that are housed in the Whare Tupuna, Te Kotahitanga. The Te Kotahitanga: The Carved meeting House of Te Kotahitanga Marae, Te Kohanga booklet was printed on 18 April 1998.

⁷¹ Ranginui Walker, *Ka Whawhai Tonu Matou: Struggle Without End*, (Penguin Books [NZ], (1990), p.70.

⁷² David McCan, *Whatiwhatihoe: The Waikato Raupatu Claim*, (Wellington, Huia, 2001), p. 25.

from Walter Kuketai, of which the [Kohanga Mission] school gets the wool.⁷³ Land was owned collectively by the tribes. Rev. Maunsell understood Maaori land ownership and had warned the government that ‘the land does not generally speaking belong to one individual, but chiefly to the tribe’.⁷⁴ Waata was aware of the leverage Maaori might have in directing business and dealing with Paakehaa. Where some Maaori saw intrusion, he saw an opportunity to position his tribe as players in what he would have determined as a promising new economy. Thus, his negotiations with Paakehaa and the Crown later would have been motivated by his sharp entrepreneurial evaluation.

Kaitangata and Ihutaroa, the last inter-tribal land battles between Lower Waikato tribes

Waata Kuketai was significantly impacted by the tribal conflicts of the early nineteenth century. His outlook, following the loss of his own whaanau, severely influenced his later decisions and leadership. There were two major tribal land battles recorded in the Ngaati Tiipa rohe in the nineteenth century. The first battle is recorded as the battle at Kaitangata and was reported in the *Pukekohe & Waiuku Times* in 1921 with the alleged battle taking place in about the year 1838. The two pa were held respectively by Ngaati Pou at Kaitangata and Ngatitipa at Tiki Rahi. Kuketai was the named rangatira of Ngaati Tiipa. The Ngaatipou chiefs are un-named. The writer claims that Ngaatipous ‘were routed with great loss’. As a result, the ‘Ngatitipas’ (sic) took possession of the paa and the boundary line was moved by about a mile. The writer then claims that ‘not many years later the ground was taken in conquest ... 700 acres handed over as a gift to the Church of England and a mission station school was established there by Dr Maunsell’.⁷⁵ Firstly the locations of Tikirahi and Kaitangata are out of place and in fact are on opposite sides of Tikorangi, with Rangikariri further away from Ihutaroa. The Opuatia creek is located in Opuatia, Pukekawa. These statements appear to be a jumbled mix of many previous writings and contain so many inaccuracies as to render the whole report unreliable, to Maaori at least. For Waata and his descendants, these inaccurate historic narratives were written through the prism of Eurocentric colonial justification on why so much initially gifted Maaori

⁷³ *AJHR*: E – 04 Native Schools. Reports of Inspectors, 1862 Session 1.

⁷⁴ Letter from Rev. R. Maunsell, *Quoted in Evidence before the House of Commons, 1840: Parl, Papers, August 3, 1840* in *Opinions on Native Tenure*, 5 E- No.1.

⁷⁵ Papers Past, *The Battle at Kaitangata*, in *Pukekohe & Waiuku Times*, Volume 9, Issue 681, 4 November 1921.

land is currently now held in private ownership. The Kaitangata article was written eighty-three years after the time of the alleged battle.

The Ihutaroa battle was hugely significant to Waata because it occurred so close to where he lived and grew up in Te Kohanga. The battle involved his father and brothers, with missionaries present. It was the last major inter – tribal land dispute in lower Waikato. The dispute was documented by missionary catechist Benjamin Y. Ashwell. Ashwell, did not name the fallen, which he would have known and it is highly questionable whether he was even present during the battle. Muskets were reportedly used, with the dispute centered on the fence line erected by Uira of Ngaati Pou. Ngaati Tiipa was again led by Kukutai. Warenahi and Kawae of Ngaati Tiipa are reported as having stated, to Ashwell, that ‘the fence will not stand for the land is ours’, followed by ‘blood will be shed for that fence – that is all I have to say’. Blood was spilled and Kukutai along with his sons Te Aho and Nini were killed, with a total thirty two deaths in all.⁷⁶ For rangatira Kukutai, the defence of Ihutaroa would come from a deep-seated tribal instinct to defend his territory against other usurpers. Under Waata’s leadership he displayed a reticence for physical combat and instead used political forums that centered on the Ngaati Tiipa ruunanga to address internal disputes.⁷⁷ In contemporary times these written records of Maaori land disputes, to date unchallenged, have had far reaching consequences for Waata’s descendants including the stigma associated with the warrior status hangover.

Summary

This chapter has argued that chiefly lines of whakapapa innately prepared Waata Kukutai for the unexpected Ngaati Tiipa rangatira leadership role. Waata was the indulged son, albeit perhaps not obvious at first given he had many older brothers. While his lineage enabled a claim to leadership, it was his personal attributes and skills that inevitably paved the way for his ascension to the status of rangatira. The death of his father in the very act of protecting the mana of their people left a lasting impression on Waata, who remained committed to Ngaati Tiipa well-being and advancement. His leadership style transcended the previous realms of intertribal violence and domination. He carried a status, a mana, reserved only for the high-born sons of chiefs. He was extremely

⁷⁶ M. A. Tagg, p. 67-68.

⁷⁷ *AJHR*, E – No. 9. Sec 11 Lower Waikato. An example is provided by James Armitage, ESQ when reporting on the Ngāti Tīpa runanga on 21st January 1862.

intelligent and quickly became fully literate at a young age. He observed first-hand the futility of inter-tribal battles and was heavily influenced by Christian doctrine. His Christian beliefs fuelled a compassion for his Ngaati Tiipa people, and he sought a prosperous future through the retention and development of Ngaati Tiipa land.

Waata was a courageous leader who would later make sometimes unpopular decisions on behalf of his people. He exhibited strong leadership by publically declaring his total opposition to selling Ngaati Tiipa land in 1857. Waata never veered away from this stance, even when he was accused of, or appeared to be, behaving as a kuupapa. This complexity of positioning himself to appear on the side of the colonial government in fact was Waata exhibiting his leadership to keep his lands and his people safe from colonial intrusion into Ngaati Tiipa lands that remained intact during the war. While Waata embraced Christianity, his leadership was not subservient to Paakehaa aspirations but remained driven by a desire to see his own people prosper in a new world. It would take all his skills, as a leader, to guide Ngaati Tiipa through the most turbulent times in New Zealand history.

Chapter Two: The Conversion of Ngaati Tiipa

Introduction

This chapter focusses on Waata Kukutai and the early religious influences on his life. Waata was instrumental in introducing religious and formal missionary education into Ngaati Tiipa territory. He achieved this by gifting Rangikariri land to relocate the Church Missionary Society (CMS) Maraetai mission station from Waikato Heads to Te Kohanga in 1853. The Grant for Church of England gift of Ngaati Tiipa land enabled the CMS, with the support of Waata and his people, to build the Kohanga mission boarding school, Kohanga church, and carry out extensive farming operations. This chapter examines the educational expectations that Waata envisioned for his people and to what extent the CMS missionaries delivered on these expectations. An example of rangatira Kukutai's grandson Ngataru's cultural shift to Christian beliefs is provided.⁷⁸

It was Waata's strong religious beliefs that sought peaceful alternatives promoted in the gospel in contrast to war. However, it is Waata overriding loyalty to his iwi that drove him to make the decisions on behalf his people. At this time in his life Waata was tribally and politically independent as indeed all of Waikato peoples were.⁷⁹ This chapter concludes by arguing that Waata's own teaching and learning experiences lead him into forming new alliances with Paakehaa to secure a new and progressive future in the face of a rapidly changing Maaori world.

Waata Kukutai and missionary education

Waata was born in 1822 at a time of great cultural and spiritual turmoil for Ngaati Tiipa. There is a paucity of information written about Waata in his youth.⁸⁰ Waata's deep sorrow at his father's demise indicated a close and loving relationship. His father's death in battle had a profound effect on Waata and influenced many decisions he would make later in his pursuit of peace. At that time Kukutai was a leading and much feared rangatira in lower Waikato and controlled the vast tribal estates of Ngaati Tiipa. In 1839, when Waata was seventeen years old, he was baptised by Church Missionary Society (CMS)

⁷⁸ There is doubt as to whether Ngataru was in fact Kukutai's mokopuna and may have been his nephew however the record from Maunsell states Ngataru was Kukutai's grandson.

⁷⁹ Michael Belgrave, *Dancing with the King: The Rise and Fall of the King Country 1864-1885*, (Auckland, Auckland University Press, 2017), p. 3.

⁸⁰ Papers Past, *Letter from Waata Kukutai*, Appendix E.

missionary Reverend Robert Maunsell. At this time Waata had come convinced that the future and progress of Ngaati Tiipa lay in formal education, economic development and instruction in religious doctrine.

When Rev. Robert Maunsell arrived at Maraetai, Waikato Heads, in late 1838, he already understood that in order to convert the lower Waikato, he needed to befriend the young sons of the older local chiefs.⁸¹ In his writing, the two young chiefs named were Wiremu Tamehana and Waata Kukutai.⁸² Maunsell would later state that he was indebted to Waata who was a faithful friend to the end.⁸³ After the Waikato invasion in 1863, Waata stood alone in his support for Maunsell - a testament to their long friendship. Waata would gain the support of his father Kukutai, when Kukutai was said to agree to religious instruction for his tribe in 1841. In his annual report Maunsell wrote 'I am thankful to say that Kukutai the leading man in this river, a venerable old chief, and formerly a great warrior and murderer, has with his party lately consented to receive instruction in the doctrines of the gospel'.⁸⁴ Maunsell may have been overly optimistic because while Kukutai agreed to support missionary education for his people, he later took a leading role in the 1846 hostilities at Ihutaroa where hapuu land rights clearly took precedence over peaceful religious instruction. Maunsell's relationship with Waata was not one-sided or simply paternalistic. Waata too had quickly discerned the benefits of this emerging relationship. Maunsell wrote again to the Secretaries (Society) in late December 1839 noting that 'several young men of first rank have been baptised and are acting as teachers for their respective tribes'.⁸⁵ For Waata, this relationship would advance both his personal standing within Ngaati Tiipa but increase his own personal and formal education of missionary and Paakehaa worlds, particularly colonial structures and the Gospel. His elevation therefore, at a relatively young age to the status of rangatira occurred with a clear appreciation of religion and knowledge benefitting his people and the mana of Ngaati Tiipa. Ihutaroa, then, underlined this power dynamic, an example that while the iwi welcomed Christianity and understood its potential benefits, peace and the gospel did not mean Ngaati Tiipa mana whenua could simply be dismissed.

⁸¹ J. W. Stack claims that Maunsell established himself at the Heads in 1836, p.141. Helen Garrett wrote that Maunsell moved to his new station at Waikato Heads in 1839, p.81. Benjamin Ashwell wrote Maunsell arrived at Maraetai, 20 June 1839 seven days after Ashwell arrived, pp. 48-50.

⁸² Henry E. R. L. Wily and Herbert Maunsell, p.46.

⁸³ Wily and Maunsell, p.46.

⁸⁴ Garrett, p. 98.

⁸⁵ Garrett, p.85.

Nevertheless, the impact of religious instruction, and Anglicanism especially, had a significant impact on the way Waata Kukutai perceived his relationship with Paakehaa and the Crown. James Belich describes missionary influence and activities in the early 18th and 19th Century in New Zealand as ‘the larger shadow of the Anglicanising of New Zealand and particularly the ‘extended period’ of Anglicanisation in Waikato history.’⁸⁶ Vincent O’Malley too describes this period of early missionary arrival and establishment in Waikato as ‘entering a confident Maaori world’ because in the Waikato ‘the tiny Paakehaa population was completely dominated by one of the most powerful tribal confederations in the land.’⁸⁷ And in 1840 the ratio of Paakehaa to Maaori was about one to forty. By 1860 the groups had reached parity and Paakehaa dominance was ensured by sizable inflows of British migrants until the mid-1870s.⁸⁸ It should be noted that in the early 1850’s Maaori were still numerically dominant. W. H. Oliver records that ‘in the North Island 34,000 Europeans faced 53, 000 Maoris’.⁸⁹ Ernest Dieffenbach had observed how populous Waikato iwi were when he visited Maraetai in 1841. Dieffenbach recorded that the Waikato was ‘by far the largest tribe in New Zealand. But most importantly he observed that ‘they are very attentive to tuition, learn quickly and have an excellent memory’.⁹⁰ When Maunsell first arrived in the Lower Waikato he spoke of the ‘great friendliness of the people’ and how fortunate he was in having the support of the two principle chief’s, Wiremu Tamehana and Waata Kukutai, to whom he would be chiefly indebted.⁹¹ But Waata like his father did not see his relationship with Maunsell as merely subservient or some act of ‘loyalism’, instead he acted on this relationship consistently to find ways to empower Ngaati Tiipa first and foremost.

Waata Kukutai knew that Ngaati Tiipa tribal territory started in Opuatia and extended to the Waikato Heads or te puaha o Waikato’.⁹² His investment therefore and indeed his attendance at the Maraetai mission school reflected his interest in what was happening in

⁸⁶ James Belich, *Making Peoples: A History of the New Zealanders: From Polynesian Settlement to the End of the Nineteenth Century*, (New Zealand, The Penguin Press, 1996), p. 212.

⁸⁷ Vincent O’Malley, *The Great War for New Zealand: Waikato 1800-2000*, (Wellington, Bridget Williams Books, 2017), p. 39.

⁸⁸ Ian Pool and Tahu Kukutai, Taupori Māori – Māori population change. <http://teara.govt.nz/en/taipori> - maori-maori /media. Accessed on 2 August 2019.

⁸⁹ W. B. Oliver, *The Story of New Zealand*, (London: Faber & Faber, 1960), p. 81.

⁹⁰ Ernest Dieffenbach, *Travels in New Zealand*, (London, John Murray, 1843, Facsimile Edition, (Christchurch, Kiwi Publishers, 1999), p.108.

⁹¹ Wily & Herbert, *Robert Maunsell*, p. 46.

⁹² In Waata’s published instruction on land retention published in *Whetu o Te Tau* in 1857 he states the decision of the Ngāti Tipa runanga was to retain all land beginning from Te Puaha.

his tribal territory. He appeared to have embraced this new religion very quickly because in a very short period of time he became a native teacher there.⁹³ Waata understood the advantages of missionaries being blessed with great material wealth and keenly sought the benefits of education that mission schools offered. Of this period, and particularly the relationships between Māori and missionaries, Bronwyn Elsmore notes that ‘to Maaori, the culture from which the missionaries, traders and settlers came was obviously blessed with great material wealth, and this was seen as evidence of the great power of the God of that culture’.⁹⁴ The establishment of mission station schools, and in this instance CMS mission school, was the first coercive action to undermine Maaori beliefs and attempt to gain control of Maaori minds.⁹⁵ Belich offers a further perspective on the upsurge of Maaori conversions by suggesting the acquisition of missionaries, of Christian knowledge and of the literacy that often went with it provided a new and non-violent arena of rivalry.⁹⁶ All of these Christian ideals of civilisation and Christianisation allied with literacy, economic and peaceful advancement found fertile ground in Waata’s mind.

Maraetai mission at Waikato Heads

In 1839 Waikato Heads had a small permanent native population of the Ngaati Karewa and Ngaati Tahinga peoples but was in fact a popular summer resort for Maaori living in the watershed of the Waikato.⁹⁷ Charles Marshall, an early European resident at Waikato Heads remarked on the:

fleets of canoes that used to come down the river, filled with men, women and children, all agog for the delights of a few weeks at the seaside – and he added that by tacit consent, “a truce of God” always existed there and members of warring tribes would consort in unbroken amity for a while, to go back refreshed and invigorated to renew their fighting.⁹⁸

Waata was enthused by his newfound literary knowledge. Bronwyn Elsmore writes that the prime factors which promoted the teaching of the gospel were the remarkable enthusiasm and aptitude of Maaori for literacy. She goes on to say that in every area missionaries found that they could not satisfy the demand for scriptures. While he was

⁹³ Garret, p. 85.

⁹⁴ Elsmore, p. 19.

⁹⁵ Judith Simon & Linda Smith, *A Civilising Mission? Perceptions and Representation of the New Zealand Native Schools System*, (Auckland: Auckland University Press, 2001), p.7.

⁹⁶ Belich, p. 164.

⁹⁷ Wily & Maunsell, pp. 45-46.

⁹⁸ Wily & Maunsell, p. 46.

still based at Maraetai, the Rev. Robert Maunsell said, in 1839, that he could sell numbers if he had them; referring to the supply of 50 [scriptures] he had received, he remarked, 'But what are they among so many? Five hundred would not be enough'.⁹⁹ Waata had easy access to his love of learning, of literacy, and Biblical scriptures which he would quote regularly. During his years at Waikato Heads, Waata also forged personal alliances with Governor George Grey, who was a frequent visitor to Maraetai.¹⁰⁰ Grey allocated an annual grant of £3,000 to the Church of England for mission schools.¹⁰¹ The grants criteria advocated religious training, industrial training and that all instruction [teaching] specified in the English language.

During one visit Grey was informed of the difficulties besetting the Maraetai mission school, especially the ability to teach farming, and carpentering. Maunsell records that 'a friend arose in the hour of need, in the person of Waata Kukutai, chief of the Ngaati-Tiipas, a man then in the prime of life, and from first to last a steady friend and devoted adherent of Maunsell's'.¹⁰² Waata's support highlighted Maaori as 'protectors' of their religious brethren, committing their own land to assist the establishment of schools not simply to accommodate Paakehaa colonial ambition, but to benefit their own people.¹⁰³ For missionaries, the aim was to Europeanise, Christianise and civilise Maaori using schooling as a key 'civilising' instrument.¹⁰⁴ Waata fully embraced Christianity. He had formed strategic alliances with Rev. Robert Maunsell, Sir George Grey, Francis Dart Fenton and other European visitors to Maraetai. Allied to religious education, he foresaw other opportunities for Ngaati Tiipa people. At Maraetai he had exposure to the Bible and more importantly literacy. The timing of the relocation of the CMS mission station into Ngaati Tiipa territory served Waata's purposes of advancement first and foremost for his people, and not simply as an act of passive submission to supposedly superior Paakehaa colonial ambition.

Kohanga Mission Station

⁹⁹ Elsmore, p. 18.

¹⁰⁰ Wily & Maunsell, p. 111.

¹⁰¹ Garrett, p.182.

¹⁰² Wily & Maunsell, p. 111.

¹⁰³ Garrett, p. 87.

¹⁰⁴ Judith Simon & Linda Tuhiwai Smith (eds), p. ix.

Waata Kukutai gifted Ngaati Tiipa land, Rangikariri located in Te Kohanga for the Kohanga mission station which operated from 1853 – 1863 until it was abandoned at the start of the Waikato Land War.¹⁰⁵ As a chief, his prestige as a protector of CMS missionary Rev. Maunsell would have been magnified.¹⁰⁶ The relocation of the CMS mission station within his sphere of influence assisted his aspirations for education and economic development for his people. Over time Maunsell had become a friend, as much as a mentor. With the introduction of new technology, progressive young Maaori chiefs like Waata, were anxious to have resident missionaries and Paakehaa in their midst. Angela Ballara claims that tribes wishing to increase their standing with other tribes would encourage Paakehaa to settle amongst them. These Paakehaa had a status value that Waata and others took advantage of through the introduction of missionary schools.¹⁰⁷ The Education Ordinance Act of 1847 provided Government grants to missionaries to establish elementary missionary schools for Maaori, but it was the Settler Government in 1852 that brought about the formation of the Maaori boarding schools system in the nineteenth century.¹⁰⁸ Maraetai and Kohanga mission schools both came under this rigid new system that imposed strict rules of what was taught to Maaori pupils. These two early missionary schools in Ngaati Tiipa territory would be the precursor to later Anglican Maaori boarding schools.

At the Kohanga mission station, located on Te Tiro Point, the Kohanga Church was built beside the urupaa (cemetery). Included in the instructions of the Rangikariri School Grant that; the urupaa be fenced off to protect the ‘dead least the cattle etc. should trample on it’¹⁰⁹ The Rangikariri urupaa still remains in the same location. Waata Kukutai is buried there, as are his Ngaati Tiipa descendants. Of the mission station there are but a few stones left to show former occupancy. The move to Kohanga secured CMS activities and centralised Maunsell within Ngaati Tiipa land. As a rangatira Waata was duty bound to elevate both his personal standing and consequently that of his tribe’s mana. Waata’s decision to gift land for a mission station was very much a political and pragmatic solution to his vision of education and economic development in the Ngaati Tiipa region.

¹⁰⁵ Judith Simon & Linda Tuhiwai Smith, eds., , p.8.

¹⁰⁶ Elsmore, p. 18.

¹⁰⁷ Angela Ballara, *IWI: the dynamics of Maaori tribal organisation from c.1769 to c.1945*, (Wellington, Victoria University Press, 1998), p. 58.

¹⁰⁸ James Graham, *Nā Rangi tāua, nā Tūānuku e takoto nei: Research methodology framed by whakapapa*, *MAI Review*, 2009, 1, Article 3, p. 5.

¹⁰⁹ Personal papers, Mrs Denise Te Tuhi Ewe, 2009.

Waata strived for tribal independence, and he understood he needed allies in order to gain tribal, political and economic independence. See Appendices B for a copy of the Rangikariri Deed.

This desire to support missionary work was commonplace. Ann Parsonson notes ‘as new ways of pursuing traditional social and economic rivalries came to hand, they were taken up with unabated vigour.’¹¹⁰ The gifting of land in the Waikato for mission work was not uncommon. Te Wherowhero, for instance, gifted 400 acres, to Benjamin Ashwell for his mission station at Kaitotehe in 1846.¹¹¹ For Waata, his personal evolution started when he began to move away from the older traditional Maaori chiefs for whom mana had been derived from their warrior status. In fact, he cleverly reinvented himself to become the new progressive vision of a rangatira by adopting what he perceived to be the newer dictums of chiefly status. He achieved this by becoming the new religious equivalent entering into the ever increasing changing social and political institutions. He still retained his chiefly qualities as a fearless leader who never lost his mana and was not afraid to challenge the older ariki of Waikato. This newfound social and political independence would unwittingly position Waata as a kuupapa.

While Maaori welcomed mission stations, these spaces became powerful colonial outposts that encouraged a paternalistic relationship between Maaori and Paakehaa. Hirini Moko Mead notes that this was deliberate, and allowed missionaries and other colonisers to assert themselves as ‘father figures so they could dominate adult Maaori whom they rendered child-like by exposing them to the Christian doctrine of Salvation.’¹¹² Meads view of the ‘father-child’ dichotomy is amply demonstrated in the correspondence between Waata Kukutai and Rev. Maunsell, with Kukutai frequently ending his letters, “Naa to tamaiti aroha (from your loving child)” to Maunsell.¹¹³ However by 1866 Waata had written a stern letter to Maunsell when requesting a school teacher for Kohanga, he signed that letter ‘Na to hoa, Waata Kukutai’,(From your friend Waata Kukutai).

¹¹⁴Maaori were not only viewed as children, but were also defined as heathens and

¹¹⁰ Parsonson, quoted in Ballara, p.521.

¹¹¹ Garrett, p. 182.

¹¹² Mark Francis, Writings on Colonial New Zealand in Andrew Sharp & Paul McHugh eds, *Histories: Power and Loss*, (Wellington, Bridget Williams Books, 2001), p. 169.

¹¹³ Alexander Turnbull Library (2003), *CMS Section CN/O 64 microfilm*.

¹¹⁴ Garrett, p. 284.

savages, and in need of saving and civilising. Maunsell's view of Maaori needing to be civilised and Christianised was not dissimilar to other missionaries. James West Stack wrote that he had 'so noble a part in taking them [Maaori] the white man's gifts of Christianity and civilisation'.¹¹⁵ Waata had become a committed Christian, he was teaching religious studies at Maraetai, but his ambition was always to find ways in which Christianity could offer a better future for his people.

