

IN THE WAITANGI TRIBUNAL

Wai 686 #W22
Wai 811#B3

IN THE MATTER OF

THE TREATY OF WAITANGI ACT 1975

AND

IN THE MATTER OF

THE WAI 811 CLAIMS

AND

IN THE MATTER OF

THE MARUTUAHU CLAIMS

STATEMENT OF EVIDENCE OF WILLIAM KAPANGA PETERS

INTRODUCTION

1. My name is William Kapanga Peters and I currently reside at Parawai in Thames. I have previously presented evidence before this Tribunal for the Wai 100 and the Katikati/Te Puna claims.
2. Before I was born my father moved away from the heart of our rohe in Hauraki to our rohe extremities in Auckland. There I was born and bred as were my brothers and sisters and am the eldest of five. Through my lifetime our extended whanau in Auckland have always maintained our links to our whanau in Hauraki by returning often.
3. My father Karaka Peters (Taurua) was born and bred in Thames and lived at Parawai with his grandmother Te Aira Meremana of Ngati Maru and his grandfather Wiremu Taurua of Patukirikiri descent. My mother is from the whanau of Tukukino of Ngati Tamatera of Ohinemuri and was also born and bred in Auckland as her parents left Paeroa to follow others to the cities for work.
4. Through the controlled marriages of our elders our bloodlines are all interlinked thus through both my parents I am able to whakapapa to Patukirikiri and the Marutuahu tribes consisting of, Ngati Maru, Ngati Whanaunga, Ngati Paoa, Ngati Rongo U and Ngati Tamatera.
5. When I was growing up in Mangere my father would often return to Hauraki for meetings about our lands and was still involved with these things until his death in 1996. I even remember the New Zealand Herald interviewing my father at our home in Mangere about our lands being taken by the Thames Council.

Maoritanga

6. At school I took French as a language thinking I'd learn Maori from my elders in Auckland when I left school. To my surprise my elders could all understand Maori but were not fluent speakers as they had been forbidden to speak when they were children. My father taught me what he knew of our history and tikanga etc. and because I had shown an interest, he also introduced me our whanau whakapapa books.

7. After my father taught me what he knew he instructed me to return to my mother's whanau at Te Puru and Paeroa to learn more of our history and our tikanga. This I began to do and count myself quite fortunate to have been taught by many of our elders who sadly are no longer among us.
8. While I undertook this learning from my elders I joined the armed services in 1976, but continued to return to Hauraki to sustain my instruction when I was in the Country, however my interaction with other Maori from other tribes in the armed services taught me that we were one of the worst affected people in Aotearoa regarding our general Maoritanga.
9. I realised this was mainly due to our knowledge not being passed on, as many of our younger people were either living outside our papakainga areas or too busy trying to survive in the cities, which resulted in many of our elders passing on before they were able to pass on their knowledge. This caused our overall knowledge base to slowly deteriorate.
10. As the oldest son I determined to learn all that I could, for I knew the time would come when I would be called upon by my elders to perform certain Marae functions. This I did and like my father continually returned home with my whanau so they could maintain their links back in Hauraki. After I had completed my 20 years in the Services I retired and returned home to Hauraki in 1996, with my whanau.
11. Since 1997, I have held the position of General Manager for Te Patukirikiri Iwi Incorporated and am also the Iwi representative on the Hauraki Maori Trust Board. I hold various trustee positions throughout our rohe for my different Iwi while my daytime job is Environmental Manager for Ngati Maru Runanga.
12. Our position on the Hauraki Maori Trust Board during the Wai 100 claims were solely for Patukirikiri purposes, however this claim didn't include our other Marutuahu Hapu lands.

13. Furthermore some of our Patukirikiri lands were not presented, thus we registered our own claim, which is effectively a Marutuahu claim from our particular Marutuahu and Patukirikiri ancestors. However our legal administrative body for our claim is Te Patukirikiri Iwi Incorporated. Therefore our claim is effectively a Marutuahu whanau claim derived from our many particular ancestors of those different branches.

TRADITIONAL ROHE ESTABLISHMENT

14. After our ancestor Kapetaua had defeated Tarakumukumu at Waiheke¹ he took control of those Wai o Hua areas at Kohimarama and the Islands. Kapetaua then crossed over to Kapanga (Coromandel) where they conquered lands from Ngati Huarere and settled there. After also establishing their Manawhenua there they began to expand their territories. For example Kapetaua took the Marakumara or Kumara cultivation Te Rakato from Ngati Huarere, which was a prized cultivation at Waiau. His people occupied Pukeatua Pa in that area.
15. Ngati Huarere were now aware of the expansion of our people, and though hostile towards that expansion did nothing, however after some time, intermarriages occurred that led to hostilities lessening to a certain degree. During this time Ngati Huarere of Kapanga became aware of Marutuahu who had arrived in the south and after defending the Mana of his father Hotunui in the battle of Ikapukapuka, had settled at Whakatiwai on the western shores of Tikapa Moana.
16. Marutuahu married two sisters and had five sons being Tamatepo, Tamatera, Whanaunga, Te Ngakohua and Taurukapakapa who were raised with their parents at Whakatiwai. When they came of age they participated in the wars that enveloped the Hauraki region of that time, as did their own offspring until the region fell under the control of the Marutuahu people and their allies, like Patukirikiri.

¹ Background to Battle - Refer Wai 100 - Traditional Evidence of Patukirikiri

17. Meanwhile the people and descendants of Kapetaua were protecting their areas though we were greatly outnumbered by Ngati Huarere, whose attention was soon forced to attend to their deteriorating situation in the south at Hauraki.
18. This was due to the actions of one of their in-laws named Paeko from Ohiwa in the Whakatane region, who had murdered the wife of Taurukapakapa, which led to dire consequences for Ngati Huarere.
19. The actions of Paeko forced Ngati Huarere on a path of self-destruction that resulted in their (Ngati Huarere) demise and complete dispossession of any authority in the region. Later on, this warfare attracted the attentions of their equally powerful relatives in Tamakimakaurau (Auckland) the Wai o Hua, who attempted to aid Ngati Huarere, and as a result suffered the same fate.
20. When the Auckland area was fully dominated by the various Hapu and allies of Wai o Hua, though there were Tainui waka descendants like ourselves in Tamaki, the Marutuahu war party under Rautao and Whaanga, the great-grandsons of Marutuahu, attacked the area in answer to the previous murder of Ureia, a Marutuahu taniwha, and later, two Ngati Maru chiefs, all at the hands of Wai o Hua and their allies, which includes the Iwi of Ngati Tai, Kawerau and Te Tao.
21. In the attack of Auckland the Marutuahu took many major Pa principally situated along the eastern seaboard from Papakura to Mahurangi, however, to stop the onslaught Wai o Hua sued for peace and at a meeting at Oue, this peace was concluded and cemented with Parekaianganga, a Wai o Hua highborn princess given to Rautao as a wife.
22. Rautao considered that utu had been obtained and as a result some of the Marutuahu people began to establish their communities in the Auckland area, without threat.

23. However, after that episode of warfare, Wai o Hua were never able to adequately recover enough to properly defend their remaining domain, with the bulk of their people remaining in their last bastion around the Pukaki and Mangere areas, where their descendants still remain today.
24. As a result of their weakened state, Wai o Hua became easy prey for other Iwi.
25. While it is not our intention to demean the prowess of other Iwi in warfare especially those other Iwi who claim to have conquered the "Auckland area" it is our intention to identify our prior established interests in the Auckland area as part of the Marutuahu rohe, and all based on Manawhenua before anything else.
26. It should be noted that the Marutuahu had already broken the authority of the Wai o Hua in Auckland long before the arrival of those other Iwi who claim Manawhenua in the area.
27. While this may sound contrary to the claims of those other Maori groups who claim to have conquered all of Auckland and the entire Wai o Hua people, and everyone else in Auckland except the Marutuahu people, our traditional oral history tells us they were not among the principal combatants during our invasion and in fact were not even present during that time.
28. Thus our invasion of Tamaki is well known and acknowledged in Maoridom, and supported by the facts that while they were not part of our battles when we invaded, we were certainly part of theirs when they finally arrived in force. What should also be identified is that their claims to the Auckland areas became exclusive after the arrival of the Pakeha and their ink pen.
29. However, thus was the fate of Ngati Huarere and the Wai o Hua.

30. It is ironic that after the subjugation of Wai o Hua and as the war with Ngati Huarere was drawing to a close and their destruction was fully imminent, Paeko who had started the whole affair, fled back to Ohiwa never to return for fear of death not only at the hands of the Marutuahu, but also Ngati Hako who like the Marutuahu, blamed him for the wars.
31. During this time of warfare some of the Marutuahu people had arrived in the Moehau region and intermarriage had occurred between the whanau of Marutuahu and Kapetaua. These marriages formed alliances that provided for better protection of the area.
32. The first major marriage of importance with the Marutuahu was the marriage of Kunawhea, the granddaughter of Marutuahu and Te Rangitaotao the grandson of Kapetaua.
33. I give the following whakapapa of our principal descent from Kapetaua and Marutuahu showing this first link in marriage.

[Whakapapa 1]

<i>Kapetaua</i>		<i>Marutuahu</i>
<i>Te Uira</i>		<i>Tamatera</i>
<i>Te Rangitaotao</i>	=	<i>Kunawhea</i>
	<i>Te Rangitaotao II</i>	
	<i>Wairua</i>	
	<i>Haumia</i>	
	<i>Taingaro</i>	
	<i>Tumaiwaho</i>	
	<i>Poau Pita</i>	
	<i>Taurua</i>	
	<i>Wiremu Taurua = Te Aira Meremana</i>	
	<i>Rangituia Karaka</i>	

34. Over a period of time the relationship between the descendants of Kapetaua and Marutuahu strengthened.

35. For Patukirikiri and Ngati Tamatera, important marriages also occurred with Ngati Hako and Ngati Rongo U, and later Ngatiwhanaunga, Ngati Paoa and Ngati Maru. These marriages and alliances ensured the survival of all our ancestors in the district and we are living proof of that today.
36. Other Marutuahu Hapu entered the Kapanga and Waiau areas, which resulted in our Hapu intermarrying with each other and our ancestors manipulating those marriages to produce the best possible bloodlines for the security of the region. The end results are strong blood-ties and relationships shared between almost all the whanau in the area.
37. Our rohe today, achieved through force of arms before all other criteria, like occupation etc. is generally described as "*Mai Nga Kuri a Wharei ki Mahurangi*" or more specifically "*Mai Matakana ki Matakana*", however the land marks involved regarding our core boundaries are as follows,

"Mai Nga Kuri a Wharei ki Matakana te motu ki runga, tae atu ki Te Aroha, tae atu ki Hoe o Tainui, tae atu ki Hapu a Kohe, tae atu ki Hunua, tae atu ki Maungataketake, tae atu ki Puketutu, Whakawhiti atu te Whanga Manukau ki Maungakeikei, tae atu ki Maungawhau, tae atu ki Pukekawa tae atu ki Te Routu o Ureia, Whakawhiti atu te Whanga o Waitemataa ki Onewa, tae atu ki Pupuke, tae atu ki Mahurangi ki Matakana to awa, Whakawhiti atu Tikapa Moana ki Tahua, e whakahokia ki Nga Kuri a Wharei."

