'Oral and Traditional History Report for Te Rohe o Whangaroa' Summary Presentation for Wai 1040, Waitangi Tribunal Inquiry Kerikeri, 8 July 2013

1. This presentation concerns the 'Oral and Traditional History Report for Te Rohe o Whangaroa', which Whangaroa Papa Hapu commissioned from Te Uira Associates in 2009. It is but one component of a larger research project, and an even larger project in iwi development for Whangaroa. The goal of today's presentation is to comb over the report to bring a few key themes and overarching points of analysis to the Tribunal's attention. In doing so it sets aside the finer details to deal with the report at a broad level.

2. When the report was completed Whangaroa Papa Hapu made it clear they regarded it as a beginning, a first step, a document that sows seeds for further research that should ideally follow. Such a view is mindful that further research can deliver so much more than what has been produced so far and accounts for the limits set by the research commission. In the meantime, the report is intended to support the Papa Hapu to prepare their claims and submissions to the Tribunal, and as co-ordinating author I hope that intention has been achieved. To that end, the Papa Hapu and Whangaroa claimants comprise the report's primary audience, though it is presented here today mainly for the benefit of the Tribunal.

Acknowledgements and Approach: a major collaboration

3. The report is the product of a major collaborative exercise that drew on the voluntary energies of many, many Whangaroa people, as well as several research practitioners, all of whom are acknowledged in the introduction (pp1-13). We also acknowledge the Crown Forestry Rental Trust who financially supported the project and commissioned the associated mapping. However we note CFRT resources alone did not produce this particular report which relied on activation of the crucial tangata whenua relationships that supported the project throughout its course; nor could material resources alone have energised those who gave their time, kōrero and labour.

4. From the outset, even before we first debated the parameters of the research, this project relied heavily on Whangaroa people. The report's substance and form is entirely a product of their contributions, their forbearance, their willingness, their aroha. It was people's engagement with the project that informed and facilitated the collaborative approach, including the emphasis on oral sources. Many hands and minds worked in some way on the report, and often in trying circumstances. Whangaroa people brought a great generosity of spirit to the project, and an energy that belonged not only to current generations but also drew on the works of tupuna long past who shared the concerns that Whangaroa will present to the Tribunal this week and throughout its inquiry.

Whangaroa Traditions and Customary Activities

5. The report discusses **Whangaroa traditions** mainly in chapter one (pp17-60), alongside which the appendix of wāhi whakahirahira (pp283-304) can also be usefully read. There is no intention to revisit the details of the traditions discussed. I expect the Tribunal has not only heard traditional evidence about Whangaroa already, but will also hear more in briefs of evidence yet to be presented. We do draw attention to the following points, however:

   (a) The report in no way claims to present all traditions known to the Whangaroa claimants. Furthermore, it is not for me to say what those excluded traditions might be; that is something for the people of Whangaroa themselves to say.

   (b) Nor does the report delve into contestability as an element of the traditions discussed. However, contestability ought to be unsurprising; other Taitokerau peoples will have their own versions of the traditions. Also, in some respect the report presents mediated versions of traditional korero. For example, the kōrero for Maunga Taratara (pp18-21) has been mediated by the use of multiple sources – oral and written – as well as instructions received at Whangaroa Papa Hapu research hui.

   (c) While the report appreciates the important connections the people of Whangaroa have with both Ngapuhi and Ngati Kahu, the evidence does show a distinct and autonomous Whangaroa

identity that has been developed and maintained over time, and can be traced to a time before the emergence of Ngapuhi and Ngati Kahu.

(d) Finally, my overall assessment of Whangaroa's traditions is that they affirm ancient and intimate (although admittedly contested) relationships with and between people, territory and environments. These ancient relationships are memorialised in place names, tangata whenua knowledge of specific sites, and a range of customary activities – both continued and discontinued.

6. The **customary activities** referred to here include mutton-birding (oi, not tītī), harvesting kaimoana of all kinds, the production and administration of rongoa and wellbeing services, and cultivating a range of crops. These endeavours and others feature in the kōrero whānau discussed in chapter two (pp61-111) and illustrate the depth and breadth of the practices and bodies of knowledge that sustained Whangaroa communities. They embody an ethic of communality and shared responsibility, as in the co-operative approach to cultivation (kumara, p86) and harvesting (hokeke, p88). Layers and layers of knowledge and practical expertise attach to these customary activities, which require: systems for the transmission of knowledge and skills; in-depth knowledge of land and sea; understanding of how tapu works; knowledge of the seasons, navigation, weather systems, water catchments; life-cycles of the various species of marine and plant life; systems for resource management and their attendant kaitiakitanga responsibilities; and a thorough appreciation of how Whangaroa communities interconnect with each other and the resources they share.

