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'TE WAI-KAU KAU O NGA MATUA TIPUNA'

Myths, Realities, and the Determination of Mana Whenua in the Waikaremoana District.

by Rapata Wiri

A thesis submitted in partial fulfilment of the requirements for the Degree of Master of Arts in Maori Studies.

Te Wananga o Waipapa, University of Auckland, March 1994.
ABSTRACT

In the heart of the North Island of New Zealand lies a mountainous terrain called Te Urewera, the spiritual homeland of the Tūhoe people. Hidden away in the southern portion of Te Urewera is Waikaremoana, a lake and a land with a history and tradition that are as fascinating as they are controversial. Waikaremoana is the 'tūrangawaewae' of the Ngāti Ruapani section of Tūhoe, and it is they and their lands that are the key focus of this M.A thesis.

This thesis deals essentially with the concept of land ownership or mana whenua. It analyses the relationship between customary and colonial concepts of mana whenua in the Waikaremoana district, and examines the conflicting nature of these two different cultural concepts of the land and its history. In many ways this dissertation is unique, as it is a tribal history written by tangata whenua for tangata whenua. It allows today's tangata whenua to see their history through their predecessor's eyes and reawakens the past struggles of their ancestors. It gives tangata whenua a sense of dignity and pride in their heritage and traditions that give them their identity.

'Ko te uri o Tūhoe, moumou kai, moumou tāonga, moumou tangata ki te pō!'
ACKNOWLEDGEMENTS.

Ko ngā koko o te whare ka kitea, engari ko ngā koko o te ngākau kāre e kitea.

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I would also like to extend a special thanks to my colleagues and supervisors of the University of Auckland who helped mould these writings, from their 'meagre' beginnings, to their present form. I am indebted to Professor Ranginui Walker, who carefully guided me through this test of endurance and self-realisation. Despite his initial horror at my early drafts, I am grateful for Ranginui's support and for the valuable lessons he taught me throughout the course of this thesis. I express my gratitude to Dr. Steve Webster whose kindness and insightful advice will never be forgotten. Many thanks to Dr. Jane McRae, whose expert proof-reading skills were very useful and much appreciated. I also acknowledge Professor Wharehuia Milroy, of the University of Waikato, whose input into this thesis was especially valued for both its academic and tangata whenua insight.

I turn now to the staff and students of the Māori Studies and Education Departments. To Cherryl Smith and Glynnis Paraha who not only encouraged me to complete this
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I also acknowledge the financial assistance given me by the Historical Branch of the Internal Affairs Department, the Ministry of Foreign Affairs and Trade and last but not least, the Māori Studies Department of the University of Auckland. Kia ora koutou.

No reira ka huri rā ngā mihi ki a rātou kua okioki i t e okioki tūturu, o te moenga roa. Mā te tuhinga whakapae nei e tutuki ai ngā whakaari me ngā moemoeā a rātou kua whakawhetūrangitia. Kāti rā mō kōutou - ki a tātou te hunga ora e noho whakamōmori ana i te ao tūroa nei, tēnā kōutou, tēnā kōutou, tēnā tātou katoa.
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Abbreviations

AJHR Appendicies to the Journals of the House of Representatives

ATL Alexander Turnbull Library

BMB Barclay Minute Book

DOC Department of Conservation

DOSLI Dept of Survey and Land Information

IA Internal Affairs File

JPS Journal of the Polynesian Society

MA Māori Affairs File

NMB Napier Minute Book, Native Land Court

NOHANZ National Oral History Association of New Zealand

NZPD New Zealand Parliamentary Debates

OMB Opōtiki Minute Book, Native Land Court

TNZI Transactions and Proceedings of the New Zealand Institute

TAMB Tairawhiti Appelate Minute Book, Native Land Court

UMB Urewera Minute Book, Native Land Court

WMB Wairoa Minute Book, Native Land Court
Introduction.