"From the dogs of Wharei to Matakana Island above, arriving at Te Aroha, to Hoe o Tainui, to the Hapu o Kohe ranges, to the Hunua ranges, to Maungataketake to Puketutu, across the Manukau harbour to Maungakeikei, to Maungawhau, to Pukekawa to Te Routu o Ureia, across the Waitemataa harbour to Onewa, on to Pupuke, to Mahurangi, to Matakana the river, crossing the Hauraki Gulf to Tahua and back to Nga Kuri a Wharei."

38. You will note that many of the places mentioned in the Auckland region are Pa areas taken from Wai o Hua and their allies by Rautao.

39. Though our people didn't occupy all those places conquered, the area conquered still fell under our Manawhenua as those we had dispossessed of those places returned only in our absence, until the Pakeha allowed them to re-claim what they had originally lost under our tikanga.

General Perception of the Marutuahu

40. The general perception of the Marutuahu is that they are a violent and aggressive people, which in fact is not true.
41. When Marutuahu arrived he did not arrive at the head of a great war party, nor did he arrive with the purpose of conquering the region, he arrived to find his father Hotunui, however during that process he met his two wives and eventually circumstances forced him to war and remain in Hauraki.
42. It is said by our people that at the time of the arrival of Marutuahu, the Uri o Pou people were experiencing their own internal struggles in the region. It is even said they were on a path to self-destruction, which statement was later applied to the Marutuahu people. Perhaps it is a hereditary trait.
43. To the contrary of that it is also said that the Uri o Pou were a peace-abiding people, so like all societies there are roughnecks and there are gentle-necks.
44. Our oral traditions say Marutuahu arrived in the region with only one retainer whose name was said to be Te Toitu' and did not have a large contingent of people at his disposal. It was his in-laws, the whanau of his wives 'Paremoehau' and 'Hineuranga', being part Kahui Ariki and Uri o Pou that made up the bulk of the war party that helped avenge the insults committed against Hotunui.
45. It is also said that they (the in-laws) had their own 'bone-to-pick' with that section of Uri o Pou, however the insult was too minor in the eyes of the other hapu of Uri o Pou for utu thus they wouldn't support it.

46. When it was found that Hotunui was being poorly treated, the in-laws used that situation as an opportune time to avenge their own insults while justifying their involvement as helping Marutuahu the newest member of their hapu.
47. To also divert any direct blame away from themselves so they didn't have to answer to their other relatives of Uri o Pou, they placed themselves under the overall command of Marutuahu, which is very rare as command of a hapu war party is normally the realm of the hapu chiefs.
48. The result is that the total success of Marutuahu at the battle of Ikapukapuka gave rise to his fame and because of his overall skills, part of the Mana of his in-laws passed to Marutuahu. As a result, soon after, this particular hapu fell under his control.
49. Marutuahu and his offspring were willing to live side by side in peace with the toi whenua of the region, and to demonstrate that his sons married into those toi whenua groups to secure bloodlines and alliances.
50. However, most of the toi whenua groups in the district were alarmed with the destruction of Uri o Pou at Whakatiwai and became disgruntled at the establishment of Marutuahu in the area. Thus when those marriages occurred with the toi whenua groups, things began to settle down until the foolish actions of Paeko forced the Ngati Huarere into a war with the Marutuahu.
51. Thus a chain reaction began with murders committed by Ngati Huarere, followed by an equally severe reaction by the Marutuahu to avenge those murders, which carried on for some generations.
52. The murder of Waenganui by Paeko, amongst her own people, shows their spite towards her husband Taurukapakapa, a son of Marutuahu. This initial murder was only one in many committed by deceit against the Marutuahu people.

53. The Marutuahu people avenged these murders under tikanga, i.e. utu through warfare.
54. Thus the wars concerning the Marutuahu people and the toi whenua have been reactionary for the Marutuahu in nature in answer to the atrocities and murders committed against them.
55. However once committed to warfare, and though at the time our people's numbers were not great, our skill in warfare more than compensated for that, thus the saying,

*"Ahakoa te iti, ka nui te wehi
"Although small, great is the dread"*

56. The conceptual fame of this saying was used to advantage generations later by our ancestor Taraia who was in command of 70 warriors at the time and travelled to the Urewera to retrieve a taonga they had stolen. When he reached his destination he and his men were confronted with overwhelming numbers of Ngati Manawa, Tuhoë and Ngati Maru of the Urewera district. They brashly pointed out to Taraia that he did not have enough men to enforce his will. He replied to them,

*"Ahakoa he iti te matakahi ka pakaru i ahau te Totara"
"Although the wedge is small, with it I can split the Totara"*

Though his enemies greatly outnumbered him, Taraia and his war party stood their ground and let it be known that they would fight if their demands were not met. The stolen taonga was quickly returned to them and the Marutuahu warriors calmly departed.

57. Thus, our ancestors would fight if necessary, they were not in fact aggressive, nor were they warmongers as many think today. Our wars with all our enemies are the result of an incident or a crime committed against us, and those who would not molest the Marutuahu people were themselves left unmolested.

58. In fact our Marutuahu ancestors acknowledged their whanaungatanga, whakapapa and aroha and strongly expressed, and demonstrated these things to all those iwi, whose descendants still exist in Hauraki today because if they had not, then perhaps there may not have been as diverse a population as there is today within our rohe.

59. Therefore, the fact that our region has many diverse and different Iwi exercising their own autonomy contained within the umbrella of the Marutuahu attributes to that whakapapa. For example,

... The fact that Ngati Paoa, Ngai Tai, Ngati Tumutumu, Ngati Tara, Ngati Koi and Patukirikiri, have retained their own Manawhenua, Manamoana and autonomy as part of the Marutuahu, though it is not their senior male lines, but their female lines that descend from Marutuahu, clearly demonstrates that whanaungatanga.

... The fact that Ngati Hei joined their relations Ngati Huarere and participated in the outset of the battles but withdrew and became neutral and as a result were not molested by the Marutuahu until they themselves attacked Ngati Tamatera at Tapu by sacking Aorangi Pa only to be caught and defeated at the foot of Maumaupaki.

Complemented by Ngaiterangi who said that Te Popo of Ngati Tamatera grew teeth to consume his relatives in Hauraki by joining an expedition with them into Hauraki, and while Ngati Hei's evidence says it was a Ngaiterangi war party under Tuterangianini that attacked them at Wharekaho, it was actually Ngati Tamatera under Tuterangianini alias Te Popo who attacked them, for their (Hei's) attack at Tapu.

Yet through their whanaungatanga and whakapapa with the Marutuahu Ngati Hei still exists in Whitianga and exercises their own particular autonomy within the umbrella of the Marutuahu.

...The fact that Te Aitanga a Mate (at Harataunga and Mataora) and Te Tawera (at Ruahine) still exist and exercise their own particular Mana and autonomy within the region and within the umbrella of the

Marutuahu over lands gained through the generosity of the Marutuahu, considering their senior male lines are not those of the Marutuahu.

...The fact that the Marutuahu people granted their relatives of Waikato access via a corridor for their protection, to the kaimoana and fishing area on the Western shores of Tikapa.

... The fact that despite the earlier stages of warfare between Ngati Tara and Ngati Hako, and then the Marutuahu, that Ngati Hako are still in full control of their destiny and still exist exercising their own particular autonomy within the umbrella of the Marutuahu.

... The fact that Ngati Rahiri has been directly involved in warfare with the Marutuahu as an individual Iwi, but later discontinued that warfare and were then left unmolested to still exist exercising their particular autonomy within the umbrella of the Marutuahu.

... The fact that those who continued to resist the Marutuahu like Ngati Huarere, Wai o Hua, and Nga Marama now no longer hold Manawhenua in the rohe and are only shadows of their former selves with their once great estates lost to them forever, and the fact that all these above mentioned Iwi, including Kahui Ariki, Te Uri o Pou etc. their waka, their ancestors and their whakapapa, are still alive and present in the bloodlines, the genes and the wairua of each and every one of our people today.

60. The one commonality all these diverse Iwi from their different backgrounds and waka have is that they all share whakapapa to the Marutuahu, and in some form or another were fully accepted by them.
61. Therefore it was not aggressiveness or war mongering on the part of the Marutuahu that solely created our diverse makeup of Iwi within our rohe, it is our generosity, our whakapapa, our willingness to share and the ability to forgive and to accept others into our fold that has created our current scenario.

MANAWHENUA

62. It is my understanding that all societies throughout the world have one thing in common, and that is when they established their authority over their possessions they achieved it through force of arms, which is recognised everywhere in the modern world except for modern New Zealand it seems. This is the principal and fundamental establishment of any authority.
63. Maori societies were established no differently and in due course maintaining their Manawhenua meant retaining and protecting their hard earned possessions.
64. Our ancestors of Patukirikiri and the Marutuahu established and maintained their Manawhenua over our particular resources through force of arms above all else, however its associated tikanga is currently, a misunderstood concept. The core philosophies applied to it today are not of Maori origin, but of non-Maori influence.
65. Thus the best mis-interpretations of Manawhenua I have ever heard are from those who don't have it.
66. There is a principal element to Manawhenua, being the ability under tikanga to exercise absolute authority over all resources, assets, and people. To obtain that Manawhenua, one had to destroy the Mana of the principal enemy chiefs and their close relatives physically and spiritually, and take control of their possessions. This was to extinguish their overall Mana, and their tribes Manawhenua.
67. Once Manawhenua was established in an area, intermarriages on its borders with other Hapu and Whanau (who are the actual holders of Manawhenua) secured allies and blood-ties that strengthened inter-hapu/whanau relationships to enable that area to be jointly held and defended.
68. From this point Hapu and Iwi dynasties were established.