Cultural shifts and Christian beliefs

Waata's conversion to Christianity changed his life and would impact all his decisions, and leadership of Ngaati Tiipa. Apart from Waata's conversion to religious doctrine, which he adopted with vigour, the first recorded episode of Christian doctrine superseding Maaori beliefs in Ngaati Tiipa occurred on 2 November 1839. The episode of a cultural shift away from the concepts of mana, tapu and noa, being replaced by Christian doctrine, was related by Rev. Maunsell. Maunsell records the story of Kukutai's grandson, Ngataru and his conversion to Christianity as evidence of the triumph of Christianity over Maaori beliefs. So begins the struggle between Kukutai and traditionally held beliefs of mana, tapu and noa against Christian doctrine advocated by Maunsell. This struggle was played out through Ngataru who removes himself from Kohanga to live at the settlement (Maraetai). Kukutai believed this was a degradation to 'come to the land of a strange tribe'.¹¹⁶ And after visiting his grandson, Kukutai becomes concerned too at the loss of Ngataru's tapu (sacredness) with his whole person, house, food, and garments all being lodged in the same room. Maunsell writes that 'their custom is that the garments and the whole person and head of a chief shall be sacred, as is his food and his house'.¹¹⁷ Although Kukutai vehemently opposed his grandson's conversion, he visited him and wept over him. It is claimed that Kukutai said 'that European can have but little love for you, otherwise he never would have directed you destroy your garments'.¹¹⁸ Edward retorts to the contrary and Kukutai says 'Well, take care of yourself now and don't go near the fire where food is cooked, nor mix with the slaves'.¹¹⁹ Kukutai's two elder sons were present with their father upon Ngataru's death,

¹¹⁵ Stack, J W Reed, A H (ed), *A White Boy among The Maoris in the Forties*, Pages from an Unpublished Autobiography of James West Stack, (New Zealand, A. H. & A. W. Reed, 1934), p. 12

¹¹⁶ Wily & Maunsell, p. 60.

¹¹⁷ Wily & Maunsell, p. 61.

¹¹⁸ Wily & Maunsell, p. 66.

¹¹⁹ Ibid.

and Ngapaka is named as one of the sons. The other son present would probably be Waata and newly converted would have been placed in an untenable position, with his affection for his father and high regard he felt for Maunsell.¹²⁰ This illustration reflects the turmoil that would have occurred during the transitional period between missionary arrival promoting the gospel and older Maaori chiefs who still maintained the traditional beliefs of mana, tapu and noa. Waata had to negotiate an increasingly changing world that had other cultures, other religions and a markedly different set of social rules.

Te Kawenata Tawhito

Another significant figure in Waata Kukutai's life, beyond his whaanau and his tribe was Rev. Maunsell. His influence began in 1838 with his arrival at Maraetai and continued until Waata's death in 1867. Maunsell introduced Christian doctrine, literacy and economic farming development to Waata, and the lower Waikato population. Waata was present during this time and depicted in an ink sketch holding aloft the newly translated and published edition of the Old Testament at Kohanga.¹²¹ Elsmore argues that the content of the Old Testament had many points of similarity with Maaori tradition and those of the Israelites as it put much emphasis on genealogy similar to Maaori importance to whakapapa. And many parts were particularly related to the verses of the book of Psalms, and could be related to traditional waiata, karakia or oratory.¹²² Elsmore notes that in 1864, John Eldon Gorst had observed that 'Maori are exceedingly fond of reading the books of the Old Testament.'¹²³ When Waata wrote his 'A Lament' in 1863 he quoted from the book of Psalms.¹²⁴ Waata and Maunsell's relationship matured over the twenty eight years, from one of student to friend. Waata's unwavering loyalty to Maunsell put him at odds with the larger Waikato tribe and indirectly led to their perception of him as a kuupapa or loyalist. Waata remained deeply religious throughout his lifetime. He believed that Christianity offered new opportunities that could increase the mana and independence of his tribe. The beginning would be accepting religious doctrine, and the education of his people. Rangatiratanga carried all the requisite mana that Waata desired; this did not make him kuupapa, instead made him a leader.

¹²⁰ Wily & Maunsell, p. 67 wrote that Kukutai's two eldest sons were with him when he visited Ngatarau.

¹²¹ M. A. Tagg, p.46

¹²² Elsmore, p. 80.

¹²³ Elsmore, p. 95.

¹²⁴ ATL, *Maori Manuscripts 1845-1905*, MSY- 2046. George Grey (Sir), 1812-1898: Collection, Wellington, New Zealand.

Missionaries and Ngaati Tiipa land

Waata Kukutai alongside many other Maaori rangatira gifted land for schools and mission stations to encourage missionary settlement, including the Wesleyan Missionary Society and the Catholic Church.¹²⁵ In lower Waikato the CMS missionaries entered into land negotiations that gave great advantage to firstly the Church of England, now Anglican Church and later to themselves as private individuals. There are writers who claim that Reverend Robert Maunsell did not purchase land for his own personal benefit.¹²⁶ Nonetheless on the 24th March 1866, Maunsell visited Waata briefly and for the final time at Taupari. During this visit records state that Maunsell; In consideration of the services for the many years he resided and ministered among them [Ngaati Tiipa] and as a token of their gratitude Walter Kukutai doth hereby convey six hundred and two acres more or less, known as Puhikairarua or Pakikauarua, to Robert Maunsell and his heirs..¹²⁷ Brian Muir, Curator of Colonial History, Auckland Museum reported the gifting of land to Archdeacon Maunsell of Port Waikato by Walter Kukutai, and stated that three years later the Reverend sold ‘pahikauarua to one W. Aitken of Auckland, Land Agent, for one hundred and fifty pounds’.¹²⁸

Meanwhile later that year in July 1866, Waata had written numerous letters to the Anglican Church School Board to plead for a teacher and resources to revive the Kohanga mission station and in desperation he wrote to Maunsell:

Maunsell, I want to know why the Board is so long in its proceeding. What is the cause? The house is finished – I say DO look out for a school master that we have one soon. The reason for my being urgent is this. Their love will ‘grow cold’. You know what Maori ways are. Your loving friend. WAATA KUKUTAI.¹²⁹

¹²⁵ For examples see Deeds – No. 4: Rangiaowhia enacted 2 January 1854, and Deed – No. 404: Whaingaroa District, 27 February 1839.

¹²⁶ Bronwyn Elsmore wrote in her book that it should be noted that other CMS missionaries did not engage in the acquisition of land, notably Robert Maunsell, p. 61. Helen Garret claims that Maunsell was not personally involved in the accusations of land-owning...he did not buy land in the Wairarapa for his sons until 1860. Both authors do not mention Puhikairarua in Te Kohanga.

¹²⁷ Denise Ewe, *Deed Book 20D, page 54*, Personal papers. Harold H Fenton Snr witnessed the Deed and H Spargo was listed as the Interpreter. The Deed is registered in the Deed Book 20 D, page 54.

¹²⁸ Brian Muir, *The Coming of the Settlers*, in *A History of the People of Aka Aka before and during the arrival of the First Europeans*, p. 18.

¹²⁹ Garrett, p. 284.

There are no records that Maunsell ever responded to Waata's plea's and instead hid behind the Bishop [Selwyn] for the lack of action on Kohanga. In the meantime, the State had begun plans to implement the Native Schools System in 1867.¹³⁰ Waata remained consistent in his belief that his beloved Kohanga School would continue to aid his people to negotiate the new world. For Waata his world had changed irrevocably, and the power structures had significantly altered away from Maaori to Paakehaa dominance. And as Cosby noted 'Maaori faced a range of options as to how best to maintain their rangatiratanga – by supporting the English Crown and Churches: by taking their own independent paths: by supporting a Maaori King Movement, or by adopting a new religious concept'.¹³¹ Waata believed he had done enough to protect Ngaati Tiipa people and Ngaati Tiipa land.

Kohanga education for Ngaati Tiipa

Waata had envisioned through the Kohanga mission station, religious instruction would be tied to literacy would prepare a new future for his people. However, the reality was that during the ten years the Kohanga mission station operated, the teaching was severely restricted to religious instruction, domestication and teaching in the English language. Miss Jones reported during her time at Kohanga that the 'discipline was strict, but necessarily so...the girls were locked into peel potatoes.'¹³² And James West Stack too wrote that at night 'school rules required every Maori to be indoors'.¹³³ The last Native Schools Reports of Inspectors, in the months of May and June 1862 recorded: The Church of England School at Kohanga, inspected 18th June 1862 has declined, owing to the disturbed state of the Waikato district. The school is now dispersed.¹³⁴ It is difficult not to conclude that the Kohanga mission school offered nothing more to Ngaati Tiipa people than a very rudimentary instruction that was centered only on religious doctrine and domestication.

The Rangikariri school grant came with a promise of education provision and religious instruction, for both Maaori and Paakehaa children¹³⁵. Missionary influence, termed

¹³⁰ Judith Simon and Linda Tuhiwai Smith, eds., p.1.

¹³¹ Crosby, p. 7.

¹³² Garrett, p. 211.

¹³³ A. H. Reed, ed., p.199.

¹³⁴ Papers Past 5 – 1 – 1864, *Native Schools: Reports of Inspectors*, E – 09, *AJHR*, 1863 Session 1.

¹³⁵ The *Rangikariri* Deed states (English translation) it is an Educational Grant

‘Holy Persuasion’ by Phillip Granger Parkinson began with the period of CMS arrival, in the lower Waikato in 1839.¹³⁶ The irony is the nature of the mission farms using Ngaati Tiipa students meant that Ngaati Tiipa people became even more skilled and adept farmers. Ngaati Tiipa would drive a lot of early entrepreneur farming activities with sound economical returns until the onset of the war.¹³⁷ Most of these former Maaori gifted land holdings remain today under Anglican Church title and continue to underpin the vast and enormous asset wealth base of the Church.

Summary

In chapter two I discussed Waata Kukutai, the chiefly son of the Ngaati Tiipa rangatira Kukutai and his baptism by CMS missionary the Reverend Robert Maunsell in 1839 while he was in his teens. Waata became deeply religious and was a talented student. He became a native teacher at the Church Missionary Society (CMS) Maraetai mission station. When Maraetai became unsustainable as a mission station Waata gifted Rangikariri, land in Te Kohanga. Subsequently Waata held strong religious beliefs. Maunsell then relocated his mission school Te Kohanga. Waata understood the advantages of missionaries being blessed with great material wealth and keenly sought the benefits of education that mission schools offered. The Kohanga mission school allowed Maunsell to expand his vision by building a larger boarding school, build a church, an urupaa and carry out an extensive farming venture. When Waata gifted Rangikariri he envisioned a future for his people that would incorporate religious doctrine, education and economic independence for Ngaati Tiipa. The promise of education, however, came packaged in colonial industrial mission schools. Maraetai was the first CMS mission station in lower Waikato. Many Ngaati Tiipa, Ngaati Tahinga and Ngaati Karewa peoples attended the mission school. Rangikariri has two histories, one Maaori and the other Paakehaa and both histories were explored.

While stationed at both Maraetai and Kohanga Maunsell completed his translation from Hebrew to Maaori of the Old Testament, Te Kawenata Tawhito is commented on. An illustration was given of a clash between Maaori beliefs and missionary doctrine when

¹³⁶ Phillip Granger Parkinson, *Our Infant State*, (Victoria University, PhD Thesis: 2003), p. 2.

¹³⁷ Hazel Petrie, *Chiefs of Industry: Māori Tribal Enterprise in Early Colonial New Zealand*, (Auckland, University of Auckland, 2006, pp. 254 -255. Petrie notes that ‘Wata [Kukutai] experimented with making bacon.

Kukutai's grandson, Ngataru renounces his Maaori rangatira status of mana, tapu and noa and was baptised by Maunsell. This thesis argues that Waata was confronted with a rapidly changing world where the shift from Ngaati Tiipa tribal independence to increasingly Paakehaa domination began to impact on his leadership and his decisions. Waata Kukutai sought a new future for his people through education, religion, and by forming strategic alliances with missionaries and other officials. Waata's actions to position himself and his tribe, to take advantage of religion based on peace and prosperity through education ultimately contributed in his early naming as kuupapa.

Chapter Three: Te Tiriti o Waitangi

Introduction

Much has been written about Te Tiriti o Waitangi as Aotearoa's founding document. For many Maaori, Te Tiriti o Waitangi enshrines the rights of iwi and hapuu sovereignty and sets the framework for Maaori partnership with the Crown. Waata's father Kukutai and tuakana Ngapaka both signed the Treaty of Waikato at Waikato Heads in March 1840.¹³⁸ The historical evidence suggests that Waata too was present at the signing of the Treaty and was influenced by his father and his tuakana's understanding and expectations of the Treaty.¹³⁹ See Appendices C for copy of signatures of Kukutai and Ngapaka.

This chapter seeks to explore Waata's evolving understanding of rangatiratanga and how this shaped his actions and relationships with the government, with the Kiingitanga and other hapuu and iwi. It argues that Waata believed that the Treaty of Waitangi was a sacred compact between Maaori people, and the Queen and particularly more so because his father and older brother signed the Treaty. In Waata's eyes, the Treaty's importance would have been magnified because missionaries and government officials were engaged in presenting the Treaty. Waata's early impressions of tribal rangatiratanga were thus cemented in his future actions and relationships. It starts with the Treaty debates and the promise of rangatiratanga for Ngaati Tiipa. I conclude by reflecting on the transition of Waata from young rangatira to statesmanlike persona expressed through portraiture.

Ngaati Tiipa and Te Tiriti o Waitangi

The question of rangatiratanga lies at the heart of Te Tiriti and forms the focus of this chapter. The significance of Te Tiriti lay in the unique relationship it proposed between Maaori and the Crown – a relationship based on Crown obligations to protect rangatiratanga rights in exchange for Crown rights to occupancy and governance.¹⁴⁰ Although the English version (in contrast to the Maaori version) vested sovereignty in Queen Victoria, numerous scholars have argued that it beggared belief that rangatira knowingly and intentionally cede their rangatiratanga and their signing was motivated

¹³⁸ Claudia Orange, *The Treaty of Waitangi*, (Wellington, Bridget Williams Books Ltd, 1997), 1st edition Allen & Unwin, 1987, p. 69.

¹³⁹ Waata reference via letter.

¹⁴⁰ Hugh Kawharu (1996) quoted in Augie Fleras & Paul Spoonley, *Recalling Aotearoa: Indigenous Politics and Ethnic Relations on New Zealand*, (New Zealand, Oxford University Press, 1999), p. 9.

more by the desire to have their rights recognised and to gain the protections afforded through citizenship.¹⁴¹

The signing of the Treaty of Waitangi began the intrusion by the British Crown into the affairs of Maaori tribes. The signing of the Treaty of Waitangi, in 1840, should have guaranteed the protection of Maaori land, power and authority as the ‘founding document’ of the nation. It is in fact the translation into English, or the Treaty, that many claim has ensured the survival of the Treaty, but simultaneously has added to the contestability of the Treaty. The major aims of the Treaty were to guarantee the signatories’ rights to their lands, fisheries, and all forests against all others. Hugh Kawharu stated ‘that while the Crown was to hold sovereign authority in New Zealand, tribal elders were to retain administrative authority over their own estates’.¹⁴² Hence the Te Tiriti o Waitangi’s literal interpretation by Kūkūtai and Waata that Ngaati Tiipa still retained their sovereignty.

Te Tiriti was similar to the multitudes of other treaties that European nations had embarked on with non-Christian societies since the 15th century. As Sorrenson points out, there was not much in the English text that had not already been expressed in earlier treaties or statements of British colonial policy.¹⁴³ The preamble of Te Tiriti as well as the three Articles were deeply embedded in an older colonial policy, and drawn from various corners of the empire. What is different and unique to other treaties was the addition of the Maaori text as this was the first time that there was also a tandem version in an indigenous language.¹⁴⁴ This action could be construed as a half-hearted attempt to protect Aboriginal and Maaori rights. To young chiefs like Waata, the innate symbolism of having Te Tiriti in both languages would have strongly portrayed the image of a lasting partnership between both races. There are two versions of Te Tiriti and this chapter focuses on is the Waikato – Manukau copy.¹⁴⁵ This is the only known English copy to be circulated.¹⁴⁶ Thirty two Waikato chiefs signed this version at Waikato Heads on 11 April

¹⁴¹ Orange, p. 58.

¹⁴² I.H. Kawharu, *Maori Land Tenure: Studies of a changing institution*, (Oxford [UK], Oxford University Press, 1977, p. 5.

¹⁴³ M. P. K. Sorrenson, *Ko te whenua te utu: land is the price*, (University of Auckland, Auckland University Press, 2014), p. 41.

¹⁴⁴ Sorrenson, p. 54.

¹⁴⁵ The Waikato – Manukau version of Te Tiriti: <https://nzhistory.govt.nz/media/interactive/Waikato-manukau-treaty-copy>. Accessed: at Manukau Research Library, Manukau on 1st August 2019.

¹⁴⁶ Orange, p. 69.

1840 and another seven chiefs signed on 26 April 1840 at Manukau Heads, including N. P. Kukutai and his father Kukutai.¹⁴⁷ N.P. Kukutai was the eldest of Kukutai's sons and was said to 'put his tohu to the Treaty' at Waikato Heads CMS mission station.¹⁴⁸ Ngapaka's signature is dated 11 April 1840 and his signature is thought to have been added late March or early April 1840.

Another rangatira who signed was Paengahuru, who was also one of the 12 chiefs that signed the land sale deed for Maraetai that the mission station was located on.¹⁴⁹ Kiwi Ngapera also signed at Waikato Heads, at the end of March or the beginning of April 1840. He was the father of Apera Kiwi of Te Wai o Hua tribe of Tamaki Makaurau. Waata Kukutai was present, probably as an observer. He remarked many years later in a letter that he would not trample on the mana of his father by ignoring the Treaty, and especially the allegiance to Queen Victoria and her heirs.¹⁵⁰ Waata's loyalty and continued allegiance to Queen Victoria, in stark opposition to the Kiingitanga, caused much disquiet among Waikato. However, Waata was not the only chief who believed that the signing the Treaty was a pledge not to be broken. For instance, at Paetai Temuera te Amohau had been urged to join the Kingites. Temuera replied his father Timoti had signed the Treaty of Waitangi and 'we will not depart from the pledge he gave', we will not join the King tribes, my King is Queen Victoria.¹⁵¹ Ngaati Tiipa, like many Waikato tribes, would continue to protest the issues of partnership promised under the Treaty of Waitangi to colonial representatives.

The Church Missionary Society missionaries were critical actors in both the formulation of Te Tiriti and in influencing rangatira to sign. The translations of the Declaration of Independence and Te Tiriti were undertaken by Henry Williams, who was head of the

¹⁴⁷ Keith Newman, *Bible and Treaty: Missionaries Among Māori, A New Perspective*, (Penguin Books [N.Z.], 2010), p. 224. Paora Kukutai is wrongly attributed to occupation in lower Waikato. Newman records that 'Warea was the seat of one of the most senior chiefs of the Taranaki tribe, Paora Kukutai, a baptised Wesleyan.

¹⁴⁸ Ministry of Culture and Heritage, *Te Tohu Exhibition*, Archives New Zealand, Wellington: www.nzhistory.govt.nz.

¹⁴⁹ Ministry of Culture and Heritage. I query the records or reports that accompany the *Te Tohu* exhibition. Paora Kukutai is not in any whakapapa records from Ngaati Tiipa and is described and placed in Taranaki history. Paengahuru was one of the Ngati Tahinga rangatira who signed the Maraetai Deed.

¹⁵⁰ Papers Past, *Letter from Waata Kukutai*, Appendix E.

¹⁵¹ James Cowan, *The New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period, Volume 1: 1845 -64*, (Wellington, P.D. Hassellberg, 1983), p. 150.

CMS mission.¹⁵² Rev. Robert Maunsell, another CMS linguist with whom Waata had a close relationship, is said to have played a large role in getting ‘the natives’ to sign the Te Tiriti at Waikato Heads.¹⁵³ The large numbers of Maaori in attendance at Waikato Heads has often been represented as Maaori attending a mission meeting.¹⁵⁴ In fact it was simply good fortune that this coincided with the annual summer gathering of Waikato people to fish and collect shellfish.¹⁵⁵ Given the importance of the harvest, Kukutai, along with other rangatira, would have been present. This might explain why other rangatira who were not from Waikato, such as Kiwi Ngapera of Nga Wai o Hua tribe, Tamaki Makaurau were also present.

In April 1840 Maunsell travelled to Whaingaroa to gain more Maaori signature. Wiremu Nera Te Awa-i-taia, who had been baptised after he discarded eight of his nine wives, signed on 11 April 1840 and encouraged other chiefs to do so.¹⁵⁶ After his baptism, in 1836 Te Awa-i-taia became known as Wiremu Nera (William Taylor) and an equally strong supporter of the Crown.¹⁵⁷ Nera was labelled a kuupapa for aiding colonial troops during the Waikato War.¹⁵⁸ Maunsell though was unable to gain the signature of the great Potatau Te Wherowhero, whence he expressed his chagrin by saying ‘This ignorant old man, if he had signed, I would have given him a blanket’.¹⁵⁹

Like many other Maaori rangatira, Waata would have been unaware of the extent that the missionaries had been requested by Bishop Broughton of Sydney to help ‘the Maori people surrender sovereignty’.¹⁶⁰ The Maaori version signed at Waitangi by northern rangatira was later translated into English by Rev. Henry Williams, CMS missionary.¹⁶¹ Describing the events that transpired at Waitangi, Sidney Moko Mead noted the deliberate exclusion of Maaori from the process of translating the English version into Maaori. Mead remarks that in drafting Te Tiriti and in writing in Maori, ‘only Pakeha advisers were called in by the Lieutenant – Governor. No Maori was

¹⁵² Orange, p. 39.

¹⁵³ Orange, p. 69.

¹⁵⁴ McCan, p. 15.

¹⁵⁵ Wily & Maunsell, p. 68.

¹⁵⁶ Newman, pp. 220-221.

¹⁵⁷ Ron Crosby, *Kūpapa: The bitter legacy of Māori alliances with the Crown*, (Penguin [N.Z.], 2015), p. 147.

¹⁵⁸ Crosby, p. 148.

¹⁵⁹ McCan, p. 16.

¹⁶⁰ Orange, p. 39.

¹⁶¹ Orange, p. 40.

deemed adequate or appropriate for the task'.¹⁶²Ruth Ross argues too that Te Tiriti was 'anglicanised' and never expressed the full intent of what the chiefs believed that they were signing.¹⁶³Bruce Biggs notes that in drawing up Te Tiriti, and the Maori language version, Henry Williams used the Humpty Dumpty principle, assigning a range of meanings to various Maori words he used. It was Humpty Dumpty who said to Alice "when I use a word it means just what I chose it to mean, neither more nor less".¹⁶⁴This last point is crucial when examining the engagement between Maaori, missionary translators and is central to the texts of the Treaty of Waitangi.

Likewise, Ruth Ross argues that the language of the Treaty of Waitangi is not indigenous Maori; it is missionary Maori, specifically Protestant mihinare (missionary) Maaori', and according to Ross, during the signing of Te Tiriti, the Protestant missionaries had the monopoly over the interpretation and explanation of Maori.¹⁶⁵ She notes that 'the fact that the Treaty of Waitangi was an agreement in the Maori language is consistently ignored'. She also highlights James Edward Fitzgerald's remark in 1865 that 'if this document was signed in the Maori tongue, whatever the English translation might be, had nothing to do with the question'.¹⁶⁶

William Colenso, the CMS printer actually realised this crucial question immediately prior to the signing of the Treaty, when he asked Hobson if he thought the chiefs 'understood' what they were asked to sign. The opinion was that Maaori were to 'trust the advice of the missionaries'.¹⁶⁷ McCann argues that 'it appears that Williams translated English to Maaori in a manner he thought would be acceptable to the chiefs, unilaterally ignoring the important concepts in both languages that did not have parallel in the other and McCann continues 'in an effort to find a bridge' of understanding between the two concepts the missionaries adopted Maaori words and phrases they had used in translating the Bible.¹⁶⁸

¹⁶² Sidney Moko Mead, *Landmarks, Bridges and Visions*, (Wellington, Victoria University Press, 1997), p. 102.

¹⁶³ Ruth Ross, Te Tiriti o Waitangi: Texts and Translations, in *The New Zealand Journal of History*, Vol. 6, No. 2, p. 136.

¹⁶⁴ Margaret Mutu, Cultural Misunderstandings or Deliberate Mistranslation? Deeds in Maori of Pre-Treaty Land Transactions in Muriwhenua and their English translations, in *Te Reo: Journal of the Linguistic Society of New Zealand*, University of Auckland, Vol 35), pp. 57-103.

¹⁶⁵ Ross, p. 138.

¹⁶⁶ Ross, p. 136.

¹⁶⁷ Orange, p. 54.

¹⁶⁸ McCann, p. 14.

Hobson sent four English language versions at various times to the Home Office, one of these were the Manukau – Waikato copy. It is this version that Hobson countersigned with the official seal, and is therefore usually regarded and referred to as the English language version.¹⁶⁹ Moon & Biggs argue that Maaori never lost sight of ‘their’ Treaty in their language.¹⁷⁰ For Maaori, the Treaty had as much a spiritual connotation and a wordy dimension. It united them in their faith in Queen Victoria and the promises she made in the Treaty and in the Queen as the Head of the Church.

