

# TAI WHAKAEA

RAUKAWA TREATY SETTLEMENT JOURNEY

A Narrative of the Raukawa  
Treaty Settlement Journey

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**RAUKAWA**  
RAUKAWA SETTLEMENT TRUST | TE POARI MATUA O RAUKAWA



Taku ara rā,  
ko Tūrongo,  
I wawaea ki te  
Tai-rāwhiti,  
Ko Māhinaarangi,  
ko te rua ra i moe  
ai a Raukawa;  
He kāwei tautika  
mai ki ahau.

MY PATH IS TŪRONGO  
WHO WENT TO THE EAST;  
AND MĀHINAARANGI IN WHOSE WOMB  
RAUKAWA SLEPT.  
A LINE DIRECT TO MYSELF.

COVER PAGE: Hitiri Te Paerata.

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## INTRODUCTION

The iwi of Raukawa descends from the eponymous ancestor, Raukawa. Raukawa is the eldest child of his father Tūrongo of the Tainui waka and his mother, the celebrated Māhina-a-rangi of the Takitimu.<sup>1</sup> His birth was particularly significant as a bridge joining the people of the west and east coast of the North Island.

Raukawa was named after the perfume worn by his mother during the period of his parent's courtship. Under the cover of darkness, the pungent scent of the oil from the Raukawa leaf led Tūrongo to Māhina-a-rangi who joined in eternal love.<sup>2</sup>

Desiring that his child be born in his homelands, Tūrongo returned to his home and built a pā named Rangiatea on the banks of the Manga-o-Rongo stream. Rangiatea was named to commemorate the ancestral Island of the Tainui waka. Māhina-a-rangi remained with her people until late in her pregnancy at which time she was ready to make the epic journey to join her husband. She began her long trek from her east coast home at Kahotea while heavily pregnant, taking a circuitous route. Joining her was her husband's dog, Waitete, who was to act as a guide to ensure a safe journey westward.<sup>3</sup>

Along the way, she said her fond farewells to her people, introducing her unborn child to them. Her presence celebrated by every pā she passed through, reinforcing the connection between the unborn child and her east coast peoples.<sup>4</sup>

Purposefully, she tracked her way along the coast bidding her people goodbye, before crossing inland towards Waikaremoana, then through the expanse of the Kaingaroa, to Rotorua. From there Māhina-a-rangi made her way towards Tauranga, before labour pains forced her to turn towards the Kaimai Ranges. In the Kaimai area, Māhina-a-rangi gave birth to the ariki, Raukawa.<sup>5</sup>

It was not long before she continued on her journey with her newborn son, crossing over pristine terrain to her new home. She crossed the Waikato River at a place called Anewanewa, below Maungatautari. When she reached Horahora on the other side of the river, Waitete left her to find Tūrongo. Tūrongo was overjoyed at the sight of his dog, as he knew that his wife would not be far behind. Immediately he set off to find her and welcome her into his lands.

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1 Raukawa Deed of Historical Settlement Claims, 2012, p. 6.

2 Te Hurinui Jones, P. (2004), p. 72.

3 Te Hiko, N. H. (2010). P. 73.

4 ibid

5 OS – Thomas Smith (2012)

When he finally reached her, he was ecstatic. We can only imagine the pride he felt looking down at the face of his son. Carefully, he escorted his family back to his village. Waiting to greet them was Tawhao, the father of Tūrongo. Along the banks of the Manga-o-Rongo, Tawhao performed the tohi (dedication) ceremony on his grandson.<sup>6</sup>

In reflecting upon the Raukawa settlement journey, it is not difficult to find comparisons with the story of the passage taken by Tūrongo and Māhina-a-rangi. The story of Tūrongo and Māhina-a-rangi is exemplar of overcoming hardship, just as the Raukawa settlement journey is as much a story of triumphing over adversity. Both stories were fraught with challenges, tribulations and disappointment. Yet despite these trials, the iwi like their ancestors rose above those experiences to find enrichment spiritually, mentally, socially, and culturally.

The Raukawa settlement journey is a long one, with many twists and turns. It was abundant with subtle nuances that interconnected like a jigsaw to form a finely balanced outcome.

Therefore, this narrative explores the experiences of the iwi of Raukawa in its Treaty settlement journey. The narratives will examine the pragmatic approach taken by the iwi to addressing the historic injustices visited upon them by the Crown since the signing of the Treaty of Waitangi in 1840. Furthermore, it will look at the difficulties faced by the iwi in collectivising as a large natural grouping, before examining some of the relevant Treaty issues that supported the Raukawa negotiations. Discussed along the way are some of the issues the iwi faced in the negotiations as well as what the settlement actually achieved for the iwi. Finally, the narratives will look at some of the future aspirations of the iwi.

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<sup>6</sup> Te Hurinui Jones, P. (1953), p. 23.





## PART ONE

# About the Iwi of Raukawa



The traditional Raukawa takiwā is divided into four rohe, located generally within the Central North Island region. Each rohe has its own unique, but interrelated histories and geographic features and are delineated by traditional tribal markers or pou whenua. These pou are known as Maungatautari in the north, stretching to the Wairere Falls within the Kaimai Ranges. This is the northern tip of the eastern pou known as Te Kaokaoroa-o-Pātetere. To the south is the pou Te Pae o Raukawa that includes the Western Bays of Lake Taupō, to the west of the takiwā is the pou known as Wharepūhunga.<sup>7</sup>

presence for Raukawa. Raukawa living in the south and their kin living in the north actively maintained relationships with each other in the nineteenth century. Overtime the southern and Central North Island Raukawa developed distinct identities, though many iwi members continue to affiliate to both.<sup>8</sup>

A method of distinguishing between the two groups developed over time. This focused upon the word “Ngāti”. Ngāti means to be a part of something. Those who remained in the Central North Island purport that because Raukawa was born, raised, and died in the area we are not a “part of Raukawa”, but consider ourselves “as Raukawa”. In the southern regions, they are referred to as Raukawa ki te tonga or Ngāti Raukawa.

Intersecting the takiwā are three major awa. In the west is the source of the Pūniu River. To the east is the Waihou River, where the source is located near Hamaria. Flowing between them is the mighty Waikato River. Raukawa is an iwi that actively practices mana whakahaere, kaitiakitanga and ahikāroa within this takiwā, which includes the guardianship for all our waterways. The Waikato River is special to the people of Raukawa as historically it was the centre of Raukawa commercial, social, cultural and spiritual life. The Waihou and Pūniu were equally as important as its pristine waters provided for the physical needs of the people and enhanced their cultural and spiritual practices.

In addition the Fisheries settlement described the iwi as Raukawa ki Waikato, a hotly debated term amongst the iwi that caused considerable furore when the team introduced it to the iwi early on in the comprehensive settlement process. This resulted in a clear statement by the Raukawa Treaty team (the team) to the Crown that reference to Raukawa ki Waikato was anathema to the iwi. Suffice it to say, the term Raukawa ki Waikato faded from the negotiations.

In all this, what was important for the Crown to note was that in settling the Raukawa claims it in no way settled the claims of those claimants from Raukawa ki te tonga. This was a view that the team had to reinforce with the Crown constantly because the Crown could not understand that we were two distinct groups.



<sup>7</sup> Hutton, J. (2009), p. 153.

<sup>8</sup> Te Hiko, N. H. (2010), p. 147.

“It is important that through the settlement of these claims we honour our tupuna who has left us this legacy. It is equally important that the decisions we make over the next period builds the foundation from which the generations to come may grow and prosper.”

G RANGITUTIA, CHAIR, RTB

## PART TWO

# Raukawa Treaty Settlement

**The Raukawa Treaty Settlement is comprised of two components:**

1. Central North Island Forest Settlement (2008)
2. Raukawa Historical Treaty Claims Settlement (2012)

There was also a separate agreement reached in respect of a Deed in Relation to the Co-Management Framework for the Waikato River 2010 (**the River Deed**).

### **The Central North Island Forest Settlement**

In 2008, Raukawa joined with seven other Central North Island (CNI) iwi to sign the Central North Island Forest Settlement. The settlement closed a chapter on some very difficult negotiations between the Crown and CNI iwi, following on from the earlier and failed Volcanic Iwi Plateau (VIP) negotiations. For the Crown, the notion of iwi proposing a settlement process was “novel”<sup>9</sup> according to former Deputy Prime Minister and Treaty Minister, Michael Cullen. For the iwi however, it was a matter of changing paradigms. The resultant settlement was ground breaking.

For Raukawa the CNI settlement reflected the population and interests of Raukawa in the claim area. This meant that Raukawa would receive via the settlement:

1. On-account agreed proportion of the accumulated rentals of 14.2125% (this was reduced from 15% as the larger CNI Iwi by agreement took a 1% reduction and transferred that to Ngāti Manawa and Ngāti Whare);
2. Annual land rental income for 35 years;
3. Return of lands via an agreed process;
4. Allocation of New Zealand Carbon Credits;
5. Rights of First Refusal, Deferred Selection and other Crown mechanisms;
6. Priority for CNI Iwi to settle individual comprehensive claims

### **The Raukawa Comprehensive Settlement**

The second component to the Raukawa settlement was the 2012 comprehensive deed. This deed settled most of the remaining outstanding Raukawa historical claims. However, Raukawa and the Crown agreed to park outstanding matters as other iwi were involved and their respective settlements were in an early stage of negotiations or were working towards negotiations.<sup>10</sup>

<sup>9</sup> Dr Cullen noted in his speech at Waihi marae (04/04/2008) that the approach taken by iwi to bring a proposal to settle claims to the Crown was a novel approach as it had not been done before. Also cited by N Te Hiko in his article *Raukawa and a Year of Politics* - Raukawa Pānui No. 9. Former National MP Tau Henare later stated that such an approach was “brilliant”. (NZ Herald, 26/06/2008)

<sup>10</sup> Negotiations hui between RST and OTS, (2011).



These were:

1. Rights and interests in water;
2. Maungatautari
3. Waihou River;
4. Waikeria Prison.

At a quick glance, the Raukawa comprehensive settlement comprised:

1. Historical Account, Crown Acknowledgments and a Crown Apology;
2. Cultural Redress –including vesting of sites, overlay classifications, statutory acknowledgments, deeds of recognition, place name changes and other redress that supports cultural revitalisation and recognition;
3. Financial and Commercial Redress - including a cash component less the agreed CNI on-account amount, interest, deferred selection properties, rights of first refusal on surplus Crown properties, the opportunity to purchase and lease back properties and a fund to assist the iwi to strengthen commercial relationships with Mighty River Power.<sup>11</sup>

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<sup>11</sup> Cowley, P. (2012).