69. In many cases especially where counter-claimants are concerned, the Native Land Court is responsible for not recognising Manawhenua as the principal claim component to any lands claimed. By refusing to acknowledge that Manawhenua it has created a vortex of problems associated with Maori land that has descended through time.
70. This problem is still relevant today.

Manawhenua Waiheke Island

For example, when Kapetaua conquered the areas of Tarakumukumu on Waiheke Island he assumed the Manawhenua associated with those places. Later his descendants settled on Waiheke Island.

Paoa the eponymous ancestor of Ngati Paoa had arrived in the region and married Tukutuku a grand daughter of Tamatera and through their (Paoa and Tukutuku) direct descended hapu of Ngati Hura, Ngati Kapu and Te Uri Karaka¹, settled on the Island and intermarriages firmly established those descendants Manawhenua there.

Later Ngati Maru also settled on the Island thus a strong contingent of Marutuahu demonstrated its Manawhenua.

During the Native Land Court sittings for Waiheke², the Ngati Paoa Chiefs Tamati Te Otutau and Wiremu Tamehana Tukere formally recognised and acknowledged their whakapapa links to the lands of Patukirikiri on the Island and informed the Court that the land under investigation belonged to Pita Taurua, the principal Chief of Patukirikiri at the time, who was also present at the investigation.

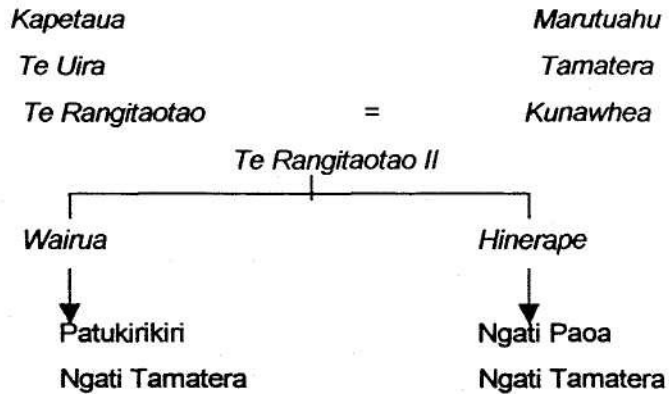
In response Pita Taurua then returned the kaitiakitanga of those Patukirikiri lands to his cousins Tamati and Wiremu because they were also Patukirikiri from the line of Hinerape.

This simple exchange between cousins demonstrates the strong association and whakapapa links between our people and the Manawhenua involved.

² Refer Waiheke Minute Book No. 1

I give the following Patukirikiri whakapapa to Hinerape.

[Whakapapa 2]



The descendants of Hinerape became the kaitiaki for Patukirikiri on Waiheke Island and are more generally referred to as Ngati Paoa with many of them still acknowledging their current Patukirikiri links.

For the Native Land Court they recognised the Manawhenua involved because they awarded those Patukirikiri lands to those named in the title, however the current Maori Land Court does not recognise it.

An application was lodged with the Maori Land Court several years ago to establish a Whanau Trust on Waiheke Island, however within the terms of the Trust it stated that the beneficiaries would include the descendants from Paoa and Tauhakiri, who was the first wife of Paoa from Waikato.

The fact that the applicant was half Waikato herself and supported by her Waikato relatives sitting in the Court twisting tikanga to achieve a legal foothold for Waikato on Waiheke Island meant nothing, even though it was so obvious. The fact that Tauhakiri had no interests whatsoever on Waiheke Island, and that the descendants of Tauhakiri as her descendants are not related to those awarded title to Waiheke Island in the Native Land Court also meant nothing.

These people even went so far as to claim that Tukutuku was of no account and that she was junior in stature to Tauhakiri therefore they were the elder branch of Ngati Paoa.

They did this to allow their case to be heard, yet, the mantle of Ngati Paoa for them is a reminder of their shame considering that Tipa and Horowhenua, the sons of Paoa and Tukutuku assumed the mantle of Ngati Paoa when they defeated and killed their elder brothers Taowhana and Taopoto of Tauhakiri, in a battle to the rights of the Mana possessed by Paoa, as their father.

Therefore the absolute Mana of Paoa passed to Tipa and Horowhenua whose descendants are Ngati Paoa and not to the descendants of Tauhakiri.

Furthermore the descendants of Tauhakiri have never regained utu for that battle and were not strong enough to possess the Mana of Paoa as their eponymous ancestor, as we did. Perhaps trying to steal what is rightfully ours by birthright through the Maori Land Court is their only way of retribution against us, as they were unable to achieve it in the past.

We raised these tikanga issues with the Judge associated with the Manawhenua on the Island specifically the fact that the direct beneficiaries in accordance with the terms of the trust should only be the descendants of Paoa and Tukutuku, and that Patukirikiri had not given the status of kaitiakitanga to our lands to the descendants of Tauhakiri or any other people.

In the past we have allowed our inland whanaunga, particularly Waikato access to our foreshores of Tikapa Moana to collect kaimoana. The applicants tried to deliberately use our aroha to enhance their claim to direct rights to all our Islands and resources contained within Tikapa Moana, instead of admitting what it really was, a privilege to them granted by us.

This privilege is a very clear demonstration of our Manawhenua, no matter how these people attempted to abuse it and this should have been recognised by the Court, however it was not.

71. Let there be no misunderstanding. Despite the claims of some to the contrary, the Tangata whenua of Waiheke Island are Ngati Paoa, Ngati Maru and Patukirikiri.

MANAWHENUA TIKANGA

72. The topic of Manawhenua also has another divisions known as servitude, and this topics has been a very sore point for some years among all of our people, simply because many do not understand it and apply foreign philosophies to it, while others would deliberately destroy its meaning to change their history.
73. Each side to the debate has a position that supports their Mana as it should be, however, our tikanga needs to be recognised and accepted because today no matter the circumstances we are all related and are a mixture of both influences. The difference is, whose influence we wish to accept and stand under.

Tutua - Servitude

74. There is a difference in Maoridom between servitude, 'rahi' or 'tutua' and, 'taurekareka' meaning 'not slavery' but those of no account.
75. Servitude was a debt owed for a specific reason, and depending on the severity of ones debt one was generally free to act as one wished, except in the presence or under instructions of the recipient of that servitude.
76. This position of servitude was a demand of honour under tikanga and many of our ancestors chose this option so their descendants would be free from that debt in the future. Basically one owes a debt to someone and pays it off so that the debt is not carried over to affect other generations.
77. In many cases becoming indebted was a result of having insufficient force to deter warfare against ones adversaries and needed to urgently require help from others. That's one of the principal reasons of arranged marriages to secure alliances, bloodlines and blood ties, thus increasing numbers for the protection of the hapu, the whanau and the region.

78. However in the case where one was in a position of great danger say from a force superior in numbers then one may be forged to request aid from another quarter to at least balance their chances in the upcoming warfare. This type of request had the potential to incur a heavy toll on resources or a debt of servitude or both, and normally one didn't know what the cost would be until after the service had been provided, however all knew that it would be a high price and the price was a demand normally not negotiable.
79. Therefore any debts incurred for whatever reason needed to be paid off as soon as possible, because while a debt remained in force, other resources or duties could also be imposed upon and added to the debt and this could carry on from generation to generation. So if a debt could be avoided it was, and if not, it was paid off as soon as possible.
80. Following is an example of avoiding a debt.

Nga Puhi timed their attacks in 1821 as part of their musket raids, to coincide with the departure of our Marutuahu warriors who had gone to fight in the Manawatu. Their attack on us was purely to avenge their previous 8 consecutive defeats at our hands. As a result some of our people migrated to Horotiu and Maungatautari as the Waikato people, especially Ngati Haua were our relatives and generally our allies, and, Waikato had a peace treaty with Nga Puhi at that time.

By the time our war party returned our people were fully entrenched in the Waikato. Some of our war party followed their relatives to Waikato, while contrary to popular belief many remained within our rohe at Hauraki.

The Waikato especially Te Waharoa of Ngati Haua had welcomed and embraced our people under their treaty umbrella, which effectively put us in debt to them for their shelter against the Nga Puhi raids. Though the exodus to Waikato caused a situation where the Marutuahu people became indebted to their relatives Ngati Haua for their shelter, the difference here was our numbers and our arms were far in excess than that of Ngati Haua, and we had far more reserves to call upon.

This was a highly unusual situation for Ngati Haua to be in and as a result this situation eventually led to the battle of Taumatawiwi.

Taumatawiwi was a very strange battle and is a contentious topic by many historians past and present. This is because it is unusual in its concepts and its outcome, however, only if you apply Pakeha philosophies to this warfare. This battle is well documented and it has wrongly influenced many people and has been wrongly interpreted by most commentators.

We, for instance say that we won the battle, while Ngati Haua and Waikato say they won. However under our tikanga, we are both right, because for the Marutuahu the principal purpose of the battle was to avoid being in debt to their relatives, which is a status that many tribes try to avoid at all costs.

When we look at the end result of the battle, there were no slaves taken, arrangements were made to remove their respective dead from the battlefield with the Marutuahu jokingly telling their adversaries not to bum their dinner, no spoils of war were taken and, no claims were ever made by either party of asserting authority over each other. These simple facts demonstrate it was an unusual battle.

This may sound surprising and contrary to what people believe however, in all accounts at the end of the battle the Marutuahu people held the advantage of superior numbers, superior arms, and the advantage of position, where Ngati Haua had suffered a mauling had lost many of their leading chiefs, had whole hapu of their allies from Tauranga wiped out.

Yet when things looked worst for Ngati Haua, the Marutuahu decided to just stop the war and let the remnants of Ngati Haua "*show them the way home*", even though everyone knew where it was just over the next hill.

While the Marutuahu were still strong enough to continue with the warfare, Ngati Haua and their allies were not, however the Marutuahu had set out with a specific reason to cancel any debt against them.