7. Probably the report barely scratches the surface of the remarkable collective environmental knowledge of the Whangaroa people that is thorough, specific and grounded in the local. Whānau and hapu have done what they can, inter-generationally, to ensure the continuation of their customary activities and, indeed, customary life-ways. As chapter two demonstrates several activities, like mutton-birding, have survived the onslaught of colonisation, but not without facing numerous challenges including dispersal of the tangata whenua population, state-imposed regulations of **environmental resources**, and changes to the physical environment.

8. Knowing the land and sea as thoroughly and intimately as Whangaroa tangata whenua do, means they are usually first to notice any stresses on their environments. But they have struggled to garner official support for their views and desires, and have instead had to bear the burden of a legacy of **exclusion from local authority decision-making**. The few contemporary issues the report discusses (pp110-11) indicate successive local authorities have consistently made decisions about reclamation, roading, waterways (including flood response and control) and other public works activities and land-takings without appropriate input from nga papa hapu o Whangaroa. As a consequence, waterways have been polluted and redirected, and access to the harbour and kai-gathering places cut off, all of which impact the capacity to continue customary activities. The Tribunal will hear more specific evidence of these issues as the inquiry progresses.

9. Though the Tribunal process offers opportunities to have some of the issues raised here inquired into and redressed, Whangaroa Papa Hapu continue to be disadvantaged in pursuing their claims because of the poor state of the records on which they rely. In the Whangaroa experience, records for locally undertaken public works have been particularly difficult to access and seem to be incomplete in parts. A similar observation may be made of some the Maori Land Court records. This matter is merely noted here as a question about the Crown's responsibility, historically, for keeping clear and thorough records of its activities, in the same way that these days we might regard sound and transparent record-keeping as a necessary requirement of good governance.

Hongi Hika and His Far-reaching Legacy

10. Chapter three (pp113-142) focusses on Hongi Hika, though he is also discussed in other places throughout the report. It is important to understand Hongi as a dominant historical force in any historical appreciation of Whangaroa. However, there is no intention to comb over Hongi's life and deeds today, which I expect to be well-covered in this inquiry in future hearings if not already. What we do want to say is that (mis)representations of him have had long term impacts for Whangaroa Māori, who count Hongi's descendants among themselves.

11. Misrepresentation and its legacy also feature in the *Boyd* story (pp150-2). Both narratives maligned Whangaroa Māori, casting long shadows over their reputations. The impacts of the *Boyd* incident were made immediately clear by the sudden curtailment of trade. The impacts of Hongi's deeds outlived him by decades, as can be seen in certain Native Land Court investigations of title, for example Otangaroa and Okura. In the long term, the histories of both the *Boyd* and Hongi have cast Whangaroa peoples as excessively brutal and perhaps perversely irrational, a stigma they sometimes feel they continue to live with today.

12. With reason Hongi is probably most remembered for the devastating wars he waged, which affected the tribal landscapes of much of the top half of the North Island. Yet, these popular views of Hongi may be limited and flawed, skewed by the tendency to emphasise portrayals of him as a ruthless and unforgiving military man. While his deeds and reputation as a warrior are not refuted here, Whangaroa see him as far more complicated than history has tended to depict. For example, Whangaroa kaumatua Nuki Aldridge has a view of Hongi that incorporates both the emphasis authors such as Dorothy Cloher place on utu, muskets and powder as Hongi's main motivation as well as Manuka Henare's assertion of Hongi's nationalist motives.[1] Nuki agrees an element of utu shaped Hongi's goals and deeds, but as noted in the report:

> the fighting was not an act of utu for its own sake. It also encompassed a means of both clearing and maintaining Hongi's 'profitable patch' and resettling people by sending them back to their homelands. People of Whangaroa view Hongi as a visionary and diplomat, cognisant of the change that Pakeha settlement in the Pacific would bring, and strategic in his handling of that great change (p125).