Waata and Maunsell

Maaori society in 1840 was still mostly a traditional oral society. During the signing of the Treaty at Waikato Heads it was noted that ‘very few of the chiefs being able to write English’.¹⁷¹ Waata however was enthusiastically embracing the written word.¹⁷² Rev. Robert Maunsell, then based in Maraetai, lower Waikato was foremost in creating the Maaori orthography.¹⁷³ Waata and Maunsell had an enduring bond and initially the relationship was one of student and teacher. During that time Waata had become chief of Ngaati Tiipa and later gifted Rangikariri to the Church of England. When Waata died at age forty-six years they had known each other for twenty seven years.

Waata witnessed Maunsell’s efforts to bring the Old Testament – Te Kawenata Tawhito into print. Waata could have quite possibly been involved in assisting with the translation. Maunsell claimed that he had translated ‘Moses’ song and ...that he had his ‘lads’ copy them out and circulate them, with much success. Others were now coming he added with, with pens and papers to make their own copies.¹⁷⁴ . Bruce Biggs noted that colonisation could not have occurred without interpreters, both native and colonial, or without effective texts such as religious, legal and education. When peoples have different

¹⁶⁹ Orange, p. 69.

¹⁷⁰ Paul Moon & Peter Biggs, *The Treaty and it's Times*, (Auckland, Resource Books, 2004), p. 103.

¹⁷¹ Wily & Maunsell, p. 69.

¹⁷² See Helen Garrett *Te Manihera*, p. 85 ...Several young men of first rank have been baptised and are acting as teachers for their respective tribes.

¹⁷³ Orange notes that Henry Williams translated the Treaty of Waitangi into Maaori as William Williams, Robert Maunsell and William Puckey were unavailable, p.39.

¹⁷⁴ Garrett, p. 75.

languages and belong to different cultures –greater reliance is placed on professional language translators.¹⁷⁵

Like many other missionaries, Maunsell fell under the protection of local rangatira. At his first mission station in Maraetai, Maunsell was under the protection of Paengahuru of Ngaati Tahinga.¹⁷⁶ When he moved to Rangikariri, within Ngaati Tiipa rohe, patronage shifted to Ngaati Tiipa.¹⁷⁷ After his arrival in 1839, Maunsell quickly established influence with mana whenua in the lower Waikato because of his linguistic abilities and his translation of waiata and gospel scripture into Maaori. As Claudia Orange notes in her seminal book, the Treaty of Waitangi, his [Maunsell's] influence was extensive'. In June 1840, Maunsell had reported that three quarters of the estimated 7,000 Maaori in his district had accepted Christianity'.¹⁷⁸ Phillip Parkinson described this phenomenon as "Holy Persuasion" to elicit the trust of Maaori chiefs to firstly sign the Treaty of Waitangi, then continued to use the same methodology in order to acquire vast amounts of land for themselves, the church and the Crown.¹⁷⁹ This can clearly be discerned especially in relation to inducing most of the principle chiefs in Waikato to sign the Treaty, with of course the notable exception of Potatau. Governor William Hobson had authorised various missionaries to act as official negotiators, including Maunsell. He, along with the Wesleyan missionaries, played a key role in gaining the chief's moko, as indicators of acceptance.¹⁸⁰

Land deeds: An expression of rangatiratanga?

The complexities of Waata's character are never more clearly illustrated than in his frequent witnessing and signing of land deeds in his territory and beyond. Waata was an avowed opponent of land sales. Yet, Waata also participated in many land deeds, either as a signatory or witness, from 1853 until his death in 1866.¹⁸¹ Several questions arise from this apparent paradox. How can Waata's ongoing participation in land alienation be reconciled with his objectives to keep Ngaati Tiipa's lands within his control? Did Waata

¹⁷⁵ Bruce Biggs, The Translation and Publishing of Maori Material in the Auckland Public Library, *Journal of the Polynesian Society*, Vol 61, Nos 3 and 4 September. And Dec.1952, p. 104.

¹⁷⁶ The Maraetai Deed – No. 402 was signed by Paengahuru and 16 Ngati Tahinga chiefs.

¹⁷⁷ Orange, p. 69.

¹⁷⁸ Orange, p. 7.

¹⁷⁹ Parkinson, p. 82.

¹⁸⁰ Orange, p. 69.

¹⁸¹ Waata signed over seven deeds of purchase or receipts from 1853 – 1865.

believe that the deeds were a natural extension of his rangatiratanga? Was his involvement in signing deeds, from Horotiu and Waipaa in the south to Waiuku in the north, a trade off to further protect Ngaati Tiipa lands? Suffice to say that during Waata's lifetime no Ngaati Tiipa land was ever alienated through land deeds. The Rangikariri School grant gifting was the only land granted to the Church of England.

In the lower Waikato, the Rangikariri School Grant Deed was the most significant land transaction that involved Waata Kukutai, the CMS and Sir George Grey as the representative for Queen Victoria. The Rangikariri (School Grant) comprised two separate land transactions. The first Crown grant conveyed 280 acres 0 roods 0 perches to the Church of England on 20 April 1853 and was signed (denoted by an x) by thirteen Ngaati Tiipa chiefs, including "Wata Kukutai" (sic). The witnesses were six Ngaati Tiipa rangatira and the Resident Magistrate Francis Fenton, who would subsequently become the Chief Judge of the Native Land Court.¹⁸² The second transaction conveyed by grant 470 acres 0 roods 0 perches again to the Church of England, both transactions remained under the Rangikariri School Grant.¹⁸³ The grant established, under the superintendent of the Bishop of New Zealand, institutions for the use, maintenance and support of education for children of both races to cause them to grow up as church members and in good behaviour.¹⁸⁴ Additionally in the Rangikariri School Grant the land was gifted to Queen Victoria and her heirs.¹⁸⁵ The significance of the relationship between Ngaati Tiipa and Queen Victoria, firstly through Te Tiriti and then through later bequests, would continue to shape Waata's attitudes towards the Crown. Four years later Waata, in a speech at Paetai in 1857, Waata declared: 'I shall remain a subject of the Queen and look up to the flag as my flag forever and ever and ever'.¹⁸⁶ Waata built his Taupari home on the edges of the papa kainga Rangikariri in order to stay close to the mission station and also ensured that the urupaa was located beside the Kohanga church. Following the government's invasion of the Waikato in 1863, Kohanga was abandoned by the Church.

¹⁸² Epitome of Turton Deeds, H Hanson, Vol. 1. P.786.

¹⁸³ Land Registry Auckland, Eden 01. 10, vide p.7; Crown Grant R No. 5 folio 155.

¹⁸⁴ Ibid, Eden 01. 10, vide p.7; Crown Grant R. No. 3 folio 159.

¹⁸⁵ Rangikariri is often referred to as a single land gift of between 600 acres, J. W. Stack, p. 157. Ngahiraka Mason (NM) notes correctly in Major Waata Kukutai biography in Gottfried Lindauer that Kukutai gave 750 acres to the mission to build a church and school, Plate 13.

¹⁸⁶ Evelyn Stokes, *Wiremu Tamihana: Rangatira*, (Wellington, Huia, 2002), p. 149.

In spite of repeated requests from Waata for assistance to reopen Kohanga as a school, Maunsell and the Bishop ignored all his written requests.¹⁸⁷

A multiplicity of land transactions followed throughout the lower Waikato. Initially these deeds seemed benign. The land was often gifted under the pretext of education, religion, relationships and the development of economic farming skills. In reality the deeds ushered in the introduction of Maaori land alienation. James Belich, in a sesquicentenary year review article, raised the notion that pre—1860's land deals between the Crown and Maori were premised on economic and political partnership and thereby constituted 'a hundred little treaties'.¹⁸⁸ This observation resonates with Waata's actions. As a young man Waata was introduced to the colonial proclivity for written documents as formal agreements between two sovereign states. The Treaty of Waitangi was the first; the myriad of deeds was another expression of rangatiratanga. Waata tried to manoeuvre the colonial structures as best he could to protect his people and his land.

Waata also witnessed ridiculously small sums of money, often £50 as receipts for land transfer. In 1864 the Waikato War was drawing to an end, and the establishment of the Compensation Court in 1865 preceded a flurry of deed activity.¹⁸⁹ On the surface it would seem that Waata was complicit in many of the deeds and land alienation, firstly as a signatory and later as a witness. However, his name undergoes considerable changes and in all the Deeds not one rangatira actually signs the documents. Waata was exceptionally literate and yet apart from his many letters and newspaper articles his signature is absent on all these deeds. Apart from the original Rangikariri deed in the author's possession, the remainder of the deeds are Turton's translations.¹⁹⁰ For instance it has commonly been assumed that it was Waata's *tohu* (x) beside "Wata Kuku" in the Rangikariri Deed School Grant 1853. Nini (Tuteranganini Potaua, the son of Kukutai's oldest daughter Rangiterewaka) is named on the Deed, as is Paeturi and Arama Karaka Kukutai (the oldest son of Waata's tuakana, Te Ahoterangi). In the following two deeds his *tohu* (x) is affixed again beside Wata Kukutai. On 26th July 1854, the Kaiotemanu Block Deed

¹⁸⁷ In 1866 Waata wrote every month to the Bishop, see chapter six under letters.

¹⁸⁸ James Belich quoted in Vincent O'Malley, *Treaty Making in Early Colonial New Zealand* in *New Zealand Journal of History*, 33, 2 (1999), p. 137.

¹⁸⁹ McCan, p. 53.

¹⁹⁰ See 'An Epitome of official documents relative to native affairs and land purchases in the North Island of New Zealand compiled and edited by H. Hanson Turton, (Wellington [N.Z.]: N. Z. Government), 1877-1883.

Receipts – No. 64. Manukau District is transacted with no pretence of any tohu; only names are written. The Kaiotemanu land had not been properly surveyed, the receipt was for the first instalment only.¹⁹¹

The following day on 27 July 1854, Deed Receipts – No. 108 Katikako receipt again as the first instalment of fifty pounds. Rangatira names are recorded with x's only beside Hakiaha and Patene Puhata. "Wata Kukutai" and the other three names do not have x's, but have a header (Signed). C. S. Nugent Native Secretary and C. O. Davis, Interpreter was present at both transactions¹⁹². On 11 November 1854 Wata Kukutai and Erueti Kukutai do not have an X beside their names and the from a total of 40 names, only 17 affixed their tohu [x] to Deeds – No. 275. Whakaupoko Block, Waiuku, Manukau District.¹⁹³

On 24th May 1862 Waata was present at the Waiuku Block hearing (Ngaati Tiipa Claims). Waata was noted as a witness to the payment of fifty pounds with his signature recorded as Waata Pihikete Kukutai. This deed is interesting due to the florid language contained within: 'under the shining sun... with its trees minerals waters rivers lakes streams and all appertaining to the said Land' with testimony repeated several times 'of the consent of the Queen of England'. Fenton was in attendance, noted as Assistant Law Officer. In 1864 the receipt for £500 for the Waiterimu-Tikioneone was a 'full and final sale conveyance and surrender by us the Chiefs and People of the Tribe Ngati Tiipa'. Waata and his nephew Hori Kukutai (the son of his tuakana Ngataru) agreed to the transfer and were also listed as witnesses. Nini Kukutai added his tohu (x) to that document. Waata P. Kukutai's name appears as receiving the £500. Fenton was again present as a witness too.

Two years after the Waikato Land Wars, Deeds were signed for –No. 420 A. Horotiu and Waipa Block (Additional), Upper Waikato District. Claims of NgatiTiipa, was held at Taupari on the 18th January 1865. The Deed surrendered the land to the Queen and was signed ten others including Hori Kukutai (with no x) and written in the presence of W. P. Kukutai, N. A. (Native Assessor) of Taupari. The receipt amount was thirty pounds,

¹⁹¹ Turton's Deeds: Kaiotemanu Block, Manukau District, 1854, p. 742.

¹⁹² Turton's Deeds: Katikako Block, First Instalment, Lower Waikato District, p. 764.

¹⁹³ Turton's Deeds: Deeds – No. 286, Waiuku Block (NgatiTiipa Claims), Manukau District, p. 348.

‘received at the hands of Henry Hanson Turton, Special Commissioner. Ten years later H. Hanson Turton records and registers the Deeds – No. 420A in Wellington, March 5th, 1875.¹⁹⁴ As Belich has pointed out, there is an argument that the multiple land deeds became the extended mutations of the Treaty. Mutu argues on that point pertaining to land deeds by asking ‘why are these documents accepted as valid land transfers or sales when there is no word for sale in the Maaori language?’¹⁹⁵ In reviewing the deeds and who the signatories are it becomes apparent that an objective of Waata was securing the Kukutai rangatira line of descent, first as principle rangatira, then as major property holders in Ngaati Tiipa territories. This was yet another assertion of rangatiratanga, by Waata, in terms of having the authority to ‘surrender’ lands to the Queen.

Ron Crosby writes that over time Maaori faced a range of options as to how best to maintain their rangatiratanga: by supporting the English Crown and European Churches; by taking their own independent paths; by supporting a Maaori King Movement’ or by adopting a new religious concept.¹⁹⁶ Waata’s correspondence and actions indicate that he believed in the Treaty and the promises contained within. His support for Queen Victoria, in opposition of the Kiingitanga, should be viewed in this wider context. Waata’s expectation was that Maaori were British citizens and, as such, were equal to other citizens in New Zealand. The articles promised in effect of the ‘full exclusive and undisturbed possessions of their lands and estates, forests fisheries and other properties are long as they wished to retain them. The guarantee of tino rangatiratanga would have been a familiar term to Waata and his father because of the mana and connotations of chiefly power.

The Portrait(s) of Waata Kukutai

Waata Kukutai encapsulated all the characteristics of chiefly status, by his appearance, his dress, his mana, his intelligence and his actions.

Waata Kukutai”, says one who knew him...was almost my first acquaintance with a rangatira. He had a fine figure, was closely tattooed, and walked with rather a stiff gait. He was characterised by dignity, courtesy, and a high regard for his personal honour. He could unbend on occasion. I first met him as a young boy when he called at our home on his way to meet the newly appointed

¹⁹⁴ Turton’s Deeds, Province of Auckland, p.584.

¹⁹⁵ Mutu, p.58.

¹⁹⁶ Crosby, p. 7.

Governor. He carried a handsome mere, and twenty times at least he rehearsed the song and dance; which were to accompany this valuable gift. Outwardly he wore a plain tweek suit, but this was merely the chrysalis enclosing the gorgeous butterfly within. Unbuttoning his waist-coat he disclosed to view his service uniform, for he was the holder of the Queen's Commission with the rank of Major of Volunteers. But this was not all. Unhooking the tunic he showed us the scarlet and blue and the gold lace of his dress uniform. The tweeds were to be discarded on his arrival in Auckland, whose citizens were to be gladdened by the sight of his service uniform. The inner glory was reserved to dazzle the eyes of the Governor and his guests.¹⁹⁷

Garret too writes that Waata had always liked to do things stylishly. In the days he was magistrate, he could be encountered on the way to Auckland, wearing three sets of European clothing at once – tweed suit over military uniform, and underneath all, the tailcoat for dining at Government House.¹⁹⁸ Waata appearance then would have resembled the landed gentry, the dress of his European contemporaries, and a testament of the political circles he frequented. He had moved beyond the earlier photograph of him wearing traditional Maaori kaitaka or korowai and had adapted to his political environment.

One of the earliest portrayals of rangatira Waata is an ink drawing depicting Waata holding the bible aloft in his right hand at the Kohanga mission station. The Rev. B. Y. Ashwell wrote 'A memorable meeting at Kohanga to commemorate the completion of the translation of the Bible by Maunsell and others with the caption...The Maori holding aloft the newly-published Bible before his countrymen is probably the chief Waata Kukutai (From an old print in the Horace Fildes collection).¹⁹⁹ This would date the drawing in about 1856 - 1857, as Maunsell is said to have completed his translation, at Kohanga, of the Old Testament around that time. Waata was depicted dressed in splendid formal European attire and depicted facing his people and behaving as a traditional Maaori rangatira. His superb oratory skills, in both Maaori and English would have been fully utilised and on display. Te Rangi Hiroa wrote in 1987 that the mana of a chief was integrated with the strength of the tribe...and with this reverence was a feeling of satisfaction and pride in having a person of such distinction as the head of the tribe.²⁰⁰

¹⁹⁷ A. H. Reed (ed), *More Maoriland Adventures of J.W Stack*, pp. 143-144.

¹⁹⁸ Garrett, p. 296.

¹⁹⁹ M.A. Tagg, p. 46.

²⁰⁰ Te Rangi Hiroa; Sir Peter Buck, *The Coming of the Maori*, (Wellington, Whitcoulls, Ltd, 1987), pp. 346-347.

Kukutai was then exhibiting all the attributes of leadership to his tribe and his rangatiratanga, his status and mana to his Paakehaa audience at the same time.

There are two early Maori carte – de - vista in black and white of Waata, the images were believed to have been captured in the 1860s and are held in the Sir George Grey collection in the Auckland Library. In the first carte – de - vista, Waata is standing and dressed in a traditional ‘kaitaka’, a formal ceremonial cloak worn by rangatira. He holds his ‘koi’ (Maori weaponry) with a profusion of huia feathers in his hair. The black and white photo of Waata would have been taken when he was still quite young, perhaps soon after he became rangatira of Ngāti Tiipa, when aged about 24 years old. It is difficult to detect a moko on his face.²⁰¹

The Major Waata Kukutai painting by Gottfried Lindauer is one of the more recognised paintings of the Lindauer collection because he is depicted in his Major’s colonial uniform. While in Auckland in 1875 – 1876, Lindauer met Henry Partridge who became a keen sponsor of Lindauer and commissioned many portraits of Maaori chiefs, such as Waata. Walter Butler remarked in 1885 the portraits were to capture ‘as faithful portraiture of a dying race’²⁰². Lindauer was not averse to painting his Maaori subjects from photographs either.²⁰³ And despite the fact that Lindauer used photographs, that he altered facial features, the pattern of the moko (tattoo) and articles of clothing, that he painted portraits of people he could never have seen, it was claimed that he obviously was successful in conveying a strong sense of authenticity, the real presence and authority (‘mana’) of the subject.²⁰⁴ This cavalier attitude also extended to most portraits being undated as indeed Waata’s portrait was.²⁰⁵ Leonard Bell asks ‘why were there so many images romanticising Maaori at a time when government policy and the dominant incorporation of Maaori into European structures?’²⁰⁶ Bell concludes that ‘nowadays Lindauer’s paintings can be seen ... as monuments to a particular idea of the Maori past’, as attempts to naturalise the colonial ideological framing between images that served the

²⁰¹ Robert Eruera, *carte vista Waata Kukutai*, Sir George Grey Collection, (Auckland Central Library, 2019)

²⁰² Leonard Bell, *Colonial Construct, European Images of Maori 1840 – 1914*, University of Auckland Press, p. 219.

²⁰³ J. M. McGregor, *Gottfried Lindauer: His Life and Maori Art*, (Auckland [N.Z.], J. M. McGregor, 1985), p. 36.

²⁰⁴ McGregor, p. 41. McGregor recorded Lindauer’s cavalier attitude to the dating of his works, p. 48.

²⁰⁵ Ngahiraka Mason and Zara Stanhope (eds), *Gottfried Lindauer’s New Zealand*, (University of Auckland Press, Auckland Art Gallery; Toi O Tamaki), pp. 55-56.

²⁰⁶ Bell, p.3.

interests of specific European social groups.²⁰⁷ See Appendices D for a copy of the Gottfried Lindauer portrait.

Conversely, for Maaori descendants of Waata Kukutai the visualisation of tuupuna Waata in his colonial major's uniform elicits strong emotions: either empathy or indifference, or shame. Often the feelings of shame are the stigma associated with the labelling of the word kuupapa. Waata's image, frozen in time in portraiture, has compounded the view that he was kuupapa because the image is so subjective. And the opposing binary of history and contemporary tribal situations that rub up against each other. For instance Ngaati Tiipa has been under the mantle of the Kiingitanga Movement since King Tawhiao commenced his 'reunification' travels following the Waikato War.²⁰⁸ During King Tawhiao travels he created kuupapa settlements, for whaanau of kuupapa.²⁰⁹ One of these kuupapa settlements is located not far from Weraroa marae at Port Waikato. When the new wharenuui at Weraroa marae was built, the name given by kaumatua was 'Kuupapa' in remembrance of the settlement.²¹⁰ In this sense Ngaati Karewa and Ngaati Tahinga have domesticated the formerly contentious term of kuupapa. King Tawhiao named the whare tuupuna at Te Kumi marae, Te Kotahitanga, to further unify and welcome back into the arms of the Kiingitanga, the Ngaati Tiipa hapuu.²¹¹

Summary

In chapter three I discussed the Treaty of Waitangi from a Ngaati Tiipa perspective, and highlighted that the Treaty was signed within their own territories of Waikato Heads and Manukau. Missionaries, such as Reverend Robert Maunsell played a hugely influential, but largely under-stated role in encouraging Maaori rangatira to sign the Treaty. Kukutai and his son Ngapaka signed the Treaty at Waikato Heads. There was speculation as to whether it was Ngapaka or Waata who signed the Treaty. For Waata this was tantamount to signing an allegiance to Queen Victoria. His stance in supporting Queen Victoria resulted in his naming as kuupapa. This would have a profound effect on Waata. Waata

²⁰⁷ Bell, p. 205.

²⁰⁸ Turongo House, *Tawhiao – King or Prophet*, (MAI Systems Ltd, 2000), p. 195. The author writes that in 1860 – 1890s King Tawhiao visited all Waikato marae to bring them together. He named the Ngati Tipa marae wharenuui Te Kotahitanga and Raranga Aroha Awhitia was his home beside the marae when he visited and stayed.

²⁰⁹ Turongo House, p. 193.

²¹⁰ Pers. com. Kaumatua Tepene Karaka shared this korero at the opening of Weraroa wharenuui October 2012.

²¹¹ Turongo House, p. 195.

had a close and loving relationship with his father. He would later quote and reference his father signing the Treaty and that he was duty bound to uphold the mana of his father's decision. The translation of Te Tiriti into English remains controversial still. The roles of CMS missionaries who not only undertook the translations, but were directly instructed by the Church hierarchy, both in Australia and New Zealand, to assist the Crown in gaining Maaori signatures was commented on. The land deeds that transferred Maaori land followed closely on the heels of the Treaty of Waitangi signing event. This thesis argues that the Treaty of Waitangi was the precursor to the land deeds. Waata's involvement in the gifting of Rangikariri as a school grant then his active participation in many other land deeds is covered, with examples given. Finally, I discussed the portraiture of Waata Kukutai, ink sketching, painting and carte de viste (visiting card) photograph as adding to his personal view of how mana rangatira were personified and reflected. The portraiture enabled the viewer to view the phases of Waata's life as he transitioned from a young chief to an older more serious statesman. The last portrait, painted by Gottfried Lindauer is the most controversial as the description that accompanies the portrait states:

When Waikato was invaded by the Crown in 1863, Kukutai and Wiremu Te Wheoro transported supplies for the British up the Waikato River, earning them the disparaging name of kuupapa'.²¹²

While the portraits and depictions are a capture of the visual progression and stages of Waata Kukutai's life, the legacy of the term kuupapa remains.

²¹² Ngahiraka Mason and Zara Stanhope, eds., Plate 13.

Chapter Four: Paetai, Taupari and political arrangements

Introduction

Waikato and other tribal ariki (principle chiefs) had begun to express alarm towards growing settler demands for Maaori land. A series of meetings started in Taranaki then Waikato to discuss the issue of land retention in 1854, followed by the Puukawa meeting in 1856.²¹³ However at stake for Waikato ariki (supreme chief) and rangatira were more issues than just the land. The potential land loss had amplified the greater loss of Maaori mana motuhake and the exercise of tino rangatiratanga.²¹⁴ The establishment of a Maaori King was then assured, there just remained the finer details to be agreed upon, and the Paetai meeting was where Potatau Te Wherowhero's final acceptance was predicted to take place.

This chapter begins with Waata Kukutai's entrance and attendance at the great meeting held at Paetai, Rangiriri in 1857.²¹⁵ Waata attendance at Paetai is significant because he aligns himself politically in support for Queen Victoria. His speeches articulate his reasoning for his support for the Queen and Paakehaa. Waata openly challenges the right of Te Wherowhero to be named a King. As a result, the division between the lower Waikato tribes and other Waikato tribes became exposed and more pronounced following Paetai. Waata and Ngaati Tiipa become blighted by the stigma of kuupapa and his underlying reasoning, the preservation of his mana motuhake was overlooked. He strategically built Taupari, in Te Kohanga, that became the political centre of lower Waikato. Waata's voice, his analysis and thoughts are most clearly revealed in the many letters he wrote from Taupari. The chapter elaborates on Waata's political engagements with Crown identities such as Francis Dart Fenton, John Gorst, and Governor George Grey. Waata was a politically astute chief who continually sought to negotiate his way through the maze of colonialism, to better protect his land and his people.