Due to the Marutuahu numbers, we achieved our goal by placing Ngati Haua in a very delicate and dangerous position, and as a result their protection under their treaty was withdrawn thus releasing us from their debt while we deliberately ceased engagement with Ngati Haua to avoid their becoming indebted to us - thus we are even.

The tikanga behind this is quite simple. The Marutuahu people did not wish to be indebted to the Waikato people, particularly Ngati Haua, thus they simply extracted themselves from the area by forcing Te Waharoa to withdraw his offer that allowed our people to shelter under their peace treaty, thus cancelling any potential debt that may have been incurred.

Te Waharoa withdrew his invitation at the end of the battle when he insisted that our people should return home as there was no place for them in Waikato, thus effectively withdrawing their treaty protection.

This is what our people were waiting for and why they could not deliver the final blow, for if the invitation had not been withdrawn, we would still be indebted to Ngati Haua today, and, had we delivered the killing blow our integrity would be worthless today.

At the end of the day the Marutuahu people are debt free as is Ngati Haua, thus both sides are winners of the battle of Taumatawiwi.

81. Even after the battle there is no animosity or rivalry between the Marutuahu and Ngati Haua tribes and relationships are still good, and there are no references made to being indebted by either side through the peace umbrella and/or the war. However both sides still debate the issues of who won the battle, even though the results of battles are usually quite clear-cut.
82. An example of a debt being paid off generations later happened during the time of Te Rauparaha and Te Wherowhero, who would later become the first Maori King. During this time Ngati Toa and Ngati Raukawa were on unfriendly terms with their relatives of Waikato and Maniapoto and as a result war broke out. A time came when Te Rauparaha had besieged the Pa of Te Wherowhero.

Te Rauparaha had Te Wherowhero and his people bottled up in their Pa. Te Wherowhero realising the Pa was in danger of being overrun and everyone killed exclaimed to Te Rauparaha,

"E Raha, he aha to koha maku?"

"Raha, what is your gift to me"?

This phrase reminded Te Rauparaha that he and Te Wherowhero were closely related thus he ceased his attack and withdrew.

This debt was paid off 100 years later when descendants of both chiefs were contesting a Maori Seat in Parliament, and that of Te Wherowhero was winning. At the last hour in a desperate attempt to salvage the situation the descendant of Te Rauparaha stood and said,

"E Raha, he aha to koha maku"

The descendant of Te Wherowhero knew immediately the meaning of this phrase and new the debt was still unpaid and he was being called to account for it. Thus as a result, he withdrew from the running and never challenged the descendant of Te Rauparaha for that seat again.

83. Both of these Iwi maintained their Mana since the time of Te Rauparaha and Te Wherowhero, however many a time did Ngati Toa remind Waikato in subtle ways that their debt remained unpaid and Waikato have awaited the proper opportunity to free themselves from their debt, which they did when the opportunity presented itself.
84. An example of a debt not paid off concerns our Marutuahu people, who are still owed reparation by the same Waikato whanau with the Te Rauparaha debt.

Ngati Maru utilised the mud flats of Tikapa as a defensive measure. The mudflats would hamper any approach made from the seaward direction. Te Wherowhero', who later became known as 'Potatau', the first Maori King of the Kingitanga, led a large party of Waikato into Hauraki to attack Ngati Maru at Kauaeranga Pa. Waikato came by way of Pukorokoro portage (Miranda) to travel to the Kauaeranga area.

Ngati Maru, through their many relations along the banks of the river ways was pre-warned of the impending danger, Once warned, Ngati Maru of Totara sent messengers to the other hapu of Ngati Maru in the Kauaeranga [Thames] and coastal areas for assistance. Their call was answered in numbers in a relatively short time as many of the Pa are in close proximity to each other.

Ngati Maru then divided their forces and dispersed themselves, out of sight around the mouth of the Waihou River and other waterways, as well as into the forests and swamplands of the area and then settled down to await the expectant arrival of Waikato.

When Waikato made their way to the mouth of the Waihou, Ngati Maru refrained from attack until Waikato were in the very heart of the trap and then swept out from all directions to encompass the Waikato army. Waikato were stunned as they were outnumbered and completely at the mercy of Ngati Maru.

Their waka were confiscated and sentries were ordered to keep the Waikato taua penned in the mud. Because these people were related by blood, and being no immediate threat, a discussion began that ended in a heated debate.

Many Rangatira and Tohunga sat in council with their people. The debate was argued between the Hapu and Whanau of Ngati Maru for many, many days, meanwhile, Waikato remained stranded in the mud flats. Fresh water and food was readily available and in some cases provided for them, however no other amenities were forthcoming, thus the name of the battle, Tikorauroha.

Fearing that the debate was not progressing well for Waikato, Te Wherowhero addressed Ngati Maru by uttering the words:

"Pare Hauraki, Pare Waikato, - Pare Waikato, Pare Hauraki"

... And secured his release and that of his men with that phrase, which again like the situation of Te Rauparaha, reminded our people we were relatives. As a result it was decided to allow Waikato to return home unmolested.

85. I speak of these things not to demean our relatives of Waikato or the descendants of Te Wherowhero, but purely as a comparison within this section, as there are not many comparisons available to be used.
86. For Waikato, they are still aware of this situation and in good faith constantly remind us that the debt is still relevant by reciting the phrase of Te Wherowhero, and we respond in the same manner indicating our recognition of our whanaungatanga while expressing our modesty to that debt.
87. Some say payment for that incident was the full acceptance of the whakatauki to sincerely remind us to maintain our whanaungatanga with Waikato, while some say it has not yet been paid off.
88. Therefore being indebted didn't mean the total loss on Mana and is not as evil word as some would like to believe. A person in servitude had not completely lost their Mana and still had the ability to regain it.
89. Under our tikanga based on ones actions and nobility, providing it was not at the expense of those owning the debt, one was able to rise to a position of command and respect.

Taurekareka - Being of No Consequence - Slavery

90. Slavery on the other hand was different and under this status, one was commonly known as taurekareka, meaning of no account or consequence. The word slavery is actually a non-Maori term.
91. This status of taurekareka in modern times is used so loosely that it has generated a general opinion that all forms and variations of servitude means slavery, when being of no account literally means having no authority or status over anything.
92. Meaning, each of us is the living proof of our ancestor's achievements as they are carried in our genes and our memories. Therefore we become the Kaitiaki of those taonga that our ancestors and those before them have possessed and collected whether they be tangible

or intangible, however when these things are stripped from you for whatever the reason, you no longer have authority or status over them, thus you are of no account and must start again to build up ones standing and position in the community.

93. Warfare and its consequences was an accepted practice in the past with the chiefs or leaders of any Whanau and/or Hapu being accountable for their peoples overall integrity, however they would not willingly risk that integrity and Mana for anything or anyone.
94. When any action or crime was committed the associated chiefs were held accountable regardless of who made the decision or carried out the action. In many cases warfare could not be avoided due to a mistake that demanded redress.
95. However, when war was inevitable, arrangements could be made to avert the war by the chiefs by suing for peace and offering up the actual perpetrator, and/or ceding valued possessions like a Patu, a daughter, a waka, land or even valuable information to their aggressors to appease those aggrieved of any crime, or all of the above. If war could not be avoided through negotiation then the fight would be to the death or until those avenging the crime believed enough had been done to be satisfied.
96. After a battle, the spoils of war included all tangible and intangible possessions, including women, especially those of high birth to keep the bloodlines of famous ancestors alive, the common people and the vassals of the area were taken, which were then distributed among the victors.
97. Those survivors who had been dispossessed of their former authority were incorporated into the principal Hapu. The chiefs on the other hand were normally executed, however, if a chief was taken as a live trophy, which happened on very rare occasions then it was principally to capture his Mana and Being, by demeaning the person himself.

98. In the case where the crime was unforgivable, everything and everyone was completely destroyed with the victors succeeding to the mantle of Manawhenua, as in the destruction of Maungawhau.
99. Many Hapu and Whanau accepted this predicament of being taurekareka, as the alternative was normally death, however there were also other alternatives available to them as they were never unwillingly stripped of their identity, as some might suggest, and were able to maintain and rebuild their own personal Mana.
100. Remembering that these people were now considered by others in the rohe to be of no consequence or account for they had lost all, an alternative to slavery for them was to leave the rohe and begin anew in another rohe, however this type of decision was very difficult due to their association to the lands and their waahi tapu etc.
101. On the other hand, in leaving they would be ill prepared to defend themselves in another rohe because their numbers would be low with many of their senior chiefs and warriors no longer available. Being of no account would ensure their existence for a time and if they grew strong enough to retake their lost possessions, they would, however when that time usually came, intermarriages had occurred and they were normally considered a part of the Hapu.
102. When those of no account had gained the respect of their principal Hapu and released from their servitude as some were, they would never return to their own parent tribe for fear of being badly treated by their own blood relatives, thus many groups in this position chose to remain where they were.
103. The story of Te Mauparaoa is an example of this. He was a Ngati Kahungunu Chief taken in war by Nga Puhi. He rose in their ranks and became revered to the point where he was permitted to either solely lead or jointly lead Nga Puhi war parties into battle. He refused to return home and start at the bottom again among his own relatives, though during his time many slaves were being released.

104. Our people particularly remember his name and status because he was the one of the leaders, and the sole survivor of a Nga Puhi war party that tangled with the Marutuahu people at Aotea.

Societal Condemnation

105. The concept of holding Manawhenua gives rise to the misconception of the Master / Slave concept, thus when our people so much as mention rahi, tutua, taurekareka or any type of servitude, it conjures up apparitions of Negro slaves chained together in appalling conditions, bad treatment, cotton fields, Kunta Kinte etc. etc.
106. These concepts of slavery derive not of our society, but that of the Pakeha, and we cannot blame our people today for totally rejecting the idea of slavery, even in Maori terms.
107. The reality today is anything associated with servitude is interpreted as slavery, and that word has a more severely abusive meaning than its equivalent in Maori.
108. The Church, and the Crown persuaded our people to believe our hierarchy and society was flawed and where Manawhenua and its tikanga were concerned, was unacceptable.
109. As a result our society suffered condemnation by the Pakeha.
110. Ironically our societal and hierarchical establishment is generally similar to European/English society. One of the major differences being that Maori society was not as complicated in its laws, and the Monarchy for Maori was not a person, but a status being their Tino Rangatiratanga (absolute authority).
111. When Europeans obtained Manawhenua the losing side would cede their authority by offering a symbol of that authority, like a Crown or a sword, like in Japan, etc., and would cement that ceding by arranging marriages between the new authority and the old, just as Maori did.

