

IN THE MATTER

of the Treaty of  
Waitangi Act 1975

AND

IN THE MATTER

of Remehio TE  
MAUNGA  
MANGAKAHIA of  
Whangapoua and on  
behalf of descendants and  
whanau members of  
HAMIORA

MANGAKAHIA

Brief of Evidence of Ruhiana Issac Mangakahia

## 1 Opening

Hutia Ake To Ika E Tama EE  
 Ka Karanga A Taranga Ho  
 Ko Marua Rangi E Uhi Mai Ra  
 I Runga Hikurangi Te Paparoa I Hawaiiiki  
 Ka Ngaro Atu Ki te Po  
 Ka Tau Te Manu ki te Pae o te Arawa nei.  
 Tihei Mauri Ora  
 Kei Te Mihi Atu kia Ratou nga rangatira me nga wahine ma  
 Kei te Mihi nui te Whanau Mangakahia o Ngati Huarere o te Uri o Te Ariki  
 O te Waka Te Arawa a Tamatekapua. Tena Koutou.  
 Tena Koutou te Aitanga o Hei Nui  
 Nga Uri o Te Rangatira Toawaka No Ngati Hei  
 No reira tena koutou tena koutou  
 Kei te mihi tangi kia ratou  
 Kia ratou I hoea ratou waka I mua pare nui te ra I te wa nehera  
 Ka Tohia atu ratou ki te tohi nuku ki te tohi rangi  
 No reira e nga mate haere  
 I ere mai koutou runga te tuke a Maui  
 A to matua koutou ki roto te whare pua  
 Tomo atu ki te whare marama  
 Nga whare tena o Nga mata whetu Puanga  
 mai taku rua whaka ahuahu noa Tukura me  
 whero nga maranga o te rangi

Hei Hoa Takaaho Mo Koutou to haere  
No reira tena koutou, tena koutou, tena koutou katoa.

The Legend of Maui as he hauls up Te Ika o Maui  
Greetings to you all  
Greetings to the descendants of Tama Te Kapua and Hei  
The descendants of Mohi and Hamiora Mangakahia  
of the Ancients of Hauraki - Ngati Huarere  
Greetings to the descendants of Hei and of Toawaka  
of the Ancients of Hauraki - Ngati Hei  
Greetings. The Greeting of Great Sadness of our eponymous ancestors  
Who rowed their waka in ancient times before the great cliffs of Ahuahu  
The cliffs known as Pare Nui te Ra. The Great Beacon of Hawaiiiki.  
Go fourth o Departed ones and sing thy songs upon the starry elbow of  
Maui here your fathers will lead you to the House of Flowers and then  
enter into the House of Light - the House of Twinkling stars and puanga  
Who shine high in the radiant red are they the twins of the heavens  
Friends for you o Departed ones on your journey.  
No reira haere, haere, haere atu ra.

## Whakapapa

Tamatekapua

Tuhoromatakaka

Huarere

Ruamano

Kautu

Kopani

Kotoretetahi

Mira

Whiripo

Poau

Riria

Mohi

Hamiora

1. My name is Lucien Ruheana Isaac Mangakahia. I was born at the Coromandel Hospital on the 17<sup>th</sup> October 1952 and I am 47 years old. I am the third eldest of 5 children. My father is Remehio Te Maunga Mangakahia and my mother is Kathleen Raukawa Welsh. My father is the son of Waipapa Mangakahia and his father was Hamiora. I am married to Shirley Anne McGee and we got married on the 18th November 1972. We have been married 28 years. I met Shirley when I was working in Auckland. We have 4 children. John is 32, Benjamin is 25, Lichelle is 17, and Tiana is 16. We have two moko, Kieron is 6, and Kazlo is 15 months.

### **Whangapoua - Te Rohe o Te Whanau o Hamiora Mangakahia**

Ko Whangapoua ahau  
Ko Punga Punga te Awa.  
Ko Motutere te Maunga.  
Ko Ngati Pare Te Hapu.  
Ko Ngati Huarere Te Iwi.  
Ko Taitamahine te Moana.  
Ko Te Arawa te Waka.

I am from Whangapoua  
Pungapunga is the River  
Motutere is the Mountain  
Ngati Pare is the Hapu  
Huarere is the Iwi  
Taitamahine is the Moana  
Te Arawa is the Waka

2. When the term Whangapoua is used by the family it means the entire region within the boundary of the claim. The boundary of the claim follows the northern most point of the Claimant's rohe which is Motu Kopu on the Wainuiototo-Harataunga boundary, then it goes west to Hapakawera, south to Te Ranga and Waitekuri, following the ridge to Motutere, on to Opitonui and then east to Owera, Otangaru, on to Omaru and then seaward to Ahuahu (Great Mercury Island), Red Mercury, Repanga Cuvier Island) back in a straight line to Raukawa (Te Rehutae) and then to Kopu. It includes Whangapoua Harbour and Beach, Matarangi Beach and Wainuiototo.