## PART THREE

# Collectivisation of the Iwi Claims

The collectivising of the various claims into a Raukawa large natural grouping, was a very difficult settlement task. It was made particularly difficult for several reasons.

In 2007, the Raukawa Trust Board (RTB) was the mandated iwi authority for the iwi of Raukawa. Following a comprehensive review and restructure of the organisation the RTB undertook a mission to understand the needs and aspirations of the iwi. The RTB visited marae within the takiwā and from those hui, a single theme pervaded the conversations. What was happening with the Treaty claims?

A cause of this unease was the opinion that the RTB had fallen into a state of inertia around the Treaty claims, aggravating iwi perceptions of the apparent inability of the RTB to prosecute iwi claims. This was worrying to the iwi, who at the time were noting the advancement of Treaty claims of other iwi around them. Of particular note were the Waikato-Tainui comprehensive Waikato River Co-management agreement that appeared to exclude Raukawa and the encroachment of the Te Arawa settlement into the Raukawa rohe.<sup>12</sup>

In addition, to the south, the Waitangi Tribunal neared completion of its findings in the Central North Island Inquiry and at Tauranga, the Tribunal neared completion of the hearing phase in that Inquiry<sup>13</sup>. Also the Tribunal kicked off the King Country Inquiry (later renamed the Rohe Pōtae

Inquiry) that would impact upon the western Raukawa rohe of Wharepūhanga.<sup>14</sup>

The notion of inertia was a significant issue for the iwi and added to the frustration felt by claimants and uri alike. What was contributing to that view was concern about the significant amount of resource, time and effort directed into progressing the Treaty claims for very little to no apparent return. It was clear that the RTB had invested significantly in the process including the hiring of several Treaty claims managers and lawyers over a number of years.

Stemming from this inertia came a loss of confidence among claimants with the administration of their respective claims by the RTB. For example, Koro James Clair, who placed his Ngāti Mōtai claims, WAI 254 and WAI 1340 into the care of the RTB. Frustrated by years of inaction, Koro Jimmy removed his claims from the RTB, hired his own lawyer and prosecuted his claims in the Tauranga Inquiry. Others joined him.

Another matter that influenced the collectivisation of the iwi claims centred on some marae within the Raukawa takiwā electing to extricate themselves from the Raukawa settlement, choosing instead to follow their own settlement pathway or they simply chose not to be a part of the Raukawa settlement. It was a difficult decision for the iwi to exclude those marae from the settlement, but was one that was eventually mutually agreed.

With those matters clearly in mind, the RTB forged on and in 2007 seconded Christopher McKenzie (Ngāti Tukorehe, Ngāti Kauwhata, and Ngāti Mahuta) to lead the Treaty claims. Coming from a teaching background, McKenzie was initially employed by the RTB as the Education Manager prior to his secondment. After establishing a small team around him and with the full support of the RTB, McKenzie started making contact with Raukawa claimants. His first port of call was at a hui at Ngatira marae in early 2007. At this hui McKenzie met with the leading members of the Raukawa Kaunihera Kaumātua. He aimed to secure their support for the RTB to lead the Treaty claims process through the newly formed Raukawa Treaty team.

*There were some very frank discussions held that day, with lots of robust kōrero and head shaking. Yet by the end of the day, urged on by our most senior kaumātua, every kaumātua there individually stood to pledge their support.<sup>15</sup>*

The hui was to prove as a watershed moment in the Raukawa settlement journey. Despite some reservations and uncertainty, the Kaunihera had resolved that the iwi must have confidence in itself and that Raukawa as an iwi must follow their own destiny.

Buoyed by the outcome with the Kaunihera, McKenzie went on to visit the individual claimants in the hope of forming a single large natural grouping. One of the claimants he spoke to was Koro James Clair. Recognising the failings of the past and after a long discussion, Koro Jimmy returned his claims to the RTB to progress.<sup>16</sup>

Having secured support from a number of the Raukawa claimants, McKenzie proceeded to address the range of concerns raised by the iwi. Of critical importance were the different Inquiries and negotiations happening all around the iwi, each of which would have a significant impact upon Raukawa.

These were;

1. The Central North Island Inquiry;
2. Waikato-Tainui Waikato River Co-management;
3. Tauranga Inquiry;
4. King Country Inquiry;
5. Te Arawa Settlement.

As a matter of urgency, McKenzie forced a Raukawa presence into each of those matters by meeting with Ministers, Crown officials and iwi with overlapping interests.

Setting in place a Treaty education program was one of the strategies that McKenzie established to address those issues. The purpose of the program was to educate Trustees, claimants and uri members about the Treaty settlement process. To this end, the team organised wānanga for the iwi inviting several key guest speakers. At a very informative wānanga in Putaruru, the Registrar of the Waitangi Tribunal, James Mitchell, spoke to the iwi about the pathways to settlement, either via the Waitangi Tribunal or through direct negotiations.

This hui was shortly followed by a further wānanga, this time with Haami Piripi of Te Rarawa. At the time, Te Rarawa had been in years of discussions with the Crown and Piripi played a key role in those discussions. He was able to provide candid insights into the pros and cons of each pathway. This was another watershed moment for the iwi, as following this hui the iwi chose to pursue direct negotiations, while still participating in the Waitangi Tribunal.

This was an ambitious approach, as it had not been seen before. However, the attitude of the iwi was such that just because it had not been done previously, did not mean that it could not be done. In 2007, the Waitangi Tribunal began its inquiry into the King Country. Despite harbouring the notion of heading towards direct negotiations, it was felt that a Raukawa presence must be maintained in the

<sup>12</sup> McKenzie, C. (2007), p. 3.

<sup>13</sup> ibid

<sup>14</sup> ibid

<sup>15</sup> OS - C McKenzie, (2010).

<sup>16</sup> McKenzie, C. (2007), p. 1.



Inquiry. The team argued that Raukawa participation in any record of inquiry was a necessity as Raukawa was a major participant to the Rohe Pōtae compact and that our absence in the Inquiry would adversely affect the iwi. The Tribunal did not balk at the inclusion of Raukawa in the Inquiry. Consequently, the team walked a tight rope in progressing claims through direct negotiations and presenting Raukawa perspectives in the Tribunal.

Another issue for McKenzie to address was the lack of profile for his team, a matter he had hoped to resolve through the secondment of Stephanie O'Sullivan in 2007 to lead the Waikato River negotiations. O'Sullivan, the whāngai of Raukawa kaumātua Hori Deane, had been the Environment manager for the RTB prior to her secondment to the Treaty role. She came from an impressive environmental background focusing upon Māori Resource Management, Agriculture and Environmental Education.

With McKenzie working on the comprehensive claims and O'Sullivan on the Waikato River, the team came to the attention of the Crown and neighbouring iwi. This worried some parties, particularly those who were keen to settle their respective claims.

This was a significantly challenging time for the team as the overlapping iwi discussions became very heated at times. As the temperature rose because of these debates, the cool wisdom of the kaumātua, Hori Deane, kept the team focussed. At a special karakia held, the Kaunihera Kaumātua bestowed three principles upon the team.

These were:

1. In all discussions, honour our tupuna;
2. Ensure a legacy for future generations;
3. In pursuit of a Raukawa settlement, do not be the cause of further Treaty breaches.

With these principles firmly instilled, the team regrouped, recovered and faced each challenge with renewed vigour.

Stitching together a collective grouping is one thing, maintaining that group through to settlement was something different altogether. In this regard, implementation of a communications strategy was critical. It was the major criticism identified of the RTB and one that McKenzie worked hard to address. Initiation of the Treaty education program was one strategy he employed as it gave him access to influential uri members with significant networks that he used to disseminate key messages. Added to this was the issuing of regular pānui that informed uri members from far and wide of what was happening, reinforcing the key messages.

McKenzie liaised closely with the RTB trustees and kept them abreast of what was occurring, before meeting with the Kaunihera Kaumātua and informing them of the Treaty progress.

As the word went out, interest amongst uri members grew with many making themselves available to assist. Recognising the growing enthusiasm amongst the iwi, McKenzie seized on an opportunity to include more members in the process. This resulted in an iwi wide project that focused on the transcription of the Native Land Court minute books. Over 70 uri members participated in the project that saw over 10,000 pages of minutes digitised.

As the iwi pressed its Treaty programme forward, windows of opportunities presented themselves. One significant window was the appointment of the Deputy Prime Minister and Minister of Finance, Dr Michael Cullen into the role as Minister in Charge of Treaty Negotiations. As Minister, Dr Cullen, promoted two keynote settlements, the Waikato River co-management and the Central North Island Forest negotiations with a collective of iwi.

## PART FOUR

# Mandate and the CNI Iwi Collective

Momentum for the Raukawa Treaty settlement process continued to grow as did opportunities.

On the 19 February 2008 members of the Central North Island Iwi Collective, (CNIIC) met with the team, to request Raukawa join the CNIIC.<sup>17</sup> The constituent iwi of the CNIIC at the time were Ngāti Tūwharetoa, Ngāi Tuhoē, Ngāti Whare, Ngāti Rangitihī and Ngāti Whakaue. The opportunity to join the CNIIC did not immediately come from the iwi members; rather it arose out of sustained political pressure the team applied upon the Crown.

Uncertain of the implications of joining the CNIIC, particularly as it related to Raukawa interests, the RTB asked the team to investigate the situation. On the 6 March 2008, Nigel Te Hiko and RTB trustee, Thomas Smith as the appointed Raukawa representatives officially commenced a watching brief of the CNI. Within a matter of weeks Te Hiko realised it was crucial for Raukawa to be a full member of the CNIIC and on the 3 April, the RTB confirmed Raukawa commitment to the CNIIC as a full member.

The next day, at Waihi marae, Turangi, the CNIIC presented to the then Deputy Prime Minister, Dr. Michael Cullen a proposal to settle the CNI Forest claims of the iwi. While at the marae, the Raukawa team took the opportunity to meet with Dr Cullen and the late Minister of Māori Affairs Parekura Horomia.<sup>18</sup>

A few days later, the CNIIC took a significant step forward towards settlement with the completion of a draft agreement in principle of substantive terms. The Raukawa team of McKenzie, Te Hiko and Smith negotiated a significant allocation for Raukawa.