112. One major difference is accountability where in Maoridom the respective chiefs were not accountable to anyone in their own area but there own specific people senior and junior to them as compared to European who were accountable to the higher ranking person.
113. Other than minor variations of executing authority between Maori and European, many things are very similar and the concept is the same, i.e. take authority through force of arms, establish authority through marriages and people management and maintain that authority.
114. In Maoridom, those individuals, Hapu and/or Whanau had the ability to rise to a position of authority i.e. Whanau chief, etc. through deeds and intermarriage, just as a peasant or commoner did, if he was granted title by the gentry, or the principal chiefs.
115. Where is the concept so different from Maori and/or so wrong or abhorrent that Maori society warranted condemnation by Pakeha and the Crown?
116. Thus when the Settler Government was established proper, and when the Native Land Court was established in Hauraki and Tamakimakaurau, they deliberately refused to recognise any kind of Manawhenua and its concepts, and in some cases altered it or deliberately changed it for the financially benefit of the Crown, even though the concept of Manawhenua was the same as that established by the Europeans.
117. Today though the Crown states that we must have regard for things Maori, or in rare cases, give effect to things Maori, in this day and age it still will not deal or recognise Maori sovereignty unless Maori become a legal entity under Crown legislation, thus making themselves subservient to the Crown.
118. We believe the attitude of the Crown of old and the today has not changed much except that today's Crown knows how to hide their intentions better.

TIKANGA INFLUENCED

119. The importance of establishing Manawhenua and its principal elements are still not recognised today, except by those who actually have Manawhenua. Those who don't have it ridicule it or give the impression that the word has no substance by ignoring it.
120. The failure of the Native Land Court to recognise Manawhenua as the principal component to a claim has generated these problems among all our people that are still relevant today with places still being contested today.
121. The Crown through it's Native Land Courts also allowed the biased written comments made by Judges in their justification of awarding contested lands to claimants not holding Manawhenua.
122. The analytical comments of Judges like Judge Munroe of our tikanga, books and theories written regarding our history etc., that have been created, analysed and produced without the consideration or use of our tikanga, and philosophies, which as a result have all attributed to the loss of our history, our tikanga and its overall deterioration.
123. Generations of our own people and non-Maori people have been influenced by these writings and now unknowingly apply Pakeha concepts to things Maori.
124. The actions of the Crown through its Native Land Court marginalised our people and our rights to Manawhenua, the sellers from the non-sellers the loyalists from the non-loyalists etc. simply for the purpose of obtaining lands.
125. This influencing and disregard related to the concepts and tikanga behind the status of Manawhenua by the Crown, whether deliberate or not, is very detrimental to our rights and cultural traditions and has led to claims being presented before this tribunal, that are designed to either bypass, ignore, disregard, or degrade the concepts and tikanga of Manawhenua.

126. According to some claimant groups, they arrived in Aotearoa, jumped off their waka and walked straight into the Native Land Court and claimed their lands, though hundreds of years of history are missing.

... *Or*, gave evidence regarding how vast their estates are and how they maintained their Manawhenua by losing battles, and finding hiding places in the bushes as a defence for their estates.

... *Or* how they would lock themselves in their Pa for the protection and safety of the invading war parties.

... Or claim through various forums that the Native Land Court awarded them lands thus they must hold the Manawhenua, because the Crown said so.

127. The list goes on with many types of excuses deriving from a biased Native Land Court procedure that has allowed our tikanga and things Maori to be subverted.

128. The Crown's influence and interference in our past regarding Manawhenua, has in some cases inadvertently, and in others deliberately affected our overall status where our core tikanga is concerned. It has passed judgment on our ways and influenced our thinking and subjugated our society and prevented us from being who we truly are.

129. Manawhenua in all its forms needs to be fully recognised and acknowledged by the Crown as the core establishment of our society, as they acknowledge their own and everyone else's sovereignty within other nations.

130. Our people have been prejudiced and adversely affected by the actions of the Crown through its agents, and these effects are still relevant and occurring today. Our Manawhenua is still not recognised by the Crown or its agents today and this needs to change immediately as this is the basis of our sovereignty.

THE WAI 811 CLAIM

131. Though some of our grievances were heard with the evidence produced under the umbrella of the Wai 100 claim, our committee believed that we needed to register another claim to enable us to be fully heard especially in relation to the Coromandel Township.
132. Many of the blocks concerning the town were omitted from the Wai 100 land block investigations. We also acknowledge the claims of our other Marutuahu relations within the town boundary lines.
133. Even though our claim is registered as a Patukirikiri claim that Iwi only makes up part of our claim with Te Patukirikiri Iwi Incorporated being the administrative body for it. Our claim is more specific to certain ancestors of our whanau related to the Kapanga/Moehau districts.
134. These ancestors include Te Kanihi of Ngati Whanaunga, Ema Tipa of Ngati Paoa, Huihana Rangitua and others of Ngati Tamatera, and Pita Taurua and others of Patukirikiri.
135. In affect our claim is more specifically a Marutuahu whanau claim however we are the descendants of those ancestors and it is their lands we lay claim to while recognising the manawhenua of the hapu and Iwi concerning those lands.
136. This needs to be clearly identified.
137. Our claim was lodged at the time of the restructuring of Crown Forest Rentals funding criteria, and as a result, and due to our financial situation, we were powerless to proceed in our claims until their new criteria has been set.
138. This became a problem as the Hauraki District Hearings had been underway for some time and once we were able to proceed, there was little time left. While we seemingly all deal with the best of a bad situation, it is important to note that the time frames we have worked to means that not all information can be presented.

139. We have attempted to attract the attention of the Crown to address our grievances for over 150 years, which in those times were injustices fresh in the minds of our ancestors.
140. When our ancestors first tried to get their concerns addressed by the Crown they were utterly ignored, thus they then tried to instil the full nature of those injustices into their offspring, however over the years our call for justice was left unheeded by the Crown and our people grew despondent and as a result much of the detailed information died with their hosts. From that time our elders and ourselves have had to rely on our oral information related to our grievances passed down from generation to generation, which today is challenged.
141. Today the Crown is finally ready to hear us, however those ancestors who were very familiar with the nature of the grievances and tried to address it then and there, are long dead and we as their descendants are far removed from those offences and must now rely on outside information penned by those who were not really personally involved with our grievances, to present our claim for it to be fully accepted by the Crown.
142. Now we must hurry up, however the Crown will hear our grievances as their criteria directs concerning the Hauraki District Hearings, with restrictions being attached to that time, which has the potential to disadvantage our grievance and our claim.

RELATIONSHIP

143. Our ancestors of the Coromandel region regardless of their hapu and Iwi, were healthy wealthy and wise and prospered in their dealings with Pakeha. They had under their control a variety of resources and wealth for the well being of their people.
144. This prosperity was present before the arrival of the Pakeha, who after they arrived, coveted the wealth that my ancestors possessed.

145. Our whanau as well as many others throughout the district recognised the importance of a relationship with the Crown the Settler Government and the settlers, and made arrangements to develop and provide for that relationship.

These included,

- *Making resources available for Pakeha*
- *Making land available for their use*
- *Gifting lands for Hospitals etc.*
- *Gifting lands for Churches etc.*
- *Gifting lands for Schools etc.*

... Just to name a few.

146. The above gifts and resources were principally for one reason, this was to establish a European township/settlement thus we were not opposed to the development of Pakeha society living side by side with our societies, sharing our resources. We were willing to share and supported interaction with Pakeha and other Maori for our unified growth however when Pakeha became firmly established in the area, our people began to notice and realised their aroha towards these people was in vain and was being abused.

147. My ancestor Pita Taurua gifted much land for schools, churches and a hospital to enable the establishment of the Coromandel Township. The areas he set aside for protection and whanau are now gone.

148. After his death in 1872 the demonstration of his goodwill was exploited and manipulated to the detriment of his people and descendants, which is still happening today. In the case of some of these gifts his whanau were never afforded the services that were agreed to, instead we were marginalised from the community to the point where our people became landless and had to move away from our papakainga and ancestral lands.

149. Pita was also a devout Christian thus he gifted lands to the Anglican and Methodist Churches and did not marginalise those religions as they themselves do today.
150. Our other Marutuahu ancestors like Huihana Rangituia, Ema Tipa, Makoare te Pukeroa and Te Kanihi and others, including other tupuna from other whanau supported these things as none of them opposed the Pakeha establishing their societies in our district, and in fact made gifts of their own lands and resources.
151. Our ancestors, and many others of the Marutuahu and Patukirikiri, after providing necessary resources to their Pakeha communities and so called friends began to participate individually and jointly in the regional economic activities including the Tamakimakaurau area.
152. Other Iwi also participated in trade with Tamakimakaurau, however none were more prominent in the early stages of Auckland's development than that of the Marutuahu.
153. Some of my elders say that in the 1850's many of the schooners registered in Aotearoa belonged to Maori, especially the Marutuahu people and that these schooners were registered and created the substance of the then fledgling company, now more commonly known as P & O Lines. It is also said that our participation and stake holdings, and shareholdings in that company is what initially formed its foundation, substance and attributed to its success.
154. Investigations thus far show that our ancestor's schooners were registered however records of their shareholdings cannot be found, though they and their schooners are clearly identified and registered, and their dividends in the company have gone astray.
155. Some of my elders believe that our shareholdings in that company have been stolen, like many of our resources and those records of our holdings have either been hidden or destroyed.

156. It wasn't until the Crown, fearing that Maori were- being taken advantage of via uncontrolled land sales to settlers,- as they say, decided to become involved 'for the benefit of Maori" by introducing the Native Land Court system to ensure Maori would retain some land.
157. Our traditions tell us that it was not until the introduction of the Native Land Court that we truly began to lose the bulk of our lands and resources.
158. The theft of our lands and resources, coupled with the unfair and exorbitant high prices charged against our people for menial products etc. forced our people to sell more lands to cover these costs or lose more of their lands through fines, or go to Jail, which never happened if a fine could be imposed.
159. These things gave the Crown leverage against our people and when the Crown wanted something like the gold that was discovered in Coromandel in 1852, they used this leverage on Maori and especially those who would resist land sales and opening lands for mining etc.
160. The Pakeha was eager to explore the Coromandel, and other regions in its greed for gold so some of our people were either forced through that leverage to open those lands and made agreements to give miner's access to those gold resources, however there were proviso's attached to those agreements. Thus when the Waiau to Moehau goldfields were opened, one of things our people negotiated was a fee for the use of those areas to which the Crown agreed to pay £ 1-0-00 a year for every miner working some of those lands.
161. Though Pita Taurua and many other ancestors had gifted much to the Pakeha, and had agreed to open their areas for gold mining etc. the Crown didn't keep its end of the agreement and many of our ancestors later challenged the Crowns integrity³.