### **1.1 Ngati Huarere**

3. Ngati Huarere is a Te Arawa tribe. The Arawa Canoe was captained by Tamatekapua. The story of the voyage of Te Arawa waka and the settling of Te Arawa in the Hauraki area has been told by Don Stafford in his famous work "Te Arawa". According to him during childhood Tamatekapua was known as a lad of spirit and in time was regarded as a chief of more than ordinary importance. He directed the canoe on its journey to Aotearoa with the help of the tohunga Ngatoroirangi. The canoe left Hawaiiiki and arrived in Aotearoa in the vicinity of Cape Runaway. After heading south the canoe landed at Whangaparaoa (north of Auckland) From there it sailed on past White Island and finally stopped at Moehau known now as Cape Colville - Moehau is on the north eastern tip of the Coromandel Peninsular. It bounds two coastlines one being Tai Tamahine and the other being Ti Kapa Moana which lies on the western coast. The Canoe landed at a small island which they named "Te Poito o Te Kupenga a Taramainuku", meaning "The Floating Net of Taramainuku." Ngatoroirangi left a sacred stone from Hawaiiiki at this place to act as a mauri to keep off evil times for the people of Te Arawa. Leaving this island Tamatekapua stood up in the canoe and said "Listen all of you, what ever part of the mainland our canoe may finally arrive at I shall return here the mountain top yonder shall be my home. He pointed to the summit of Moehau Mountain and went on "My body shall rest here in this place forever."
4. The canoe sailed on towards the southeast and landed at another island, this time Repanga or Cuvier. Stafford states:
5. "Here they left two birds called Mumuhou and Takereto. Their duty was to make know to those intended to set out on canoe voyages the signs of fine weather when the sea would be calm, whose duty it was to make known to those who intended to set out on canoe voyages the signs of fine weather, when the sea would be calm. It is interesting to note that even as late as 1864 these birds were still believed to exist. Meade recorded during a trip between Auckland and Tauranga; "On Cuvier Island, there are two species of birds which the natives say are not found elsewhere, and which serve as barometers. The Maoris assert that the peculiar note of one of an unfailing sign of fine weather, whilst the shrill cry of the other is a no less certain warning of a storm. Those who live in the neighbourhood place implicit reliance on these signs, and invariably repair to the island to consult them before setting out on a fishing or other lengthened canoe expedition." (Page 18)

6. The canoe carried on. In the book "Ahuahu Great Mercury Island Te Korero Maori mo Ahuahu - the Maori Stories Concerning Ahuahu" at page 158 Ngawhera, a rangatira of Ngati Hei told the author of that book (Pat Mizen) that her ancestors had come from Ahuahu. Tamatekapua and Hei, her direct ancestors decided to move ashore. Hei occupied Whitianga and Tamatekapua took Te Arawa from Ahuahu to Maketu.
7. After a dispute between Tamatekapua and his son Kahumatamomoe over a cultivation, and because the people had supported his son rather than him, Tamatekapua decided to leave Maketu and journey back to Moehau. This was the area he had claimed as the canoe was journeying down the Hauraki coast. Kahumatamomoe was supported by the other people who lived at Maketu.
8. Tamatekapua did not take his children with him. Some time later, one of the sons, Tuhoromatakaka followed his father to Moehau taking his family with him. By the time he arrived, Tamatekapua was on the point of dying. Moehau had become the permanent home of Tamatekapua and when he died Tuhoromatakaka buried him on the summit of Moehau. Tuhoromatakaka would later die. *due to a ritual he failed to complete.*
9. Huarere was the son of Tuhoromatakaka. Stafford records that Huarere and Kahumatamomoe, journeyed to the ranges of Tokatea - a range of Mountains that runs from Moehau to Motutere. He said to Huarere "This is an island" as he turned to Huarere your land my child." They went further along these hills to observe the lands and Kahu said "the goodness of the land is this." There are two floodtides, the east tide flows while the west tide is ebbing." They descended to the water side where they saw fish called 'aau' resembling herring so they called the water Wai-aau - Coromandel on the west and Whangapoua on the East. Huarere and Kahu then parted - the descendants of Huarere grew and multiplied there and all those parts were populated by them. It was Ngati Huarere who originally built the great Totara Pa at Thames and most of the other paa along the coast at Coromandel and Whangapoua.