While the CNI agreement was progressing at a frenetic pace, the RTB was still required to secure a fresh mandate from the iwi to negotiate the Treaty settlement. Anxious to secure that mandate, on the 1 May 2008, McKenzie and the team commenced a gruelling round of nine hui-ā-iwi held throughout the country. At each hui the team outlined the strategy to settlement and introduced the idea of a Raukawa commonwealth. In this respect, raised during each hui was the notion that no Raukawa uri would receive any more or less than any other uri member and that any redress would be held holistically by the RTB to be shared equally amongst the iwi.

In a display of overwhelming support, the iwi voted to mandate the RTB with 98% in favour.

On the morning of 17 May 2008 at Aotearoa marae immediately following the last of the mandating hui, the team began a second round of hui-a-iwi, this time to ratify the CNI Forestry Settlement. This ratification round involved nineteen hui held around the country, concluding at Tokoroa on the 12 June 2008. For the team it was an extremely challenging and often emotional time for everyone involved including the team, trustees, kaumātua, claimants and

<sup>17</sup> Te Hiko, N. H. (February 2008). P. 2.

<sup>18</sup> Te Hiko, N. (April 2008). p. 3.

their respective whānau. Despite the team’s resources being stretched to the very limit, they persevered.

As a result, with a 100% show of support, the iwi voted to accept the CNI Deed of Settlement. With such strong support demonstrated by iwi such as Raukawa, the Crown agreed to the CNI forest deal.

On the 24 June 2008, on a cold, rainy early winter’s morning, over 150 iwi members gathered at the Raukawa Trust Board offices in Tokoroa to prepare to depart for parliament to participate in the signing of the Central North Island Forest Deed the next day. This was something the late RTB Chair, George Rangitutia never imagined would happen as he opined “A year ago, none of us believed that we might be in a position to sign our first Treaty settlement this year...”<sup>19</sup>

The emotion felt by those gathered that morning was palpable. People mixed and mingled, the old and the young all immersed in the moment. Reflects Cheryl Pakuru “...the rain reflected the tears of joy of those original claimants now passed on seeing the fruition of their work started so many years previously.”<sup>20</sup>

The three coaches filled to capacity, slowly wound their way down the middle of the island to the Kāpiti Coast. Hosting the iwi at Ōtaki overnight, were whānau from Raukawa marae, Te Pou o Tainui and Te Wānanga-o-Raukawa.<sup>21</sup>

The next morning, as the iwi converged on parliament, their numbers swelled to over 200 Raukawa, as joining the travelling party were Raukawa whānau living in the Wellington area. Kaumātua, RTB trustees and claimants as special guests sat in the Beehive’s Banquet Hall where the signing ceremony took place. Seated in the Grand Hall of the adjacent Parliament buildings, was the rest of the iwi as they watched proceedings live on CCTV as it streamed into the hall. McKenzie and Te Hiko used the waiting time prior to the official pōwhiri and formalities to get underway to give the Raukawa contingent a presentation of the CNI Deed and a rundown of the day’s proceedings. Treating the people in the Grand Hall to beautiful waiata was the kapa haka group, Te Waka Iti.<sup>22</sup>

Because of the size of the occasion, parliament’s resources were pushed to the limit resulting in parliament staff struggling to cope with hosting so many. Recognising the issue, Raukawa team members Cheryl Pakuru and Kim Blomfield took over the organisation of the ceremony and within the space of a few hours, had everything set for the event.

19 Rangitutia, G. (August 2008). p. 1.

20 Pakuru, C. (August 2008). p. 2.

21 ibid

22 ibid





At the official pōwhiri, speaking on behalf of the iwi during the official ceremony, Koro Hori Deane rose, to a rousing cheer from the Raukawa crowds in the Grand Hall.

Following all the speeches, the iwi leaders signed the Deed of Settlement. One by one each leader signed and as the Raukawa Trustees, led by George Rangitutia crossed the stage to sign, the haka “Orongo mai”<sup>23</sup> erupted from the Raukawa supporters particularly from the members of the kapa haka group, Te Waka Iti who Nigel had escorted from the Grand Hall to join in the ceremonies in the Banquet Hall.

This added to the spectacle of the occasion. Following the official signing, all the iwi members signed extra pages of the deed.<sup>24</sup> It was a proud moment for many of Raukawa to sign the deed. Later that afternoon as the coaches made their way back to Tokoroa, trustees, kaumātua and claimants remained at parliament to watch the first reading of the Central North Island Forest Land Collective Settlement Bill. Says Pakuru “To those present it was an interesting experience to witness the “decorum” of the parliamentary debating chamber”.<sup>25</sup>

Later that same night, the trustees, kaumātua, and claimants met separately with the Crown to sign Terms of Negotiations for its comprehensive and river claims. This agreement officially marked the commencement of Treaty settlement negotiations between Raukawa and the Crown. The signing was held in the beautiful old Māori Affairs room in parliament and was officiated by Ministers Cullen and Horomia.<sup>26</sup>

<sup>23</sup> ibid

<sup>24</sup> ibid

<sup>25</sup> ibid, p. 4.

<sup>26</sup> Te Hiko, N. (August 2008). p. 4.

With events of this nature occurring, more and more uri members wanted to invest their time and effort into the Raukawa settlement process. This enthusiasm led to the formation of the Raukawa Claimant Committee (the RCC) shortly after the CNI settlement.<sup>27</sup> The RCC was a mitigation to the growing expectations of the iwi and was a way in which members of the iwi could be a part of the process. Initially the RCC was an ad hoc committee that by October 2008 evolved into a Raukawa “think tank” that led key discussions such as research, the development of a Post Settlement Governance Entity (PSGE), and the various settlement redress packages. It comprised of a wide cross-section of the iwi including the negotiating team, RTB trustees, kaumātua, claimants, marae representatives and uri.

To maximise the effectiveness of the committee and to get through the heavy workload, the RCC divided into smaller sub-committees, each concentrating on a specific topic. For example, the PSGE sub-committee focused specifically upon the formation of a PSGE and its form and function. Whereas, the task of the Redress sub-committee looked at items that might be included in a cultural and/or commercial redress package.

<sup>27</sup> Te Hiko, N. (December 2008). p. 5.

## PART FIVE

# The Key Issues to the Settlement

One of the important tasks that the RCC took on board was also to coordinate the alleged Crown breaches identified by each of the claimant groups. To do this the, RCC formed the Research sub-committee. The first task of the sub-committee was to define its research approach. From the outset, the sub-committee identified that any research undertaken was for the sole purpose of supporting the negotiations. This was a big call made by the sub-committee as some individuals felt that the purpose of the research was to tell “the” authoritative iwi story and that this was the only opportunity Raukawa had to tell that story.

These issues were debated at length amongst the sub-committee who found that the resulting research could only form a part of the growing corpus of Raukawa history and was never intended to be the authority on the iwi story. In addition, the sub-committee felt that the authoritative iwi story could be achieved post settlement.

The sub-committee chose instead to develop a thematic approach to the research. This in effect meant that all the research undertaken had a specific theme to it. The reasoning behind the approach therefore was very pragmatic and logical.

These were:

1. Negotiators needed the best information that demonstrated the impact of the Crowns breaches upon the iwi;
2. The themes were based upon the critical factors that the Crown considers when deciding quantum;
3. The research provided clear evidence of the Crown breaches.

Going into negotiations is always a difficult prospect. In this regard, the Research sub-committee played a critical role by organising and producing strong evidence that would hold up to Crown scrutiny. To this end, the sub-committee elected to engage both internal and external researchers to produce several comprehensive reports.

These reports were:

1. **Raukawa Traditional History Summary** - an account of the traditional history of Raukawa. This provides background information about the iwi, the iwi population and size of the traditional tribal boundaries. It also provides iwi assertions of mana whenua in their tribal boundaries and land use – kāinga, pā sites, mahinga kai, cultivations, eel pā, wāhi tapu etc.
2. **Stage Two Traditional History Report** – a more in-depth examination of the iwi and its engagement with the Crown.
3. **Land Alienation** – a report on how the iwi experienced the alienation of their lands through direct or indirect Crown actions. The impact of private land speculations, the impact of the Native Land Court etc.
4. **War and Raupatu** – this is a major factor the Crown uses when determining quantum. This account may include any raupatu or confiscation made by the Crown and how they dealt with those confiscations that may have impacted upon the iwi.
5. **Impacts of the Native Land Court on Raukawa** - this is another major factor in consideration of an iwi quantum. This report examines in detail the impact of the Native Land Court policies and procedures upon the iwi.
6. **Public Works** – an account of public works takings in the tribal area, including roads, railways, schools etc. This report also examined the extent these public works affected the traditional use of the land.
7. **Environmental Impact Report** –an examination of the impacts of Government actions upon the environment within the Raukawa takiwā. Once again, it generally focuses upon 20th century issues
8. **Raukawa and Crown Political Engagement** – this was a short report that examined the political engagement between Raukawa and the Crown that noted the attempts of the Crown to remove Raukawa from the Kīngitanga.

Armed with this information the negotiation team was able to negotiate with the Crown from an informed position. The negotiators advocated that Raukawa had suffered significant land loss because of Crown actions. They based their argument on core Crown breaches.

## PART SIX

# The Core Crown Breaches

## WAR & RAUPATU

Raukawa were affected by the New Zealand wars in three main theatres of conflict, these being Taranaki, the Waikato war, including notably the battle of Ō-Rākau in 1864, and also the British army campaigns in Tauranga and the battles of Gate Pā and Te Ranga (also 1864). Similarly, two separate confiscations of land under the New Zealand Settlements Act 1863 (Waikato and Tauranga confiscations) negatively affected the iwi of Raukawa.

In addition to these theatres of war, Raukawa were affected by the conflict between the Crown and Te Kooti in 1869-1870. Raukawa tried to stay neutral in this conflict, but it had significant effects on the iwi given that some significant parts of the conflict occurred in Raukawa territory.

In regards to the Waikato war, Crown forces invaded the Waikato on 12 July 1863 when General Cameron and his army crossed the Mangatawhiri stream into the Waikato proper.<sup>28</sup> Prior to the invasion, Governor George Grey issued a proclamation demanding northern Waikato Māori swear allegiance to the Crown on the 9 July, following rumours that Waikato Māori prepared to attack the city of Auckland.<sup>29</sup> A day after the proclamation, General Duncan Cameron prepared his troops to move on the Waikato. 2 days later, Crown forces marched across the Mangatawhiri stream and the invasion of the Waikato began.<sup>30</sup>

The first major battle was at Rangiriri in November 1863. The historian B J Dalton has called the Waikato campaign as “calculated aggression”<sup>31</sup> and that is exactly how Raukawa would have seen it, and indeed still see it. Although there had been divisions of opinion amongst Māori in the Waikato before 1863 over a range of issues, the invasion created an emergency and all had to join in defence of the Waikato.