Waata Kukutai marches to Paetai, hoisting aloft the Union Jack flag

For Waata the great Paetai meeting was remarkable for many reasons, for it was there he gained his reputation as an intractable and a forceful leader, and a Queenite. His standing

²¹³ O'Malley, p.78.

²¹⁴ Crosby, p.139.

²¹⁵ Stokes, p. 142.

as a high-ranking chief of Ngaati Tiipa increased and his leadership of lower Waikato tribes was confirmed. Ron Crosby writes that the Paetai meeting was called by lower Waikato hapuu for their up river and Horotiu kin was twofold: to mourn the passing of the rangatira Wetere, and to discuss the issue of the Maaori King.²¹⁶ Crosby continues that all of the high – ranking Queenite rangatira present that day – Wiremu Nera, Waata Kukutai and Te Wheoro – remained committed throughout the years to come, in their loyalty to the British Crown.²¹⁷ From this account it is clear that at earlier gatherings Waata Kukutai of Ngaati Tiipa, Wiremu Nera (Te Awa-i-taia), and Te Wheoro of Ngaati Naho must have expressed their concerns about the establishment of the King Movement because on arrival the three chiefs were already labelled ‘Queen’s supporters’.²¹⁸ Monty Soutar takes extreme issue with the various terms such as pro-government, loyalist, friendly and Queenite that were used to describe Ngaati Porou who fought in the Tairawhiti region.²¹⁹ All of these terms and consequent labelling have been applied to these three Waikato chiefs too, at various times throughout history. The negative and superficial labelling of Waata Kukutai, began in the mid nineteenth century constructed colonial narrative and continues to this day.

The Paetai meeting was a culmination of a series of eight meetings initiated firstly by Matene Te Whiwhi, a chief of Ngaati Raukawa, Ngaati Koroki and Ngaati Whakaue, to establish a Maaori King. Te Whiwhi unfortunately had conceived himself in the new role of King but was denied by Waikato.²²⁰ Paetai was described by Paakehaa observers as the great meeting, probably due to the sheer numbers of 2,200 Waikato Maaori in attendance.²²¹ Cowan recorded that the lower Waikato people were assembled to meet their guests from up river, the Ngaati Haua and Ngaati Maniapoto ‘who came sweeping down the river in a flotilla of nearly fifty canoes’.²²² The significance of a flotilla of fifty waka belonging to Ngaati Haua and Ngaati Maniapoto could be construed as a display of waka dominance and power towards their lower Waikato kin. The number of waka, in this instance, was directly associated with tribal mana and illustrated the centrality and

²¹⁶ Crosby, p. 161.

²¹⁷ Crosby, pp. 162 - 163.

²¹⁸ Crosby, p. 162.

²¹⁹ Monty Soutar, *Kūpapa: A Shift in Meaning*, in He Pukenga Kōrero, Ngahuru (Autumn), Volume 6, Number 2, 2001, pp. 35-39.

²²⁰ Stokes, pp. 137-139.

²²¹ Gorst, p. 38.

²²² Cowan, p. 232.

importance of the Waikato river to Waikato people. Later Lieutenant - General Cameron would also put on a fierce some display of gunboat power on the river in the lower Waikato. Rangatira began arriving on Sunday with the formal meeting starting on Monday 11th May and ending Wednesday 13th May 1857.²²³ The importance of the Paetai gathering to Waikato chiefs was again illustrated when John Eldon Gorst commented that ‘almost all the Maoris wore native garments’.²²⁴ The meeting at the time was deemed important enough that a *Southern Cross* reporter was present throughout, as was Francis Fenton.²²⁵ Fenton had just been appointed Resident Magistrate of Waipaa and Waikato on the 6th May 1857 so his appearance at Paetai was more than serendipitous.²²⁶

Waata Kuketai had made a grand entrance into Paetai when ‘he came over the hill with the Union Jack hoisted aloft’.²²⁷ The King’s flag was named Tapaue, and was white with a red border and two red crosses, and bore the words Potatau King of New Zealand and was symbolic of Christianity.²²⁸ The division between Maaori King and British Queen supporters was played out using the two flags. Rather than attack each other through individual personalisation, the chiefs sat opposite each other and deferred to the King’s flag and the Queen’s flag to indicate which side they supported. The Queen’s Union Jack represented the opposing side. Waata’s grand arrival into the meeting, carrying the Union Jack, left an indelible imprint in the minds of the Paakehaa observers that seemingly, in their minds, cemented his allegiance to Queen Victoria.²²⁹

Paetai was marked by powerful speechmaking, and the expressive and conciliatory language of the chiefs. Waata made several impassioned speeches at Paetai. In his first recorded speech he states his objection to the King’s flag. Evelyn Stokes recorded that Waata opposed the election of a Maaori King and forcefully planted the Union Jack in the ground stating:

This is my word to you – that that flag (King’s flag) should be lowered down, and let it remain down, because there is no foundation for this work of yours. Now, when I heard this name, great is the grief of my heart: rather let that

²²³ Gorst, p. 38.

²²⁴ Gorst, p. 38.

²²⁵ Crosby, p. 161. Footnote iii.

²²⁶ *AJHR*, To Native Affairs, E – No. 1c, 13.

²²⁷ Gorst, p. 38.

²²⁸ O’Malley, p.80.

²²⁹ O’Malley, p. 162.

superscription (sic) be washed out. Rather let it be united to the Governor: because with him is the line of authority, by which all our councils may be strengthened.²³⁰

Waata was alluding to an earlier speech by Wiremu Wheoro and his objection also to the king's flag. Wheoro had said 'in the days of the first Governor he gave us love, friendship, and kindness: therefore, I say, let us follow on this course of friendship to the Governor. Wherefore, I say, O superscription, you must descend lower: but let your authority of old remain with you. Rather let the Governor arrange for you'.²³¹

On the second day the discussions of for and against the kinship debates continued. Waata again made a further speech against the flag, and against the election of Potatau as the King:

Let the flag stand: but wash out the writing on it. Let us not talk like children: but find out some real good for ourselves. We cannot do it by ourselves, the white men have the money, knowledge, everything. I shall remain a subject of the Queen and look up to the flag as my flag forever and ever and ever. If it is dishonoured so shall it be: if it is honoured, so shall I be... You may go on talking: and when you have done we will let you join us. For if you follow your road you will be benighted, get in a swamp and either stick there or come out covered in mud.²³²

Waata Kukutai had now publically declared, before of all the most important Waikato rangatira that if the Union Jack flag was dishonoured, so to would he be. His prophetic words that day would cause Waata great anguish towards the end of the war in 1863. Contained within Waata's speech he alluded to requests that Waikato chiefs had been making for some time for 'law and order' to be established in the Waikato region.²³³ Paetai was the meeting where the chiefs had requested the formal establishment of runangas (sic), a European magistrate, and laws in an effort to control their own affairs within Waikato. This last request was readily agreed to by Governor Gore Browne, who on his return to Auckland, believed that in acceding to these requests this would divert the election of the King.²³⁴ Fenton too made a speech claiming 'all the Pakehas befriend

²³⁰ Evelyn Stokes, *Wiremu Tamihana: Rangatira*, (Wellington, Huia: 2002), pp. 145 -146.

²³¹ Stokes, p. 145.

²³² Stokes, pp. 143 – 149.

²³³ Fenton's appointment as Resident Magistrate to Waipā and Waikato stated: he was to visit the Native villages, attend to holding Courts there, to assist to devise bye-laws for better government of their villages and guide their deliberations on public matters.

²³⁴ Gorst, p. 37.

us. The Ministers approve of your proceedings...we know the road: it is open and by continuing on it we shall soon arrive at prosperity. Christianity will be firmly established, social comfort will be obtained and all the people will be increased and acquire dignity'.²³⁵ Fenton's speech would have been favourably received by Waata, as it would have confirmed his beliefs in Christianity and the promise of a prosperous Ngaati Tiipa future. On the last day Waata Kukutai completed meeting proceedings by parading the English flag:

[He then] rang a great bell, and proclaimed that all who acknowledged allegiance to, and intended to support that flag should follow him...All lower Waikato and the sea coast to Kawhia mustered. They moved in procession over the hill, passed resolutions, and embodied them in a letter to the Governor.²³⁶

On the 19th of May 1857, Waata wrote the letter to Governor Grey from his then home at Tihorewaru in Kohanga. Waata listed the lower Waikato hapuu who attended and opined that by the actions of the ruunanga they had suppressed the rebellion in Waikato. He then proposed that Paakehaa look after Paakehaa issues and Maaori look after Maaori matters with both groups aligning to the Queen and to God as their saviour. Waata continued that all of the Waikato hapuu on the west coast to Pirongia, Kawhia, Aotea, Whaingaroa and Waikato Heads had agreed to the proposal. The authors of letter were Waata Kukutai, Te Kereihi Tarapuhi, Takerie te Rau, Wiremu Te Awaitaia and Kihirini Te Kanawa. Waata added a postscript which stated that the ruunanga does not support tikanga he (bad ways) – that they support tikanga pai (good ways).²³⁷ The tone of Waata's letter to Grey was an explanation of who had attended, from which hapuu and district and the resolutions that had been agreed to. Waata had very successfully book-ended his arrival and departure at Paetai as a rangatira. He had not only riveted his audience with his spectacular entrance, carrying the Union Jack, but he also closed the meeting again carrying the Union Jack flag as well. Waata actions at Paetai substantiate his leadership role, his ardent Christian beliefs and an economic future premised on a relationship with Paakehaa. Importantly though he and the other chiefs were proposing

²³⁵ Stokes, p. 151.

²³⁶ Crosby, p. 164.

²³⁷ He Pukapuka Na Waata Kukutai mo te huihui ki Paetai in *Whetu o te Tau*, Volume 1, Issue 1, 1 October 1857. <https://paperspast.natlib.govt.nz/newspapers?WHETU18571001.2.16>. Accessed 21/05/19. Waata forwarded the letter to Hare Reweti on 19th May 1857 to publish in the newspaper *Whetu o te Tau*.

mana motuhake by Maaori, on their own lands under a united Maaori and Crown government.

Immediately prior to the Paetai meeting, in 1856 Iwikau Te Heuheu had invited all the tribes to mark the opening of the paataka, Hiinana at Puukawa. It was noted that many of the Kiingitanga leaders, many were considered young, literate and progressive.²³⁸ Against a backdrop of religious conversion, these young chiefs with Kukutai very prominent began to display an open defiance against the established protocols of traditional engagement and chieftainship. These young chiefs began to challenge the authority of older established ariki. For instance Vincent O'Malley writes that ariki Te Heuheu, who was midway through his speech at Paetai and was 'made to sit down' by Te Awaitaia and Waata Kukutai, chiefs who were much his junior.²³⁹ Ron Crosby writes that the reason for this harsh rebuke from Kukutai and Te Awaitaia, apart from lower Waikato being the hosts of the hui, was Te Heuheu's 'violent' speech where he accused Europeans of among other things, debauchery with Maaori women, making Maaori drunk and abusing their chiefs as 'bloody Maoris'. He further advocated for a total separation of the races and the ultimate expulsion, by force of the Europeans.²⁴⁰ Waata, who was already deeply religious, obviously took great offence to the thinly veiled threat of violence and possible expulsion of his missionary and colonial friends. Te Heuheu though was merely expressing the concerns of many Waikato rangatira which was the impending real or threatened subjugation to the settlers.²⁴¹ Six years later those initial fears of subjugation to settlers would be realised after the Waikato War.²⁴² However in 1857, the actual threat of war or invasion of Waikato had not been contemplated. Paetai had become the weathervane, testing which way the wind would blow between the lower Waikato tribes and other Waikato tribes. The singular maximum agreement that the tribes all assented to rested only in the sentiment expressed in "The King on his piece: the Queen in her piece: God over both and Love binding them to each other".²⁴³ Rather more troubling to Waata would be the decisions he would have to confront and the choices he

²³⁸ O'Malley, p. 79.

²³⁹ O'Malley, p. 81. O'Malley describes Te Heuheu's speech as provocative but the interjection by Waata and Te Awaitaia as an extraordinary occurrence for a chief of such high standing.

²⁴⁰ Crosby, p. 163.

²⁴¹ O'Malley, p. 81.

²⁴² O'Malley, p. 86.

²⁴³ M.P.K. Sorrenson, *Ko te Whenua te Utu: Land is the Price: Essays on Maori History, Land and Politics*, (University of Auckland, Auckland University Press, 2014), p. 108.

would be forced to make between the Maaori King and the Paakehaa Queen on behalf of his people.

A further example of a direct challenge by Waata to ariki Te Wherowhero is provided when on 2 June 1858 at Ngaaruawahia Te Wherowhero was to be formally installed as King. Lower Waikato chiefs Waata Kukutai and Katipa openly declared that Te Wherowhero would be recognised only as their ‘matua’, and further that they would never agree that he should be their King.²⁴⁴ Whether Waata and Katipa’s objection to Te Wherowhero’s naming as a King rested on a challenge to their own mana or whether their Christian beliefs precluded such a notion is not clear. Lower Waikato then took no further part in the proceedings, believing that they had achieved their aims of obtaining Potatau’s consent to be a matua to them and preventing the King’s party from enthroning him. M. P. K. Sorrenson writes that on 2 June 1858 at Ngaaruawahia as the date of Potatau Te Wherowhero accession, he was acknowledged as ‘King’ by a thousand supporters and as matua, (father) by another thousand.²⁴⁵ The sheer numbers of Waikato people attending these vital tribal and intertribal hui bear testament to the political engagement of all Waikato Maaori who had already foreseen the machinations of government officials and representatives and were deeply concerned.

Most importantly three agreements were solidified by the Kiingitanga adherents and announced: To form a band amongst all the tribes in New Zealand, a desire to form a land league to stop the reckless alienation of land and to prevent fighting and bloodshed among the Maaori.²⁴⁶ The formation of the Waikato land league is the most oft quoted reason for the Kiingitanga becoming the force that united Waikato Maaori and expressed as *hei pupuri i te mana* – to hold the prestige of the people and *hei pupuri i te whenua* – to hold the land.²⁴⁷ On the 24th June 1857 Waata Kukutai was formally appointed as a Native Assessor with the announcement published in the *Maori Messenger: Te Karere Maori*.

Colonial Secretary’s Office, Auckland, 24th June 1857. In pursuance of the 20th Clause of the “Resident Magistrates Court Ordinance Session 7, No. 16, I hereby select and appoint the undermentioned Aboriginal Native to be an

²⁴⁴ O’Malley, p. 84.

²⁴⁵ M. P. K. Sorrenson, p. 109.

²⁴⁶ O’Malley, p. 88.

²⁴⁷ Maharaia, p.76.

Assessor for settling disputes, along with the Resident magistrate for the District of Waikato: Waata Kukutai of Tihorewaru, Lower Waikato. Thomas Gore Browne, Governor. By His Excellency's command: E. W. Stafford.²⁴⁸

Once his appointment had been secured Waata then set about establishing law and order in his district, he issued and published the Ngaati Tiipa land proclamation. His expression, 'ka puritia tenei whenua' (retain the land), was not dissimilar to the Kiingitanga discourse of 'pupuri whenua' (hold onto the land) in late 1857.²⁴⁹ Waata's stance perplexed Gorst. He did not understand why Waata steadfastly maintained an allegiance to the Queen and yet he resolutely refused to sell land, Gorst later stated:

Waata Kukutai, of Lower Waikato, who has always professed loyalty to the Queen, and is now our ally in the Waikato War, is as strongly opposed to selling land as Rewi Maniapoto or Wi Tamehana; but the Maori King league having always proclaimed the prevention of land sales as one of its chief objects.²⁵⁰

What Gorst had failed to realise was that Waata believed he and Ngaati Tiipa were entitled to all the rights and privileges of British subjects, but he retained his own mana motuhake as a Ngaati Tiipa rangatira over his people and his land.

Taupari: the political centre of lower Waikato

Waata became increasingly political and outspoken, and his religious fervour was apparent also. In 1855 Waata had spoken forcefully at a meeting between the lower Waikato chiefs and the Governor. He said 'I wish for peace. If you have the same wish, I will follow your teaching: we natives wish for peace. We wish to learn to cultivate.'²⁵¹ Most of his speeches carried similar theme's, of peace, to follow the teachings of God and a desire to learn to cultivate the [land]. Waata began to assert his leadership beyond just the confines of his district and challenged the older chiefs such as Potatau Te Wherowhero and Iwikau Te Heuheu. For Waata, 1857 would be a politically significant year for him. His leadership at Paetai had caused a stir and he then returned to Kohanga to build the first wooden home built by Maaori outside the Kohanga mission station.²⁵²He

²⁴⁸ Maori Messenger: *Te Karere Maori*, Volume IV, Issue 5, 30 June 1857 from Papers Past. <https://paperspast.natlib.govt.nz/newspapers/>. Accessed 21/05/2019.

²⁴⁹ He Purutanga Whenua Tenei, in *Whetu O Te Tau*, Volume 1, Issue 2, 1 November 1857 from Papers Past. <https://paperspast.natlib.govt.nz/newspapers/>. Accessed 21/05/2019.

²⁵⁰ Gorst, p. 29.

²⁵¹ Maori Messenger: *Te Karere M Maori*, Volume 1, Issue 3, 1 March 1855 from Papers Past. <https://paperspast.natlib.govt.nz/newspapers/>. Accessed 21/05/2019.

²⁵² *AJHR*, Lower Waikato, E – No. 9. Sec. 11, 9. Fenton's report of the Proceedings of the runanga of Ngatitipa, 1st meeting held on 1st January 1862. Mohi, Te Teira, Pita and Hori debate building a wooden house as a

built Taupari, his European styled home in Kohanga which he transformed to become the political centre of Lower Waikato c.1857.²⁵³ While there are no specific dates of him building Taupari, we can gauge from his letters when his address changes from Tihorewaru to Taupari in late 1857. European observers in Kohanga recall ‘Waata had a comfortable five-roomed house, fairly well furnished, but lived in a whare at the rear, only opening the house when he had white visitors’.²⁵⁴ In effect Taupari became the ‘new’ marae, the central meeting place of the tribe and more importantly the centre of the Ngaati Tiipa socio-political system. Waata began to consider his political future and believed that in order to attract the Crown representatives to Kohanga he should move away from the traditional Maaori pa setting. He was successful in his bid, with all the Ngaati Tiipa ruunanga meetings held at Taupari. As the tribal leader of Ngaati Tiipa he still maintained his chief’s status with the two institutions deemed most important and central to the social and political tribal life, that of the marae and the whare ruunanga.²⁵⁵ In December 1861, the great Taupari meeting was hosted there. Waata was revered by his people and considered a person of mana and tapu. Paakehaa observers noted that when he [Waata] died the house [Taupari] was strictly tapu and was never entered again.²⁵⁶ See Appendices E for a Map of lower Waikato.

Political associations

Waata Kukutai and Francis Dart Fenton became friends: Fenton was to play a significant part, not only in Waata’s life and land, but in crafting the Maaori land laws of New Zealand. Fenton had arrived in Auckland in 1850 already legally qualified and travelled to Waikato with his cousin James Armitage to purchase Maaori land.²⁵⁷ James West Stack writes that Fenton ‘fixed his abode on the banks of the Waikato, nearly opposite Tuakau and about twenty miles from the Heads and according to Stack it was a Maaori, probably Waata, who first drew Maunsell’s attention to Fenton’s residency in Pukekawa.²⁵⁸ Governor Grey first met Fenton teaching music at Maraetai mission station and

raupo house is soon destroyed by the wind: This conversation was held in relation to Taupari becoming a ‘taone nui’ (large town) like Auckland. Taupari had already been built.

²⁵³ Waata Kukutai gave his address as Tihorewaru until he gave evidence in October 1860, at the Waikato Fenton inquiry. In 1861 he began using Taupari as his residence for all correspondence.

²⁵⁴ A. H. Reed (ed), p. 144.

²⁵⁵ Winiata, pp. 46-47.

²⁵⁶ A. H. Reed, p. 144. The editor acknowledged Messrs. E. T. Frost, Fred C. S. Lawson, Henry E. R. L. Wily and Herbert Maunsell for their local knowledge, p. 139.

²⁵⁷ Sorrenson, p. 69.

²⁵⁸ Reed, p. 153.

appointed him to his first government post as Magistrate at Kaipara before his appointment to Waikato.²⁵⁹ Grey would be instrumental in appointing Fenton to the legal roles he would undertake. In 1857-1858 Fenton became resident magistrate at Waipaa and Waikato, hence his presence at Paetai.²⁶⁰ Fenton also conducted the Ngaati Tiipa Census in 1858.²⁶¹ He eventually became the first chief judge of the Compensation Court and simultaneously of the Maori Land Court.²⁶² However, it was Fenton's 'Scheme for the Partition and Enfranchisement of Maaori land' based loosely on English enclosures system that was his initial undoing.²⁶³ M. P. K. Sorrenson is much more critical of Fenton's actions during the years 1857-1858 of his two brief circuits in the Waikato. Sorrenson claims Fenton took 'active' steps to administer the law in favour of European squatters and individualising Maori titles before any legislation had been passed to permit it.²⁶⁴ Fenton was removed from his resident magistrate's duties in Waikato. The outcome from the Waikato inquiry, by the Committee of the House of Representatives, vindicated Fenton and his scheme would form the basis of the 'new institutions' in 1861.²⁶⁵ By 1862 when the 'new institutions' were now being touted, Waata had raised at a Ngaati Tiipa runanga meeting in January 1862, how he envisioned individualising land titles for Ngaati Tiipa whaanau.²⁶⁶ His entreaties to his people to consider a new model of land ownership were summarily dismissed, much to his annoyance. Waata's active involvement in the political affairs of both the state and the tribe appear untroubled at this stage of his life. The Ngaati Tiipa runanga affairs were well managed and he had been rewarded with the title of Head Magistrate of the Taupari hundreds in December 1861.²⁶⁷

²⁵⁹ Reed, p. 154.

²⁶⁰ Sorrenson, p. 69.

²⁶¹ Tahu Kukutai, Information handout, *Ngāti Tiipa: Counting our tūpuna project*, 17 September 2018. Reverend Robert Maunsell first conducted his Ngāti Tīpa tribal census in 1844 then Francis Fenton & Robert Maunsell worked together on the first official government census in 1858.

²⁶² Sorrenson, p. 68.

²⁶³ Sorrenson, p. 70.

²⁶⁴ Sorrenson, p. 113. Sorrenson wrote that Fenton and Armitage became squatters on Māori land at Paetai, near the mouth of the river and near the station of CMS missionary Robert Maunsell, p.69. This location or name is incorrect, but regardless situates them on Ngāti Tīpa land.

²⁶⁵ *AJHR*: 1860, *Minutes of Evidence Taken*, F-No. 3, Waata Kukutai, 10 Oct 1860.

²⁶⁶ *AJHR*, Report from J. Armitage, ESQ., of the Ngātītīpa runanga E-No. 9, Sec. 11.

²⁶⁷ Ref date for Resident magistrate.

The Fenton inquiry

Waata Kukutai became embroiled in the Fenton affair when the formal government inquiry, was held in October 1860 to investigate Fenton's removal from Waikato.²⁶⁸ Both Waata and Ruka Taurua, the Ngaati Tiipa ruunanga President were among several witnesses called into the inquiry and examined. Waata's evidence, gathered on the 10th October 1860, gives a clear insight to his beliefs and illuminates his positions on the Kiingitanga, land retention, and potential loss of mana. Waata states he resides at Tihorewaru and has been a native assessor for three years. Under questioning Waata declares his belief that the 'real Waikato's commence at the mouth of Waikato, extending thence to Ngaaruawahia and to the end of Whatawhata' and he named all the tribes therein. When asked to give an account of the causes and objects of the Maori King movement his response was:

The cause was it was following our 'mana' lest it should be taken away by the Pakehas, lest the 'mana' should be completely trampled upon by that of the Pakehas. This is what I know from the reports of the persons who saw those proceedings'. And 'their discontent was from this, (fear) lest the 'mana' of New Zealand should altogether go to the Queen.²⁶⁹

Waata then elaborated and continued that these were his own ideas. The laws he said, given to the Maori people should have power and be approved of by the Maori people, lest they be trampled upon them:

They [tribes] would like better for the King to stand, and that the King and the Queen should have one thought, one work and one system for the two races, their work being to unite the two races. The Queen should have the direction of matters, the King giving his consent. There would then be no division between the two races.²⁷⁰

The balance of Kukutai's cross examination, by the Waikato Committee was to determine whether Fenton had caused trouble in Waikato and was unwanted in Waikato by the chiefs. Waata's opinion was that Fenton had the support of both the old and young chiefs stating, 'the only thing they chiefly desire is to have a permanent teacher of the laws established in Waikato'.²⁷¹ Kukutai obviously believed that there should be no

²⁶⁸ *AJHR* 1860, *Minutes of Evidence Taken*, F-No. 3, Waata Kukutai, 10 Oct, 1860.