13. Indeed, Hongi took his responsibilities to his people seriously. War was but one of the vehicles he used to enhance the mana of his people. He successfully modernised Maori agriculture and supported the endurance of Maori religious practices. He demonstrated a genuine interest in the English language. He shared Thomas Kendall's interest in writing and

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[1] Dorothy Cloher, *Hongi Hika Warrior Chief*, Auckland, 2003; and Manuka Henare, 'The Changing Images of Nineteenth Century Maori Society – From Tribes to Nation', PhD thesis, Victoria University of Wellington, 2003.

publishing te reo rangatira. He applied himself diligently and enthusiastically to both languages in both spoken and written forms.[2] In protecting the mihinare (personally and institutionally) Hongi encouraged the missionaries to learn te reo, which aided the effectiveness of their preaching. Hongi might also be understood as taking deliberate steps within a process that led to He Wakaputanga and Te Tiriti. Certainly Manuka Henare has argued that the relationship Hongi believed he established with King George IV during his 1820 trip to England was a conscious act of nation-building in which an on-going relationship with the Crown and Maori rangatira was pivotal.[3] Indeed, some missionaries had once entertained the idea of Hongi being made a Maori King.[4] Hongi rejected the idea outright, knowing that mana lay with the various rangatira and hapu for which they were responsible (p142).

14. Hongi's life provided at least some of the context that contributed to the ever changing landscape of Whangaroa's politics, economy and society. His influence did not die with him, and continued to colour Whangaroa life, for example among the next generation of leaders up to and beyond Te Tiriti, and in Native Land Court deliberations. Even as late as 1870 both Crown representatives and Whangaroa Māori invoked the memory of Hongi in their engagements with each other. For example, during his visit to the district in 1870, Governor Bowen interpreted Hongi's 1820 meeting with King George as signalling a desire for European settlement, as well as a request for the King's 'protection'.[5] Bowen used the argument to indicate Crown support for the idea of building a local 'lock up' (pp247-9). Hongi's descendants did not, it seems, reject Bowen's interpretation, but they also applied it to their own ends, with Kingi Hori Kira urging Bowen to follow up Hongi's request for Europeans with the establishment of a town at Whangaroa to facilitate local trade (pp252-3).

15. Chapter five of the report deals with the **Native Land Court**, focussing on investigations of title for principal Whangaroa Māori land blocks. Though we opted for a fairly straight-forward approach, the chapter does shed

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2 Cloher p.75.
3 Henare p.171.
4 Angela Ballara, 'Hongi Hika - Biography', Dictionary of New Zealand Biography in Te Ara - the Encyclopedia of New Zealand, updated 1-Sep-10, URL: http://www.TeAra.govt.nz/en/biographies/1h32/1, viewed 24 December 2010.
5 AJHR 1870 A-7, p. 15.

some light on inter and intra- tribal tensions in particular Whangaroa locations, the changing nature of the Court's processes, and some of the broader political contexts at play in tangata whenua engagements with the Court, particularly resulting from the complex histories of movement, displacement, relocation and resettlement, often in the wake of war.

16. Of particular note is the way Hongi's 'reign' in Whangaroa, defined by his ousting of Ngati Pou in 1827, framed many of the debates the Court's process induced and facilitated sometimes fierce competition between the claims of so-called 'conquerors' and 'conquered'. In the present, many Whangaroa people dispute the view of Hongi as conqueror (after all, he was from Whangaroa on his mother's side, and Ngati Pou were never tangata whenua); and before the Native Land Court some kaikorero refuted the idea that Hongi's interventions were sufficient to disrupt long-term occupation of the land. Yet much of the evidence, though hotly debated, did support Hongi's authority over Whangaroa. In several cases, the evidence gravitated towards Hongi's assault on Ngati Pou and the events leading up to it, treating 1827 as a kind of year zero and supposing land rights belonged to Hongi, his allies and their descendants.

17. In some cases, the Court seems to have taken its lead from those arguing rights based on take raupatu. In the 1891 Te Pupuke rehearing (pp212-221) the Court's ruling focussed almost entirely on Hongi and the effect of his battles with Ngati Pou on the Whangaroa tribal landscape. In some of the earlier cases, such as Otangaroa in 1875 (pp184-196) and Okura the following year (pp199-200), the Court similarly ruled in favour of those who could prove their claims through take raupatu. In other cases the Court exhibited an understanding that the claims were far more complex and that the various ancestors through which people tended to be so connected made it almost impossible to distinguish any exclusive basis of 'right or title'.[6] In such cases, Kaingapipiwai (in 1876, pp196-9) and Te Totara (in 1876, pp207-8) providing examples, the Court would find competing parties had shared interests; sometimes relative, sometimes equal. Yet, in the later Matakaraka case (1899, pp225-9) the Court decided that conquest did not necessarily bestow any rights on the

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[6] Northern Minute Book 18, pp158-60.

victors, and ruled in favour of the party that made the best case for long-term occupation. And, in the Whangaihe case (1905, pp235-7), claimants essentially decided their own arrangement, which the Court then endorsed. Thus the Court's attitudes to the evidence it heard seemed to shift over time from a preference for a simple take raupatu argument to something more complicated.