It is not certain whether there was extensive Raukawa involvement in the battle of Rangiriri. Raukawa understanding is there was certainly some involvement but the extent of this is uncertain.

On 9 December 1863, the British army occupied Ngāruawāhia and the situation in the Waikato became even more threatening. Kīngitanga forces retreated further south and did their best to construct a new defensive line to prevent the British army from reaching their main objective, the rich farming land around Rangiaowhia. This new defensive line was called the Paterangi line. Raukawa were involved in its construction and defence. Hitiri Te Paerata said that “before Ō-Rākau, I took part in the fights at Rangiaowhia and Paterangi”.<sup>32</sup> This indicates that Raukawa were present at the front some time before the main engagement at Ō-Rākau in 1864.

For Raukawa, there were certain points in history that impact upon the wellbeing of iwi, Ō-Rākau was one of those key points, a position that the RTB maintained in its evidence before the Rohe Pōtae Inquiry.<sup>33</sup>

At an early stage, Raukawa leaders believed that members of the Crown could not be trusted. When Te Paerata spoke to Pōtatau to voice his concerns, Pōtatau essentially assured him not to worry because the Governor was a friend of his. Te Paerata’s reply was that he was not concerned about the Governor, but was concerned about the antics of the Governor’s “companions”.

His fears played out when the Crown’s military forces crossed the Mangatawhiri and commenced the invasion of the Waikato in July 1863.<sup>34</sup>

Raukawa as an iwi attempted to remain neutral and separated themselves from the fight in Waikato. This however did not stop members of the iwi joining the fray at Meremere, Rangiriri, Ngāruawāhia and Paterangi. From a Raukawa view, the Crown may have realised that they may suffer considerable loss of life if they were to attack the Paterangi line, a view also held by Rusden who wrote:<sup>35</sup>

The Paterangi works of the Maoris (sic) were unusually intricate. Line upon line of zigzag rifle-pits intersected the slopes of fern covered ridges. The General bombarded from a distance, but made no impression, and his Maori allies advised him not to attempt to storm.

Consequently, the Crown sought to outflank the Kīngitanga forces and turned their attention instead to the less defended village of Rangiaowhia. It was not until the Crown attacked the peaceful village of Rangiaowhia in 1864 that forced Raukawa into the Waikato war.<sup>36</sup>

For Raukawa and other Waikato iwi, Rangiaowhia was vitally important to the people of the area because it was a centre of economic growth and trade.<sup>37</sup> The market gardens supplied much of the produce sold in Auckland and afar. Bishop Selwyn once commented that he had walked for miles amongst the cultivations of the Māori

Therefore, as the crops were being harvested and stored at Rangiaowhia, and the sudden influx of northern Waikato hapū, now evicted from their lands and seeking shelter within the area, to the Crown’s military forces they may have seen this as a build-up of rebellious Kīngitanga forces. This offered a more lucrative target to the Crown than the daunting Paterangi line.

28 Boast, R. (2009). p. 133 - 134.

29 ibid.

30 ibid.

31 Dalton, B. J. (1967). p. 178.

32 Te Paerata, H. (1888). p. 7.

33 Te Hiko, N. H. (March 2013). p. 3.

34 Gorst, J. (1864). p. 167.

35 Rusden, G. W. (1883). pp. 197-198.

36 Te Paerata, H. (1888). p. 2.

37 McCan, D. p. 23

In times of war, atrocities might ensue. Raukawa believe that when the Crown attacked Rangiaowhia, a massacre of refugees and non-combatants occurred. Raukawa accounts of the time, Crown forces including militia fired a barrage of gunfire into the village, trapping the villagers within their whare. The hot shells from the muskets ignited the thatch and set the whare alight. As they ran from the burning buildings, the colonial militia fired mercilessly, gunning down many unarmed people. Eventually the survivors sought refuge in the church, however they found no respite as it was also fired upon pinning the villagers inside. It is said that the door of the Church was blocked and the place was set alight. Few survived.<sup>38</sup>

According to Hitiri Te Paerata, the horror at Rangiaowhia prompted his father to lead Raukawa into the Waikato war. Hitiri said:<sup>39</sup>

**Her defiant cry,  
“Mehemea ka mate  
ngā tāne, me mate hoki  
anō ngā Wahine me ngā  
tamāriki!” could be heard  
across the battlefield  
immediately followed by the  
defiant call “Ka whawhai  
tonu matou. Ake! Ake!Ake!”**

“Our first intention was to remain concealed until our defences were completed; but some of the hot-headed young men strayed away against orders, and some were killed at Rangiaohia and at another place. Our hearts were very dark on account of those young men being killed, and the old men were angry. It was my old father, Te Paerata, who said, “Me mate au ki konei” (Let us make the pa here; let me die here on the land.)

Having joined the war proper, the Crown considered Raukawa rebels.<sup>40</sup>

The place selected for the building of the pā at Ō-Rākau, was initially thought to be a strategically good place, however when the unfinished pā was discovered by Crown forces it became clear that the decision to build at Ō-Rākau was a mistake.<sup>41</sup> The fortifications remained unfinished, provisions not fully collected and the area was susceptible to attack from all sides.

38 Te Hiko, N. (2013). p. 5. Also refer to R. Boast (2009), p. 137.

39 Te Paerata, H. (1888). p. 2.

40 Boast, R. (2009). p. 161.

41 Te Paerata, H. (1888). p. 2.

The battle at Ō-Rākau began in earnest on the 31 March 1864 and concluded on the 2 April 1864.<sup>42</sup> The Raukawa contingent were known as the “Ngā mate ki waho” in recognition of the prophetic song sung by Paerata to Pōtatau warning of the dire calamities that would befall the people should the Crown complete their survey of the Rohe Pōtae.<sup>43</sup>

Leading the first British attack on Ō-Rākau was Brigadier-General G. J. Carey, who was met with heavy resistance from the pā. The defenders forcing Carey’s troops to retreat three times. Seeing an advantage, Raukawa and others sought to press it.

Hitiri said<sup>44</sup> “My father and other brave men urged that we should take advantage of the confusions the Europeans were in and attack them.”

However, Rewi Maniapoto prudently would not consent to their request and the moment passed. Rewi, a chief of both Raukawa and Maniapoto, was selected by the assembled rangatira to lead the defence of the pā.

After failing to take the pā through a direct assault, Carey decided to siege the pā and attempt a sap.<sup>45</sup> Eventually, General Cameron arrived boosting the Crown’s forces to well over 1400 troops that fully surrounded the pā. For the next few days, the defenders within the pā endured extreme hardship. Pinned down by a barrage of gunfire and artillery, the position of those within the pā became dire. Still they fought on.

In his evidence to a Parliamentary committee, Hitiri remembered the conditions they faced within the pā. He spoke of the lack of food and water and attempts by the people to extract water from sucking on raw potato. He recalled his harrowing exploits when he stole out of the pā under cover of darkness and made his way to the Pūniu to fetch water in calabashes. He would then take it back to the pā to and share it amongst the thirsting people. He also gave evidence regarding their lack of ammunition and the substitution of peach pips and bits of wood used as bullets for their muskets. Despite all that, the defenders at Ō-Rākau endured.<sup>46</sup>

By the 2 April 1864, it became clear that the pā would fall. This prompted Cameron to offer terms of surrender. Consequently, Cameron offered terms of surrender to the defenders. Ahumai Te Paerata, the daughter of the Raukawa chief responded by refusing to leave.

She was shot a number of times, losing her thumb and leaving her with a limp for the rest of her life.<sup>47</sup>

42 Boast, R. (2009). p. 139.

43 Ngā Mōteatea (Vol. 4). p. 324.

44 Te Paerata, H. (1888), p. 3.

45 ibid

46 ibid

47 ibid

For Raukawa, the escape from Ō-Rākau was a costly one. Killed was the great Raukawa leader, Te Paerata and his son Hone Teri amongst many others, sacrificing themselves so that many others would live on. Hitiri and his sister survived the onslaught although they considered that they too would also die. Of this Hitiri says:<sup>48</sup>

“It became as a forlorn hope with us; none expected to escape, nor did we desire to; were we not all the children of our parent? Therefore, we all wished to die together.”

Of the defenders, less than half survived, with most falling during the evacuation of the pā. Some of the Raukawa survivors made their way south towards the safety of the King Country or to Taupō. Others made their way to Tauranga where they unfortunately found themselves in the middle of a further theatre of war.

Following Ō-Rākau General Cameron moved his headquarters to Tauranga on 21 April 1864.<sup>49</sup> On 26 April, the Battle of Pukehinahina (Gate Pā) took place. The British army was soundly defeated, losing 10 officers and 25 men killed. Some Raukawa also fought at Gate Pā. In research commissioned by Raukawa for the Tauranga Inquiry, a number of names were identified, including Tukeka, and a chief of Pātetere and Te Wairoa named Te Mouhouho.<sup>50</sup> There were likely other fighters also.

One prominent person who had Raukawa connections who fought in the Tauranga war was Henare Wiremu (that is, Henry Williams) Taratoa, who was educated at St John’s College, Auckland. According to the Waitangi Tribunal Henare was Raukawa<sup>51</sup>, although whereas Ngahuia Dixon, author of the entry in the DNZB on Henare, classes him as Ngāi Te Rangi but with Raukawa connections.<sup>52</sup> According to Dixon, Hera was Henare’s mother: his father’s name is apparently unknown. Henare grew up on Matakana Island, was taught and baptised by Henry Williams of the CMS, may have attended Octavius Hadfield’s school at Ōtaki, and attended St John’s College.

Henare Taratoa worked as a missionary in the Pacific, travelling around the Pacific with Bishop Selwyn in 1852. He also served with the CMS missionary William Nihill on the island of Mare in the Loyalty Group. In 1858 Henare Taratoa became native schoolteacher and lay reader at the CMS mission at Ōtaki, working among his Raukawa kin. Eric Ramsden mentions him briefly in his book Rangiatea:<sup>53</sup>

Among [Māori who left Ōtaki] was Henare Wiremu Taratoa, who had been one of the most promising teachers in the school. Henare, who had been at Ōtaki since 1858, was considered too impetuous for the ministry. Nevertheless, he was certainly not war-minded; he joined the Kingite party from a sense of rankling injustice.