²⁶⁹ *AJHR* 1860, *Minutes of Evidence Taken*, F-No. 3, Waata Kukutai, 10 Oct, 1860.

²⁷⁰ *Ibid.*

²⁷¹ *AJHR*, F-No. 3, Waata Kukutai, 10 Oct 1860.

division between Maaori and Paakehaa but strikingly that Maaori should have their own ability, mana motuhake (self-independence) to make their own laws, supported by an authority on law.²⁷² Waata's evidence validated his belief that the King's supporters too wanted one law but that the law of the Paakehaa should be jointly administered by the Paakehaa and Maaori. Here Waata is reinforcing the need for law and order in Maaori districts, his concern was to people first and foremost.

Fenton returned Waata's loyalty and against the backdrop of his cousin James Armitage death at Te Ia - roa together with the criticism that Waata Kukutai and his men had not done enough to assist the Europeans.²⁷³ Fenton wrote in 1863 a letter to Sir George Grey disclosing his concern for Waata's safety and urging that Waata be given a pistol and a sword 'as he is the finest friend in [this] part of the country...I respectfully recommend him to your Fenton continued 'Waata will be a marked man, the effects of the ...will be directed in the first instance to causing suspicions to exist about him in the minds of the ...He is a fine fellow, and I have a great regard for him. From Excellency's my faithful servant. F.D. Fenton.²⁷⁴ Fenton's high regard for Waata was at odds with John Eldon Gorst's description of Waata, and certainly much less flattering. Gorst complained: Mr Fenton's chief supporter in Lower Waikato, Waata Kukutai, [was] a very conceited young man. He was pleased with the title of magistrate so long as he could carry out the laws in his own way without restraint: but that a magistrate himself should be under the law was an idea that found no room in the thoughts of a man who had never learnt to obey. Upon one occasion, having received a check from Government for exceeding his jurisdiction, he was very much offended, and indicated, if he did not explicitly state, that should throw up his office in disgust.²⁷⁵

Gorst was referring to a notation by Thos. H. Smith, Dec. 29, 1858 and approved by T. G. B, on January 8th of a recommendation that Waata be informed that the rules framed by a 'Native Runanga' require the approval of the Governor and be proclaimed by, in the Government Gazette before they [rules] can have the force of the law. Waata had

²⁷² Ibid.

²⁷³ Wily and Maunsell, p. 154.

²⁷⁴ Papers Past, GNZA – GL: NZ F 6 (1).

²⁷⁵ Gorst, p. 45.

initiated laws that pertained to cultivations, horses, cattle, pigs and dogs in his Ngaati Tiipa district.²⁷⁶

John Eldon Gorst was an oxymoron, independently wealthy and just twenty-five years old when he arrived in New Zealand in 1860. His book *The Maori King* was written on his journey home to England and is a remarkable observation of the turbulence in Waikato from 1860-1863.²⁷⁷ In his writing Gorst vacillates between sympathy and criticism of Maaori. He wrote ‘that the Queen party were abandoning their cultivations, and all other useful industry, and were talking of nothing but being made magistrates, wardens, or jurymen...’²⁷⁸ He was however one of few European writers of that era who noted in his book the settler self-interest and extreme racial hatred directed toward Maaori. Gorst though reserves his most contemptuous opinion of Governor Grey’s road building scheme and the inevitability of war by claiming ‘but while soothing them with smooth words, [Grey] was steadily and effectually taking measures to place them at his mercy’.²⁷⁹ Waata’s relationship with Gorst was always going to be fraught. Waata’s chiefly persona fitted exactly Gorst’s summation that ‘...and the lesson of submission to some sort of constituted authority had yet to be learned, the natives consider themselves to be an independent nation’.²⁸⁰ Waata continued to be strongly independent between the worlds of the colonist and his Maaori contemporaries, his focus steadfastly remained on Ngaati Tiipa and the need to frame the laws therein.

The Great Taupari meeting

On 12th December 1861 a ‘great meeting’ was held at Taupari, Waata’s home in Te Kohanga.²⁸¹ The timing of the Taupari meeting where a great feast was to be held, presented to Governor Grey several opportunities and the lower Waikato were deemed sympathetic towards the government.²⁸² Governor Grey could bestow on Waata the resident magistrate role, and present his ‘peace policy’ and alternate with his ‘war policy’

²⁷⁶ *AJHR, The Waikato Committee*, E – No. 9., F- No. 3, Waata Kukutai, October 20, 1858, 163.

²⁷⁷ Gorst, pxiii.

²⁷⁸ Gorst, p. 45.

²⁷⁹ Gorst, p. 93.

²⁸⁰ Gorst, p. 23.

²⁸¹ Gorst, p. 86.

²⁸² O’Malley, 158.

to lower Waikato and the other Waikato representatives.²⁸³ In terms of pomp, ceremony and certainly in attendance numbers the importance of the Taupari meeting was significant and was conducted over several days with Governor Grey, William Fox the Premier of New Zealand, Donald McLean, Francis Fenton and many other leading colonials attending. The King Party spokesmen were Tipene and Herewini.²⁸⁴ Maunsell described the welcome given to Governor Grey ‘on his arrival eight hundred natives mustered, and the school lined the path to greet him: there was an arch of flags, speeches of welcome and ‘God Save the Queen’, and the Governor and his party took up residence at the Kohanga Mission Station.²⁸⁵ Gorst sarcastically described the meeting ‘as the new gifts of Government were publicly bestowed upon Waata Kukutai’s tribe, and that chief was installed as head magistrate of the Taupari Hundred, with a salary of £50 per annum and added that a King’s deputation would be sent to Taupari to hear Governor Grey’s intentions.²⁸⁶ Grey had returned to New Zealand on 26th September 1861 and Taupari was Grey’s first meeting with the Waikato chiefs. He reportedly adopted an aggressive and hectoring tone, demanding that the King would not be imposed on the tribes that did not want him.²⁸⁷

It was on the second day Grey’s long-awaited speech was delivered to the assembled audience. His speech was a mixture of boastfulness, self-importance and veiled threats against Maaori. Grey’s war policy can be detected when he alluded to a very large force at his disposal. Grey’s peace policy began when he said ‘I come as a friend’ and later his most infamous claim that the people of Waikato may therefore rest assured, and I give them my word, that I shall never attack them first and they may rest in quietness.²⁸⁸ Astutely O’Malley writes that in Grey’s speeches, he was not simply preparing for peace but planning for war.²⁸⁹ Grey postured that the decisions of Waata in regard to the gifting of land for a school, support of the Queen’s flag, and the construction of roading were the examples of Maaori and Government partnerships. Grey then deftly changed the focus of his speech to the creation of ruunanga establishments, the districts (Hundreds),

²⁸³ Belich describes Grey’s conduct at this time as confusing but the two main strands discernible were the peace policy of solving problems in a peaceful measure and the war policy were the active preparations for war, p. 119.

²⁸⁴ Gorst, p.85.

²⁸⁵ Garrett, pp 231-232.

²⁸⁶ Gorst, p. 85.

²⁸⁷ O’Malley, pp. 149-156.

²⁸⁸ Gorst, p. 86.

²⁸⁹ O’Malley, p. 156.

and the appointment of salaried native magistrates, claiming that the young men, chiefs and other who are highly educated ...to become clergymen, magistrates, doctors etc. – and a young chief may become one of these, and not have to work on his land like a common man, but live like a gentlemen’.²⁹⁰ It is unclear whether Waata realised the extent of Grey’s deceitfulness, instead his speeches would have resonated and confirmed to Waata that the direction, under the new institutions and his new senior role was proof partnership was being enacted.

The letters of Waata

Waata quickly became adept to the use of and power of public relations, and the use of the multiple media forums that existed in early nineteenth century. Waata was no slouch when expressing his opinions and his beliefs and well understood the power of print, which he sought to educate, inform, reform, and entertain.²⁹¹ Timoti Karetu wrote in *Maori Print Culture in rere atu, taku manu!* ‘that the newspaper forum became a new setting for public debating which was very much part of the traditional Maori society...the letter became the voice’.²⁹² Waata was an extraordinary prolific letter writer and his correspondence to Governor Grey, Fenton, Donald McLean, John White and Maunsell amplify his interests across national politics, the rule of law in Kohanga and education for his people. Waata’s letters in 1858 reflect the law and order he was trying to achieve through his various roles as a warden, then an assessor and finally as Head Magistrate in Taupari and concerned the relationship of Ngaati Tiipa to the Kiingitanga and ruunanga affairs. For example, a letter written from Taupari, Waikato, on June 5th, 1858 begins:

Friend the Governor, Salutations to you! Here send my love to you, because of the deceitful conduct of your friend Potatau, who is pursuing two courses. He approves of the King-making plan, and also of Maori authority. I wish to know what is the good of this work? Do you hearken to my words? I say that the Queen’s authority shall never cease to be over my tribe and me. These words were spoken by my father to Governor Fitzroy long ago. He said that he would take charge of the flagstaff at Takapuna, and would never allow it to be cut down: that he himself would take care of it. I can now say that I will take care of that flagstaff, because the words laid down by my father cannot be trampled upon, and I cannot lay aside the rules of kindness to Europeans

²⁹⁰ Gorst, pp. 85 – 89.

²⁹¹ Jenifer Curnow, Ngapare Hopa & Jane McRae, eds., *rere atu, taku manu!* (Auckland, Auckland University Press, 2002, p. xii.

²⁹² Timoti Karetu, *Maori Print Culture: The Newspapers* in Jenifer Curnow, Ngapare Hopa & Jane McRae, eds., *rere atu, taku manu!*, p. 5.

and Maories pursued by my father. And now, I will never forget the laws of God and the Queen, which govern the people. Your loving friend, Waata Kukutai, Assessor, Waikato.²⁹³

In the letter Waata alludes to the promises made by his father Kukutai to support the Queen. He also signals Waikato tribal land possession, at that time, extended across the Waitemata harbour to Takapuna. But it was his reiteration of the laws of God and the Queen that Waata was most consistent in his letters and articles. Another letter written on October 20, 1858 to Fenton concerns the sale of arms.

Salutations! This is the thought that enters my heart. Let the sale of guns powder and caps be stopped, because I have been thinking of the Maori people, and I know that evil will ensue, as witness Ruihana's evil plans. This, therefore, is the cause of my writing. I say, let guns, powder, and caps be withheld because of Ruihana's proceedings who holds evil out to us as a bait that is arms. We have often according to the law which is suspended over us. My thoughts, therefore, are to stop these things. I have written to the Governor to prohibit the sale of these things, your loving friend, Waata Kukutai.²⁹⁴

An intriguing letter from Waata to Donald McLean was dated 8 March 1861 and written from Waiuku, Waata requested McLean 'to quickly send a ship to pick me up'. Frequent letters to other colonial statesmen display the close relationships that Waata had in these important political circles.²⁹⁵ Most of Waata's letters were written from Taupari. Miss Jones, later Mrs Stack in 1858 relates a call she made on Kukutai (Waata), who had recently been appointed magistrate and often dined at Government House. She describes Taupari 'in the sitting – room, there was a portrait of the Queen in a gilt frame and a large writing-desk, but everything else in the room was 'in a strange confusion': the wives, she had heard, took to the new ways less readily than the men'.²⁹⁶ This observation suggests Taupari was indeed the central meeting place for Ngaati Tiipa and the large writing desk had pride of place and was used for the many letters that Waata penned during his lifetime. He absolutely believed he was executing his various roles with diligence and care for the law. What is easily apparent is that Waata's principles and personal mana were at the centre of his life as chief of Ngaati Tiipa.

²⁹³ Papers Past, *Letter from Waata Kukutai*, Append E.

²⁹⁴ *AJHR*, The Waikato Committee, Letter from Waata Kukutai (of Taupari) Respecting the Sale of Arms, October 20, 1858. E – No. 8.

²⁹⁵ MS-Papers-0032-0685B-03, Sir Donald McLean Papers collection.

²⁹⁶ Garrett, p.211.

However, it is through reading Waata's personal correspondence to other Maaori, Waata is more loquacious and his true strength of character emerges. Waata would brook no interference in his territory by anyone. He was the rangatira. One letter in particular stands out. The letter was written from Taupari, 12th August 1863 to Te Tireni Te Hura with Tioriori in brackets. Waata had received a letter from Terini Te Hura critical of Waata's support of the Crown agents, European and missionaries but against Waikato. Waata responds formally but eloquently on 12 August 1863 from Taupari. Most striking in the letter was Waata's directive that Terini must not write to him again and the unequivocal statement that 'Taupari' was his District. Waata writes of 'principles' and Terini was not to come into Taupari and cause disturbance to his people. And further Terini is instructed to not visit Kakenga, or travel on any roads in his district. Waata ends with 'this is all I have to say' and ends the letter Signed W. P. Kukutai.²⁹⁷

During the Waikato war letters were still being written and received at Taupari. Tamihana had obviously heard that Waata was relocating his tribe to Te Ia- roa to build the redoubt and construct a pa. Tamihana wrote to Waata from Rangiriri on 16 May 1863 cautioning him to stay out of what he determined was a Paakehaa war:

To Wata Kukutai, Friend, we have heard the words of your fathers: - 1st, That they did not approve of the deeds of Maniapoto: 2nd, The word, which you sent, that we should tell our thoughts regarding the murders – to which they replied that they would wait until they heard the Taranakis account of the matter: 3rd – Your word that you would guard the Ia. They say: "Do not go to the Ia: leave it alone". This was their word: "Do not go to the Ia. Let them be the fence – you and them. Another fence would be Isaac, Moses, Tamati, and Mangatawhiri. Let those be the fences. This ends. Enough of these words. Friend, what they say is right. Leave it to them, lest your wrangling words be made a cause of quarrel between you, and give the Pakehas a pretext. Better let the road be clear for our Pakehas to fix the quarrel. Let not those be made the pretext. Sufficient! It is ended. From us two."²⁹⁸

Again, on the 22nd August 1863, Wiremu Tamihana wrote a letter to Waata, upon hearing of Waata's support given to the government troops. It is doubtful that Tamihana was aware that Waata was remunerated for his tribe's services in providing canoe

²⁹⁷ *AJHR*, Papers Relative to the Native Insurrection, *Waata's letter to Tirenī Te Hura (Tioriori)*, Enclose to No. 18. Taupari, August 12, 1863.

²⁹⁸ Stokes, pp. 330 - 331.

transportation.²⁹⁹ This letter is often described as a letter of admonition of Waata's actions. Tamihana's letter could also be construed as a reproach that acknowledged their relationship and suggests caution:

To Wata Kukutai, I salute you O Wata. Your name sounds badly to Maori ears. (It sounds) badly first on account of your going on board the (war) steamers. Secondly; on account of your carrying food for the troops, by water. I tell you it is not the white man who destroyed Waikato; but you did this work. O Friend, stand on one side that you may be clear of that great sin, a sin against the tribe. That is all. From W. Tamihana.³⁰⁰

Waata penned a letter to *Te Penetana Esq kia Akarana*, (Fenton) Te Ia, Taupari on November 18, 1863. The letter informs Fenton that 'kua mate ra a Waikato' (The death of) Waikato and details the retreat to Maungatautari of Ngaatipou, and Ngaati Tapa. He then describes the tribe of Ngaati Maniapoto as broken and they have lost their land in Rangitaike and homes in Taranaki. Later in the letter Waata makes the distinction between himself and his actions and those of the retreating tribes writing they were the troublesome ones that retreated to the mountains and attacked Pakeha who were not at fault and agrees with Waikato land being taken into the hands of Pakeha. He then berates those he claims have left their mana behind and their deeds did not sustain mana. These are my words, from your loving friend, from W. P. Kukutai.³⁰¹ Waata's letters give an insight into the difficulties of not only where he should position himself in an increasingly turbulent time.

Summary

In chapter four I discussed the defining moment for Waata when he openly stated at Paetai his support for Queen Victoria but why he believed that there should be no division between Maaori and Paakehaa. Waata reiterated why he believed in the Paakehaa gifts of literacy, education and law and order. This positioning put him in direct conflict with many other Waikato iwi. His speeches at Paetai were powerful and his leadership abilities meant he was unafraid of whom he addressed with verbal challenges to Te Heuheu... Waata travelled to Ngaaruawahia to challenge Potatau's right to be addressed as the King and he and lower Waikato chiefs left the meeting understanding that Potatau would be

²⁹⁹ Crosby, pp. 195-196. Cameron wrote a lengthy letter to Grey, he refers to the trifling charge of canoe transport provided by Waata Kukutai as opposed to the difficulties of land transport.

³⁰⁰ Stokes, p. 350.

³⁰¹ Grey New Zealand Maori letters: Nga Reta Maori, GNZMA 98, www.dnzb.govt.nz.

their matua. Waata's inherent values and his behaviour stemmed from his father's instructions and examples and not his relationships with the Crown. He was adamant he would not trample on his father's mana and therefore his allegiance is to Queen Victoria. Waata's was an astute political operator, whose loyalty, especially to Fenton, was ultimately rewarded with the return of Ngaati Tiipa land.³⁰² Waata gave evidence in support of Fenton at the enquiry in 1860. He built Taupari and the great Taupari hui is covered including Governor Grey's duplicitous comments that he will not make war against Waikato. Waata consistently maintained that the King Movement was not in conflict with the Queen's government and there should be no division between the races. This delicate balancing act would end and for a short time in 1863 Waata was actively supporting the Colonial forces. Ultimately though, he fervently believed in his own authority, and his own tribal mana motuhake. Waata believed in his right as a rangatira to his land as unchallenged and the welfare of his people. And finally, Waata's many letters reveal his political interests and reaffirmation of a consistent Ngaati Tiipa tribal independence. He was courageous and held strong political views in the political arenas he became part of. From his political relationships he extricated positions that replicated and mirrored his mana in both worlds, never deviating from his chiefly position, that of the Ngaati Tiipa rangatira. Unfortunately for Waata and Ngaati Tiipa his undoubted political skills were never fully recognised and his profile as a rangatira reduced to one word, kuupapa.

³⁰² Raupatu Project, Compensation Court: Archives/Manuscripts, File No: Box 56, 1866.

Chapter Five: Ngaati Tiipa ruunanga and Kuupapa

In chapter five the thesis looks at the re-establishment of ancient ruunanga into a contemporary but colonial form and the Ngaati Tiipa ruunanga meetings. Waata Kukutai had built Taupari as a political centre for the lower Waikato and the first official Ngaati Tiipa Hundreds ruunanga was held there in 1862.³⁰³ Waata was keen to establish law and order within his district. Waata exerts his authority and his Christian values by banning alcohol and muskets from his territory.³⁰⁴ The farming ventures and cultivations of Ngaati Tiipa are touched upon as is the prominence of the Waikato River to the lower Waikato people. Governor George Grey returned to New Zealand on 26 September 1861 and his duplicity towards Maaori quickly becomes apparent. He wanted control, land and military conquest.³⁰⁵ And in 1861 Lieutenant-General Duncan Cameron arrived in New Zealand.³⁰⁶ The Waikato invasion has edged closer and divisions between the now established Kiingitanga Maaori and Governor Grey had become more pronounced. Chiefs such as Waata were then forced to choose between iwi Maaori and Paakehaa. The thesis questions the use of the word kuupapa and the term kuupapa is interrogated, along with the many variations and meanings attributed to the term. The thesis argues strongly here that Kukutai did not blindly follow the Queen's side but rather positioned himself to protect his people and his land. Waata had already begun to assert his personal authority and his independence.

The traditional ruunanga concept was the forum that many Maaori tribes and hapuu employed to discuss matters pertaining to the wider whaanau. Maharaia Winiata provides a more expansive explanation on the role of ruunanga in former times, where he states that the matters discussed were usually restricted to matters affecting the welfare of the hapuu. Winiata also comments that a feature of the Waikato ruunanga was that leadership was retained by the traditional leaders.³⁰⁷ Waata Kukutai's rangatira status would be preserved in the new age of colonisation and culminated in his tribal appointments as a warden, then as an assessor in 1857 and finally as Head Magistrate on 12 December 1861

³⁰³ AJHR, *Report from J. Armitage, ESQ., of the Ngatitipa runanga*, Kohanga, 6th January 1862. E-No. 9, Sec. 11.

³⁰⁴ See Appendix Seven, Ngaati Tiipa Ruunanga schedule.

³⁰⁵ O' Malley, p. 215.

³⁰⁶ O' Malley, p. 150.

³⁰⁷ Winiata, p. 75.

at Taupari.³⁰⁸ The Ngaati Tiipa tribe though had been formulating ruunanga rules, as early as 1858.³⁰⁹ For example a meeting was held on 15 October 1858 at Taupari, with Ruka Taurua was President. Taurua confirmed at the meeting the adoption of seven rules relating to agricultural matters, fencing; penalties for loose livestock, mischievous dogs and crop damage. Waata requested that the rules be published in the Maori Messenger with the report noting that 86 persons were present.³¹⁰ The meeting was held at Taupari and Waata was present in his role as Native Assessor. Waata had been confirmed as a Native Assessor in 1857 after Fenton had reported to the Government:

Waata Kukutai, the chief of the Kohanga farming establishment, was elected by the people as a tribal warden and now *enforces* law, although he had no Governmental authority. He has, I am informed, already succeeded in stopping the consumption of spirits, has prohibited ‘tauas’ and ‘huis’ - sources of much evil and forbids all resort to a display of force. If he was now appointed Native Assessor, the principle I advocate will be recognised.³¹¹

Fenton was alluding to many earlier reports of Waikato chiefs calling for a ban on importing spirits into the Waikato region.³¹² Waata also reported this meeting on the same date: Friend, Mr. Fenton, The Runanga is engaged upon the laws. Laws have been established relative to cultivations, horses, cattle, pigs and dogs. I am greatly pleased with what has been done by the Runanga.³¹³ The tribe were already engaged in full farming operations which included owning horses and raising cattle, pigs, sheep and goats, wheat cultivation, and growing potatoes, maize and corn. These rules substantiate that Ngaati Tiipa was at that time a very prosperous farming tribe. Waata had a great oversight in the management of his tribe and was already issuing tribal regulations at meetings.

Although a form of official recognition of Maaori ruunanga was offered in settler legislation in 1858, Maaori ruunanga became a focus of colonial attention when Governor Grey returned to New Zealand for his second term in 1861.³¹⁴ Grey’s scheme

³⁰⁸ Waata’s appointment as assessor was published in Maori Messenger: Te Karere Maori, Volume IV, Issue 5, 30 June 1857. His appointment as Head Magistrate occurred at the Taupari meeting on 12th December 1861. See reference under Taupari.

³⁰⁹ Maori Messenger, *Te Karere Maori*, Volume VI, Issue 7, 16 April 1859.

³¹⁰ *Ibid.*

³¹¹ *AJHR*, To Native Affairs, E-No. 1. 1c, pp. 11-12.

³¹² O’Malley writes that Waikato chiefs had been petitioning the Government since 1852, p.157.

³¹³ Papers Past, Miscellaneous Papers, Waata Kukutai, October 20, 1858.

³¹⁴ M. P. K. Sorrenson, p. 167.

envisaged the North Island being divided into twenty districts, each with its own ruunanga under the supervision of a Civil Commissioner.³¹⁵ Under Grey's proposals, district ruunanga would have wide ranging powers to make by-laws on matters of local concern, and Grey quickly enacted and gave official recognition to Maaori ruunanga and implemented what later became known as Grey's 'new institutions' of 1861 – 64 under the earlier Native Districts Regulation Act 1858.³¹⁶ The aptly named new institutions were based on village and district ruunanga, to be overseen by Resident Magistrates and Civil Commissioners. Grey proposed that the district ruunanga should be empowered to decide 'the adjustment of disputed land boundaries, of tribes, of hapuu, or of individual title. And ruunanga could decide 'who may be the true owners of any Native lands', as well as recommending the terms and conditions on which Crown grants might be issued, and controlling the alienation of lands once title had been ascertained'.³¹⁷ One significant feature of the Maaori – sponsored ruunanga movement, claims Maharaia Winiata, was in the Waikato no absolute break was visualised in the relationship with the European political system.³¹⁸ Winiata continued that the movement of ruunanga into a judicial institution started in the Waikato area.³¹⁹ Waata was instrumental in many of the Ngaati Tiipa ruunanga decisions and was heavily influenced by his religious convictions, his friendships and alliances with colonial representatives. However Waikato Maaori especially were increasingly becoming alarmed at their rapid exclusion from important forums of decision making but Waata appeared untroubled at this point, probably due to his leadership within the Ngaati Tiipa ruunanga.³²⁰ European contact had ushered in land transfers to settlers, and political matters such as the Treaty of Waitangi, the Constitution Act, the Courts and the omnipresence of Governor Grey.³²¹

This thesis argues that Grey had other reasons too, and ultimately it was the ability of close surveillance, via monthly reports, of the district ruunanga by his resident magistrate's whom he instructed to attend the ruunanga meetings. The official ruunanga scheme ceased in their operations following the Waikato invasion in 1863 which perhaps

Alan Ward quoted in Vincent O'Malley, p. 8.