³ Refer 'Page 44 - The Social and Economic Circumstances of Marutuahu 1840 - 1960 - Volume 4 by Dr. Cybele Locke.

162. Other examples where my particular ancestors and- relatives are mentioned in 'The Social and Economic Circumstances of Marutuahu 1840 - 1960, Volume 4 Report by Dr. Cybele Locke, are contained in,
- Para 28, Page 19 - Where my ancestor Taraia (a great x5 grand uncle) refused to place his Mana under the Crown, yet still his land was taken and the fact he was a Hauhau was an excuse for the Native Land Courts to undermine his rights.
 - Para 35 extract, Page 23 - Again of Taraia commanding 40 waka providing food and resources for a fledging Auckland City. There are numerous examples related to Taraia contained in the report.
 - Para 44, Page 31 - Meeting at Patapata where many of my ancestors and relatives, like Pita Taurua, Te Tawaroa, Huihana Rangituia, Tukukino, Taraia, Makoare and others attended and agreed to open the goldfields. Te Tawaroa said she would charge a levy of £ 1000,000 to open her lands for mining as she knew the Crown didn't have that amount in their coffers.
 - Para 80, Page 54 - Where we as Patukirikiri had our resources, our means and ability to participate in economic growth and most of our lands stripped from us, which caused our economic position to plummet drastically.
 - Para 81, Page 55 - Where the Native Land Court allowed the shares of my ancestor Tukukino in the Owharua block to be sold by the other grantees, though he wanted to retain his shares.
 - Para 94, Page 63 - Where my ancestor Wiremu Tamehana of Ngati Tamatera, a mission teacher for his people, and many of our relatives that lived around Waharangi Pa at Coromandel died of Pakeha diseases. Wiremu himself had 11 children and only 1, Huihana Rangituia survived from that marriage, while her half brother and sister also survived however both their issues died out later from disease.

- Para 196, Page 121 - Where my ancestor Haora-Tareranui (a great great-grand uncle) objected to the Crown regarding the destruction of our lands, natural food and water resources, cultivations and waahi tapu being destroyed. Even then he reminded the Crown of their obligations to which the Crown denied liability for the destructive actions of their Miners.
- Other references are made to my uncles Titi Royal and Rangi Royal with other members of other whanau, for their efforts in trying to tidy up the mess the Crown had put us in relative to housing, health, and education.

163. Therefore our whanau was in a good economic and social position and wished to share that wealth with Pakeha and as a result, our extended hand has been bitten clean off. Thus after the loss of our lands and resources, we felt utterly betrayed, as we believed our goodwill, which respect we were always to show towards Pakeha as instructed by our elders, had been thoroughly abused by the Crown and the settlers.

164. With the loss of our lands we had no land base from which to operate and disease sorely took its toll on our whanau, and our people. Thus many of us were forced from our ancestral lands to look for sustenance, jobs etc. to sustain ourselves in other places.

165. Our feeling of betrayal in this instance is the most faith-destroying wound one could ever experience, especially when the victims, must prove to the perpetrator being the Crown, our innocence to their theft and deceit.

Goodwill to Marginalisation

166. Our traditional whanau name on my father's side is Taurua, however my great-grandfather Wiremu Taurua changed our name to Peters (Pita) because the Pakeha found Taurua too hard to pronounce. This is some of that goodwill previously noted, as Pita Taurua, his son Wiremu Taurua and many other of our ancestors still believed in the good of all men as Christianity and Pakeha had taught them.

167. My elders today, his grandchildren are of the same mould and of the same opinion as their grandfather was, even though they have been stung many times. Their upbringing in a Pakeha society has taught them not to upset the Pakeha or suffer the consequences.
168. It is very difficult today to change this way of thinking as our elders being the perfect, well-mannered gentry they are, still refuse to upset Pakeha.
169. I have seen with my own eyes, Crown and community politicians attempting to marginalise our elders from their mokopuna. When some of these politicians cannot get their own way on an issue, they will deliberately and secretly contact certain kaumatua and spin them a tale of deceit, misdirection and lies, and in some cases intimidate, to get what they want, knowing full well that any agreement from that kaumatua will bind those whanau actually involved in the issue.
170. These underhanded tactics were used continuously less than a year ago, however we have implemented procedures to deal with these matters. Nevertheless these politicians employ these tactics because they are aware that our elders are well mannered and will ensure that their Pakeha visitor is catered for, and accommodated.
171. The old education systems, the Crown, the Government and community attitudes forced my elders to withhold their knowledge and experiences to protect their offspring from ridicule. Pakeha teaching taught our people to be ashamed of who and what they were. These are things even I remember as a boy.

General Education

172. When I was very young I made comments to my mother about our heritage, which must have upset her because she then told me that our whanau was descended from chiefs, as many of the whanau sitting here today are.

173. That gave me a strong sense of pride, and being young and brash I proudly revealed this to my friends as we played *ope* day, and, probably at the top of my voice too, as most boys at play tend to do. My friends didn't believe me for our teachers had told us that Maori had lost the war and all the chiefs were dead. So we argued.
174. My mother heard us fighting and came out to see what was happening. Some of our neighbours, many of whom were Pakeha were also out and about that day and had also heard the commotion.
175. When I saw my mother I asked her, again at the top of my voice, to tell my friends that we were chiefs. My mother became embarrassed as all our neighbours watched and listened, she told me to keep quiet, not her exact words, and get inside, which I reluctantly did.
176. Once inside I was soon lectured on two topics, humility, to which some of my elders today think I need a refresher course, and confidentiality or not saying anything about ourselves to anyone but our own. I was very disappointed because here I was with all this valuable information, but I couldn't tell anyone, until now I suppose.
177. My grandfather also told me many things when I was a boy. When I asked him about the Pakeha conquering the Maori in war after the episode with my friends he told me that the only people the Pakeha could not conquer in war, were us Maori. He then went on to tell me that Maori had invented trench warfare from shooting from the trenches in their Pa, and not the French, and that the Pakeha could not match Maori in guerrilla warfare, because we were too skilled for them in the bush.
178. When I asked my teacher this she told me my grandfather was a liar and that he didn't know what he was talking about. I didn't know whether he was right or wrong but he was my grandfather so I thought he must be right, and I soon forgot about it.

179. Much later, 25 years actually after watching the New Zealand Wars by James Bellich we find that my grandfather has been right all along and that the education system was the liar.
180. The points made here are that our education system at the time was teaching all children in New Zealand that the Maori people had been conquered in war by the Pakeha, and that all the Maori chiefs were dead thus indicating Maori were subservient. This of course is untrue, and a blatant lie from our point of view as all our people sitting here today descend from rangatira lines.
181. The fact that my mother became selective in her revealing our status as rangatira reflects her upbringing in this Pakeha world, and in fact I later learned that when my mother was at school they changed her first names from Tapita Ratahi to Mary-Francis, and tried to instil within her non-Maori ideals.
182. Furthermore while our people were mis-taught, non-Maori generations were also 'mis'-taught and today many of these non-Maori are our countries decision makers in all walks of life. Thus whole generations of Maori and Pakeha mislead from the truth of New Zealand's via the education system, however we all learnt the very, very, very important topic of American History.

General Persuasion

183. As a young teenager I was travelling with my grandfather to Pohara Pa at Awapuni to visit relatives there. I was driving at the time, and being told to slow down as normal teenagers are, when the radio announcer stated that a Government Census regarding full-blooded Maori had recently been conducted and they had found that there were only two full-blooded Maori left in New Zealand.
184. After hearing this I was shocked however my grandfather laughed and said to me, boy when we get there I'll introduce you to your uncle Peter Mihinui whose as black as the ace of spades however he and his wife are full blooded. So maybe the radio announcer meant them

as the last two full-blooded Maori, however they must have forgotten about their whanau and kids.

185. Government Census Policy of the past has been used as one of the many tools to marginalise our people and has caused much damage to us. Over the years it has produced incorrect information, as in the full-blooded Maori census, taught our people to neglect who they are and in some cases even deny their other whakapapa links to their other lines, even within our own structures and because of this, many of our whanaunga are unaware of how they are related.
186. For example, when I first came home and got involved in our mahi, I would always recognised my links into my other Marutuahu. Some of my elders said to me, boy you don't know who you are, while another said your double dipping! I was very saddened to hear this.
187. My response to my elders was that I knew exactly who I was, and I was unwilling to separate my mother's side from my fathers because Government Census Policy has said we must only pick one Iwi. I also said I will claim only what I am entitled to through my direct ancestors.
188. They accepted this though it was not encouraging to hear these types of comments.
189. I could not fault my elders for this as the facts indicate that their generation and the next after them were the generations most adversely affected by the influence of Pakeha Society and forbidden by the Tohunga Suppression Act 1908 to be Maori.
190. These elders in their youth were forbidden to speak their principal language or express their Maoritanga, for fear by their elders of being punished or having their mouths washed out with soap.
191. The Tohunga Suppression Act 1908 basically forbade our people to be Maori or suffer disciplinary action, which we perceive as a crime not only against us, but a fundamental crime against nature.