Henare Taratoa is thought to be the author of a list of rules of engagement circulated amongst Māori prior to the advent of the fighting at Pukehinahina. The rules were sent on by Grey to the Duke of Newcastle in London on 5 April 1864:<sup>54</sup>

The final battle of the Tauranga war was at Te Ranga on 21 June 1864. This was a British victory, and many Māori died in the battle, including Rawiri Puhirake

and Henare Taratoa. Eric Ramsden wrote that “on his body was found the order of the day: it began with prayer and concluded with the injunction: ‘If thine enemy hunger, feed him. If he thirst, give him drink.’”<sup>55</sup>

Buried are more than a hundred Māori at Te Ranga and, according to Boast, in James Cowan’s day, it was still possible to see the remains of the rifle pits, ditches and trenches.<sup>56</sup>

Because of the wars in Waikato and Tauranga, the Crown labelled Raukawa as rebels and subjected Raukawa to two large-scale confiscations. The confiscation of significant amounts of Māori land throughout the North Island was an important aspect to the Crown’s response to the wars. The New Zealand Settlements Act 1863 provided the necessary legal framework for the Crown to confiscate Māori land.<sup>57</sup> It aimed to punish any Māori through the taking of their lands if they were judged to be involved in any act that supported the making of war against the Crown. The Act provided the power for the Governor in Council to proclaim a district where confiscation would apply. This enabled the Crown to use the confiscated lands for military and other settlements and replacing Māori customary tenure with Crown titles for those lands returned to Māori through the compensation process.<sup>58</sup>

48 *ibid.*, p. 6.

49 Boast, R. (2009). p. 153.

50 McBurney, P. (2006). p. 73.

51 See Waitangi Tribunal, *Te Raupatu o Tauranga Moana*, p. 92.

52 Dixon, N. (2010).

53 Ramsden, E. (1951). P. 248.

54 Waitangi Tribunal, *Te Raupatu o Tauranga Moana*, p. 92-3; cites Grey to Newcastle, No 34, 5 April 1864, 1864 AJHR E-3, 47. The Waitangi Tribunal notes that a number of versions of the rules may have been circulated.

55 Ramsden, E. (1951). p. 248.

56 Boast, R. (2009). p. 155.

57 *ibid.*, p. 158.

58 *ibid.*, pp. 158-160.

By September 1865, the Crown had issued a series of proclamations that effected confiscation within the Waikato. In addition, the Crown demanded the disarmament and surrender of all Māori involved in armed conflict against it. This included those tribes described as Ngāti Raukawa on the Horotiū. Failure to do so meant that those tribes were not considered for any claims of compensation.<sup>59</sup>

None of the land that the Crown confiscated within the Raukawa takiwā was returned to Raukawa through the Compensation Court. This included Maungatautari.

In the Tauranga confiscations, the Crown took a significant amount of land including lands within the Kaimai area where Raukawa hapū claimed interests.<sup>60</sup>

Following the cessation of open conflict in Waikato and Tauranga, some Raukawa hapū became heavily influenced by the actions of Te Kooti Arikirangi Te Turuki, who, in 1869, led his whakarau into the Raukawa takiwā.<sup>61</sup> In effect, the Crown bought their fight with Te Kooti into the Raukawa lands. This concerned many of the Raukawa leaders who were still recovering from the losses suffered at Ō-Rākau and Tauranga. Many felt that the presence of Te Kooti served as a destabilising influence upon the iwi.<sup>62</sup> What was of particular concern for Raukawa leaders was the presence of a large number of armed Crown forces traipsing across the Raukawa takiwā attempting to locate and capture Te Kooti. This caused significant anxiety amongst the Raukawa leadership who worried that this would spark renewed conflicts.

Consequently, they sought the immediate departure of Te Kooti from the area. This however did not occur as his charisma was such that many became enamoured by his message. Taking up residence at Tapapa, in the Te Kaokaoroa-o-Pātetere rohe, Te Kooti was able to escape when the Crown attempted to trap him there. He escaped to the Urewera, where the Crown and their allies pursued him.

He returned to the Pātetere region in 1872 but failed to get the same levels of support he had previously enjoyed. He retired to the King Country where he remained for the rest of his life.

59 *ibid*, p. 161. – Also cites *New Zealand Gazette*, 1865, 1 April 1865, p. 67.

60 Te Hiko, N. (March 2013). p. 13.

61 Stirling, B. (2005). p. 236. – Also refer to Boast, R. (2009). p. 191.

62 Stirling, B. (2005). p. 236

## NATIVE LAND COURT

Seen by Raukawa as an extension to the land wars, the Native Land Court proved to be very divisive for Raukawa that certainly supported Kawharu's view that the Courts were the "engine of destruction".<sup>63</sup>

Established under the Native Lands Act 1865, the function of the Court was to determine the ownership of Māori land and provide Crown title to defined areas. The Native Land Court was introduced into the Raukawa takiwā in 1866 at a time of uncertainty and amongst economic and social disruption. It was a time of undeclared peace between Raukawa and the Crown.<sup>64</sup>

As a result, Raukawa was often absent from the early hearings or did not identify themselves as Raukawa in fear of Crown retribution.<sup>65</sup> Some of the great Raukawa leaders who should have led the claims, had died during the wars. Others observed the edict of King Tāwhiao who forbade attendance at the Court. Those Raukawa who did attend the Court hearings were often prevented from doing so by Hauhau followers. At this time, the Hauhau were militant sections of the iwi opposed to what they saw as Crown intrusion into their lands.

This resulted in Raukawa not presenting evidence in key cases. One of those cases was Maungatautari, which Raukawa contested vociferously over several decades. The Court did not award Raukawa interests in the block, erroneously concluding that Raukawa had abandoned Maungatautari. This had considerable impact on Raukawa land holdings as subsequent Land Court hearings relied upon the Maungatautari finding.

The Court's judgment trusted upon the premise that Raukawa had abandoned the region to join Te Rauparaha at Kāpiti and that other Waikato groups had come into the area particularly, groups from Hauraki. Claimants in the Court argued that the Hauraki groups were then conquered and that the conquerors had obtained control of the area as a result.

The 'raupatu' claim was not necessarily one based on the conquest of Raukawa, but rather of the Hauraki group. For this analysis to work, it requires acceptance that Raukawa had entirely vacated the region, and this is the very thing Raukawa chiefs disputed. Several non-Raukawa witnesses supported this.

Raukawa leaders argued that by no means did all Raukawa migrate, with some people remaining in the area. They also pointed out that Raukawa at Ōtaki had been invited to return to their ancestral lands by Tāwhiao and the Kingitanga leadership. Parakaia Te Pouepa gave extensive evidence to this effect. His main argument was that Raukawa, as he put it, "were not driven away", but went south to "get guns".<sup>66</sup> While there had been conflict between Waikato and Raukawa, this was, according to Te Pouepa, all over by 1824, with Raukawa and Waikato "living in peace" after this time.<sup>67</sup> He went on to say that, many Raukawa who went to Kāpiti had returned to their ancestral lands in the central North Island, but they had not attended Land Court hearings because they were "Hauhaus"<sup>68</sup>.

63 Kawharu, I. H. (1977), p. 15.

64 Young & Belgrave (2010). pp. 37 - 41.

65 Hitiri Te Paerata noted in his evidence in the Tatua East block hearing, how uncomfortable he felt giving evidence before a Judge he recognised as having faced on the battlefield a few years earlier.

66 Te Pouepa P. (1867) as cited by Professor Richard Boast, p. 99.

67 *ibid*

68 *ibid*



The Court gave judgment on the three blocks on 9 November 1868. The Court's orders essentially vested all three blocks to other iwi and not to Raukawa. The outcome of the cases had serious implications for Raukawa, who also had some significant defeats in the Native Land Court in the Manawatū-Horowhenua region around this time (Manawatū block).<sup>69</sup>

With the advent of the Native Land Court, investigating block titles within the wider Raukawa takiwā, several Raukawa hapū fearing exclusion from their lands, detached themselves from the Kīngitanga to allow them to participate in the Land Court process.<sup>70</sup> These hapū had limited success with some gaining titles while others found themselves excluded.

One of the most notable cases that excluded Raukawa was the Taupōnuiatia hearing in January 1886. On that occasion, the Court subpoenaed leading Raukawa chief, Hitiri Te Paerata to attend a criminal libel case in Cambridge on the same day that the hearings for the Taupōnuiatia block commenced.<sup>71</sup> He was therefore not present to establish Raukawa as a tupuna for the hearing. Rather the Court, presided over by Judge Frederick Brookfield, fixed the ancestors for the Taupōnuiatia case as Tia and Tūwharetoa. The Court refuted Hitiri's efforts every time he attempted to raise the interests of Raukawa during the course of the hearing.<sup>72</sup>

The issue of Raukawa interests remained uncertain and re-emerged in the Taupōnuiatia West and Maraeroa block hearings. Despite the attempts by Raukawa tūpuna, the Court refused to abandon its earlier position regarding the ancestors Tia and Tūwharetoa. Chiefs like Hitiri however were able to whakapapa to these ancestors and did so in order to be heard.

Raukawa leaders were highly damning of the Taupōnuiatia decision, which resulted in decades of rehearing applications, appeals and petitions.<sup>73</sup> In fact, according to historian Bruce Stirling, the first applications for a rehearing of Taupōnuiatia "began to come in before there was anything legally to appeal against".<sup>74</sup> Formal rehearing applications came in after the Taupōnuiatia case was finally completed in September 1887. Stirling refers to an official rehearing's file, which lists 21 rehearing applications, filed in the Court from November 1887 to January 1888.<sup>75</sup>

Chief Judge Macdonald held a special hearing to deal with these rehearing applications in January 1888.<sup>76</sup> One of the most incredible aspects of the Raukawa rehearing applications was that the former Judge Brookfield, who was actually one of the original presiding judges of the Taupōnuiatia case, until he was dismissed from the bench about three weeks into the hearings and replaced by Judge Scannell, represented Hitiri Te Paerata at the hearing.<sup>77</sup>

Brookfield made a number of technical arguments about the validity of the Taupōnuiatia case. All applications for a rehearing of Taupōnuiatia West case were however dismissed, a point raised in the Waikato Times article that stated "When the history of this business comes to be sifted, as it will be sooner or later, some remarkable revelations ought to be made manifest..."<sup>78</sup>

Hitiri, Taonui and others continued to press for a remedy over the Taupōnuiatia West blocks. They sent three major petitions to the House of Representatives, these being a Petition of Taonui Hikaka and 128 others, a petition of Te Papanui Tamahiki and 96 others, and a Raukawa petition of Hitiri Te Paerata and 110 others. However, the Committee had no recommendation to make because the issue had come before the Supreme Court.

