

IN THE WAITANGI TRIBUNAL

WAI 100

IN THE MATTER OF The Treaty of
Waitangi Act 1975

AND

IN THE MATTER OF Claims by
HUHURERE
TUKUKINO and
OTHERS known
as the HAURAKI
CLAIMS

**STATEMENT OF EVIDENCE OF WILLIAM KAPANGA PETERS
ON BEHALF OF THE CLAIMANTS**

1. My name is William Kapanga Peters. My particulars have already been given to this Tribunal on previous occasions. My evidence will target the attempt at detribalisation of Te Patukirikiri resulting in destabilisation and the resulting impact and adverse affects this had on our people. As we understand the Crown while obtaining our land also attempted the complete detribalisation of our people, however they only succeeded in disrupting our communal balance, which caused a tremendous amount of damage to our Maori traditional society. The ongoing affects are still prevalent today.

2. Te Patukirikiri

- (a) The history of Te Patukirikiri has already been presented to this tribunal. Under tikanga Maori we had the right to exercise our particular mana over our own resources and assets gained by right of conquest and occupation. This concept is actually worldwide and is the single most reason as to how the monarchy in Europe was set.
- (b) Our alliances and our relationship with the other Iwi and Hapu of Hauraki, especially in the Tokatea/Coromandel region, was built on whanaungatanga and respect. Therefore there was a related community of Hapu that established for themselves, either individually or communally, an economic power base. This then enabled economic and social growth for their area, principally through trade with other Hauraki and outside areas, which in turn led to the mutual growth of all those related Hapu, and this growth, enabled better protection of those combined resources.
- (c) Prior to the arrival of the Pakeha and during the early colonial settlement years, Hauraki was a thriving area with much to offer, with its tangata whenua being a healthy thriving race, also with much to give. During this time Te Patukirikiri, like the other Hauraki Hapu, were rich in, and possessed:
- (i) Resources and Assets
In particular our land, seas and waterways, inclusive of everything upon and in them, for our determination.
- (ii) Mana

The authority to govern all we possessed physically and spiritually through our right of conquest and occupation.

(iii) Culture

Our own way of life, customs and heritage that was unique and made us into who we are, even today.

(iv) Growth

The ability and means to prosper and grow in all avenues of our society.

(v) Education

We had the ability to school our young to all levels of knowledge through Whare waananga. All children were taught the art of recognition, forecast and survival for all everyday activities and experiences, however it was the children of the Rangatira lines who went on to the more prestigious Whare waananga to learn more comprehensive activities that would ensure the survival of the tribe. When these students graduated they were 'Tohunga' in their own particular fields of expertise.

(vi) Welfare

The welfare of all members was a Hapu concern. We had the ability to provide for our welfare on an individual or communal basis. We had the ability to care for, and foster the growth of our members, through:

- Housing: every member was housed.
- Education: every member was educated.
- Employment: every member was employed or had daily tasks to undertake.
- Security: every member was instructed in the importance of security.
- Health: every member was trained in medicine - anything more serious there were medical experts at hand.

- (d) Therefore our people had an economic and social power base, we had governing rules and regulations, therefore, we were an ordered society that had taken many centuries to develop to the level we desired. Our people had the foresight and knowledge to continue their social development to prevent stagnation, and worked to improve all standards and matters in our society. It would be fair to say that before the arrival of the Pakeha, we already had a well developed and self-sufficient society.

3. The Pakeha Relationship

- (a) When the Pakeha arrived on our shores, our people realised the potential for trade and growth in all matters on a much larger scale than what they were already involved with. Maori, when trading with other Maori, especially those out of their own rohe were very conscientious while trading, always aware that previous grievances could re-ignite into serious problems after many years had passed. With the Pakeha there was no danger of this happening.
- (b) Maori worked to establish a relationship with Pakeha for mutual advancement. Maori knew that the Pakeha were a differently structured civilisation and, while Maori held the resources, Maori controlled their

own wellbeing and destiny. However, Pakeha knew this also and desired their own growth and wellbeing above all else. This is only human nature and a prime directive of any collective organisation.