192. The results of this Act disrupted, destroyed and replaced our culture with a Pakeha one, as it was designed to do. The core of our being was forbidden to express itself, thus for a while we became as the Pakeha wanted.
193. We eventually rebelled against this suppression and are now working very hard to regain what has been lost, however we should not be in this position in the first place.
194. This Pakeha society, which has rewritten our history for us, made our people embarrassed of who they are, taught our people to deny their heritage, subjected our people to a point where some think they are inferior, has done a very good job on us.
195. The fact that our education system called our elders liars, and deliberately hid the truth from all New Zealanders speaks volumes regarding the Crown's integrity and its respect for the Maori people and our culture.
196. These grievances I have referred to solely derive from the actions of the Crown and their agents whose actions have been transmitted through time. Thus the after shocks of their actions from a 100 + years ago to now, are today still being felt.
197. Although there are now programmes being established to help our people right across the board, the damage has already been done and is now irreversible. We will never truly learn our Maoritanga in its original and natural form again. Non-Maori and Maori have been firmly influenced in their thinking and philosophies contrary to the truth and it is sad that whole generations of New Zealanders have been so influenced.
198. This prejudice by large numbers of non-Maori is very evident today in our communities, not all mind you but a large portion nevertheless.

199. Like the last time the Scottish Rugby team was touring here, I attended a game between Scotland and the All Blacks at a bar in Thames where the entire bar was cheering for the All Blacks. The following week Scotland played the New Zealand Maori team, and I attended the game at the same bar and almost the same people were present, however this time all the Pakeha were cheering for Scotland.
200. While I don't presume to tell a person whom they should or should not support, I knew there and then that these people were prejudice towards the concept of Maori and our culture. The Maori All Black team had been marginalised by these good abiding community people from the rest of the New Zealand sports umbrella because though they are a national team, they were Maori.
201. After the Maori team had won convincingly, I advised those Scotland supporters to kindly follow their team home to Scotland, whether they were Scottish or not, to which they answered with silence. If it wasn't for the fact my associate was twice my size, we may have got our wish, instead we left disgusted with them.
202. During this hearings process our people now have the opportunity to vent their grievances, which is a good start. One very encouraging factor for me is our elders are now beginning to pass their experience and knowledge on and offer more advice than they did previously. I have recently heard them acknowledge more than one Iwi they are connected to, which is very, very encouraging.
203. We attribute this advance of openness to the current hearings in the Hauraki District as they have made many of our people realise that they were not isolated or alone with their grievances and that their bad experiences were not individualised to just them or their particular whanau, but was right across the board.
204. Where many were reluctant to express their grievance to others or 'rock the boat' for fear of ridicule, the commonality of their grievances has bought our people together.

205. As a result of this many of our people and elders are now more open to expressing their grievances. This is a positive step towards the healing process related to our people.
206. Our oral korero has taught us to believe that almost all problems our people are experiencing today are products from previous and current actions of the Crown. We hear our old people talk about the Crown or the Government putting this and that in place to help our people and then say, the Government has changed the goal posts, or many things they have created for our overall benefit have been set up to fail.
207. If the Crown doesn't fully realise the depth of grievance their past and present actions have caused amongst our people, including the long-term impact and the diverse problems associated with Maori and Pakeha that has been created, then they are either not as smart as they think they are, or just simply don't care.

RELIGION

208. The Crown however is not the only culprit involved in our grievances. The Pakeha concept of religion has also contributed, and is still contributing to our grievances. Our grievance with the Church is not about their religion or their beliefs, but about their administration and how it has affected us.
209. We have gifted huge amounts of land to the different religions of the Pakeha, to enable them to establish their religious beliefs and places of worship, and at their insistence participated in their religious ceremonies. We did not distinguish between the Pakeha religions as they do themselves because for us all religious paths lead to one supreme being whether his name be "God", "Jehovah" or "Io Matua Kore", as beings who created our world.
210. The Church's gratitude to our generosity was to condemn our tikanga, our practices and our own unique religious beliefs.

211. The idea that one could talk directly to God instead of through the Tohunga appealed to many of our people who in turn made a very quick transition from Maori religion to Pakeha. Today both of these religious persuasions and practises are intertwined together and many of our people follow two religious beliefs, while still more of our people follow a specific Pakeha religion. However this religion is firmly entrenched in our society today.
212. To the Church's credit however, the original Missionaries tried to prevent colonisation of Aotearoa by Europeans for they knew the nature of their Clergy and people, and wished to preserve the natural pristine features of Aotearoa, and its culture, however their recommendations were ignored by the Crown.
213. The many religions we have aided by gifting lands under our tikanga and materials etc. have abused our generosity and are selling those lands for profit. When we have requested they justify the selling of our gifts, their responses have been anything but honest. The facts are that they have been elusive and have refused to talk with us regarding these sales choosing instead to direct us to seek confirmation in Auckland, and/or Hamilton where we have been again ignored.
214. We believe that the directions of the Crown and the Church are of similar design and that is to enhance their overall status and wealth. The Catholic religion has a strong influence in New Zealand with the Pope, as it's religious leader while with their equally influential, wealthy and powerful adversaries the Church of England's religious leader is currently the Queen of England, or the Crown.
215. It is not our intention to attack the religious beliefs or persuasions of any New Zealander, particularly our own people, but we do believe that the Crown or her representatives, which includes the Church, needs to take responsibility for the deeds and actions of their Clergy past and present.

216. The fact that our unique religious beliefs and practices are all but forgotten is the fault of the Church, with Crown support and the Crown again with its introduction of the Tohunga Suppression Act 1908.

TINO RANGATIRATANGA UNDERMINED

217. Though article III of the Treaty of Waitangi basically said Maori would be treated or have the same rights as British Citizens, this has never ever happened as we have always been marginalised and treated as third class citizens.
218. The Crown and/or its agents would rather recognise the needs for other cultures and ethnic groups before those of their own treaty partners, the Maori of Aotearoa. The reason being is that with other ethnic groups like Chinese and Samoans etc. have nothing to lose, however we as Maori have, thus the Crown continues to lay blame elsewhere and not accept their responsibilities, which prolongs and exacerbates our grievances. Maori are continually marginalised from the rest of our communities.
219. Maori are also the only group in New Zealand that have to proceed into a court to become a trustee on their own land, or have to undertake a long drawn-out process to succeed to their lands, or have a baby-sitting minister and ministry to ensure we can manage our own lands.
220. This is not a partnership but a system to keep our people from exercising their full potential as kaitiaki over their own lands, or what little is left anyway. We interpret this to mean that the Crown believes that us Maori can't look after ourselves, or manage our lands, so the Crown will do it for us, or, when it comes to Maori land if we want your opinion, we'll give it to you.
221. The conflicting nature of our people regarding their lands is the result of Crown or Government marginalisation of our lands and resources that continues to this very day.

222. While we may own Maori ancestral land, which includes under tikanga, the foreshore, the sea and its beds and everything in it, the Crown currently manages it, and they say they own it. This was not a partnership agreement but theft by the Crown to control a commercial asset.
223. The only time the Crown acknowledges Maori sovereignty is when they want something and will follow the principals of the Treaty of Waitangi related to this, however when it comes to direct interacting with Maori on a personal level, while the Crown acknowledges Maori sovereignty it will not recognise it or put it into effect unless we become a legally registered entity.
224. Therefore if our people want to fully participate or be properly heard and considered by the Crown in the protection of their interests they must establish a legal entity, whether under the Incorporated Societies Act, or the Ture Whenua Act or become a Charitable Trust etc. etc. Again the Crown believes that us Maori can't look after ourselves, or manage our lands, so we the Crown will do it for us!
225. The Crown has basically said we won't fully consider your concerns unless you place your sovereignty under the Crown, because by forming a legal entity, thus we effectively place ourselves under a Minister and his or her Ministry, thereby forcing us to become subservient to the Crown, or risk not considered in any way at all.
226. From that time on non-Maori principals or rules will apply that allows others to exert authority over us regarding the protection of our interests, and, allows others to interfere in the management of our resources as the ministry may determine.
227. This is not exercising our sovereignty this is having it taken from us.
228. The Crown and its agents continually undermine our Mana and sovereignty.

229. Maori are equal partners to the Crown in all things in accordance with the Treaty of Waitangi, except it seems by their ruling, where commercialism is involved.
230. Thus when capital becomes involved then partnerships are forgotten, Maori issues become irrelevant, Maori involvement is minimised unless they have hard cash to offer, Maori are used to mitigate Maori concerns, whether correctly or incorrectly, etc. etc. however the commonality in this is that Maori are pushed aside and ignored, until the Crown want something from them.

SETTLERS

231. Generally, when the settlers began to fully arrive in Aotearoa it was primarily to escape the unfair British land systems and regulations and establish a new life for themselves and families, and where possible, make their fortune. This was a major factor contributing in their departure from their homelands, thus many headed for new territories and frontiers and made their fortunes, however made at our expense.
232. When they arrived in Aotearoa, they were far from their parent countries and the laws that governed them, thus many did as they pleased and as a result lawlessness ran rife in the northland area, which parts became known as "*The hell hole of the Pacific*" and as more settlers arrived this lawlessness slowly began to spread south.
233. However, they forgot how derogatory the system they were escaping from in Europe was, and began to implement and use that very system against the Maori. Their greed, diseases, lawlessness paranoia etc. could not be contained and as a result Maori suffered greatly.
234. The settlers and later the settler government were allowed by the Crown to do as they pleased with regard to obtaining the one thing that was very difficult to obtain in England, and that was direct land ownership.

235. The Crown realised that people like MacKay, Wentworth, Nicholls, Webster, etc. were doing very well for themselves regarding land transactions as opposed to the Crown, who were missing out, thus they began to use the services and the local knowledge these people possessed for the Crown's benefit.
236. Soon the Native Land Court was established to protect Maori from Pakeha land sharks.
237. For us, all this did was identify to the Crown the sellers from the non-sellers, whether they owned the land or not, and presented an opportunity for the Native Land Court to award lands to those they had identified as potential sellers, and with increasing pressure from settlers to obtain more and more lands for the common good of the economy and the communities, the increase of land loss for Maori escalated and became irreversible.
238. Our current position is the end result of that pressure and those systems.
239. Later, people like MacKay and Wentworth etc. are now recognised as pioneers of New Zealand's history, where in reality our people consider the majority of these pioneers to be thieves, con men and/or both. Their actions have greatly contributed to the loss of our lands and resources.
240. The settlers applied much pressure on the Crown to obtain lands and resources for their own exclusive use. And where Maori were willing to share resources and accept Pakeha among them, Pakeha settlers were not willing to reciprocate, and once in possession of land or a resource, they proclaimed their absolute possession, their absolute right and exclusion of all others to it, even when it wasn't theirs.
241. One example was when my father went to cut harakeke at Papa Aroha and noticed a dwelling on the property. When he entered the area a man (Pakeha) rushed out from a makeshift dwelling and yelled'

“Get off my land Maori”

... And attempted to order my father from the land. My father replied that the land was still under Maori ownership. The squatter swore and abused my father stating that the land belonged to him and that if we did not remove ourselves immediately, he'd call the police. My father replied, *“f// do it for you mate”*, and returned to Coromandel where he contacted the police. As a result the police evicted that squatter.