The Supreme Court released its judgment on 22 August 1889, but by this time, it had already been overtaken by events. On 9 July 1889, the government set up a Royal Commission to inquire into a number of issues relating to Taupōnuiatia. There were two Commissioners, T.M. Haultain and Hanita Te Aweawe.

Because of the Commission's findings, the Pouakani and Maraeroa block had to be heard all over again. However, it is somewhat ironic that one part of Taupōnuiatia West which did not have its status changed was Pouakani No.1. That was an area of 20,000 acres allocated to the Crown for survey costs.<sup>79</sup> This area was eventually used by the Crown to facilitate the land swap with people from Wairarapa.<sup>80</sup>

In 1891, there were further hearings relating to the Maraeroa block, and its neighbour, Pouakani. The Pouakani rehearing Court treated the claim by Werohia Te Hiko (P Eketone, conductor) as the principal claim.<sup>81</sup> Essentially, what happened was that the blocks (apart from the Crown's award for survey costs) were allocated to sections of Maniapoto and Raukawa.<sup>82</sup>

The Court's earlier Taupōnuiatia West and Maraeroa decisions of 1886 were, therefore, completely wrong. In the end, the blocks underwent a total reinvestigation. However, to get that done, Hitiri Te Paerata, and his colleague Taonui had to go to enormous lengths. They had applied for rehearings (without success), petitioned Parliament, and had brought proceedings in the Supreme Court. Finally, there was the expense and trouble of further hearings. With respect to the Taupōnuiatia West region, the Native Land Court process put the claimant Raukawa parties to enormous trouble and expense.

69 Boast, R. (2009). pp. 314-317. – Boast cites recollection of conversation by Parakaia Te Pouepa between Te Pouepa and Grey.

70 Young and Belgrave (2010). pp. 62-66.

71 *ibid.* p. 227.

72 Waitangi Tribunal (2008). p. 494.

73 Stirling (2004) pp. 1003-1005.

74 *ibid.* p. 994.

75 *ibid.* pp. 1003-1005.

76 *ibid.* p. 1007.

77 *ibid.* p. 1010. Also note The Waikato Times and Thames Valley Gazette (1888).

78 The Waikato Times and Thames Valley Gazette (1888).

79 Waitangi Tribunal (1993). *Pouakani* Report, p. 208.

80 *ibid.* p. 299.

81 *ibid.* p. 186.

82 *ibid.* p. 188.

## LAND SPECULATION

From the 1870s, cadres of Auckland based, political figures with access to large sums of money formed speculative land companies principally to purchase large tracts of Māori land within the Raukawa takiwā.<sup>83</sup> Some of these companies raised capital on the London market to speculate on the sale of Māori land to settlers.<sup>84</sup> Only a few intended to settle in the area. Despite this, the Crown gave significant assistance to the private speculative companies to purchase the lands from individuals prior to determination of title by the Native Land Court.<sup>85</sup> The Court did nothing to prevent this.

However, between 1873 and 1877, the private acquisition of interests in much of the Raukawa lands was restricted when the Crown suspended the operation of the Native Land Court in part because it became concerned over potential disturbances to the peace. One such disturbance related to a young pākehā farmhand killed by members of another iwi at Maungatautari.<sup>86</sup> The murder of Timothy Sullivan was of major concern for Raukawa, who still keenly felt the loss at Ō-Rākau. Although Raukawa denounced the killing, they did nothing to assist or hinder the capture of the assailants.<sup>87</sup> Of concern for the iwi was the sentiment felt by the settlers, who felt keen for retribution, but at a public meeting in Cambridge elected to leave the matter of justice to government forces.<sup>88</sup>

In addition, the government reconsidered its position in respect of the private leasing arrangements. To a large degree, the government considered that private lease negotiations were a factor in the murder and issued proclamations in 1873 and 1874 suspending the operation of the Native Land Court.<sup>89</sup> These proclamations effectively prevented the completion of both private and Crown acquisitions of Māori land in the Bay of Plenty and Taupō regions. These proclamations covering Raukawa lands reintroduced a Crown monopoly right to acquire customary Māori lands in the area.

In 1875, the Crown had begun to purchase the interests of the private parties and by late 1877 had begun taking steps to achieve large scale purchasing throughout the Central North Island.<sup>90</sup> This included making private dealings in the Pātetere unlawful.<sup>91</sup> This put Raukawa in a very difficult situation as the prices paid by the Crown were less than those offered through private purchase.<sup>92</sup>

Further problems for Raukawa became apparent. Raukawa reportedly, at great expense brought land into the Native Land Court and attended and participated in hearings. They incurred debts in consequence which resulted in the sale of land to cover the rising debt<sup>93</sup>. During the late 1870s, the Crown endeavoured to acquire the remaining Raukawa interests in Pātetere lands (Mangakaretu, Huihuitaha, Pokaiwhenua, Tokoroa and other blocks).<sup>94</sup>

However, with debt escalating and a shortage of funds during an economic downturn and the failure of the Native Land Court to determine titles made completion of the purchase difficult.<sup>95</sup> As a result, the Crown only purchased a small portion of the Pātetere lands.

In 1879, the new Premier, John Hall, and the Native Minister, John Bryce, rejected the previous government's reliance on Crown pre-emption and said they would remove proclamations that prevented the private acquisition of interests in Māori land.<sup>96</sup> The Hall government also argued that it was impossible to complete Crown purchases of Māori land when the colony was moving into a depression.<sup>97</sup>

The new government decided not to pursue the purchase of Pātetere lands and in January 1880 the Minister of Native Affairs indicated to one group of Auckland financiers and their agents that the Crown would withdraw from purchasing Pātetere once the money it had advanced to Māori had been recouped.<sup>98</sup> The Government wanted the advances paid to Raukawa and its earlier purchase of the private interests in this land repaid in cash or in land. In calculating what Raukawa owed, the Government included other costs in addition to advances made to Raukawa, including portions of the salaries of its agents and it repeatedly refused to show its accounts to Raukawa<sup>99</sup>. This drew the calculations into serious question, certainly enough for the Minister of Native Affairs to comment, "...not one half of the payment vouchers would bear anything like a strict legal examination. Still the payments were bona fide in a sense and I do not mean to lose the money"<sup>100</sup> This was a view not shared by the Wanganui Herald who wrote that the payments were not only not bona fide, but were in fact fraudulent.<sup>101</sup>

By 1881, the Crown lifted all restrictions on private dealings in Raukawa lands, leaving Raukawa to the predations of large syndicates and speculators. As a result, by the late 1880s alienated Raukawa lands by sale topped 441,703 acres.

83 Young and Belgrave (2010). pp. 87-104.

84 *ibid*

85 *ibid*

86 Hearn, T. J. (2008), p. 55.

87 *Ibid*, p. 60.

88 *ibid*, p. 55.

89 *ibid*, p. 62.

90 *ibid*, p. 324.

91 Young and Belgrave (2010). p. 92.

92 Hearn, T. J. (2008), pp. 482-486.

93 Stokes (1999). p. 147.

94 Gillings, B. (1992). p. 12.

95 Young and Belgrave (2010). pp. 103-104. Also refer to Gillings, B. (1992), pp. 18-19.

96 Gillings, B. (1992). p. 19.

97 *ibid*, p. 31.

98 *Ibid*, pp. 31-33. Also refer to Hearn, T. J. (2008). p. 101.

99 Hearn, T. J. (2008), p. 140.

100 *ibid*, p. 140.

101 Wanganui Herald, "Native Ministers" 13 April 1881, p. 2.

## 20TH CENTURY ALIENATIONS – PUBLIC WORKS

Raukawa land alienations continued into the 20th century as the Crown applied the Public Works Act to alienate further Raukawa lands. In fact, the Public Works Acts in conjunction with the Native Lands Acts of the 1880s and 1900s had significant adverse effects on the iwi. Of note have been the Acts and related legislation regarding the takings of land without consultation of up to 5% of lands for roads and railways.<sup>102</sup>

The 1928 Public Works Act provided for the return of lands no longer required for public works, but later amendments discriminated against Raukawa and other Māori by excluding iwi lands from an offer back clause and allowed it to be used for ‘secondary purposes’.<sup>103</sup> Those lands offered back under the Act were often beyond the financial capacity of the iwi to purchase, thereby prejudicing Raukawa from development of the land.<sup>104</sup>

Raukawa lands taken under the Acts included the upper Waikato riverbed, various wāhi tapu sites, papa kāinga, urupā and other wāhi taonga within the takiwā. Much of the takings were effected with limited consultation or without notification, which severely prejudiced Raukawa whānau, hapū and the iwi.

The general takings could be categorised into a few key groups including:

1. North island Main Trunk Railway;
2. Hydro-electricity development
3. North Island Main Trunk Railway

In the 1870s and 1880s, Public works officials began construction of the main trunk railway from Auckland to Ngāruawāhia, onto Te Awamutu and then Taupō.<sup>105</sup> In 1883, Raukawa and other iwi signalled disapproval of Crown plans with a signed petition expressing their concerns about the development of roads, railways and the operations of the Native Land Court. They feared that these encroached upon their lands and seen as mechanisms to take more land.

In 1884, private speculators such as the Thames Valley and the Rotorua Railway Company built the line from Morrinsville to Putaruru and then in 1889, the Crown ‘purchased’ several Pouakani blocks under the guise of the North Island Main Trunk Line Act.<sup>106</sup> By the turn of the century, several Raukawa land blocks obtained under the Railway exclusive zone.<sup>107</sup>

In 1903, the main trunk railway line reached Taumarunui and finally completed in 1908.<sup>108</sup> Notably, Raukawa landowners were paid a mere pittance as compensation for the land taken.

## Hydro-electricity Development

Throughout the 20th century, the Crown built several Hydroelectric Power Scheme developments along the Waikato River from Taupō through to Karāpiro. The first of these was a privately built dam at Horahora in 1913 and then at Arapuni in 1929.<sup>109</sup> In 1947, commissioned was the Karāpiro dam followed by Whakamaru in 1956.<sup>110</sup>

From a Raukawa perspective, the Crown’s weighting towards national interests rather than the specific interest of Iwi in a fair and equitable manner, resulted in the alienation of significant acres of Raukawa land. The Hydro-Electricity Power Scheme developments submerged Raukawa lands containing a number of Raukawa wāhi tapu, urupā, papakāinga and farmland by altering the flow of the upper Waikato River.

