

IN THE MATTER of the Treaty of Waitangi Act 1975

AND

IN THE MATTER of the Hauraki Inquiry District

AND

IN THE MATTER of a claim by **Florence Te Paea Watene Gurnick; Mita Eparaima Watene; Billy Wi Te Koha Williams; Bill Wiremu Te Moananui; Ropata Te Wharetoitoi Rare; Harata McCaskill Williams; Toi Te Akeake and Aporo Hikitapua Reedy** on behalf of themselves and all the descendant whanau and hapu and the constituent whanau and hapu of the ancestor **TAMATEPO** of the **MARUTUAHU TRIBAL CONFEDERATION**

**STATEMENT OF HAKARAIA PAUL WATENE GURNICK
IN SUPPORT OF WAI 970 CLAIM
Dated 10 June 2002**

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KI TE TUPUNA WHENUA
KI TE ONEONE
ME MIHI RAA KI TE WHENUA ME
TANGI RAA KI NGAA TAANGATA KA
PUTA KI NGAA PUKE KI HAURAKI
KA TAREHUA E MIHI ANA KI
NGAA TAANGATA
HE MIHI RA KI HAURAKI
E TANGI E TANGI MO RAATOU MAA
HAERE KOUTOU HAERE KOUTOU MOE MAI RAA.

1. My name is Hakaraia Paul Watene Gurnick. I live in Kirikiri where I run a carving workshop with two carvers. We carve for Marae and tourism. I also work for a Whanau Trust where we do gardens, orchards, and run cattle on Trust land, as well as running a firewood business for another Trust. My whakapapa is attached.
2. I give this evidence on behalf of my Mother, Florence Tepaea Watene Gurnick who is a true descendant of our eponymous ancestor Tamatepo. My Mother wishes me to give this evidence which covers matters from her personal knowledge which has been handed down to her. The matters I discuss in my evidence are ngaa koorero tuku iho mai I too maatau tipuna Tamatepo.

3. Introduction

The pressures by which the processes of colonisation and agents of the Crown forced Maori landowners into sale and eventually towards virtual landlessness, have fuelled disparity and impoverishment within our people. Issues such as access to valuable timber and gold which destroyed our land, along with the leasing and on-selling of our lands for settlement and the development of farms and towns, has all been at our personal cost. Our rivers have run dry and our patakas are empty.

4. This was done by means of manipulative and unethical practices such as the reihana, which can only be termed as legislative theft by bodies such as the Maori Land "Stealing" Court. As well as the political system, other instruments of oppression were used under

the religious, educational and financial systems, to abrogate our collective and individual rights under both law and lore, to separate owners from their lands, the forest, the fisheries and taonga tangata - essential to the holistic well-being of our people. Disparity, cultural suffering and deprivation followed. Our elders have spoken countless times of the pain, the suffering and frustration caused by the actions of the Crown for multiple generations. Many of them have now passed on with no redress or recognition for their suffering. We feel it is now up to us to appeal to, and work in conjunction with the Tribunal, to right these distant wrongs of the past.

We would also like to draw your attention to the impact of these key prejudices in recent times where under Crown policy, only Iwi were accepted - and because hapu and whanau could not be recognised, they went unidentified and unrepresented. The Treaty of Waitangi was signed by 530 Rangatira representing hapu. This "invisabilisation" is still affecting us today in a variety of ways, including our exclusion from the benefits to which we are also entitled, such as our share of the fisheries' payments, and health and social service delivery, made to Hauraki Iwi.

Research for the Tamatepo Claim

TAMATEPO was the first-born son of Marutuahu who conquered and claimed the Hauraki from the Te Arawa people in the 15th century. He was a lot older than his brothers by a number of years and was spoken of as being a man of mana and peace, who was opposed to unnecessary bloodshed. He was witness to his wife's people being the recipients of violence when some Marutuahu tribes encroached upon their territory. This reinforced his opposition to such practices: Where necessary however, as evidenced in the Poi Hakena case, he was capable of, and did carry out, local conquest. In keeping with his more peaceable character, Tamatepo remained passive in the face of his younger brother Tamatera's recorded aggression within Hauraki.

7. Despite the aggression of Tamatera, and his wish to dominate within Hauraki, he did not reside there for his full life. After the death of Marutuahu, Tamatera absconded with his stepmother, Paremoehau. This was an offence under tikanga and Tamatera took flight with Hinerunga to the Bay of Plenty. Some of his descendants were reputed to have lived in Katikati for "46 years". Tamatepo's second brother Whanaunga chased Tamatera and finally chased him from the place known today as Paeroa. Some of Tamatera's descendants finally returned to the Hauraki in approximately 1830 when they were given land because they no longer had ahi ka.
8. Tamatepo however, did not leave and his domain covered large regions of the Hauraki, as evidenced in the documentation within this claim.
9. Directly descending from Tamatepo and both of his twin sons, the Watene Whanau have remained on what is left of their lands following alienation and unlawful dispossession of their lands and rights by the Crown and its agents. They reside to this day in the settlement known as Kirikiri.
10. After 1830 the settlement of Kirikiri became very active for the descendants of Tamatepo, first son of Marutuahu, who named themselves tribally as NGATI MARU. They did not wish to call themselves Tamatepo, unlike Ngati Tamatera or Ngati Whanaunga, but chose to take their Tipuna's name, NGATI MARU. Ngati Maru is therefore the name of the descendants of Tamatepo.
11. In later times Pau Tangi of the direct Tamatepo line, married a chieftainess from TE ARAWA, and in honour of her status, those whanau named their hapu NGATI TE AUTE. The hapu has been called that name to this day They are the NGATI TE AUTE hapu of NGATI TAMATEPO.
12. Prior to 1883, NGATI TE AUTE'S settlement consisted of over 100

people, with 12 homes and a steep shingle-roofed Anglican church house. It was built of kauri to accommodate the population, by donated skilled and unskilled labour including our grandparents.