### **Whanau o Mangakahia of Ngati Huarere**

10. Te Whanau o Mangakahia claim rights to the Whangapoua area through Ngati Huarere. It is the tribe to whom the ancestors belong. We come in unbroken lineage down from Ruamano, the chief of Ngati Huarere who lived in ancient times.
- 11 With the invasion of Marutuahu many battles occurred. At the capturing and killing of Ruamano at Whangapoua, the people of Ngati Pare were not killed and they survived and lived to reclaim their mana and their rights. Marutuahu were not the only tribe to battle our people. Kahungunu and Nga Puhi did also. For this area we inhabited held much richness in kaimoana, birds, fish, berries and many native trees. This richness of resources became another threat to our people later on in our history.

12. Marutuahu did attempt to conquer Ngati Huarere. Many of the Hauraki tribes were later subjected to attempts by Nga Puhi to conquer them. However, being a conqueror does not vest rights to land and resources unless it is consummated by possession and the establishment of ahi kaa. If it were not so, Nga Puhi could claim rights in Hauraki. After many of these invasions or acts of utu the original people could reclaim their rights if their ahi kaa roa rights continued. Our ancestors and our people have remained in the Whangapoua region from ancient times until the present. We have cultivated, hunted, fanned, and resided on these lands for centuries. We have the ahi kaa roa.
13. We dispute evidence given in the Wai 100 hearings by several witnesses claiming that Ngati Huarere no longer exists or that their rights have been subsumed into the hands of other Hauraki Tribes. We are here today as te Whanau o Mangakahia of Ngati Huarere. We should be recognised with well established rights in the region. We also acknowledge, as Mohi and Hamiora Mangakahia did, our whanaunga who are related to us as well. Through our whakapapa, we are clearly related to several tribes including Ngati Hei, Patutaatahi, Ngati Rongo-uu, and Ngati Maru. However, our rights to the Whangapoua lands and waters derive from our Ngati Huarere lineage - it is that lineage that makes us tuturu tangata whenua in this area.

### **Riria, Mohi and Hamiora**

14. The importance of the pou wahine role is a feature of our history. They are the creators of life. The women in our whanau have played a major role in our history. Riria was the person from whom we derived our mana at Whangapoua. She was the mother of Mohi and Hamiora Mangakahia. She lived in turbulent times, including the Nga Puhi invasions of Hauraki. Riria travelled between Whangapoua and Aotea. During the invasions Riria was forced to flee from Aotea. She sought refuge at Repanga (Cuvier Island) and then was forced to flee to Ahuahu (Great Mercury Island). In order to escape capture her party continued and found safety at Mayor Island. The Nga Puhi did not continue their pursuit of her party, so they remained on Mayor Island until their return to the Whangapoua area.
15. As she held chiefly status in the area of Whangapoua, her brother Te Ngarahu made contact and told her to come home to the lands that she belonged to. Te Ngarahu was aging in years and required her assistance to manage their affairs. She was a rangatira in her own right, a chieftainess. She and her brother Te Ngarahu were both important chiefs of rank. So she returned with her two sons to the Whangapoua region. It is through her whakapapa that we derive our rights to the region.

*our whanau in the past.*

*she and her brother*

16. Her two children were Mohi and Hamiora Mangakahia. Mohi was the eldest and he became prominent in the region. He died when he was preparing to run for the Eastern Maori seat in Parliament. Mohi had one wife and her name was Mere Taipari from Ngati Maru.

17. When Mohi died, his mantle was then taken by Hamiora Mangakahia. Hamiora was trained in genealogy and traditions by elders from the whare wananga "Whare Ongaonga". He was a pupil of the tohunga and prophet Toi Roa at Nukutaurua on the Mahia Peninsular.
18. Hamiora's first wife was Pareake Ngapo. He later married Mere Taipari, making her his second wife. He then married my great grandmother Mere Te Tai.

Hamiora = Pareake Ngapo — 1 st wife  
 Hamiora = Mereana Taipari — 2nd wife  
 Hamiora = Mere Te Tai—3rd wife (my great grandmother)

19. Hamiora Mangakahia became the first Premier of the Kotahitanga - Maori Parliament. Angela Ballara has written an extensive summary of his life and I will produce this for the Waitangi Tribunal at the hearing. There is also a summary of the life of my great grandmother Mere Te Tai who was the first woman to address the Maori Parliament, demanding that women be given the vote and that they be eligible to sit in the Maori Parliament. She argued on the grounds that many Maori women owned and administered their own lands. I will produce that for the information of the Waitangi Tribunal as well.