The impact of the Hydro-Electric Power Schemes in the Raukawa Rohe has seen the significant degradation to flora and fauna. It also meant the destruction of Raukawa traditional wāhi and resources including mahinga kai, such as tuna because of the change in the natural flow of the River and build-up of nitrates from surrounding agriculture.

In addition, while compensation was available and granted to farmers in Karāpiro, Raukawa people who applied for compensation for submerged land were not considered by the Crown as being important and of value to the national interest.<sup>111</sup> This was the case in respect of a Raukawa whānau, evicted from their home and lands at Orakei Korako as a direct result of the building of the dam at Ōhākuri.<sup>112</sup> The mistreatment of Pairama and Herapeka Wharekawa and their forced eviction from their ancestral home by the Ministry of Works is a powerful reminder of a whānau, sacrificed by the Crown for the national interest.<sup>113</sup>

In the late 1950s, the government’s hydro-generation scheme extended to include the building of a dam at Ōhākuri, south of the village of Atiamuri. The government expected that the rising waters of the Waikato River would destroy the tranquil settlement of Orakei Korako, where the Wharekawa whānau had lived and worked for generations. The government acquired the land under the Public Works Act forcing the whānau to leave. In her submission to the Minister in Charge of Treaty Negotiations, Hon. Christopher Finlayson during the Puawaitanga – Raukawa Reconciliation Day, Kahurangi Te Hiko expressed the sorrow felt by her parent’s and the whānau at having been forcibly dispossessed of their lands. Kahurangi stated<sup>114</sup>

102 McBurney, P. (June 2010). p. 80.

103 *ibid*, p. 68.

104 *ibid*, pp. 68–69.

105 *ibid*, pp. 274–280.

106 Waitangi Tribunal. (1993). Pouakani Report, Ch 6.3 The North Island Trunk Line

107 Hearn, T. J. (2008). p. 318.

108 Waitangi Tribunal. (1993). Pouakani Report, Ch 6.3 The North Island Trunk Line

109 *ibid*, p. 292.

110 *ibid*

111 McBurney, P. (2009). P. 10.

112 McBurney, P. (2010), pp. 209–211.

113 Te Hiko, K. (2010).

114 Te Hiko, K. (2010).



I was a young woman when my parents were informed by members of the Ministry of Works that the Waikato River would be raised as a result of the dam at Ohakuri. The officials told my parents that the land at Orakei Korako would be flooded and that our house would be destroyed. As a result my parents were told that they had to move from Orakei Korako. My parents were both elderly at this time.

My mother and father were heartbroken when told this. They knew that this would destroy their way of life. They would lose not only their home but also the gardens once tended by koro Rameka Henare, the cooking areas, the hot pools that provided for the spiritual and physical needs of the people and the world class geysers that delighted tourists from around the world. My father would also lose his tourist business.

The compensation offered to them by the government was inadequate to house them and provide for their needs.

My parents were offered housing in Ministry of Works camps in Rotorua and Mangakino however, government officials running the camps called them 'Cuckoos' because they believed them 'undesirable to have in their camps'.

My father refused to move from Orakei Korako and did not move right up to the time he heard the water lapping the banks of the Waikato River outside his home. I remember that my father was taken from his home late at night and placed on the back of a Ministry of Works truck. The last sight he saw was of his home being set ablaze by a government official. He was distraught as driving away he watched his house burn to the ground.

My parents were promised a home in which they could move into this however turned out to be a rental property in Taupō. For the first time in their lives, my parents had to pay rent, a concept that they did not fully understand. They were both elderly, living on a small pension with no other money to help supplement their income.

I remember my parents' heartbreak as they passed away in a home that was not theirs.

# Comprehensive Negotiations

In 2008, the team recognised that the John Key led National Party was likely to win that year's general election. Consequently, McKenzie and O'Sullivan met with the probable candidate to take up the role of Minister in Charge of Treaty Negotiations, Christopher Finlayson. When National came to power later that year, a relationship had already formed between Raukawa and the newly appointed Treaty Minister.<sup>115</sup>

In late 2008, Trevor Himona of Ngāti Tukorehe joined the Raukawa negotiations team.<sup>116</sup> Himona worked closely with the Raukawa Claimant Committee's sub-group tasked with the development of the work plan for the establishment of an appropriate PSGE. This sub-committee worked tirelessly throughout the remainder of 2008 and well into the following year.

In 2009, the Raukawa Settlement Trust was established, however the Treaty mandate remained with the RTB, who continued to act as a transition board. With the establishment of the RST, the RCC had completed its purpose and disbanded shortly after.

On the 17 December 2009, Raukawa welcomed Minister Finlayson and his officials for the signing of the Deed in respect of the Waikato River Co-management Framework at Whakamaru.<sup>117</sup> The signing of the deed followed a comprehensive review of the Co-management Framework by the Minister.

The deed provided real momentum for iwi to participate in a partnership primarily focused upon the restoration and protection of health and wellbeing of the Waikato River. The day was a beautiful summer's day as the iwi gathered at the Whakamaru Water Ski lodge. The Waikato River glistened serenely on one side of the lodge, while the edifice, Mount Kāhu stood resolutely on the other.<sup>118</sup>

Punctuating the day were several highlights including a picturesque setting for the signing ceremony and the presentation of a korowai to the Raukawa negotiator, Stephanie O'Sullivan in acknowledgment of her dedication and work over two and half years to secure the agreement.

Joining with Raukawa that day was the Ariki, Tumu Te Heuheu of Ngāti Tūwharetoa, who witnessed the proceedings and other CNI Iwi representatives.

Greeting the Minister with a wero was Delanie Brown and a haka pōwhiri led by Paraone Gloyne who also served as the day's master of ceremonies. Adding a special moment to the ceremony was a pass-by salute by the Raukawa waka taua crew as they sliced across a rippling Waikato River.

Despite building a strong relationship with the Minister throughout 2009, McKenzie found that he had an unexpected problem. The Minister had become enamoured with the Treaty history of another iwi and the team realised there was a lot of work

<sup>115</sup> Finlayson, C. (2014).

<sup>116</sup> Rangitutia, G. (September 2008). p. 1.

<sup>117</sup> McKenzie, C. (May 2010). p. 2.

<sup>118</sup> *ibid*





needed in order to change the Minister's perception of Raukawa and the iwi claims. To address this the Raukawa team invited the Minister and his officials on a coach tour of the Raukawa takiwā on the 20 January 2010.<sup>119</sup>

The purpose of the tour was to assist the Minister to get a "feel" for Raukawa, the size of the takiwā and the extent that Crown actions disadvantaged Raukawa.<sup>120</sup> It also accorded opportunity for RTB trustees and key kaumātua to share their stories with him. Due to the limited space on the bus and the desire to capture the Ministers attention, invitations to attend was limited to only those trustees and kaumātua who could add value to the conversation.<sup>121</sup>

An important feature of the coach tour for the Minister was the bus driver. Driving the bus was the RTB Chair, the late George Rangitutia, a point that the Minister never forgot.<sup>122</sup>

The theme of the tour was to mirror the development and the growth of the iwi commencing at Whenua ā-kura in the Kaimai Ranges (where Raukawa was born) through to Wharepūhanga (where he was raised) and then on to Te Pae o Raukawa (where the iwi expanded).<sup>123</sup> From the Kaimai, the bus travelled past Maungatautari, to Cambridge and then on to Rangiaowhia. By the time the coach wound its way to the Ō-Rākau battle site, the Minister had an idea of the Crown's actions upon Raukawa. Hearing the stories of Raukawa tūpuna that fell at Ō-Rākau directly from the mouths of their descendants left a lasting impression upon the Minister.

From Ō-Rākau, the bus made its way to Whakamaru, passing the Aotearoa marae farm, a point that Rangitutia made to the Minister. Shortly after, as the bus neared Mangakino, the Minister noted a sign on the side of the road that read "Wairarapa Moana Incorporated". This surprised the Minister prompting him to ask why they were there. In response, the team quickly informed the Minister of the 1915 land swap between Wairarapa Māori and the Crown and the relocation of Wairarapa Māori into the Raukawa takiwā.

The agglomerative effect of the tour was substantial as the Minister's perception of the iwi and of the iwi story changed. As a negotiations tool the tour had achieved its desired result. The tour had excited the Minister who was keen to start to address many of the issues Raukawa had raised. From a Raukawa perspective, the tour was a success as the Minister became invested in the Raukawa story, a point that McKenzie continued to push with him throughout the rest of the year.<sup>124</sup>

119 Cowley, P. (February 2010). p. 5.

120 *ibid*

121 Eparaima, V. (2017). – Vanessa recalled the discussion held at the RST and the direction by McKenzie that he only intended to take those uri on the bus that could add value to the conversation with the Minister. She reflected with some regret that she identified that she could not add to the conversation and consequently chose not to go.

122 Finlayson, Hon. C. (2014).

123 Cowley, P. (February 2010). p. 5.

124 *ibid*.

In April 2010, the Raukawa Treaty team were on the road again, holding six hui-ā-iwi throughout the country. The purpose of the hui was to transfer the RTB mandate to complete settlement negotiations to the new PSGE. The result was 97% in favour of the transfer of the mandate to the RST. In June, the Crown recognised the transfer of mandate from the Raukawa Trust Board to the Raukawa Settlement Trust.<sup>125</sup>

In September 2010, the Minister and his colleague, local Member of Parliament, Louise Upston attended the Te Puawai-o-Raukawa, Raukawa Reconciliation Day.<sup>126</sup> Based loosely upon the model of Reconciliation hearings held in South Africa, the day accorded opportunity for Raukawa uri to present their kōrero around the effects of the Crown's breaches upon themselves and the iwi. On that occasion, the Minister was invited to simply listen to the stories.<sup>127</sup>

It was a powerful tool used by the iwi to put a face to the stories. It provided opportunity for the Minister to appreciate the sense of hurt felt by the iwi. The stories expressed that day were compelling and highlighted Raukawa grievances. No one present left untouched by the enormity of each of the stories told.<sup>128</sup> Uri openly wept as they heard the story of Nanny Kahu and the eviction of her whānau from their ancestral home. They gasped at the passionate pleas expressed by Wendy Nikora and Mal McKenzie as they both lamented the losses of their mother's. For many the day was cathartic.<sup>129</sup> For the Minister and his colleague it was a day imbedded in their memory as they both recalled the event in their speeches in parliament at the third reading of the Raukawa Historical Treaty Claims Settlement Bill in 2014.<sup>130</sup>

In 2011, the negotiations were essentially at a stage where the iwi could ratify the settlement. The team again went out to the iwi in a round of ratification hui around the country. With a 94% vote in favour of signing the deed of settlement, the iwi had ratified the deed. Unfortunately, the Crown were under pressure from other iwi opposing the Raukawa Deed, particularly from Hauraki, Te Arawa and Ngāti Hinerangi Trust Board, which resulted in a delay of the Deed signing.