³¹⁵ Ranginui Walker, *Ka Whawhai Tonu Matou: Struggle Without End*, (Penguin Books [NZ.], 1990), p. 118.

³¹⁶ Vincent O'Malley, *Agents of Autonomy: Maori Committees in the Nineteenth Century*, (Wellington, Huia, 1998), pp. 152-153.

³¹⁷ O'Malley, pp. 22-23.

³¹⁸ Winiata, p. 73.

³¹⁹ Winiata, p. 75.

³²⁰ Winiata, p. 73.

³²¹ Sorrenson, p. 167. Governor Grey held the post of Commander-in-Chief of the British force in New Zealand.

does validate the earlier claims of state sponsored rivalry.³²² Maaori subservience and subjugation was always envisioned and would later be carried through by Grey and the settler government, the Waikato invasion precipitating the collapse of early Maaori nationhood. Crosby notes that all the high-ranking Queenite rangatira present that day – Wiremu Nera, Waata Kukutai and Te Wheoro – remained committed throughout the years to come in their loyalty to the British Crown. They were each subsequently accorded the rank of Major in the militia forces when hostilities broke out.³²³

The Ngaati Tiipa official ruunanga, under Grey's new institutions held their first meeting at Taupari, 1st January 1862. Immediately prior to the actual proceedings F. D. Fenton, accompanied by James Armitage, reported that preliminary discussions as to 'Waata's proposed plan of dividing their lands into individual portions' was supported by Arama Karaka and their immediate friends, but vehemently opposed by Ruka, who had been named as President of the Runanga and his friends. Waata 'threatens to withdraw altogether from taking any part in their future proceedings'.³²⁴ Armitage then declares he has been appointed the Resident Magistrate for the Lower Waikato, and he has been instructed to attend the meeting and Governor Grey's absence was due to sickness.³²⁵ Waata is not listed on the attendance list but Hori Kukutai is, and as the meeting is held at Taupari, he would have been present. Waata's progressive ideas on individual land ownership can be detected in his proposal to individualise land ownership among Ngaati Tiipa. Waata had already discerned that land ownership entitlement was tethered to full entry into Paakehaa society and voting eligibility rights.

A town called Taupari

The Ngaati Tiipa proceedings of the ruunanga were recorded verbatim, with names and their statements in English. The main concern of the meeting was firstly a taone nui (large town) or the establishment thereof. Ruka states that 'according to our old customs we used to live in Pahs (sic). Let us imitate the Pakehas and have a town for ourselves'.³²⁶ Ruka's statement on the old customs indicates that Ngaati Tiipa people were living comfortably on their tribal estate. Another striking feature of the ruunanga report of 1st

³²² O'Malley, *Agents of Autonomy*, p.25.

³²³ O'Malley, p. 163.

³²⁴ *AJHR*, *Lower Waikato*, E – No. 9, Sec.11.

³²⁵ *Ibid.*

³²⁶ *Ibid.*

January 1862 reveal the debates among the twenty men in attendance reflect a people who were successful farmers who owned livestock, horses, cultivations and were wealthy enough to be considering the building of ‘proper houses with brick chimney’s’.³²⁷ Ngaati Tiipa had not only maintained their communal prosperity first indicated in 1858 when the tribe had made rules based on their farming ventures, they had obviously increased their wealth and were now discussing building their own town, Taupari.

Taupari

Chief of Police and President – Ruka Taurua, of Manutahi	£30
Assessors Waata Pihikete Kukutai, Taupari	£50
Tamati Temoniu, Taupari	£20
Te Putu, Ohutu	£20
Police Te Reweti Pauepahu, Taupari	£10
Te Wharerahi, Taupari	£10
Takameora, Maraetai	£10
Tinipaketa, Tekakenga	£10

Cowan wrote Grey and his Ministers introduced the new institutions ‘to grapple with the task of governing the natives in his zone of influence’ with the assistance of salaried Maori Magistrates, assessors and policemen.³²⁸ The institutions were introduced in Ngapuhi and lower Waikato. Danny Keenan’s view was that ‘Grey’s offer of a limited self-rule represented a veiled attack on the King Movement and its endeavours to unify all Maaori against the growing power of the Crown.’³²⁹ Francis Fenton minuted the nominations and he was instrumental in appointing Te Putu of Ngatikaiewa as an additional assessor ostensibly for political necessity and agrees to the division of the assessor salaries³³⁰. Fenton obviously had quite a bit of latitude in his appointments and salaries. Waata received the highest salary and this would be increased later as head magistrate on a salary of £150.³³¹ Fenton had a huge role in establishing the ruunanga in the district hundreds both in Upper and Lower Waikato. He knew all the president’s, the assessor’s, police and hapu associated in all the districts. And as his very detailed surveillance like reports show, his later appointments to Chief Judge of the Compensation

³²⁷ *AJHR*, Reports of Officers, Lower Waikato, 9 E-No. 9

³²⁸ James Cowan, F.R.G.S., *The New Zealand Wars: A History of the Maori Campaigns and the Pioneering Period*, (Wellington, P.D.Hasselberg, Government Printer, 19880, 1st published 1922.

³²⁹ Danny Keenan, *Wars Without End: The Land Wars in Nineteenth –century New Zealand*, (Penguin [NZ], 2009), p. 218.

³³⁰ *AJHR*, Reports of Offices, No. 2. No. 9, 6, Sec. II.

³³¹ Gorst, p. 156.

Court and simultaneously as Chief Judge of the Native Land Court would have been greatly advantageous to the settler government. And ironically Waata and Ngaati Tiipa would benefit from his largesse. The Compensation Court, on the 30th June 1866, awarded 45,000 of confiscated land located at ‘Taupari to Opuatia’ and found in favour of Waata Kukutai and Ngaati Tiipa. The awarding of the 45,000 acres was unchallenged, by other lower Waikato iwi although as O’Malley points out ‘the government’s intention was to exploit tribal divisions for its own advantage where ever possible’.³³² It would have been improbable that other chiefs in lower Waikato would have challenged the Compensation Court awarding of Ngaati Tiipa land as they too were actively petitioning for the return of their own land.

The economic entry of Ngaati Tiipa into agriculture and farming

Waata demonstrated his entrepreneurship abilities when he began Ngaati Tiipa’s successful foray into industrial scale farming. Hazel Petrie suggests that Maaori had adopted commercial forms within their own frameworks: ‘capitalism’ was communal...but knowledge of European technology had been transmitted in conjunction with European religious, social, and ideological understandings.³³³ Waata encapsulated all these characteristics in both his religious fervour that connected to his commercial ventures. As Leslie G. Kelly recorded ‘the founding of Auckland brought civilisation to the very front door of the Waikato tribes and an era of prosperity set in.’³³⁴ The extent of the Ngaati Tiipa cultivations were also alluded to by Governor Grey, at Taupari in 1861.³³⁵ And the reading of the Ngaati Tiipa ruunanga minutes record the growing of crops such as potatoes, and wheat and the fences erected for the horses, cattle, pigs, sheep and goats reinforce the prosperity of Ngaati Tiipa prior to the war.³³⁶ After the war Waata claimed in the Compensation Court for the loss of three canoes valued at £15 each, a plough worth £12 12s, chains, harness and yokes, worth £3 5s destroyed by the troops.³³⁷

³³² O’Malley, p. 482.

³³³ Petrie, p. 273.

³³⁴ Leslie G. Kelly, *Tainui: The Story of Hoturoa and His Descendants*, (Christchurch, Cadsonbury, 2007, original edition Polynesian Society as memoir No 25, 1949., p. 426

³³⁵ Gorst, p. 87.

³³⁶ Maori Messenger, *Rules relating to Trespass*, in Maori Messenger: Te Karere Maori, Volume VI, Issue 7, 16 April 1859. <https://paperspast.natlib.govt.nz/newspapers>. Accessed 15/02/19.

³³⁷ Southern Cross, Volume XXI, Issue 2447, 24 May 1865.

The lower Waikato lands of Ngaati Tiipa were literally ‘a land that was flowing with milk and honey’ with beehives, cows, orchards and gardens.³³⁸ While it is tempting to repeat missionary rhetoric that these farming skills had been taught and learnt at the Maraetai and Kohanga mission stations by Maunsell, Ngaati Tiipa and indeed Maaori were already known as agriculturalists.³³⁹ Very quickly Ngaati Tiipa and Waikato were supplying Auckland with produce and Governor Grey had approved the funding for a flour mill in Kohanga.³⁴⁰ Hazel Petrie, in *‘Chiefs of Industry’* details the extraordinary entrepreneurship that Maaori throughout the country displayed from the 1830’s to around 1856 when a national economic slump caused many Maaori farmers to abandon their crops in the fields.³⁴¹ Petrie names this period as the ‘golden age of Maaori enterprise’.³⁴² Meanwhile the Ngaati Tiipa tribe were noted ‘for experimenting with making bacon’³⁴³. James West Stack, while stationed at Kohanga recounted that while at Kohanga he learned to plough, and drive both horses and bullocks, and to reap and thresh corn. Stack reported that:

The Maoris thoroughly enjoyed the business of threshing the corn, which was done in the open field, as soon after reaping as possible. A large sheet was spread upon the ground, and on to it the sheaves were thrown. Men and women arranged themselves on either side of the sheet at a convenient distance from one another, and at a given signal flung their long, slender flails over their heads, and brought them down with a loud thud on the threshing floor. They kept splendid time by chanting together a suitable Maori ditty.³⁴⁴

The Ngaati Tiipa were well blessed with access to fishing in the Waikato River in addition to the economic farming of their fertile lands. And further descriptions of Kohanga recorded “we had rows of beehives, and a super abundance of milk which we used to mix with our bread. Of fish and fruit, we had abundance and pigs were occasionally fed on the huge ripe peaches”.³⁴⁵ The tribal members acted communally in the gathering of food. James West Stack recorded this impressionistic scene of Ngaati Tiipa fishing for kahawai on the river:

³³⁸ Wily & Maunsell, p. 143.

³³⁹ Dieffenbach, p. 82.

³⁴⁰ Petrie, pp. 85-87.

³⁴¹ Petrie, p. 176.

³⁴² Petrie, pp. 5-7.

³⁴³ Petrie, pp. 254-255.

³⁴⁴ A. H. Reed (ed), pp. 176 – 177.

³⁴⁵ Wily & Maunsell, p.120.

For a mile from its mouth the river flowed in a channel about half a mile wide, and which broadened into an estuary about five miles by ten. One lovely bright day I saw this large sheet of water swarming with little canoes, each occupied by one man, who was either paddling with all his might, or else drawing in the fishing line which trailed along behind him, and to the end of which a pearl shell, made to resemble a small fish was fastened. The occupants of the canoes were all engaged catching kahawai, a fish about the size of a small salmon, which had entered the river in vast numbers in pursuit of a kind of whitebait, upon which they fed. Day after day, for weeks, the exciting sport was pursued by hundreds of people, who handed the fish they caught to their women, who cleaned and preserved them. Some were dried in the sun, and some artificially dried in Maori ovens. Tons and tons of fish, thus preserved, were sent up the river to the inland settlements on its banks, and from there carried on porter's backs to still more distant places.³⁴⁶

Additionally, there were descriptions of Ngaati Tiipa, using nets to catch 'millions of little transparent fish about two inches long' that were cooked heads, tails, innards and eaten in this way as well³⁴⁷. These descriptions provide a glimpse of Ngaati Tiipa's successful farming, fishing and agricultural pursuits prior to the invasion. Waata would have been understandably very reluctant to give away his mana motuhake and rangatiratanga over his successful tribal domain. The Ngaati Tiipa survived relatively unscathed during the economic slump of the mid 1850's. This is evidenced by the 1862 Ngaati Tiipa ruunanga meeting minutes where the primary discussion points involved whether to individualise land titles, establish a taone nui (large town) or build houses with chimneys. Additionally, the Fenton 1858 census describes the Ngaati Tiipa tribe 'as healthy, settled and populous' with little transience that would usually indicate a need to relocate to another area.³⁴⁸

Waata's kuupapa naming by Waikato

Waata Kukutai is probably the most renowned named kuupapa chief in the Waikato. Although there were two other principal chiefs, namely Wiremu Te Morehu Maipapa Wheoro and Wiremu Nera Te Awa-i-taia who were known to as loyalists, or friendly chiefs who supported Queen Victoria and the colonial government.³⁴⁹ However it is Waata and his tribe Ngaati Tiipa who was and is most closely identified and indeed

³⁴⁶ Brian Muir, *A History of the People of Aka Aka before and during the arrival of the first Europeans*, p. 13.

³⁴⁷ Muir, p. 13.

³⁴⁸ Tahu Kukutai, *Ngāti Tiipa: Counting our tūpuna project*, (University of Waikato, Te Kotahitanga marae, 17 September 2018), Excerpt 1857/1858, *Observations on the State of the Aboriginal Inhabitants of New Zealand*, 1985. An information handout contained both Rev Robert Maunsell (1846) and F. D. Fenton (1858) census copy.

³⁴⁹ Crosby, p. 163.

vilified by the naming kuupapa in the Waikato. The life histories of the three men would end very differently too. Waata dies by his own hand in 1867 after writing a letter to the Bishop that he ‘has taken poison’ at age 45 years old³⁵⁰. Te Wheoro becomes a Member of Parliament from 1879 - 1884 in the House of Representatives.³⁵¹ Wiremu Nera Te Awaitaia, also painted by Gottfried Lindauer died in 1866.³⁵²

All three chiefs had undergone religious conversions and their engagement with the colonial powers mirrors one another. Te Wheoro also attained the rank of Major in the colonial army. During the war, similar to Waata, Te Wheoro was used as a guide, and to transport supplies to the troops along the Waikato River. Additionally, he donated land to build a courthouse and with his tribe helped to build Te Ia.³⁵³ After the war he continued as an assessor in the Native Land Court in 1867 and also received a salary of one hundred and fifty pounds per annum. Te Wheoro had earlier too held strong views on colonial relationships with Maaori being misconstrued and those chiefs that did were labelled ‘friendly or neutral natives’ or kupapa. At the Taupari meeting in December 1861 he had informed Governor Grey of tribal remarks that claimed those tribes not agreeable to the King were kupapa. Te Wheoro had ejected those remarks because he claimed that those tribes had not expressed their views either one way or another.³⁵⁴ Taupari became the lightning rod to the fixed naming of kupapa in lower Waikato. This was the dilemma that chiefs like Waata and Te Wheoro faced when they remained independent between both the Crown and the King Movement.

In spite of Grey’s July 1863 Proclamation and the reassurances he had made at Taupari in 1861, confiscation legislation was passed and all the central and lower Waikato valley lands downriver of the King Country aukati were taken. Grey and the Government ministers had curiously ‘forgotten’ the proposal that ‘Those natives in the frontier between Auckland and the frontier who shall not have implicated themselves in the rebellion would be entitled to, and must receive, kind and considerate treatment’.³⁵⁵ Crosby claims that both Kukutai and his Ngaati Tiipa descendant’s, together with Te

³⁵⁰ Waata Kukutai, Letter to R Maunsell,

³⁵¹ www.teara.govt.nz

³⁵² Ngahiraka, Mason and Zara Stanhope, Plate 14.

³⁵³ McCan, p. 42. In another account by Rutherford (1961) states that Fenton found Waata Kukutai willing to sell land at Te Ia on the Waikato for a military post, p.465.

³⁵⁴ *AJHR*, Speeches at the Meetings held by Governor George Grey in Waikato, E-No. 8. 4.

³⁵⁵ Crosby, p. 199.

Wheoro' s Ngaati Naho, were compelled to petition, plead and use every lawful means they could think of to persuade the Government to return their lands to them. Crosby continued 'but land once was taken was not returned'³⁵⁶. Perhaps Crosby was referring to a different iwi as this version is at odds with other commentators who claim that the compensation court did indeed return to Ngaati Tiipa 45,000 acres.³⁵⁷

Waikato and kuupapa

Kuupapa or friendly chief is a description that does not do justice to the complex nature of 19th century Maori leaders who tried to navigate and position themselves and their tribes to take advantage of the new and ever-changing world that was being rapidly foisted upon them. O'Malley writes that a best guess for 'loyalist' Maaori available during the Waikato War would probably be a few hundred, mostly restricted to non-combat roles.³⁵⁸ This thesis argues strongly that the superficiality of attaching the label of kuupapa to chiefs like Waata, denies the complexity and turmoil of that period in New Zealand history. Until very recently little attention has been paid, by Maaori and Paakehaa historians as to what influenced these Waikato chiefs and Waata in particular to assume a stance in apparent opposition to the newly formed Kiingitanga movement. For instance, Sorrenson wrote that 'collaborators always get bad press from historians of nationalism, and New Zealand is no exception. Their motives, he continued, in fighting on the European side have not been closely investigated.'³⁵⁹ Waata actions were deliberately misread through a prism of Eurocentric understanding to suit a colonial perspective that determined he resisted his Waikato people to support the colonial government rather than he actually remained independent of both sides.

In TAWHIAO – King or Prophet, the author writes that 'those who were regarded by the Colonial troops as friendly to the Government were known as kuupapa and provided the H. W. Williams dictionary definition (undated). The writer acknowledged 'that hat did not fit all who were made to wear it'.³⁶⁰ Once the Kiingitanga Movement had become established, the opposing sides were identified very quickly. It became apparent who supported the Kiingitanga and who supported the Queenites. Waata was deemed to be on the side of the Crown. The following ngeri (chant) is recorded in the book *Tawhiao* and

³⁵⁶ *ibid*, p. 199.

³⁵⁷ O,Malley, p. 482.

³⁵⁸ O'Malley, p.222.

³⁵⁹ Sorrenson, p.152.

³⁶⁰ Turongo House, 2000, page 52.

was chanted by followers of the Kiingitanga to Kuupapa (sic) apparently to try and shame them.³⁶¹

Haere mai ra He whakatete kau a ia ma taua: Piri ki whea? Piri ki te whare i Te Kohekohe.	There they go The stubborn ones Where will they hide? They will hide in the house of Te Kohekohe
Whakarere iho papa te roke! Tau ana te aniwaniwa ia Poruhiruruhi:	Yet desert the courtyard in a mess! Reckless are they of the weak-minded Aimlessly cutting themselves adrift!
E Wi, e Tima Hoki mai ki Aotearoa! Tenei Ruta ka tiemi, ka tiemi: Na te moni a te Kawana Ka tiki mai whakapaipai to ngakau	Oh Wi, Tima, Return to Aotearoa! Here is Ruta, unsettled, adrift: Lured by the money of the Governor To charm your seat of affection. No wonder You moved over, Ha!
Tu te Kingi ki Waikato Whakarerea mahi, Tukua te ture kia whakaputa Te Rae ki Rangiriri, Ki reira mou-ti, mou-ti, Mou-haere mou-haere. Ka peapeau noa, a ra-ra-a! Haere ki o tihotihoi, i e-e!	The King stands in Waikato And you shirk your responsibilities Allowing the law to loom Over the brow of Rangiriri You are it's decoys Decoying here, decoying there Turning away, here and there To your own meanderings!

The underlying theme of the ngeri was that Governor [Grey] deliberately buying favour with the principle chiefs in lower Waikato in order to buy their allegiance. What is not expressly coined, in the ngeri, is the term kuupapa. Similarly in Monty Soutar's PhD thesis 'Ngaati Porou Leadership: Raapata Wahawaha, Soutar makes the point that the two opposing sides, when describing themselves to each other [Ngaati Porou and Ngaati Porou Hauhau] they used their hapu names.³⁶² His thesis gives a very detailed and in-depth description of the term 'kuupapa', a term he finds extremely offensive. Soutar provides the definition of kuupapa firstly by author William Williams in the first edition of *A Dictionary of the New Zealand Language* published in 1844. Then continues to the second edition published in 1852 and later includes the 1871 edition which describes three definitions of kuupapa which had been considerably altered by Archdeacon W. L. Williams:

³⁶¹ Te Huia Raureti, a Ngati Maniapoto veteran of Orakau, recounted this ngeri to C Kirkwood, pp 52-53.

³⁶² Monty Soutar, *Ngāti Porou Leadership; Rāpata Wahawaha* (PhD thesis, Massey University, 2000), p. 55.

Kuupapa, *v.t.* 1. Stoop. I kuupapa mai te tahae, koia hoki te kitea ai. 2. Go stealthily. 3. be neutral in a quarrel.³⁶³

Soutar is making the point that when the word kuupapa is introduced into the lexicon of common usage, its derivative was never a negative word or term. Ron Crosby in his definitive book *Kuupapa* claims that when the noun kuupapa first came into common Maaori and English usage during the wars in the 1860's, it was used in reference to Maaori who were either neutral or 'friendly' or loyal to the Crown. Additionally, Crosby quotes a letter written by Rev. Leonard Williams, in 1864 as an example of the neutrality the local Gisborne Maaori were trying to achieve. Williams relates an incident where a keg of powder was purchased, however when the circumstance became known the runanga despatched ten men to give chase and recover the powder...as they were anxious that [their] district should not be compromised. He continued 'they call themselves always 'Kuupapa', as being partisans of neither side'.³⁶⁴ But by 1999 the connotation of 'neutrality' or friendliness had turned almost 180 degrees, as shown graphically in the *Reed Pocket Dictionary of Modern Maaori* authored by P. A. Ryan published that year kuupapa was defined by just one word: 'traitor'.³⁶⁵ The media, claims Soutar, helps to promote the negative connotations of kuupapa. He uses the example of the Maaori publication, *Te Iwi o Aotearoa*, June 1990 definition of kuupapa:

...in the 1860's wars it was the word used for Maaori traitors or collaborators, ie Maaori people who joined up with British troops to fight their own.

What is most disturbing about the above definition of Maaori kuupapa is the contemporary and illogical framing by a Maaori publication as recently as twenty-nine years ago. In fact, Soutar produces many examples of the incorrect usage of kuupapa. He identifies several well-known Paakehaa historians casual naming of who were the 'friendly Maoris' and then they attach the label of kuupapa to these chiefs with no regard or interest in their motivation. Ngaati Porou iwi are foremost in dismissing the term kuupapa largely through the efforts of Dr Monty Soutar. He continues to maintain that Ngaati Porou never used that word [kuupapa] and instead used the term he iwi piri pono to refer to Ngaati Porou – translated as 'loyal iwi'. Crosby contends that the loyalty of

³⁶³ Soutar, p.19.

³⁶⁴ Crosby, p. 205.

³⁶⁵ Crosby, p.8.

Ngaati Porou has to be more accurately considered as loyalty not to the Crown, but to the Treaty and its guarantees of Ngaati Porou rights to tino rangatiratanga in their own rohe (territory), and to their Treaty-guaranteed right to retain their lands.³⁶⁶

Here we see there are similarities between Ngaati Porou and Ngaati Tiipa interpretations in the rights of tino rangatiratanga within their own rohe and their Treaty – guaranteed rights to their land. But a difference complicates the two schools of thought, and rests with their respective interpretations of the Treaty. According to Ngaati Porou scholars’ the Treaty was a guarantee that their land would be protected. For Ngaati Tiipa, Waata Kukutai believed that since his father had signed the Treaty of Waitangi, that act in and of itself meant a sworn allegiance and loyalty to Queen Victoria, therefore the Crown. Modern European historians, so often, when writing about the colonial initiated wars for land, are especially keen to record the Maaori who fought for and against the colonial troops. For instance, in every book that has kuupapa in the narrative rarely fails to include Waata Kukutai of the lower Waikato. O’Malley writes that although European officials tended to pigeonhole Maaori communities as either ‘loyalist’ or ‘rebels’ many chiefs and their people defied easy categorisation.³⁶⁷ The fore mentioned chiefs did absolutely defy categorisation, and both rangatira had sound reasons for the actions they undertook, their people and their land were paramount. In some quarters in the Waikato, it is Waikato Maaori who continue to monopolise the kuupapa conversation, and often erroneously. See Appendices F for a copy of Waata’s response to criticism from Te Rini Te Hura (Tioriori).