The Persistence of Rangatiratanga

18. Again, we have no intention of rehashing evidence the Tribunal has already heard, but we do want to draw attention to the fact of Whangaroa's clear and substantial participation in **He Whakaputanga and Te Tiriti** (pp155-167). My analysis is that the signing of Te Tiriti in particular did not signal the end or cession of rangatiratanga, but instead promised rangatiratanga would be taken forward into a new arrangement that gave the British Crown kawanatanga. Clearly, the discussion around rangatiratanga was still in progress rather than complete when Whangaroa Maori signed Te Tiriti in 1840.

19. The report shows some of the ways Whangaroa Maori continued their understandings of Te Tiriti throughout the nineteenth century. They did not simply accept the instruments of government and law that the Crown assumed could be imposed post-6 February 1840. Rangatiratanga remained paramount, and acceptance of British government negotiable if not entirely optional. As late as 1893, Kingi Hori Kira, Hemi Tupe and Hare Hongi Hika, among others, drew on both Te Tiriti and He Whakaputanga to argue for the right 'kia whai mana ai ratou ki te whakahaere i o ratou whenua me o ratou mea katoa e pa mai ana kia ratou'.[7] [So that they have the authority to administer their own lands and all their things that they have an interest in] (pp164-5).

20. Though the evidence for Whangaroa is somewhat patchy, it is clear Māori throughout the north continued to discuss Te Tiriti often at large hui convened for the purpose. Whangaroa Maori were part of a proposal in the 1870s to erect a house at Waitangi, to be called *Te Tiriti o Waitangi*, where the laws that suppressed Maori could be discussed.[8] Hemi Tupe

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[7] *Huia Tangata Kotahi*, 1, 23, 11 November 1893, p.7. Note that Kingi Hori Kira is written as 'Kingi Harikira' in the original document, which has been amended to Kingi Hori Kira after discussion with WPH members.
[8] *Te Wananga*, 5, 29, 20 July 1878, p. 366.

and Te Pona were instrumental in erecting the whare hui *Hihiotewai*, located within the Te Touwai block and dedicated to the work of the Treaty of Waitangi (p165).[9] Similar discussions about Te Tiriti continued into the 1880s. In 1884 Te Tiriti was the subject of a large meeting held at the Bay of Islands.[10] That hui convened a committee, appointed 'by general consent', and assigned large judicial powers (pp165-6).[11]

21. Though the sources reveal few details, the kaupapa of building whare dedicated to Te Tiriti, and the several well-attended meetings, show Te Tiriti continued to exemplify and embody the rangatiratanga of Whangaroa and other Maori. Yet, at the same time, Te Tiriti (and the Treaty) quickly faded from Pakeha settler memory, and lost its potency in Maori-Pakeha relations, as the Crown pushed on with the colonial project, taking British law and order to Maori districts, including Whangaroa.

22. In some instances, rangatira did seek new arrangements to protect the rangatiratanga and land holdings of hapu, to secure peace and order and to advance opportunities for economic development. They effectively engaged with the Crown for their own ends. Some rangatira supported Te Tiriti; others expressed opposition primarily due to concern for the loss of mana and chiefly authority. That concern was to be well founded as the expectations of Whangaroa and other tupuna, hopeful of a beneficial political and economic relationship, quickly diminished. Still it was not the case that even those who engaged with the Crown simply accepted the rule of British law. Rather, the Whangaroa ancestors involved were intelligent strategists asserting their own rangatiratanga, while also learning about and coming to understand the British world with which they had become entangled.

23. Whangaroa Maori chose, as much as they could, when and how and why they would engage with the Crown rather than merely accepting its legitimacy without question. Even those who accepted the Crown had some degree of authority, clearly understood their rangatiratanga as unaffected. Such a view was apparent at the 1870 hui with Bowen (pp46-7). In an enthusiastic welcome, Hare Hongi Te Kohai

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[9] Ririwha and Te Touwai Papatupu Block Committee Minute Book No. 33, p.58.
[10] AJHR 1884 G-4, pp.2- 3.
[11] AJHR 1884 G-4, pp.2-3.

acknowledged Queen Victoria's overarching authority, but without giving up his right to act independently: 'Welcome, O Governor and Mr McLean!' he said. 'Come and see your people....We are sitting under the shadow of the Queen; but I am my own servant and my own soldier'.[12]