- (c) The difference was sovereign Maori were willing to share their resources for mutual beneficial advantage while the Crown was not. This may be verified by the amount of land gifted throughout Aotearoa for many various reasons to enable Pakeha to establish themselves, their settlements and their society within this country. After interaction with the Pakeha, Maori believed that the two races and their societies could co-exist, and thus made provision for this.
- (d) Maori began to learn and adopt non-Maori philosophies and practices to the extent that some Maori were even seduced, and in many cases forced to compromise their tribal values regarding non-Maori practices. Maori had resources that the Pakeha desired and vice versa. Maori resources however were fundamentally more superior regarding overall wellbeing and welfare than that offered by the Pakeha. Pakeha knew the potential of Aotearoa in relation to the international and European market, and to fully capitalise on that market, they needed Maori resources. The main resource was land. Pakeha undertook the task of obtaining that land, while Maori believed in the concept of the partnership to deliver Maori onto the international scene.
- (e) Maori knew the Pakeha needed land to establish themselves, and would obtain the land they needed to satisfy their needs. Maori believed that this would be beneficial to both parties in the long term. They also believed that Pakeha would execute that task in the same fashion that Maori did, and that was to take only enough land for their needs.

- (f) To "*take only as much as you needed*" was the lore of the land and Maori practiced it at all times. Therefore Maori knew there was enough land for all to utilise for mutual beneficial advantage. What Maori did not foresee was European greed for resources and their determination to achieve that goal regardless of consequence or cost especially where Maori were concerned.

- (g) We all know what happened from here regarding the dubious ways Maori land was acquired by the Crown, because if this were not the case none of us would be sitting here today. While the Pakeha were in the process of obtaining the bulk of the land and resources they also set to work in breaking down Maori society for assimilation.

4. Detribalisation

- (a) Pakeha had not given Maori any credit regarding Maori within the Pakeha trade arena, however, Maori had entered a Pakeha 'competitive money based society' and had proven to be very successful. Many Pakeha towns were dependent on Maori trade in timber and food for their survival. Maori owned many of the trading schooners throughout the country. These schooners, and their Maori owners, are still recorded on the old registers as traders.

- (b) There was almost 100 years of interaction with Pakeha before the first outbreak of war in 1860. Although the wars focused on land, the heart of the matter was whoever possessed the land would control the developing multi-racial society. This was where the real contest was. Even though Maori were willing to share all their resources for mutual benefit the Crown at that time would not suffer two sovereign nations sharing the same resource

- (c) Pakeha continued to work on the detribalisation of the Maori. The Pakeha hoped that individualization regarding land title would break down the communal nature of Maori society. The Crown and settler philosophy regarding this is reflected soundly when 'Henry Sewell introduced the *'Native Land Frauds Prevention Bill'* in the Legislative Council in 1870, and he made as good a statement of this philosophy as anyone.

"The object of the Native Lands Act was two-fold: to bring the great bulk of the lands in the Northern Island which belonged to the Maoris, and which, before the passing of that Act, were extra commercium - except through the means of the old purchase system, which had entirely broken down - within the reach of colonisation. The other great object was the detribalisation of the Maori - to destroy, if it were possible, the principle of communism which ran through the whole of their institutions, upon which their social system was based, and which stood as a barrier in the way of all attempts to amalgamate the Maori race into our social and political system. It is hoped by individualisation of titles to land, giving them the same individual ownership which we ourselves possessed, they would lose their communistic character, and that their social status would become assimilated to our own."

- (d) We know today that this has come to pass because the Crown now has in its possession the bulk of the North Island and most of our people now think in individualistic terms instead of communal.
- (e) Many Maori realised that the Crown was attempting the detribalisation of the Maori people and their society. Pakeha, even in that time were opposed to communistic design and believed Maori society was based on that concept. For Maori it was about self-preservation, the

protection of, and the sharing among whanau, that was a strong ideal that suited Maori in regards to the lore of the land.

- (f) This is about strength in numbers, and in times of war or need, there was no person more loyal or reliable than your own whanau and relations. This is a strong reason why whanau and extended whanau normally lived close at hand.
- (g) The Crown executed this philosophy and the consequences regarding overall Maori welfare has been quite severe. Today's statistics will attribute to that.
- (h) Maori were however, detribalised only to a certain extent. The tribal instinct is still prevalent, however the communal instinct has been severely affected. You will hear many within our own tribal groups today stating "*that's mine and that's mine*" even within their own whanau, as opposed to what they should be saying, and that is, "*tatou, tatou, - that's ours*".

5. The Consequences

- (a) By removing the economic base of Maori, principally the land, the Crown has effectively removed one of the fundamental supports of Maori society, hence causing a collapse of that traditional society. The consequences have been regressively dynamic in regards to the overall welfare of Maori. Once the land base of Maori was removed from Maori control, Maori found we had very little, inappropriate or no resources remaining.