Later I remember my father saying to me, if he hadn't been such a *“prick”* he could have stayed there if he wanted.

242. The plight of the Williams whanau is another example, but from another perspective. They use to always stay at the beach at Papa Aroha upon their papakainga there, however over time they moved en masse to Auckland for employment and their visits to their papakainga areas for a period ceased. When they moved home their whanau had grown however they remembered their ancestral lands and one Xmas returned for a beach holiday.
243. As a result the local farmer had the Police physically eject this whanau from their ancestral lands stating that the lands now belonged to him. They were shocked that their lands were gone and were further amazed to find that the local farmer also laid claim to ownership of the beach.
244. They raised questions with the Police and other groups regarding reserves and public access to the foreshores and beach areas of Tikapa Moana, to no avail. This whanau are still forbidden by trespass notice to visit their ancestral lands and are unable to undertake any of their traditional practises, and express their whakawhanaungatanga.
245. Some of the descendants of those Pakeha pioneers now hold very influential positions in the community and still apply their old family philosophies and prejudice when they deal with Maori.

246. This attitude has continued on down through the generations of settler families that first settled in this area, like Crawford Goudie burning down the old Aperaniko homestead rendering that whanau homeless, to obtain the rights to the land and the freshwater spring there for his stock.
247. The police refusing to investigate our people's accusation of arson, while later his (Goudies) descendants desecrating one of the mass burial sites after being informed of its location prior to digging, to other members of that family attempting to use community prejudice against Maori to enhance their political portfolio's.
248. The one similarity we have noticed among those descendants is no matter where their Pakeha ancestors settled in the country originally, many of those that now reside within our rohe still apply the same prejudice philosophies as their ancestors did, which to us gives all Pakeha, even our own who descend from European descent, a bad name. Again though these people are better at hiding this prejudice than their ancestors were.
249. Today those same descendants of those settlers are in many cases still in possession of those lands and like their ancestors, are very possessive of those lands. They are also very proud of their two, three or four generations of occupation on the land while they continue to ignore the fact that our relationship to those areas spans over 500 years.
250. However while I have painted a picture of the darker side of the Pakeha psyche associated to our rohe, there are many other Pakeha in our communities and throughout the country who do not follow this darker side of their nature nor can they be called prejudice.

LOCAL GOVERNMENT

251. Some Local Government bodies in our areas are continuing to obtain our little remaining lands through legislation. They treat Maori and any land issues relative to Maori with arrogance and disrespect.

252. The Thames Coromandel District Council (TCDC) is one of the worst local government bodies in existence for this.
253. It is their belief that they should use as much Crown, Maori and/or potential settlement lands for development because in the end the Crown will compensate for that land loss during settlement. Meanwhile the little remaining potential land for settlement is dwindling fast.
254. This will place a heavy burden upon the Crown in the future, thus the potential for the Crown to partially remedy past grievances is not being helped at all by its agents, like Local Government but instead is being exacerbated.
255. When we inform Council of this injustice and remind them of their responsibility as our treaty partners they deliberately ignore us, or deny liability as agents of the Crown, or say any land loss will be compensated for, or its for the good of the community, and their excuses go on and on and on.
256. The fact is, they are stealing and creating more grievances for Maori and the Crown, which they as individual representatives of the Council consider, wont be their problem because of their possible, short term in office. Thus they continue to take Maori land and use it for their financial benefit, while justifying their actions as being for the good of the community.
257. And when we object to them taking the land, normally after the fact its been taken, they marginalise us from the community by saying that we are wasting the Council's time and ratepayer's money. The truth is we have contributed to the establishment and development of these communities, and have been, and will continue to be ratepayer's long after TCDC has gone.
258. The fact that this Council is said by many in our community to be "full of thieves" needs to be identified to this tribunal because grievances will arise from our people about TCDC's commercial activities.

259. This has already begun to occur as my cousin Dave Williams evidence has identified some of those lands taken by TCDC.
260. The Crown needs to realise that any actions that adversely effect Maori by any Local Government body is going to cause further grievances and eventually responsibility will find its way back to Central Government, with the possibility of us going through a whole new grievance process if it isn't stopped now.
261. There may be scepticism associated with this comment, however, many people never believed that the current claims process we are going through at this moment would ever occur, but it has, and we see no difference with the current situation and grievance being done by Crown agents, who continue to deny accountability.
262. Furthermore these Councils are aware of the claims hearings being heard and are selling as much of their dubiously acquired lands as they can so as not to get caught with their hand in the cookie jar. Thus, any Crown lands including Local Government land are potential settlement and no sales relative to these lands should occur because of this.
263. We would like to see this tribunal make recommendations to Government regarding investigations into land acquisitions concerning our local government bodies.
264. The threat of our people losing more and more of their little remaining lands and reserves to local government bodies is very real.
265. What the Council's do with that land once they acquire is another land loss problem for us all, because they ensure we'll never get it back as they continue to obstruct our individual and communal involvement in the regions economic and social development and growth.

CONCLUSIONS

- There is no doubt in our minds that the Crown has caused massive grievances to our people of Patukirikiri and the Marutuahu.
- These grievances are the result of their Crown actions past and present, and, we have tried to identify some of those present wrongs being committed today.
- We have also given our particular whanau history from our particular perspective because others have taken the liberty to tamper with our history and then give their version of it for their own gain.
- We have also identified our core boundaries (para 31) even though others consider, and would much like the Marutuahu to dwell only in the Coromandel Peninsula and the Hauraki Plains. Our history under tikanga says the territory of the Marutuahu encompasses the east Auckland areas and goes as far north as the Matakana River in Kawau Bay, north of Auckland.
- There is also no doubt in our minds that the generosity of our ancestors have been abused by the recipients, and today that generosity is taken for granted by all. The feeling of betrayal is like no other feeling and any who have truly experienced betrayal will know the depth of that anger and pain.
- As pointed out in our evidence, these wrongs committed over 100 years ago have affected and continued to affect every aspect and dimension of our lives from that time to this. Thus, the focus has been on these peripheral affects, or those affects not properly considered, of those crimes like, the philosophies behind Manawhenua, our societal condemnation and the philosophies applied to our battles, etc. because these aspects have marginalised our people and had an adverse impact on us all.

- We have also identified some of our ancestors in the report undertaken by Cebele Locke so that you can start to put faces and whanau names to the ancestors of the Marutuahu and Patukirikiri and yourself witness the diversity of the complexities related to our whakapapa and bloodlines.
- This evidence identifies some of our intangible losses, like the misconception of our tikanga and our history as a result of our tangible losses and the continuing impact on us. Therefore we have attempted to give more emphasis on the peripheral affects rather than the more obvious of the crimes committed, and they were crimes, have no doubts about that.
- We have included small amounts of real life examples and experiences of some of these impacts to indicate how we have been publicly treated and the public perception of us as Maori, which we are sure is not particular just to our whanau but to many others of our people. However our current social and economic position, and our status as compared to the general public truly indicates the true impacts on our well-being.

REMEDY

1. It is very difficult to determine the type of remedy that would best benefit our whanau and hapu to cater for the general problems relevant today, and by that remedy leave a sustainable legacy for the overall well being for our offspring.
2. There is a healing process that we all need to go through as our people no longer trust in, or have faith in the words or goodwill of the Crown. It is one of the reasons many of our people don't vote.
3. For our whanau and hapu any apology by the Crown is worthless. Its only words and we have learnt from our experiences with the Crown that words are cheap. Instead of an apology we would prefer to see beneficial remedial action to appease our grievances.

4. Our remedy is based on, and in priority,
 - -The return of our lands
 - -Land compensation by lands legally sold to the Crown, if any
 - -Compensation for land loss
 - -Compensation for the crimes committed against us
 - -Compensation for all our grievances
 - -The ability to negotiate other forms of compensation
5. Therefore by our reckoning, before the healing process is even considered we would like to see immediate remedial action taken.

Immediate Remedial Action

6. The first priority is the return to us of all our lands not in private ownership before anything else. This includes,
 - All Crown Lands regardless of the lands status, i.e. lease etc. including lands held by Local Government Bodies and Territorial Authorities and Agents of the Crown etc.
 - All lands surplus to requirements - meaning that if it is not being strictly, we repeat, strictly used for the absolute purpose it is required for, then don't alter its status or make deals with other departments and/or organisations, give it back.
 - All land private or not under claim, and on the market for sale to be purchased by the Crown for the potential settlement package.
 - All uncontested land sold to the Crown be made available for settlement.
7. That this tribunal make recommendations to Central Government regarding investigations into land acquisitions concerning all their agents particularly local government bodies.
8. That all sales of any land by any government organisation department etc. are immediately stopped and any lands under this status becomes potential settlement land.

9. That this tribunal make recommendations to Central Government regarding investigations into P & O Lines concerning the recovery of the old shareholdings records and documentation.
10. Compensation is made available for all of our grievances.
11. That we have the ability to negotiate with the Crown and or their agents other compensation packages.
12. That any legislation that governs Maori tikanga, Maoritanga etc. like the Ture Whenua Act, or the Marae Reservations Act etc. be repealed, and that our Tino Rangatiratanga is fully recognised and fully enacted through our principal founding document The Treaty of Waitangi'.
 - If there is a absolute need or requirement for legislation for Maori then a joint legal document is established and developed by both Maori and the Crown that fully acknowledges, recognises and enhances our Tino Rangatiratanga instead of demeaning it like they do today. Also that this document be quite specific in it's meaning so to minimise misinterpretation.
13. That a nationwide awareness document be distributed throughout the Country that reflects the Crowns and the Settler Governments guilt with an admittance of that guilt by their successors regarding their role in the persecution and discrimination of our people.
14. This would have far more meaning to us than an apology. Once these basic matters are properly and genuinely addressed, particularly by the Crown etc. we can think about the full healing process and a future beneficial process for the benefit of all New Zealanders, that this time includes us, the Tangata whenua of Aotearoa.

Kia ora Koutou.