24. This kind of **engagement with the state** from a rangatiratanga standpoint is illustrated by chapter six (pp239-73); one way of thinking about it is as the persistence of rangatiratanga forced into a battle of wills with a Crown consistently indifferent to Maori aspirations let alone the agreements reached in Te Tiriti. Whangaroa Maori negotiated, contested, resisted and mediated the introduction of Crown institutions in their territory:

(a) As already shown, they engaged with the processes of the Native Land Court. Those who remained aloof did so at their own peril as Mita Hape found out first hand when his snubbing of the Court in the Te Pupuke case earned him a reprimand from Judges Burton and von Sturmer, and loss of the security money he lodged to have the case reheard (pp212-3). Even those who engaged fairly easily expressed their frustration with having to travel to attend Court and made clear their preference for having the Court adjourned closer to their homes (p170).

(b) On the matter of census-taking, Maori co-operation could not be guaranteed. At best, Maori responses to the census were mixed, they could and did withdraw their participation as easily as they gave it, and it appears no one was ever reprimanded for doing so (pp241-4).

(c) In the Waimate and Mangonui districts, Maori expressed dissatisfaction with the 1867 legislation that introduced Maori representation, complaining it was inadequate because it did not reflect the tribal organisation of Maori society and could not deliver enough Maori members to the parliament (p253).

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[12] Hare Hongi Te Kowhai to Bowen, AJHR 1870 A-7, p.15.

(d) Through the 1860s and 70s Whangaroa Maori continued to handle some matters of law and order themselves, making their own customary arrangements for certain crimes. They also both resisted and submitted to Pakeha law (pp248-50) importantly, on their own terms.

(e) Like others throughout the country, Whangaroa Maori also actively resisted the dog taxes which were a particular 'sore point' through the 1880s and 90s.

(f) Whangaroa Maori engaged actively with the Native Schools system, but also strove to assert their community goals through it (pp256-62). The Tribunal will hear from the claimants at a later date on the kaupapa of education. For now we would like to briefly highlight the Moari (Kaeo) Native School, which local Maori established out of their own resources. They agreed to contribute £30 annually towards the schoolmaster's salary and convert a disused 'Native church' for the school's use. They also offered an acre of land for the school (p258). By the mid-1880s it seemed likely Kaeo School would become a European school, due to the 'very rapidly increasing' European population. Local rangatira and supporter of the school, Heremaia Te Ara, did his best to avoid that 'evil day' keen to avoid the school being run by a committee 'hostile to the Natives, and perhaps doing their best, by indirect means, to exclude Native children from the school altogether.'[13] (Moari School did become a Board school, though the research did not confirm the details. Nor do we know if compensation recommended for payment to Kaeo Maori was ever paid.[14] It may not matter, the damage to local rangatiratanga had already been done, and compensation may not have made the repairs required).

25. Many details have been glossed over in providing these few examples of Whangaroa Maori engagement with the state. Still, they affirm that Whangaroa Maori did not automatically and without question comply with government's laws and regulations. Instead, they persisted as best they

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[13] Inspector to Inspector General, AJHR 1885 E-2, p.3.
[14] AJHR 1885 E-2, p.3.

could in the circumstances with their own goals, aspirations, mana, ways of being; operating as much as possible out of their own rangatiratanga, which they understood Te Tiriti protected.

Conclusion

26. The people of Whangaroa are the products of the all the histories the report presents: from the tupuna, whanaungatanga, wahi, mahi and even the pakanga that feature, to the trading agreements, churches, courts and schools that over time entered upon the customary Whangaroa landscape. Whangaroa is a product of all these things and more. The people descend not only from the blood and bones of their tupuna, but also from their deeds, aspirations, relationships, decisions, experiences and debates. This descent, this past, is what makes Whangaroa people the dynamic 'hapu takutaimoana' they are today, knowledgeable about their environments, interconnected with and simultaneously distinct from their iwi neighbours (p6).

27. Despite the integrity of Whangaroa society, its fabric is now but a tattered remnant of what once was; frayed and worn its threads hang loosely and in want of repair. Whangaroa people themselves readily acknowledge the challenges of keeping their marae, associated tikanga and environments vibrant and viable in the twenty-first century. But they have never lost sight of or given up on their mana rangatiratanga. Many imperatives of Whangaroa culture and society have lived on; that is clear. There has been much faltering along the way, particularly in the unsatisfactory relations with the Crown; that too is clear. It is also what brings us here today.

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