- (i) This affected:

our overall welfare;

us in every aspect of our lives;
our quantum of resources;
our honour;
our standing in all other communities (present & future);
our Rangatira structure;
our cohesiveness and unity;
our sovereignty;
our traditional culture;
our heritage.

(ii) We had no economic base to progress our welfare. This affected our: overall welfare economic growth social growth credibility wealth physical and spiritual well being

(iii) Our mana was seriously affected. This affected our:

overall welfare
role as kaitiaki
authority
rights
Tino rangatiratanga
spirituality
confidence

(b) The overall affect has devastated the welfare of our people. To even gain the ear of a person in a position that could help, even if they were willing to lend that ear was a struggle on its own. Bureaucracy ensured

this. Our people struggled for many years to be heard, then their children and so on until it got to the stage that most of our people couldn't be bothered any longer.

- (c) Pakeha propaganda through Pakeha public opinion attacked the psyche of our people to the point where our people felt embarrassed. Our people were told to "*stop moaning and whining, get a job, don't be lazy, Hauhau means dirty or ragged, etc. etc.*" Our people no longer wished to be known as Maori, they no longer wished to be taught Maoritanga, they wished to become tanned Pakeha, and in some cases very tanned.
- (d) Our people began to fail in the Pakeha system. The Crown did not take into consideration the unique needs of Maori, our psyche, our character and our aspirations when setting their policies of governance. Our confidence in the system was shaky at the least. Our people were aware of the problem and protested to those within power. This was mostly ignored and the general impression we got from government was, '*if they wanted our opinion, they 'd ask us*'. They seemed to be saying they knew what was better for us.
- (e) Education is the main tool in all aspects our people are failing in. We are taught that without a good education we can't get a good job. Without a good job we can't afford to sufficiently cater for our families welfare. With a good education you can buy a house, buy a car, feed the kids, get health care etc. etc. Your welfare is taken care of. As previously stated, other than the car, Maori society also provided these things.
- (f) Education is actually the first point of individualistic failure for our people. We were told to learn the three "*R's*" being '*Reading, Writing*

& *Arithmetic*'. Our young people today ask in regards to their education:

"How will American history help me?"

"How will trigonometry help me?"

"How will social studies help me?"

"I already know how to speak English, why do I need to learn the grammar?"

"I already learned to cook, sew and home make at home."

They become disillusioned with the education system and drop out. Our people are disillusioned with the entire system and it's only been within the last decade that the government has initiated policies that cater for the unique character of Maori. With our people first failing in education, it sets the platform for a hard road ahead for us with regards to our employment and well being.

- (g) Those of our people that do well and complete their education become quite successful in their employment, however most of them are far removed from their Maori heritage in character and trait. There is however the multi-cultural professionals being a small group of those Maori who have completed full Pakeha education exceptionally well and have made, and taken the time to sit and learn their Maoritanga from their Kaumatua.
- (h) The above paragraph paints a positive picture, however the fact remains that other than a few, the majority of our people are failing in this society. The fault may be pointed in many directions however, the fundamental problem is the forced integration of Maori into a foreign society without policy catering for our character and interests.

6. Summary

- (a) The short overall summary, in plain terms is:
 - (i) Maori were existing well
 - (ii) Pakeha arrived - trade opportunities available
 - (iii) Partnership potential - Maori offer part resources
 - (iv) Pakeha take the lot -deliberately dis-empowered Maori
 - (v) Maori backs sore - pull knives out
 - (vi) Maori traditional society undermined
 - (vii) Maori integration into Pakeha society
 - (viii) Maori unable to adapt effectively - many reasons
 - (ix) Maori well being regresses - major problems for Maori
 - (x) Problem still evident after 160 years

- (b) There is a definite problem with regard to overall Maori welfare and there needs to be a solution. Our concern is the need for a more serious commitment from the Government to find that solution and implement it immediately. Today, Maori organisations are attempting to cater to the needs of their beneficiaries in any way they can, by utilising the ever-dwindling remaining Maori resources in a collective capacity, and accessing government funding available to achieve their aims.

- (c) Maori organisations are entering into business ventures to cater for Maori education, health, employment, welfare etc. etc. Full positive government commitment with definite Maori initiatives will effectively overturn previous statistics regarding the overall Maori status.

- (d) The problems as we see it, originates from colonial times by the deliberate de-stabilization of the Maori people by the Pakeha. This is a grievance that needs to be addressed correctly by this tribunal because of its severity and ongoing nature. Only the return of our lands and

resources will solve this grievance. This will at least enable Maori to once again establish an overall competitive power-base that will allow Maori to once again grow to their own design.