### **Wahi Tapu**

20. There are wahi tapu throughout the entire Whangapoua area. I have seen them within the forests lands and on the farm lands. There are wahi tapu that I have seen on the following blocks:

Opera	Raukawa, trenches, middens, cave, urupa, 3 pa sites
Pungapunga 1	3 pa sites, canoe land place and middens
Pungapunga 2A	Karaka Pa, middens, kumera pits, trenches, 2 urupa
Pungapunga 2B	Urupa
Pungapunga 3	Pa sites, middens,
Owera	pa sites, urupa, and middens
Opitonui	pa sites, midden
Te Rerenga	pa site
Waitekuri	midden and pa sites
Wainuiototo	pa sites - not visited by me
Motutere	urupa
Ahuahu	urupa, pa sites, middens - not visited by me
Omaro	Matarangi - middens
Otangaru	2 pa, midden

21. It has been very difficult to protect these sites as most of them fall within the forest lands. Former and current mechanisms for protecting the sites are inadequate because many have been modified or totally destroyed despite whanau objections to the logging companies and Environment Waikato, the regional authority for the area.





Many of the pa sites within the forests are at high vantage points, perfect locations for foresters to haul their logs to make for easy extractions. I have been to and seen pa sites destroyed by foresters using machinery. Bulldozers are used to flatten and level the apex of the pa sites and roads up to and across the sites are developed to access the logs.

## **Mauri**

22. All living things especially Maori who descend from the gods, their lakes, rivers, seas, and bush have a mauri - life principle. They are a living life force, just like Papatuanuku and they come from the same source. These principles should be appreciated and respected. It helps one to relate to and care for everyone and everything across the universe. Failure to respect the mauri of the environment means it will no longer be available to sustain life. In relation to our waters, creeks, rivers and sea it is not possible to divide out the mauri and consider aspects of these taonga in isolation. They form a holistic whole that sustain our lands, our islands, our harbour and our livelihoods. Many of my whanau will talk to the Tribunal about the way in which the mauri - life principle sustained and continues to sustain the whanau through farming, hunting, fishing and gathering.
23. The mauri of the environment at Whangapoua has been affected by forest activities such as clear felling and roading causing silt build up and affecting the waters of the region. The waters were once beautiful and clean but now they have a green slime over them. For example, when there are floods the silt build up completely covers the karahu beds. Karahu are small sea snails that are found in the mud flats of the Whangapoua Harbour. We collect them by hand gathering. They are cooked and taste similar to paua. During the summer months there is a influx of people. They bring with them their boats, their rubbish, their sewerage. All the residences at Whangapoua discharge effluent waste directly into the ground through an effluent bed system thus affecting the water table. In the 1980s I asked the then Conservation, to come to Whangapoua to have a look at the effects of the quarry, forestry and roading on the Pungapunga River, particularly at the mouth. The quarry is in the same area as the original homestead of Hamiora Whakakoro and Pano Waiti. She did acknowledge on the day that there had been a major silt build up and she walked with me out into the lagoon to witness the amount of mud that had built up where sand once was. She never did respond formally to my request to have the quarry closed.

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## **Lands and Forests**

24. Land in the eyes of Maori was part of their personal mana or standing and that it was not to be exploited. The land has always been regarded as a taonga gifted to them from their tipuna as kaitiaki for the future generations.
25. During the 1970s I worked with for New Zealand State Forests services. I was in a clear felling gang using chain saws and slash hooks. This was the only source of

work that I could get and it was before I knew or understood the extent of the whanau lands. We began clear felling on the Otangaru where little regard was taken to saving native trees. In my time I saw kauri, kahikatea, totara and many other species of native tree cut and burnt. The Pungapunga blocks were clear felled by a roller crusher - a big steel roller that is released from a high vantage point that crushes everything in its path. This process kills everything including native birds. During the planting programme I walked off the job because I could not bear to watch the destruction to the native forests and the introduction of pine to land owned by my people.

26. In former times we did depend on the forests in the area for birds. Kereru were best eaten when the Miro berries were ripe and also when the Puriri was in berry. Miro berries could be eaten after the pigeon. The pigeons were plucked and boiled. Alternatively they would wrap the birds in clay and cook them in an open fire. When they were cooked they would crack open the clay and all the feathers would stick to the clay.