Summary

In this chapter I covered the revival of traditional Maaori ruunanga and discussed the Ngaati Tiipa ruunanga. The debates and decisions that tupuna made, provides a window into their economic and political affairs in the nineteenth century. The formalisation of colonial instigated ruunanga in Waikato became equally a potent weapon that was used for and against Maaori. The detailed Native Reports enabled detailed surveillance of Waata and the Ngaati Tiipa tribe and Waata Kukutai was awarded the chief assessor’s role. Waata was also named as a farmer, a reference to the outstanding success of Ngaati

³⁶⁶ Crosby, p.11.

³⁶⁷ O’Malley, p. 221.

Tiipa farming enterprises and his entrepreneurship. The deceit and duplicitous actions of Governor Grey and government representatives were fully exposed and amplified when, after the war, the lower Waikato and central Waikato lands are all swept up in the land confiscation. Kukutai was forced to appeal to the Confiscation Court to petition for his lands to be returned, he was successful. The many interpretations and descriptions of the word kuupapa opened the debate around the naming of rangatira was compared and contrasted with the Ngaati Porou experience.

Kukutai's motives were protection of his mana, his people, and his land. He believed that because his father had signed the Treaty of Waitangi, that was enough cause to not disturb his father's mana and therefore his support of Queen Victoria was unsurprising. There is however an element of perhaps being too trusting of the Crown's representatives. As a committed Christian he believed that they spoke the truth as he understood the truth to be. Waikato people are perhaps the harshest critics of Waikato kuupapa. There are writers fail to understand the predominantly modern Paakehaa construction of kuupapa, that has its origins in a colonial legacy that sought to divide, rule and deprive Maaori of their land.

Chapter Six: Waata's War and Lament

Introduction

The final chapter focuses on the last years of Waata Kukutai's life. Waata's decision to support the colonial militaristic invasion of Waikato resulted in his naming as kuupapa. His active participation in the building of Te Ia roa and conveyance of supplies by the Waikato river way is covered, as is his relationships with colonial officers. Criticism of Waata and his support is most vocal from his immediate neighbours in Kohanga and externally from Ngaati Haua. The Waikato invasion was all but over, and he attempts to galvanise and secure his increasingly fragile hold over his political and economic endeavours on behalf of Ngaati Tiipa. He had some successes, especially in terms of the Compensation Court awarding the return of Ngaati Tiipa land. His efforts though, told through the many letters he wrote to CMS, to revive Kohanga were largely ignored and his relationship with Maunsell had all but diminished since Maunsell left Te Kohanga. See Appendices G for a full copy of Waata's Lament.

Ironically in 1866 Waata then becomes most active signing Deeds to other lands in and around Waiuku, and Tuakau. The question would be, did he agree to be a signatory to the Deeds as a trade-off for the return of his land. Waata's sorrow's is not only at the loss of his father, brothers but also his two children further expose his vulnerability. In December 1866, Waata consumed poison and was removed to Waiuku for medical assistance and where he passes away.³⁶⁸ This ensured that although his tangi was held at Taupari, the shadow of his actions would never be cast over the rest of the Ngaati Tiipa whenua, his beloved territory that he fought to protect. He became overwhelmed and consumed with sorrow and sadness. His steadfast principles, the rock-bed in his life that allowed him to behave at times almost without impunity, had now transformed into the realisation that perhaps he had not always made the wisest choices.

The Invasion of Waikato

At the beginning of the Waikato war, Waata would have been placed in an impossible position, to defend or desert his lands and take his people over to the Kiingitanga side, or

³⁶⁸ Papers Past, Native Intelligence [From December 30 to January.] (Daily Southern Cross, 1867-02-01), <https://paperspast.natlib.govt.nz/newspapers>. Accessed on 31.03.2018

ally himself with the Government colonial representatives, to save his lands by supporting the colonial troops. He chose the latter. Waata could not have failed to observe the establishment of the naval and military base at Waikato Heads. At the beginning of 1863 Waikato Heads was transformed into a naval and military base and it is more than likely that is when Waikato Heads underwent the name change to become Port Waikato.³⁶⁹ The former mission station at Maraetai housed the soldiers, the recently built courthouse and the waterfront described as white with tents. The river gunboats, recently procured from Sydney, were riveted together at the Port Waikato military base added to the fleet of river steamers and were manned by men of the Royal Navy and volunteers from the mercantile marine.³⁷⁰ The arrival of the naval ships and the placement of troops at the former Maraetai mission station were clear indicators of the overwhelming strength of the troops. Other Waikato hapuu were already being driven off their lands too. On 9th July 1863 the sweep of Waikato Maaori from their lands had begun at Maangere then continued on through Puukaki, Patumahoe and Te Kirikiri.³⁷¹ And on the doorstep of Ngaati Tiipa, on the 11th July colonial soldiers had arrived at Pookeno and Tuakau with Maaori property burned and the people driven off.³⁷² The Tuakau colonial entry would be particularly aggressive from land and river. A report described Colonel Wyatt marched from Drury with 300 imperial troops on Tuakau. On approach the natives abandoned their settlement and ‘retired in boats across the river’.³⁷³ The imperial troops then seized all the possessions of what had been left behind.³⁷⁴ The west bank of the lower Waikato was Waata’s territory and were never invaded hence the flight of the Tuakau residents over to the sanctuary of Ngaati Tiipa.

In mid-August the British established a supplementary line of supply utilizing the Waikato River, the whole operation was directed by James Armitage.³⁷⁵ The last recorded episode of Maaori allied with the Crown engaged in ‘direct fighting’ was noted in late September 1863.³⁷⁶ Waata was only engaged in services of auxiliary support to the

³⁶⁹ Te Hurinui, claims that it was the defection of Te Awaitaia and other Waikato tribes which exposed the flank of the Waikato men defending their ancestral lands, p. 216

³⁷⁰ Wily & Maunsell, p.151.

³⁷¹ McCan, p.46.

³⁷² McCan, p. 46.

³⁷³ *AJHR*, Papers Relative to the Native Insurrection, 1 January 1863, E – 05.

³⁷⁴ O’Malley, pp. 229-230.

³⁷⁵ James Belich, *The New Zealand Wars*, (Penguin Books [NZ], 1998), 1st published by Auckland University Press, 1986, p. 136.

³⁷⁶ Crosby, p. 197.

colonial troops for a mere total of three months. The destruction of Camerontown, on the 7th September resulted in the loss of over 40 tons of commissariat stores, this event marked the end of the Waikato Heads supply system undertaken by Waata and Te Wheoro.³⁷⁷ As Belich commented ‘though it is impossible to deduce from the history books, this surgical severance of a major British supply route was easily the most important single action of the first phase of the war.’³⁷⁸ Waata then ceased his involvement in the colonial invasion campaign; however the stigma of kuupapa continued to attach itself to Waata and Ngaati Tiipa. Keenan noted that ‘kuupapa, a word which still sits somewhat uneasily within the functional language of New Zealand history’ accurately sums up the dilemma of the continued discourse around the use of the word kuupapa.³⁷⁹

The thesis does not intend to delve too much into the Waikato war as this has been well documented by authors so much more qualified than the writer. The thesis will however concentrate on Waata’s actions and issues pertaining to firstly Ngaati Tiipa’s involvement early in the invasion and the lower Waikato River as the war waterway. Land has always been central and intrinsic to Maaori. In the Waikato war the land of the ancestor’s was fought for, not ownership because Waikato peoples had already named and claimed their land many generations before in 1350.³⁸⁰ Conversely the Waikato River holds an equivalent importance to Waikato peoples. In lower Waikato, to Ngaati Tiipa and to the hapuu who reside there, the centrality of the Waikato was expressed by Kuia Mite Kukutai in the book *Te Taniwha o Waikato*:

Te wai rere iho nei – te awa o Waikato – he wai oranga, he wai tinana o
Waikato, oranga ngakau, oranga wairua.
Konei to maatou wai kai a Waikato.
Kaumaua ake maatou i te wai o Waikato.³⁸¹

English translation:
The waters flow below us here.
The Waikato River, with its life-giving waters,
The embodiment and personification of all that is Waikato,
Waters of rejuvenation and solace,
A place of spiritual enrichment and inspiration,
Here our river nourishes and sustains our people with the food of life,
Where we are cleansed in the waters of our river, Waikato

³⁷⁷ Cowan, pp. 136-137.

³⁷⁸ Belich, p. 137.

³⁷⁹ Keenan, p. 233.

³⁸⁰ Kelly, p. 62.

³⁸¹ Mite Kukutai, *Te Taniwha o Waikato*, (Hamilton, University of Waikato, undated), p. 5.

On the 12th July 1863 Lieutenant – General Cameron, with 380 imperial troops crossed at the Mangataawhiri stream effectively launching the invasion of Waikato, an open declaration of war.³⁸² The Mangataawhiri stream was a tributary of the Waikato River and marked the northern Kingite border.³⁸³ From mid-July 1863 until March 1864 the army forces swelled rapidly from 4,000 to 14,000 and in the Waikato the highest ratio of colonial troops exceeded their Maaori opponents, by four to one.³⁸⁴ Keenan’s estimate was 15,000 imperial forces as opposed to 3,000 Waikato.³⁸⁵ The main point here is Waikato was significantly outnumbered in manpower. Historical and contemporary commentary on the Waikato war details the crossing of the Mangataawhiri igniting the land invasion. Very much understated is the pivotal role that the Waikato River played in the transportation of troops, supplies and ominously the firing of the gun boats on Waikato people and their villages.

The lower Waikato war connection

Vincent O’Malley comments that the ‘hardened attitudes’ of the settlers toward Maaori land sale resistance, supported by the British forces, the settler government and the Governor, ‘did not wish to directly involve any fighting force of allied Maaori in the Waikato campaign’.³⁸⁶ Cameron however rejected this view and had formed the opinion that the involvement of the lower Waikato people was not only necessary but crucial to the success of the invasion. On the 9th August 1863, Cameron personally wrote a lengthy letter in defence of Waata and Te Wheoro, to Governor Grey:

In justice to the Maori Chiefs, Waata Kukutai and Wiremu Te Wheoro, I wish to bring to your Excellency’s notice the valuable assistance which, since the outbreak of the insurrection in this Province, I have received from them, and from the Natives attached to them. During the last month, all supplies to the Military Post at Tuakau – of which the overland communication with Drury or the Queen’s redoubt is attended with considerable difficulty – have been conveyed by them down the river in their canoes at a trifling charge, thereby saving the expense and inconvenience of land transport: and I have just concluded an agreement with them, through Mr. Armitage, by which I am likely to derive still further assistance from them in this important kind of service...Indeed, since my Head-quarters have been stationed here, both chiefs have manifested the most anxious desire to aid me to the utmost of their

³⁸² O’Malley, p. 231.

³⁸³ Belich, p. 133.

³⁸⁴ Crosby, p. 192.

³⁸⁵ Keenan, p. 218.

³⁸⁶ Crosby, p. 195.

power: and I feel convinced that every reliance may be placed on their good faith and loyalty.³⁸⁷

Several matters emerge from Cameron's letter. The first was Waata was being financially compensated for the use of his waka and his services no doubt, and that in the early stages of the invasion the Waikato war was fought as much on the water as on the land.³⁸⁸ On 25th July the Avon war steamer entered the Waikato River and became the vital means of transporting men and supplies, the control of the river deemed as vital to the control of the Waikato region as a whole.³⁸⁹ The Avon was under the command of Commander and Senior Naval Officer Captain J. W. Sullivan.³⁹⁰ By October 1863, the war on the river was further reinforced with the arrival of the frigate HMS Curacao and HMS Pioneer.³⁹¹ Cameron now had at his disposal, the armoured steamer Avon and enough boats, barges and canoes to take a force up the Waikato and land south of Meremere.³⁹² These war ships and the destruction they wrought on Waikato may have accounted for Tamihana's statement that 'a river of blood' [was] flowing through the land.³⁹³ It would have been most unusual for Tamihana to have commented on other tribal affairs as suggested by Gorst. Secondly that in the conveyance of supplies Waata would have been protecting Ngaati Tiipa people and territory from attack as war ships were by then patrolling the river too. For instance, on the 9th July warships had turned back canoes going to Auckland with produce.³⁹⁴ A letter to Waata from Wiremu Tamihana also alludes to the war ships presence on the river. Tamihana wrote on 22nd August a letter of admonishment to Waata:

To Wata Kukutai; O my relation, I salute you O Wata. Your name sounds badly to Maori ears. (It sounds) badly first on account of your going on board the (war) steamers. Secondly: on account of your carrying food for the troops, by water. I tell you it is not the white man who destroyed Waikato; but you did this work. O Friend, stand on one side that you may be clear of that great sin, a sin against the tribe. That is all. From W. Tamihana.³⁹⁵

³⁸⁷ Crosby, pp. 195 -196.

³⁸⁸ For example O'Malley records that on the 12th July orders were given to seize and destroy any Maori waka found on the Manukau Harbour, p. 230.

³⁸⁹ O'Malley, p. 234.

³⁹⁰ *AJHR*, Papers Relative to the Native Insurrection, Enclose No. 10.

³⁹¹ O'Malley, p. 242.

³⁹² James Belich, p. 135.

³⁹³ Gorst, p.18. Author's note: Gorst attributes Tamihana's statement to mean all tribal wars when in fact he would have been referring specifically to his own tribal area.

³⁹⁴ McCan, p. 46.

³⁹⁵ Stokes, p.350.

Camerontown and Te Ia-roa (the long current)

Camerontown was located on the north bank of the Waikato River between Tuakau and the Waikato Heads. Camerontown, named after the Lieutenant – General Cameron, was an army supply depot for the stores shipped up the river to the British field headquarters.³⁹⁶ The Waikato River became the water highway that transported supplies, said to be upwards of 20 tons of goods deep into the Waikato.³⁹⁷ This area was Ngaati Tiipa territory and hence the support from Waata. The provisions were said to be collected from Onehunga then to Waikato Heads then transferred to canoes and paddled up the river to the Queens Redoubt by pro-British warriors of chiefs Te Wheoro and Waata Kukutai.³⁹⁸ Te Wheoro and Waata were remunerated to guard the stores and provide transportation of supplies from the Port Waikato military base to Camerontown under the supervision of Lower Waikato Resident Magistrate James Armitage. However, on 7th September 1863 the Camerontown supply depot was said to be attacked by a party of Rohe Potae Maaori. This raid was part of the Kiingitanga strategy to cut the canoe borne supply lines, seizing 40 tons of commissariat supplies and then setting fire to Kukutai's pa³⁹⁹.

James Armitage arrived at the depot and soon after was fatally shot along with two other Europeans. One report has Kukutai and his men, had not tried to prevent the killing of three white men, and apparently did not raise a hand to secure the safety of the stores of which they were in charge. This lack of action on Waata's and his men's part elicited a great deal of contemptuous criticism from the white settlers.⁴⁰⁰ The second version states Kukutai's men 'had been on the beach when the pa was attacked and had got away by waka to raise the alert to troops at Tuakau (Alexander) Redoubt. When the troops arrived, a heavy exchange of fire erupted between the Ngaati Whauroa and the Ngaati Tiipa hapu supporting Armitage and his attackers.⁴⁰¹ This attack on Camerontown ended Waata's association with auxiliary support for the colonial troops but not his labelling as kuupapa. But in an interesting twist Rev. Robert Maunsell became the British colonial force chaplain, the catalyst being attributed to the deaths of James Armitage and Captain Swift

³⁹⁶ Cowan, p. 262.

³⁹⁷ Papers Past, The New Zealander, Auckland, Friday, August 14, 1863, in *The New Zealander*, Volume XIX, Issue 1946, 14 August, 1863.

³⁹⁸ Belich, p. 136.

³⁹⁹ O'Malley, p. 238.

⁴⁰⁰ Wily and Maunsell, p. 153-154.

⁴⁰¹ Cowan, p. 262.

at Camerontown.⁴⁰² After twenty-five years working and ministering to lower Waikato Maaori, Maunsell had essentially deserted his Maaori congregation. When Maunsell returned briefly to Kohanga in 1864 he found his previous close relationships with Ngaati Tiipa had disintegrated. Apart from Waata, he no longer held the positions of trust and respect. A reverse had taken place and he was in turn deserted by Ngaati Tiipa.

Waata became actively involved in building Te Ia Roa⁴⁰³. Waata had earlier heeded the call to support these innocently named ‘posts’. Cowan places the location of Te Ia-roa on the right bank of the Waikato River at the mouth of the Manga-tawhiri Stream.⁴⁰⁴ The control of the river waterway was considered critical to the entry into the Waikato region. Waata and Wiremu Te Wheoro moved their people into a pa when they constructed Te Ia – roa and both chiefs had their salaries raised from £50 to £150 per annum.⁴⁰⁵ In early 1866, the *Daily Southern Cross* reported Waata and Te Wheoro became involved in a dispute concerning the eel pas near Lake Whangape. The writer noted that the dispute had been settled without bloodshed, both parties having been deprived of their arms and named Waata as the instigator due to unreasonable conduct. The Resident Magistrate, W.N. Searanke, Esq., apparently settled the quarrel by awarding both Ngatitipas and Ngatinahos equal right to make use of the pas and fisheries of Lake Whangape.⁴⁰⁶ What the newspaper report highlights was a apparent deterioration between Waata and Te Wheoro, both having had a previously close relationship and the necessity of a third party to intervene and settle the dispute. The significance of Te Ia – roa would be that was where Cameron and his troops crossed into the Waikato. The historical recount of this event, and pointed out by Vincent O’Malley ‘few if any Waikato rangatira seemed willing to actually serve in the front lines against their kin’, continuing ‘historians sometimes highlight the unique motivations and objectives of kuupapa forces who supported the Crown’.⁴⁰⁷

Waata, in essence was protecting his district, and was driven by his mana as a rangatira to protect his people. Ron Crosby concludes too that ‘it is wrong, and always wrong, to

⁴⁰² Wily and Maunsell, p. 23.

⁴⁰³ Cowan, p. 248. Cowan is the author who named Te Ia – roa, I continued the use in the thesis.

⁴⁰⁴ Cowan, p.248. Note hyphenated conjunctions are from the author.

⁴⁰⁵ Gorst, p. 156.

⁴⁰⁶ *Daily Southern Cross*, Volume XXII, Issue 2677, 14 February 1866.

⁴⁰⁷ O’Malley, p. 223.

regard the alignment of those Maaori who took the field beside the Crown or the settler Government as one of ‘loyalty’ to those institutions. It is far more accurate to say that many Maaori viewed the best interests of their hapu, and as best protecting their own tino rangatiratanga and associated resources and values – which included land, religious beliefs, peace and security’.⁴⁰⁸ This statement exemplifies Kukutai’s stance that his loyalty was first and foremost to Ngaati Tiipa people, land and tino rangatiratanga.

Waata’s lament

On 7th December 1863 Waata wrote a powerful tangi whakaoriori (lament) titled Te Pokiha – he tangioriori, a sorrowful account of loss and grief.⁴⁰⁹ When Waata penned his lament in December 1863 he said I am very anxious to see it [the lament] in Maori and Pakeha – in all the newspapers and signed ‘From your loving friend Waata. P. Kukutai.’⁴¹⁰ Waata’s deeply held religious beliefs came to the fore when he quoted a verse from the Bible, Jeremiah, x6viii chap17, verse. God’s work he claimed had been trampled underfoot. Lastly, he quoted Psalm xxxvi v.2 “For he flattered himself in his own eyes until his iniquity be found to be hateful”. Waata wrote from the pained heart of Waata Kukutai for the fall of his father and brothers at [and?] the storming of the Rangiriri pa in Waikato. Compounding Waata’s sorrow would have been the earlier loss of his children in infancy. Grace Kukutai had died on the 8th January 1857, and Rihari Kukutai on 7th July 1861. Waata wrote ‘The Lord giveth and the Lord taketh away, blessed is the name of the Lord.’⁴¹¹ Nowhere was it more clearly illustrated that Waata was deeply religious and it was his faith that gave him the strength and fortitude during the difficult times in his life.

Waata’s use of the both metaphor the trees, great hills, fruit could be an allegory for the time of war or post war in *A Lament* and gave voice to his conflicting emotions during that time. The lament is written in three parts. In the first part Waata gives clear instruction on the intent, his voice, through the telling of the lament, would tell his story. He wanted the lament to be read widely, by both Maori and Pakeha and be retained for

⁴⁰⁸ Crosby, p. 454.

⁴⁰⁹ MSY-2046-2146. George Grey (Sir), 1812 1898: Maori Manuscripts. 1845-1905 Collection, Alexander Turnbull Library, Wellington, New Zealand.

⁴¹⁰ Auckland Public Library, Sir George Grey Collection, GNZ, MMSS15.

⁴¹¹ Maori Messenger: Volume 1.Issue 12, 2 September 1861. https://paperspast.natlib.govt.nz/newspapers?End_date=query=grace+Kukutai.

posterity as an historical record. In the second part is the actual voice of Waata told in a typically Maaori way of telling, loaded with metaphors with the analogy of war sitting as the background. Here Waata spoke of the great leaders of the day, using the great hills as the analogy of rangatira. He refers to colonisation, the loss of economic development and the promise that the new roles that self - government would have delivered, the war and the loss of Waikato lands to Waikato after the war. The third section contains the religious elements, the biblical quotes and the references to God. And contained in the final section also, he ends with the religious influence of his youth, although even here he admonishes himself using biblical terminology.

All ye that are about him, bemoan him, and all ye that know his name, say,
how is the strong staff broken, and the beautiful rod.

Jeremiah, xlviii chap 17 verse

Waikato was formerly a strong staff, but not now, for God has broken it. What God has broken cannot be restored for God's work has been trampled underfoot, and their hearts have been engaged upon their own works.

For he flattered himself in his own eyes until his iniquity be found to be hateful. Psalm xxxvi v.2 Enough! It is ended!⁴¹²

Waata would have been obviously distressed the events that had led to the war and the subsequent events that unfolded. A reading of the lament reveals his deep religious faith and there are moments of perhaps self-doubt in the decisions he had made, a questioning even of whether he had made the right choices. But did Waata really have a choice, he as the rangatira of Ngaati Tiipa was duty bound to protect his people and land at all cost and he did.

The Compensation Court

The New Zealand Settlements Act 1863 provided for the establishment of Compensation Court to determine claims for the return of tribal land or monetary compensation, to be filed by 'loyal' Maaori, was described as a farcical process and notably only Maaori lands were confiscated and considered by the court.⁴¹³ The Ngaati Tiipa lands fell under the confiscation land grab. Waata similar to other Maaori claimants, had six months to submit in writing their claims and by the end of January 1865, over 1,900 names were

⁴¹² Grey New Zealand Maori Manuscripts; GNZMMS 15.

⁴¹³ McCan, p. 54.

listed as applicants⁴¹⁴. The Compensation Court first sat in May 1865, a year later the Government established the Native Land Court to investigate and individualise Maaori land titles. Francis Dart Fenton was appointed Chief Judge to both courts.⁴¹⁵ The Table 2 Compensation Court sittings in South Auckland display the Dates, Block, Location and Judges. The table lists four Port Waikato sittings beginning on February 21-23, 1866 with Te Akau, February 26 Opuatia and Whangape blocks, March 3-7, Onewhero and March 10, Te Apuna to Te Karaka. The judges were listed as Fenton, Rogan and Monro.⁴¹⁶ The Compensation Court Office, Auckland, April 23, 1866 notified Times and Places for Investigating Claims, with the next court hearing to be held at Putataka, Port Waikato on the 25th May.⁴¹⁷ Waata petitioned for Whenuakura, Opuatia, Paeroa, Whangape, Te Akeake, WhanagpeTaupari, ahu atu ki Opuatia. On 30 June 1866, the table displayed ‘an identified area of 45,000 acres located at ‘Taupari to Opuatia’, described as having been abandoned by the Crown in favour of Waata Kukutai and Ngaati Tiipa.⁴¹⁸ Waata’s pursuit of justice in seeking reparations on behalf of Ngaati Tiipa for his land was ultimately rewarded.

The following year the first court sitting in 1867 of the Compensation Court was scheduled for 7th January in Ngaaruawahia. With the death of Ngaati Tiipa rangatira Waata Kukutai, on the 8th January 1867, reportedly brought the initial day’s hearing to a close as many of the Maaori attendees would be away at his tangi. The Ngaaruawahia court sitting resumed on the 17th January 1867.⁴¹⁹ Richard Boast claims that the Compensation Court actions in Waikato during those four years of operation remain confusing and perplexing to this day, wholly inadequate records are a stumbling block and court records are incomplete.⁴²⁰

Waata’s letters to CMS missionaries and colonial friends go unanswered

After the Waikato war and following the Crown confiscation of Waikato lands, Waata believed that given his unwavering support to the colonial troops, and to Maunsell, that the previously close relationship would continue. But many things had changed. For one,

⁴¹⁴ O’Malley, *The Great War for New Zealand*, pp. 471-483.

⁴¹⁵ McCan, p. 53.

⁴¹⁶ McCan, p. 56.