13. Religion and religious freedom became a strong part of the hapu. About 2 or 3 years after the erection of the Anglican church in the 1890's, the Mormon missionaries arrived into the settlement, residing in the house of the grandparents, Mita and Kateraina Watene.
14. A church of Jesus Christ of Latter Day Saints was also erected beside the Anglican church, facing the main Thames - Paeroa Highway. These two buildings stood side by side along the old tramline road to the Kirikiri bush. From then on they became an unprecedented historical landmark - two unaffiliated churches standing side by side.
15. That achievement showed the tribe's freedom of worship without prejudice against one another. The spiritual-mindedness of the community showed the hapu's acceptance of Christianity quite early, along with education for their children at a time when there was not even a school available to them.
16. The hapu was also the proud possessor of two boarding houses, located about 150 yards on the south side of the Kirikiri Stream. One was owned by MATENE TE NGA and the other by HORI MATENE, his cousin, on the other side of the road. Complete with bars and parlour rooms, kitchen and dining rooms, these buildings - owned by the local whanau - had 8 bedrooms on the first floor. The first two bedrooms upstairs opened up into a ballroom where our Tipuna and Tupuna met, entertained their guests, and danced the night away. To the rear was a playing field. This was a 3/4 acre patch of open ground where all sorts of sports and entertainment were held.

17. After church on a Sunday, Mita Watene played a very important role in the way that the Watene whanau was to develop into the future. It was this visionary man who shaped the family into its religious and political role. The land that the churches were built on was donated by Mita and Kataraina. The name of the land was ARATITAHA which means the CRADLE OF LEARNING. Mita Watene's whanau were described by President Magleby of the Mormon church as "quiet and gentle in manner, expert cultivators, reputed gardeners and orchardists, providers of sustenance for whanau, hapu and multitudes of manuhiri, and lovers of nature."

18. **Summary**

Thus was the legacy of our Tipuna and mentor TAMATEPO. His legacy and the beliefs and compassion he held have been witnessed from his day to the present, where the occupation of our land remains today. This land where our ancestors are buried, and where the whanau of this hapu continue to uphold the principles of ahi ka on the small and shattered remnants of the domain that was once ours, undisturbed until the encroachment of "**civilisation**" and its oppressive regime.

19. We the descendants of TAMATEPO, who whakapapa directly to this man of mana, the eldest son and tuakana of MARUTUAHU, maintain the occupation of our lands, and hold fast to the name of our Tipuna - a man whose rights and whose name has been maligned and abused, who has been cast aside by impostors re writing our history and laying fraudulent claims, and whose legacy must now be witnessed.

20. I have no doubt that there are already people within the governing structures of the Hauraki Iwi, who are eager to sign any negotiated settlement the Crown will offer, and, as is demonstrated in the evidence of our eponymous ancestor TAMATEPO and the claims of his descendant hapu, it will not matter whether the settlement is just and valid. The redress has already been pre-determined and has no

relevance to the evidence.

21. This immediate claimant group represents Ngati Rongo U, Te Patutatahi, Te Matahau and Ngati Tawhaki, as well as other hapu of Ngati Rongo U, who are not standing here today. We have all been "invisibalised" and have become a silent majority. Because we are working to a clustering of claims, we are using this inclusive rather than exclusive approach, which we believe is more akin to Maori methodology.
22. We offer the Waitangi Tribunal the opportunity to put right these recent injustices in the Hauraki claims that have been made over the lands of our Tipuna. We also seek your support in addressing the wider injustices, perpetuated by the Crown and its agents, whose actions have abrogated our rights under the Tiriti, resulting in the impoverishment of our whanau, with the resulting spiralling disparity and unchecked deprivation. The obvious manifestations of this are the loss of our Tikanga base, the loss of our language, the state of our health, our prison rates, our alcohol and drug abuse, our crime and violence.....the list of familiar negative statistics is endless. While the Crown committed these original injustices by creating this vacuum, the effect has been compounded by Local Government.
23. Tamatepo descendants have adhered strictly to the rights of the Government to govern as guaranteed under Article 1. We therefore fail to comprehend why the Crown for its part, completely ignored our rights under Articles II and III. If the Crown were men and women of honour, this hearing would not have been necessary.
24. We see and hear Ministers of the Crown on tv and radio, talking about "justice". We even join other countries to condemn injustices. For us, the indigenous people of Aotearoa, we have to beg for justice. Why ? All we are seeking here today is "justice". We seek only our rights in law. the right of redress, our rights to our taonga.

and its protection for the benefit of all in need within our hapu, as guaranteed under Article II and IE of the Treaty of Waitangi.

25. As the claimant to the Wai 970 claim on behalf of TAMATEPO and his descendants, I want to state publicly, and in the presence of the Tribunal and my peers, that we from this day forward, are to be known as TAMATEPO of the MARUTUAHU CONFEDERATION OF TRIBES.

26. I would like to acknowledge, with respect, the other families from our hapu, Ngati Te Aute who have been involved in this matter.

HAKARAIA PAUL WATENE GURNICK

DATED:

WHAKAPAPA OF HAKARAIA PAUL WATENE GURNICK