This thesis began in January 1991 as a research project between the writer and the Panekire Tribal Trust Board, to support a Waitangi Tribunal land claim by the Tūhoe and Ngāti Ruapani tribes to eight major land blocks in and around Lake Waikaremoana. As the historical narrative began to unravel it became apparent to this writer that the injustices of Waikaremoana's past were far beyond a mere land claim. Hence it was under these circumstances that the following writings emerged. They are a humble attempt, on the part of the author, to document the tribal traditions and colonial history of the Waikaremoana district from the time of Toi and Pōtiki through to the signing of the Treaty of Waikaremoana in 1971. Therefore the scope of the thesis is extensive in that it analyses a period spanning over six hundred years in detail.

I use the term Waikaremoana 'district' to refer to Lake Waikaremoana and its adjacent lands to the east (i.e. towards Wairoa) and to the north-west (i.e. Te Urewera). An essential feature of this thesis is that it focuses on customary concepts of Māori land tenure. Using the Waikaremoana district as its focus, I show how an individual or tribal claim to the land, under Māori land tenure, can either be true or false. There are five customary land concepts that are dealt with in this thesis which include; take whenua kite hou (right of prior discovery), take tipuna (right of ancestry), take raupatu (right of conquest), take tuku (right of gift), and ahi kā roa (permanent continuous occupation). Of these five concepts of Māori land ownership, the latter is the most important. For under customary
tenure, without proof of occupation there can be no legitimate claim to land either by ancestry, conquest, prior discovery or gift.

The concept of 'ahi kā' refers to sites of occupation upon the land which may include: dwelling places (i.e pā and kāinga), urupā (burial places), māra kai (cultivations), pou paenga (carved border posts) as well as many other signs. With the arrival of the Pākehā, concepts of customary ownership were abandoned for the notion of legal ownership. When the Native Land Court and Urewera Commission were established, the law (which empowered these acts) required that ownership of land must be awarded "in accordance with native custom". However, as we shall see, in the case of Waikaremoana this principle was not observed by the colonial government. This in itself was a great injustice and occurred repeatedly throughout Waikaremoana's history as will be revealed in the historical narrative to follow.

This dissertation encompasses a multi-disciplinary approach. The first seven chapters, are based primarily on tikanga Māori and Māori forms of knowledge. While this view is envisaged in the remaining chapters (8-12), I also examine a number of social, political, economic, legal, and even environmental issues that arise throughout the colonial history of Waikaremoana. Throughout the thesis a tangata whenua perspective is employed to analyse particular issues which emerge during my analysis.

An underlying theme of this thesis is to show how the government alienated tangata whenua from their land in the Waikaremoana district through the perpetuation of 'ideology'. Larrain (1979:48) defines the concept of ideology as a "distorted
consciousness which conceals social contradictions in the interests of the dominant class". I will develop this hypothesis throughout the course of these writings and demonstrate how it led to the alienation of tribal land and mana. In the conclusion of this thesis, I will fully examine the impact of ideology upon tangata whenua by referring to writers such as Paulo Freire, Antonio Gramsci and Larrain himself. I will show through an analysis of their social theories how the concept of ideology is a useful tool in studying the history of Waikaremoana.

Much of the information collated in the research for this thesis came from archival sources (e.g. manuscripts, evidence given before the Native Land Court and Urewera Commission) as well as published articles and books such as Elsdon Best's Tuhoe - The Children of the Mist. In respect to the latter, I have been rather cautious in analysing Best's material on Waikaremoana and have re-evaluated much of his writings by referring to his primary informants whose accounts are recorded in his original manuscripts.

Because many of the kaumātua of Waikaremoana have passed away in recent years, the oral information gained for this study was restricted to only a few individuals. Interviews were held between the author and these informants in both a formal and informal manner in which the Māori language was used as the medium of communication. Extracts of their information can be found throughout this thesis.
Chapter Outline.