⁴¹⁷ Papers Past, New Zealand Herald (New Zealand Herald), Volume III, Issue 787, 23 May 1866.

⁴¹⁸ O’Malley, p. 482.

⁴¹⁹ O’Malley, p.486.

⁴²⁰ Vincent O’Malley, quotes Richard Boast in *The Great War for New Zealand*, p. 489.

the Crown did not need to court its former Maaori allies. Rangatira such as Waata Kukutai's usefulness had severely diminished after the war. The Crown now had total control of the entire Waikato basin, 1.2 plus million acres. The Crown did however ensure that the alleged friendly, loyalists or kuupapa chiefs should remain forever identifiable, in the construct of colonial and military history, by granting them all the military titles of Major and presenting them with full military honours, including the uniform. David McCan wrote that 'some of the largest Waikato iwi sided with the British, including Ngaati Tiipa of Waikato Heads, Ngaati Whaawhakia of the Whangape – Rangiriri district and the Tainui iwi of Te Akau - Raglan area. These three loyalists were led by Waata Kukutai.⁴²¹ Waata also had other European supporters who wrote to the Editor of the *Daily Southern Cross* defending him. H. F. wrote 'I conclude by challenging "C. H." to produce the name of any *gentleman* in all Waikato desirous that the name of W. P. Kukutai should be struck off the roll of native assessors. To everyone so produced, I will guarantee fifty signatures for his reinstatement: so much for the general respect this worthy chief is held in. – H have, &c.,⁴²² From the various newspaper articles and letters to the Editor, Waata had become increasing under attack from both Maaori and Paakehaa, and too his Christian principles and political law and order stance was then questioned.

Meanwhile Waata persisted in his letter writing campaign to the church seeking to re-establish the Kohanga Mission Station as the Christian educational centre piece for Ngaati Tiipa. Between the 3rd November 1865 and up until his death on the 9th January 1867, Waata wrote monthly letters to Bishop Selwyn and Maunsell, pleading for assistance but more importantly a schoolteacher.⁴²³ Maunsell never responded personally or contacted Waata again. The establishment of the Anglican Schools Trust board thwarted any further direct correspondence between Waata and Maunsell, or the church, as all letters and other correspondence was then re-directed to the Anglican Schools Trust board as an educational matter only.

Waata's tangi and burial at Rangikariri urupa

On the 3rd of December 1866 Waata wrote from Taupari his last letter to Bishop Selwyn and Maunsell thanking them for their letter of condolence on the passing of his wife Mihi,

⁴²¹ McCan, p. 49.

⁴²² Papers Past, Daily Southern Cross, Volume XXII, Issue 2718, 3 April, 1866.

⁴²³ Garrett, p. 284.

then Waata confessed he had sinned by taking poison. Waata signed: So ends my letter, from your loving child, W. P. Kukutai.⁴²⁴ Waata was removed from Taupari to Waiuku, on the 7th July and was placed under the medical care of Doctor's Gray and Hovell who were treating him for an ulcerated throat. On Tuesday 8th January Waata died at 6.30pm.⁴²⁵ The nature of Waata's illness would substantiate that he had indeed consumed poison and this hastened his demise. Waata's funeral ceremony was reported in the Daily Southern Cross (1867 – 02 - 01) newspaper in the *Native Intelligence* section.⁴²⁶

The well-known friendly chief of Lower Waikato, Waata Kukutai, died at Waiuku on the 8th of January. This chief rendered the Government most important assistance during the war. The following is an interesting account of the funeral ceremonies:-

Arriving at the Purapura landing-place at 11 o'clock on Friday, the 11th instant, we found three large canoes filled with natives-men, women, and pickaninies-all covered with green leaves, the mourning costume of the Maori. A fourth craft was contained whaleboat of the deceased in the stensheets of which was placed the coffin, covered with handsome velvet pall. In this boat were seated Nini and Hori Kukutai, next of kin to the deceased, their heads decorated with a profusion of feathers. In a short time all got underway, the canoes taking the lead down the Awaroa, a narrow but beautiful creek, until, from the dense forest on to the placid waters of the broad Waikato. And here commenced the tangi-the keening or wailing for the dead – destined to continue, with greater or less intensity, until the body was buried.

Waata died in Waiuku and not at Taupari, was borne in a coffin by waka, and landed at Tauranganui, and then carried to Taupari. Waata's burial service was held at the Kohanga mission station church and Waata was buried in the Rangikariri urupaa. It was recorded that the few Europeans present sympathised in the 'loss of a good man, whose place as the friend' of order and sobriety among the natives cannot be easily supplied.⁴²⁷ After Waata's death on 8th January 1867, legislation was enacted in the House of Representatives whereby the land Rangikariri was legally transferred to the Bishop of New Zealand. The legislation used to enable the church to on - sell the land is recorded in the 'Appendices to the Journals of the House of Representatives: Volume III G-15 (39) and is known as the *Kukutai Land Validation Act. 1886*.⁴²⁸ The Land Validation Act

⁴²⁵ New Zealand Herald, Volume IV, Issue 986, 11 January 1867.

⁴²⁶ Native Intelligence. *Daily Southern Cross*, Volume XXII, Issue 2971, 1 February 1867.

⁴²⁷ Papers Past, Native Intelligence: From December 30 to January 31, *Daily Southern Cross*, (1867-02-01), pp. 4-8/10.

⁴²⁸ *AJHR*, G-15 Vol III (39), *Native Affairs. 1886*.

would be used many times by the church to further alienate lands gifted by Maaori for mission stations.

Summary

In this final chapter I covered Waata's role in assisting the colonial troops transport and running the supply lines from Port Waikato to Camerontown and highlighted the pivotal role that the Waikato River played in the invasion. Waata's decision to support the colonial troops would have been almost a foregone conclusion as he observed the military and naval growing presence at the former Maraetai mission station. His decision to associate himself and his tribe protected his people and his territory, nevertheless the four months of support he offered, from July to September, resulted in the legacy of kuupapa naming that would endure during his lifetime and beyond for his descendants. Waata and Te Wheoro built Te Ia-roa together, then three years later they have a major disagreement concerning eel pas at Whangape. This incident tells a story of the end of a previous close relationship between the neighbouring two chiefs of Ngaati Tiipa and Ngaati Naho. Waata had received letters of rebuke from Wiremu Tamihana for his auxiliary role and recounted was one instance where he forbade entry into his district by another Ngaati Tiipa whaanau. His relationships with former colonial friends began to fray, alongside his former CMS friends, and CMS do little to re-open Kohanga again. The land deeds that Waata signed in 1866 were scrutinised but were the land deeds authentic representations of land transfer was queried. The Compensation Court and Francis Fenton actions were covered. However, the many descending sorrows that appeared to have consumed Waata's life and his funeral is detailed.

Conclusion

Na Tawhiao: Ko te Wharenui ko Te Kotahitanga
Tawhiao named the meeting house Te Kotahitanga⁴²⁹

The thesis examined Waata Kukutai's short but full life from 1822 – 1867. The format of Waata's story was told through the genre of a biographical account of Waata's life. Against a backdrop of the tumultuous mid nineteenth century Aotearoa – New Zealand historiography, the central thesis question hinged on, whether or not Waata, by his words and his deeds was kuupapa? And indeed by extension enquired further, what was kuupapa? The thesis has sought to challenge the historical and ongoing construction of the word kuupapa and argued that rangatira Waata Kukutai had no choice but to support the colonial troops in order to protect Ngaati Tiipa land and people. And in challenging the historical construction, a conclusion would arise that the historic records too were unreliable and written in a time and context of a huge colonial imprint and interpretation. If Waata's relationships with missionary Rev. Robert Maunsell, Francis Fenton, Donald McLean, James Armitage and Governor Grey were extrapolated from the discourse, would Waata's actions still fall under the kuupapa categorisation? Probably not and his actions in protecting his land and aiding the supplies lines for a very few months may have been viewed in a vastly different context.

The thesis argued against three different interpretations of the word kuupapa. The first interpretation was Maaori leaders who fought alongside Paakehaa were traitors to a Maaori cause was dismissed outright. This interpretation would suggest Maaori as a homogenous race, with each tribe, and subgroup adhering to unified views, beliefs, traditions and practises and this has never been accepted by scholars as valid or accurate.⁴³⁰ The second interpretation of a prescribed loyalty to the Crown has problems simply because it takes no account of the pressures that rangatira were under to maintain colonial friendships. The third interpretation too takes no account of the motivations of chiefs such as Waata in seeking to protect their land and lower river environs at all costs.

⁴²⁹ Turongo House, *Tawhiao – King or Prophet*, p.195. Tawhiao, in the mid nineteenth century travelled around Waikato to reunify Waikato people. He named the buildings of Te Kotahitanga marae Te Kotahitanga, the wharekai Kawiti and his home there Whare o Tawhiao ko Raranga Aroha Awhitia. The people of Ngaati Tiipa tribe have been under the mantle of the Kingitanga ever since then.

⁴³⁰ Bronwyn Elsmore speaks to this dilemma in her book *Like Them That Dream*, p.11.

Waata was not kuupapa; he was though by birth right a rangatira and a leader of Ngaati Tiipa during the most tumultuous times of New Zealand. Christian doctrine allied to civilisation was introduced to Maaori during the nineteenth century. Written literacy was the companion to the Biblical teachings. The Treaty of Waitangi ushered in colonial and settler government. Waata subscribed to the Treaty and to Queen Victoria's 'promises' because his father had signed the Treaty, he became estranged from the Waikato Kingitanga Movement. The Crown imposed laws that were deliberately designed to exclude Maaori citizenship rights and their land. Limited self - government was offered by Governor Grey to Ngaati Tiipa via the 'new institutions' and runanga scheme but was just as quickly dispensed with when the Crown gained control of Waikato land. Waata excelled in the political environments of the nineteenth century, the great meetings of Paetai and Taupari and was as unafraid a leader as his father before him. Waata's industry is never more apparent than his leadership displayed in the Ngaati Tiipa runanga.

Land invasion by colonial force was unlawfully exercised against Waikato. Waata could not have avoided the Waikato war and the early invasion on his own territory of the lower Waikato, river and land. All of these major events occurred within the time span of Waata's life. He did not align with the colonial troops voluntarily, when the former missionary station Maraetai became a naval and military base Waata's only option was to seek to leverage every opportunity to secure his land and the lower Waikato river. Waata did what he earnestly believed was in the best interests of his mana motuhake, he provided leadership and protection for his Ngaati Tiipa people. He strove to ensure that his lands remained under Ngaati Tiipa control and made the necessary decisions that enabled that to happen. He remained steadfastly independent of both the Crown and Kiingitanga forces. His beliefs, thoughts and voice can be heard in his many letters and proclamations. He did however succumb to his doubts and the wisdom of those choices. He was a man of utmost principles and led his life and those of his people as a true rangatira.

The Biblical doctrine introduced, by the Church Missionary Society (CMS) Reverend Robert Maunsell was encouraged and sustained by rangatira Waata Kukutai, who was deeply religious. Waata embedded Christianity within and among his people. Following Waata's death and the loss of Rangikariri, the Ngaati Tiipa people continued to be religious and spiritual people. However their spiritual allegiance reformed and Ngaati

Tiipa are now fully fledged adherents to Te Hahi Weteriana – Maori Methodist Mission. Much of the religious conversion was and is due in no small measure to Ngaati Tiipa Methodists Minister's Reverend Ngatete Ngapaka Kukutai, Reverend Te Wakatoto Kukutai, Reverend Karu Kukutai and Honorary Home Missionary Remi H Kukutai, all of Te Kohanga and all direct descendants of Waata Kukutai.

The Maraetai and Kohanga mission stations introduced formal religious learning to Ngaati Tiipa descendants. The mission stations were celebrated and Maaori land gifted to encourage literacy, religious education and self - sustaining enterprises via farming. Waata adroitly built Taupari and positioned Taupari as the political and lawful centre of lower Waikato. The Paetai meeting would be polarising and began the Kiingite versus Queenite dichotomy in actions and in language. Following Paetai Waata then lead the revolt of lower Waikato against the aging Potatau and the King Movement. Paradoxically Waata was as much against land sales as the King Movement tribes. He foresaw the increasing might of the Crown and perhaps the penalties and crude instruments that the Crown would exact against Maaori.

When the invasion began Waata was placed in an untenable position, support the Crown or lose his lands. And to protect his territory included the lower Waikato River. I highlighted the crucial role that the war on the water was fought. Waata's assistance was vital in transportation of supplies; conversely his actions protected his land, his people and his ownership of lower Waikato. This was Waata's war to protect Ngaati Tiipa. The Camerontown incident signals the end of Waata's involvement in the campaign. The Waikato river campaign would last eighteen months, the duration of the Waikato invasion and notably Waata's actual involvement in transporting food and supplies was a mere three months. The kuupapa label of that brief time in history, for Waata and Ngaati Tiipa, however endures to this day. Irrespective of where Waata positioned himself and for how long, he was guided by his duty to his father's memory and his signing of the Treaty of Waitangi. Post war he continued to try and rebuild and open the Kohanga Mission school to no avail. Waata was still writing letters to Anglican Church officials and his address was listed as Taupari. Waata was removed to Waiuku and he died on 8th January 1867 and from then on Taupari became 'tapu' and was abandoned.

The historical written accounts of Waata, as kuupapa survive and the thesis set out to challenge those established accounts and perceptions. Waata's actions have been largely misread and deliberately misinterpreted to advance the theory that the Waikato invasion was somehow lawful, and Waikato Maaori were hugely divided. In fact, all of Waikato peoples were simply fighting for their lands, irrespective of what side they were claimed to be on. The thesis concludes with a full repudiation of this view and hopes that a more enlightened reader audience will not continue to apportion the naming and shaming of historical tuupuna, such as Waata negligently.

Abbreviations

<i>AJHR</i>	Appendices to the Journals of the House of Representatives
ATL	Alexander Turnbull Library
CMS	Church Missionary Society
<i>JPS</i>	Journal of the Polynesian Society
NZJH	New Zealand Journal of History
Pers. comm.	Personal communication
PP	Papers Past
Rev.	Reverend

Glossary

Ariki	Paramount chief, high born tribal leader
Arikitanga	Expressions of chieftainship
Aroha	love, affection
Atua	deity, God
Aukati	confiscation line or boundary
Hakari	ceremonial feast
Hapuu	sub-tribal group
Heriheri	untruth
Hua	preserved bird
Iwi	tribe, tribal grouping
Kainga	family settlement
Kaitaka	fine cloak with taniko border
Karakia	prayer, spiritual incantations
Kauta	traditional Maori dwelling
Kiingitanga	King Movement
Koi	Maori weapon
Komiti	committee
Kuupapa	neutral, quiet, passive, traitor (disputed)
Kaumatua	revered elder
Mana	prestige, authority, status
Mana motuhake	tribal autonomy and control
Marae	village common, enclosed area
Matua	father
Mauri	life force, life principle
Moko	facial tattoo or marking
Ngeri	chant
Noa	not sacred, profane
Oneone	sand, soil
Ope	large group
Pa	Maaori village, settlement
Paakehaa	New Zealander of European descent
Papakainga	whaanau settlement
Patu	weapon, to strike
Pukapuka	book, Deed or Bible
Rangatira	Chief of sub-tribe, leader, person of noble birth
Rangatiratanga	Sovereignty, chieftainship.
Raupatu	land confiscation by the Crown.
Rohe	region, district
Runanga	council, tribal authority
Taketake	original, organic
Tangata whenua	original inhabitants of the land
Tangi	ceremony of mourning, to cry or wail

Tangi whakaoriori	lament
Taone nui	large town
Tapuae	Maori King's flag
Tapu	sacred, forbidden
Taua	war party
Tawhito	old, ancient
Te Ao Paakehaa	the world of Paakehaa
Te Paki o Matariki	Waikato – Kingtanga Coat of Arms
Te Kawenata Tawhito	The Old Testament
Te Puaha (Puaha)	Mouth of the river
Te Tiriti o Waitangi	The Treaty of Waitangi
Teina	younger brother
Te Reo Maori	Maori language
Tikanga	correct procedures, protocol
Tino rangatiratanga	absolute sovereignty, chieftainship
Tohu	signature
Tohunga	person skilled in religious ritual
Tuakana	older brother
Tuarua	second
Tukutuku	panels of ornamental lattice work
Tumuaki	central or main character
Uri	relation, relatives, descendants
Uri tarewa	chiefly male descent lineage
Urupaa	cemetery
Waka	canoe
Waiata	song, to sing
Whakapapa	table of genealogy or ancestral descent
Whaanau	family group
Whanaungatanga	kinship, relatives
Whenua	land, afterbirth

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Appendices

Appendix A: He Purutanga whenua teenei

Papers Past | Whetu o te Tau (Whetu o te Tau, 1 November 1857)

Page 1 of 2

—o—
HEPURUTANGA WHENUA TENEL. HEPURUTANGA
WHENUA TENEL.
Tihorewaru, Waikato,
Noema 16, 1857. VHETU O TE TAU, VOLUME
ISSUE 2, 1 NOVEMBER
857

He kupu tenei no te Runanga o Waata
Kukutai mo nga whenua o Waikato. Ka
timata mai i te puaha, koia tenei nga ingoa
o nga whenua, ka puritia nei, ekore e tu

Using This Item

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Appendix B: Rangikariri Deed

DEEDS, — No. 3 District, 12
 April, 20 1853 Rangikariri Block (School Grant) Lower Waikato
 or Waikato District.

Grant for Church of England School.

This is the word of us the Chiefs of the Ngati Tapa
 a tribe living at the mouth of the Waikato River.

This is a Deed of Grant from us to Governor Grey
 as land for Queen Victoria and her heirs for ever.

Yes; Governor Grey consented to this that the land
 should be given to the Church of England in
 New Zealand as land for the Schools for the
 European and Native children to cause them
 to grow up as Church members and in good
 behaviour.

Governor Grey consented to the place for the
 dead should be separated and fenced lest
 the cattle &c. should trample on it.

These are the boundaries of the addressed
 place of Rangikariri — on the West the
 River Tapanui: going along the River
 Tapanui to Te Kua o Patiki, going on in
 a straight line to the swamp at Waiwairi
 Waiwairi the boundary on the East. the
 Waikato the boundary on the North.

These are our names written this day the
 Twentieth day of April, in the year of our
 Lord Jesus Christ one thousand eight
 hundred and ~~Sixty~~ three.

Boundaries

Appendix C: Waikato – Manukau Treaty copy signatures

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Erueiti Pititi. X his mark.
Matenga Te Whata, X mark.
Hohipa Te Ripa. X his mark.
Rukui Taurua. X his mark.
Meteke Kawana. X his mark.
Hura Hurori. X his mark.
Mohi Raona X his mark.
Wata Rukui X his mark.
Te Karangi X his mark.
Petene. X his mark.
Paeturui.
Nini.
Arama Karaka.

Witnesses

Sd. Matiu.
Sd. Pihama.
Sd. Pomare.
Sd. Rukia Te Rau.
Sd. Karaka Te Au.
Sd. Pehimana Hamekato.
Sd. Jas. D. Fenton.

Translation
C. L. Nugent
Native Secretary

August 30th 1853.

A True Copy of Original Deed and Translation
H. Hanson Fenton.
Wellington July 26. 1875.

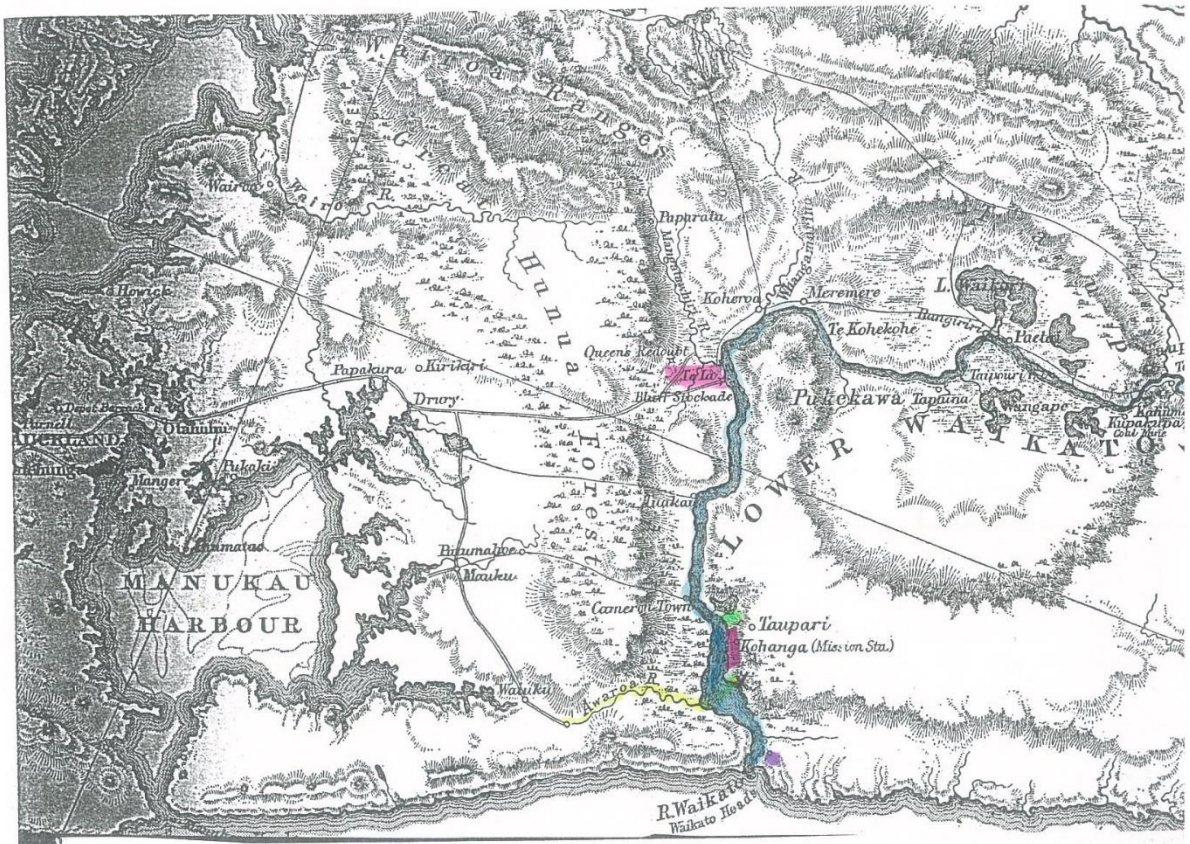
Appendix D: Waata Kuketai



(Source: Lindauer online)

Appendix E: Te Kohanga Map

2 Map of Tekohanga region



This is a map of the Lower Waikato district taken from the front endpapers reproduced from a map by Stanfords Geographical Establishment, London, for the original edition of The Maori King 1864.

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Appendix F: Terini Te Hura letter

(Copy translation)

Taupari August 12th 1863.

To Terini Te Hura. [Terini]

Friend Salutations - I have seen your letter which arrived here for me

Listen my words - You must discontinue writing to me - I am very much annoyed at your constantly writing to me - Do you think that that is a sign of consideration for me? In my view it is very wrong -

Listen I do not like this way of yours in the least - If I should agree to these ideas of yours it would be a cause of death to me -

I will have nothing at all to do with you -

Listen my words - If I should do wrong, I do so on a principle which I understand. [i.e. responsible for his actions]

If I do right I do so also on a principle - Likewise you & your father are acting on your own principles - If you are right you & your Tribe do as you think right - If wrong you do wrong

2^d My words to you & all your Tribe (or people) are that no person shall come here whether friends or relations - they shall not come here

Likewise the men belonging to the Makenya they shall not visit the Makenya

The Road shall be sacred [i.e. closed] commencing at the Punga Punga down to Taupari -

Let no one come & cause disturbances in my District -

Leave my District to be sacred for this is the law thereof -

There shall no man traverse this Road whether of your party or mine - there shall be an end to all travelling on that Road

There have been some persons from there [your party]

come down to Taupari - I did not see them when they arrived I informed them they must cease visiting here - I have sent them back & I wrote a very strong letter to them

This is all I have to say to you

(Signed)

W. P. Kukuatari

To Terini Te Hura
at Takunga Wairua }

Appendix G: Waata's lament

8
B

Taupari 9th Dec^r 1863

This is a sorrowful lament of mine for my fathers and relatives who fell in the battle at Rangiriri Waikato. I wish you to send it to be printed in all the Pakeha and Maori newspapers.

I am very anxious to see it in Pakeha and Maori: - in all the newspapers.

From your loving friend
Waata P. Kikutai

A Lament

Taupari
7th Dec^r 1863

A lament from the pained heart of Waata Kikutai for the fall of his fathers and brothers at the storming of the "Rangiriri" pa in Waikato.

Farewell ye great hills of the Waikato, Taupiri, Hakarimata

Maungakarua