## **Farms**

27. When I was 2, we were living in Pangaru - Hokianga, but as my grandfather Waipapa became sick we moved to Whangapoua to look after him. He was gassed in the war held during WW1. We lived with Waipapa in his homestead. We didn't have very many luxuries as we were not well off but we were always well fed. I had no shoes. I was always barefoot and my clothes were old or second hand.
28. There were three whanau farms at Whangapoua when I was a boy. They together cover Te Pungapunga 2A, 2B and IA. Our part was owned jointly by Waipapa and Mohi. Waipapa later brought the land from Mohi. Living in our house was Waipapa, Remehio, Kathy, and Steven Mareroa (whom I have always known as our whangaai), Reggie, Jack, Cindy, Mary Welsh and myself. Reg my father was running the farm. Living in the Browne's homestead were, Uncle Bunt, Betty, Narna, Gus, Fred, Phil, Herb, Maureen, George, Frank and Jay. This homestead was once Hamiora's home and the Waitangi Tribunal will hear the whanau talk about the importance of the Browne homestead which acted as a marae. Living up the road were Pareake Bright, Hinemoa, Kay, Cheryl and Uncle Ruka. The Denize family were also living at Whangapoua. That was, Bert, Barry and Audie.
29. I can just remember Waipapa's funeral; I was 5 years old. I can remember the people carrying him from the homestead to be buried across the road at the urupa. There was a lot of wailing - it was a gathering of all the people. I can remember when the first lot of people carrying Waipapa had reached the gate there were still people coming from up by the house. There were tarpaulins and I can remember the Haakari being at Tangiora's. They spoke Maori up at the cemetery. When Waipapa died he left everything to my dad. He told dad to look after his sister and his brothers so dad registered through the Maori Land Court to give them equal shares in the farm.



30. When I was about 7 we moved to Te Rerenga. Dad decided to leave the farm. We eventually moved to Auckland and Aunty Winnie and Zim moved back onto the farm. She was the only one that could go back. Uncle Bill who had been living in Auckland became really sick and he asked to be taken back to Whangapoua. So I left my job and took Uncle Bill back home. I was 16. He is buried in the urupa opposite the farm. We had the tangi at the homestead.

### **Motutere**

31. Motutere is our maunga. It belongs to us and we belong to it. It still remains in the ownership of the Mangakahia whanau and it has a separate title. The mountain is vested in John Mangakahia, my uncle. It has been thorough the Maori Land Court and we have asked to have it registered in the name of all the descendants of Hamiora Mangakahia. There is a forestry road that can be used to access the mountain. We are also the kaitiaki of this mountain. Motutere is visible from all coastlines in the Coromandel area, from the Great Barrier Island around to Waiheke Island. This made Motutere a land mark for many fishing grounds used by our people. We use it ourselves to find hapuku beds and shark. We would also use it to line up the bar for safe entrance into the harbour.

### **Maori Cultural Practices and Spirituality**

32. Tikanga covers Maori practices and laws. Tikanga is important to Maori life. There are consequences that flow from making mistakes and not adhering to tikanga.

33. All our family were told about the concept of tapu/sacredness by our elders. Many of the whanau will discuss urupa, stories regarding spirits etc. This was an important feature of our lives at Whangapoua because knowledge of tapu, the symbols of death such as moreporks and fantails and the stories regarding the spirits reminded to us to take care and to delineate clearly tapu areas. There were places where we were told we could definitely not go. I am still responsible for imposing rahui over the sea when there has been a drowning at the Whangapoua Beach.

34. Cultural practices relating to food harvesting and gathering were an important way of protecting the mauri of the resources and we believe that if we did not follow those practices the resources would not provide for us. A further layer of knowledge relates to the taniwha of the Whangapoua Harbour - a one eyed black stingray. This taniwha requires that we follow certain cultural practices when gathering sea food. The consequences for not adhering to them can result in sickness or loss of a resource. It is our responsibility as kaitiaki to look after the resources.

35. Maori was never spoken at home. Waipapa said that we had to learn Pakeha, as Maori would not get us anywhere. I never heard Waipapa speak Maori but have been told that he was fluent in Te Reo Maori. My father told me that when he was a boy at Whangapoua they were not allowed to speak Maori at school, on the way to school or on the way home from school. He never taught us to speak it. Over the last 6 years I have had to teach myself to speak Maori and I am still not fluent.

## **Rangatiratanga**

36. In this claim members of the whanau will talk about what our ancestors did to reaffirm our rights in the area. Tino rangatiratanga in the Treaty of Waitangi guaranteed our rights to exercise undisturbed possession and authority over our lands and waters. Our rangatiratanga must be recognised regarding all issues affecting the Whangapoua area.

## **Video**

37. I was involved in producing a video for the Waitangi Tribunal to show visually the extent of the Te Whanau o Mangakahia rohe.

38. Before I begin playing the video Te Whanau o Mangakahia would like to take the opportunity to thank the Tribunal for being here to hear our claim.

39. No reira - tena koutou, tena koutou, tena koutou katoa.