This thesis is divided into three major sections. Part One (Chapters 1 and 2) is called "Toi te kupu, toi te mana, toi te whenua". My own translation of this is "The word is imparted, the prestige is established, the land is sovereign". This section examines the geography of Te Urewera and shows its location in respect to the surrounding tribal districts. It also examines the origins of the Tūhoe tribe from the founding ancestors such as Toi, Pōtiki, Hape and Haeora through to the Mataatua canoe ancestors like Toroa, Wairaka and Tūhoe-Pōtiki himself.

Because this section is essentially about Tūhoe history, it becomes crucial for this analysis to put Waikaremoana into the geographical context of Te Urewera and show its place in the general Tūhoe tradition. Therefore the primary objective of Part One is to place the Waikaremoana district into the geographical and historical context of Te Urewera.

Part Two (Chapters 3-7) of this thesis is entitled 'Myths and Realities' and deals with the tribal traditions of the Waikaremoana district by looking at the historical accounts of Tūhoe, Ngāti Ruapani and Ngāti Kahungunu. In this section I show how, from an examination of the history, that a series of myths developed in the tribal traditions of the Waikaremoana district which allowed certain individuals ownership into lands which, under customary tenure, they did not rightfully own. In this section I argue that the claims of these individuals by: i) right of prior discovery (ii) right of conquest and (iii) right of ancestry, appear to have been inspired by the increasing pressure of the colonial Government to alienate the land.
The third and final part (Chapters 8-12) of this thesis is named "Myth Becomes Reality" and it analyses the colonial history of the Waikaremoana district. The primary objective of this section is to examine the circumstances under which land alienation occurred at Waikaremoana between 1862 and 1972. It endeavours to rectify the traditions of Waikaremoana and to place the Ngāti Kahungunu traditions, of the area, into the correct geographical and historical context of Te Wairoa.

There are eight land blocks that are discussed in Part Three of this thesis (refer to Figures 11 and 12). As I explained previously, these blocks lie to the east and north-west of Lake Waikaremoana. The history of these blocks is discussed in chronological order. In Chapter 8 we begin with the events which led to the Kauhouroa block confiscation in 1867. In Chapter 9 we discuss the circumstances behind the Crown's 'purchase' of the Tukurangi, Taramarama, Waiau and Ruakituri blocks in 1875. Then in Chapters 10 and 11 we turn to the history of the Urewera Reserve and examine the events which led to the Crown's acquisition of the Waikaremoana block in 1921 and its social impact on tangata whenua. We then conclude in Chapter 12 by discussing the legal and social history of Waikaremoana lake from 1915 to 1972.

Part Three of this thesis encapsulates the underlying theory of these writings as it shows how the myths discussed in Part Two become a reality through a historical process spanning a period of one hundred and ten years (1862 - 1972). There is no doubt that the arguments forwarded in this thesis will provoke some controversy. However, I emphasise the point that the arguments
forwarded are based on facts which have been extensively researched. Furthermore I take responsibility for the conclusions that are drawn in this thesis, but again stress that they are based on a careful analysis of the research available to this writer. In conclusion I express that this thesis does not seek to create animosity between Tūhoe ki Waikaremoana and Ngāti Kahungunu ki Te Wairoa. It merely seeks the truth and strives for the unification of these tribes who have been manipulated by a government whose policy was, and still is, to divide and rule.

Nō reira, kaua e mānukanuka ki ngā kōrero e whai ake nei, engari kia nanaiore a ngāi-tāua, te tangata whenua, ki te pupuri ki te tikanga o te rangimārie kia hohou ai te rongo ki waenganui i a tāua. Mā tēnei mahi whakaratarata e tōtika ai tā tāua tū ki mua ki te aroaro o te Kāwanatanga. Kai roto pea i te whakatauaki nei te ngako o ēnei kōrero āku - "E kore e aro i ahau ngā ture a te Pākehā, hoi anō tāku e mōhio ana ko te tika, ko te pono".