McKenzie continued to lead the negotiations until the beginning of 2012, when he was asked to support the then co-leader of the Māori Party, Dame Tariana Turia in parliament. Fearing that the settlement process would lose momentum, Rangitūia as the RCT Chair approached Vanessa Eparaima, the inaugural Chair of the Raukawa Iwi Development Limited to continue the work.<sup>131</sup> Eparaima (Ngāti Wairangi/Ngāti Te Kohera) was initially reluctant to assume the role, anxious that a lack of experience in the Treaty sector would be a barrier to the continued success of the iwi.<sup>132</sup> Unable to say no to

<sup>125</sup> Correspondence – Finlayson to McKenzie, 17/06/2010

<sup>126</sup> Te Hiko, N. (June 2011). p. 3.

<sup>127</sup> Upston, Hon. L. (2014)

<sup>128</sup> Finlayson, Hon. C. (2014).

<sup>129</sup> Te Hiko, N. (June 2011). p. 3.

<sup>130</sup> Finlayson, Hon. C. (2014). And also note Upston, Hon. L. (2014)

<sup>131</sup> Eparaima, V. (December 2017).

<sup>132</sup> *ibid*





Rangitūtia however, Eparaima agreed on a temporary basis.<sup>133</sup> Within a short period however, Rangitūtia's faith in her ability to complete the negotiations proved to be a masterstroke.

Within the space of one short hui with the Office of Treaty Settlement (OTS), Eparaima immediately seized upon the opportunities that presented themselves, adroitly dealt with each situation as they arose. She showed uncanny ability to manoeuvre through the minefield that was the Crown's overlapping claims process whilst at the same time keeping the RST and the iwi focussed upon the main goal, reaching settlement.

Controlling the overlapping claims process was a particular strength that Eparaima exhibited. There were significant overlapping claims matters that Eparaima piloted. Of particular note was the masterful way in which she dealt with Ngāti Tūwharetoa and their overlapping claims.<sup>134</sup> In 2012, the two iwi met at Mōkai marae and at the start of the hui, both iwi were poles apart. By the end, because of the leadership demonstrated by Eparaima, both iwi had come together in mutual understanding and an agreement reached.

Other iwi, such as Te Arawa and Ngāti Hinerangi filed for urgency in the Waitangi Tribunal against the Raukawa settlement, but these did not halt the settlement, again because of the strategic approach taken by Eparaima.

On a cool winters morning, as the rays of the 2 June sun swathed Aotearoa marae in its gentle embrace, the iwi of Raukawa assembled before Hoturoa, the mighty ancestor of the Tainui waka. Kaumātua, pakeke, rangatahi and tamariki all gathered to participate in the signing of the Deed of Settlement of the Raukawa historical treaty claims. Smiling faces, hearty laughter and excited discourse from long unseen friends and relations filled the air, adding to the growing excitement of the day.<sup>135</sup>

To many, the signing of the Deed was the culmination of the aspirations of Raukawa kaumātua that lodged the original iwi claims in the Waitangi Tribunal in 1989. These claims led to two decades of working towards finalising an enduring settlement that recognised the loss, heartache and pain suffered by the whānau, hapū and iwi of Raukawa because of Crown breaches of the Treaty.<sup>136</sup>

To others the day meant being a part of an event that shaped the future of the iwi. This spirit of optimism permeated throughout the day and it quickly became clear that nothing would dampen the enthusiasm and significance the day held for the people of Raukawa. As the invited iwi gathered at the gate of the marae, Raukawa prepared to greet them with a haka pōwhiri. As the motu entered the marae, a mighty haka sprang forth to greet the advancing guests. In a significant moment acknowledged by the people of Raukawa,

<sup>133</sup> ibid

<sup>134</sup> RST/Tūwharetoa Memorandum of Understanding

<sup>135</sup> Te Hiko, N. (July 2012). p.3.

<sup>136</sup> ibid



in her own self-effacing manner, Minister Tariana Turia humbly led the motu forward onto the marae choosing not to accompany her parliamentary colleagues.<sup>137</sup>

The whaikōrero that followed emphasised the importance of the day to the iwi. A poignant moment during the pōwhiri was the laying of a greenstone mere, named “Raukawa” by Ngāti Korokī Kahukura, Karaitiana Tamatea, upon the maraeatea. As Paraone Gloyne strode across the marae to retrieve the gift, he carried with him the humble Raukawa tree, which he presented to Ngāti Korokī Kahukura in reciprocation. This was a humbling exchange, one deeply felt by all present.<sup>138</sup>

Following the pōwhiri, all the iwi mingled keenly awaiting the arrival of the Crown. Shortly after 11:30am, the Crown arrived at the gate. Minister of Treaty Negotiations, Chris Finlayson stood with his parliamentary colleagues Louise Upston and Denise Roach and his staff waiting for the karanga. Next to him stood the Ariki Sir Tumu te Heuheu of Tūwharetoa. Advancing on the visitors were the kaiwero led by Paraone Gloyne, expertly utilising the newly gifted mere, “Raukawa”<sup>139</sup>. The marae erupted as the fierce chant of the “Haka a Wairangi” pierced the still air. The visitors moved forward with the Ariki and the Minister taking their seats upon the mahau of Hoturoa.

The welcoming speeches highlighted again the importance of the day to the people of Raukawa and the significance of the relationship between Raukawa and the Crown.

Following the pōwhiri, the official signing ceremony began with karakia led by Rev. Ngira Simmonds with an opening address by Basil Pakaru. The address was originally to be given by George Rangitutia, but due to illness was not able to be at the celebrations. In his opening statements, Pakaru acknowledged the contribution of Rangitutia to the “...realisation of our iwi dream”<sup>140</sup>. He went on to also acknowledge the contributory work of all those that had worked upon the Treaty claims, including kaumātua, claimants, previous treaty claims managers, lawyers and past and present Treaty teams.

Following Pakaru’s address the Minister, Chris Finlayson stood before the people. The Minister reflected upon the special relationship that he had developed and fostered with Raukawa over a number of years. He said that the relationship began when he was a speaker for the opposition. He recounted having dealt with the Raukawa team and said “Raukawa had taken a very innovative and pragmatic approach to its Treaty settlements”.<sup>141</sup> Humbly, the Minister went on to deliver the Crown’s apology to Raukawa for having caused Raukawa hurt and pain because of the Crown’s breaches.

137 *ibid*

138 *ibid*

139 The mere pounamu, Raukawa, was presented to the iwi by Ngāti Korokī Kahukura at the iwi pōwhiri held on the morning of the 02 June 2012, prior to the arrival of the Minister and the Crown party. In reciprocation, a living Raukawa tree was presented to Ngāti Korokī Kahukura.

140 Pakaru, B. (2012), Raukawa Deed of Settlement Signing, Aotearoa Marae.

141 Finlayson, C. (2012), Raukawa Deed of Settlement Signing, Aotearoa Marae.

Vanessa Eparaima, Chair of the Raukawa Settlement Trust, delivered the final address. Eparaima acknowledged the relationship between Raukawa and the Crown and highlighted the importance of maintaining strong relationships. It was with solemnity that Vanessa was able to draw upon the example of Nanny Kahurangi Te Hiko in accepting the Crown’s apology on behalf of the iwi.

Eparaima said “And I return to nanny Kahu, who through her own actions and acceptance for what has been, gives me the fortitude and inspiration to accept the Crown apology delivered by Minister Finlayson.”<sup>142</sup>

The iwi were then invited to sign the Deed of Settlement. As each marae were called forward, representatives from the marae were given a korowai and a Raukawa tree. The korowai was draped over the shoulders of the kaumātua by the Minister to represent the whakaruruhau for each marae. The tree presented to a mokopuna of the marae was to represent the Raukawa whakapapa.

When all the marae had signed the Deed, the Minister and Eparaima then signed.

The signing of the Raukawa Deed of Settlement closes a chapter in the long history of the iwi of Raukawa and opens a new one. The day heralded a new way forward for the iwi as the iwi began to heal from the wrongs of the past.

Following the signing ceremony at the marae, the Minister Finlayson, Taupō MP Louise Upston and the Crown team accompanied Eparaima to Waikato hospital, on a special visit to George Rangitutia.<sup>143</sup> The Minister was keen for Rangitutia to sign the Deed and in a private ceremony at the hospital, dressed in his Chiefs jersey, Rangitutia signed the Deed of Settlement he had worked so hard on. A few weeks later, Rangitutia passed away.<sup>144</sup>

142 Eparaima, V. (2012), Raukawa Deed of Settlement Signing, Aotearoa Marae.

143 Finlayson, Hon. C. (2014).

144 *ibid*

## CONCLUSION

# Kupu Whakatepe

The journey of a thousand miles begins with a single step. That was certainly how at times the Raukawa Treaty Settlement journey had felt to the many people involved in making it a reality. At times, the journey was a struggle. With every step forward, the Raukawa team met with new obstacles and challenges that tested resolve and tenacity.

The personal sacrifices of the Trustees, kaumātua, claimants and the Treaty team were many. Months on end, the team would be away from their whānau, spouses and children at meetings with the Crown officials or overlapping iwi groups. Constantly the team would be focusing on solutions to issues and making compromises where there was advantage to Raukawa.

Always the team looked to the long game, while taking small incremental gains as they presented. As McKenzie once said, “Mostly, we got through on the small wins.”<sup>145</sup> In the Raukawa Treaty Settlement journey, for Raukawa, the settlement was always about the journey of rediscovery, identity and history. A beautiful journey. A journey that forever honoured our tūpuna whilst leaving a legacy for the generations to come.

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145 McKenzie, (2017) Interview for Tai Whakaea: Raukawa Settlement Journey

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