

# TE KARAKA

The Ngai Tahu Magazine

Raumati/Summer 1996

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## Passing the Bill

The Quest for Rakiura  
Tu Taroaroa ki te Waiata  
Port Levy

# KARAKA

the Ngai Tahu Magazine  
Raumati/Summer 1996

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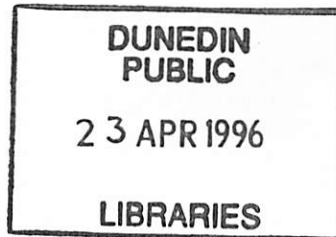
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*G Huria*

## GABRIELLE HURIA

*Kia ora tātou, kai runga rawa te manaakitanga o te wā. Well being to us all and above all peace and goodwill at this time.*

*I took a few days out recently to attend a language wananga at Tuahiwi Marae. We were a small comfortable group lead by our three kaiako, Aroha Reriti-Crofts, Amiria Reriti and Riki Pitama. Each teacher had their own distinctive style ranging from the poetry of Te Ari Pitama to aerobics, trivial pursuit and "Guess Who" - all executed in Maori. No mean feat when the subject of "Guess Who" is Jenny Shipley! It was a great way to start the working year. I felt encouraged and supported in what is a life long quest to learn my language.*

*The most heartening thing about the course was the number of Tāua also learning Te Reo. We contribute in our own way to keep the spirit of Ngai Tahu alive whether it be in our reo, mahinga kai or the way we pray. No effort is too small. This brings me to Issue 3 of Te Karaka. I read Hana O'Regan's piece with special interest. The loss of our language has, like the loss of our land, left us starving. When I see our Tāua making the effort and enjoying themselves while they learn, I realise we carry on as we have done for generations - quietly chipping away at the pounamu and eventually creating something beautiful and durable.*

*The Cultural Working Party Questionnaire is the tribal effort to understand what our areas of strengths and weaknesses are. Take the time to complete the form and send it back. Above all make the effort.*

*Still on the language front, bear with us while we master the macron. 'Te Karaka' policy is if you send your article in with macrons, that's great, if you don't we'll do our best.*

*For the younger Ngai Tahu readers the Tamariki page is not in this issue because we need your stories, songs and jokes.*

*From the cultural arena to the political, the return of the Crown Forest Assets could contribute to some settlement of The Claim. The forests are a good reason why we need to get back before the Waitangi Tribunal and possibly why we are being locked out. Ngai Tahu has endured, the biggest land loss - about 3.4 million acres - and is one of the longest running indigenous claims in world history. After 147 years the Ngai Tahu claim is still unresolved. How long must we wait?*



The *Song of Waitaha* begins with a dedication and ends with a "patriarchal blessing" from Pani Manawatu, past Upoko Runanga of

the Ngai Tuahuriri hapu. A good start. One would expect then that the traditions that this elder learnt would be evident in the book. That the traditions of his wife Hutika Pitama, and his family (Solomon) would be liberally sprinkled throughout. Those traditions do not make it into this book. How does the writer know this? The writer, mokopuna to Pani Manawatu and one who spent his childhood and early adult years with this elder, was given his manuscripts after he died. Those manuscripts are part of what is known as the "Pitama scripts". It is those manuscripts that hold the traditions and histories of Pani Manawatu's elders, along with the countless manuscripts produced last century and early this century by Taare Te Maiharoa, Wikitoria Paipeta, Hoani Maaka, Taare Tikao, Hariata Beaton, Ware Rehu and Rawiri Te Mamaru. Pani Manawatu was the writer's Poua. Indeed I do not see how Pani Manawatu would have approved of this book as he died before it was published and before the traditions were prepared.

Who is responsible for Song of Waitaha? The book is not clear about who the author is, although the publicity launch of this book would suggest that Barry Brailsford is the principal writer and the informant is Peter Ruka. What qualifies either of these people to write about the Waitaha? Certainly not whakapapa. Neither are able to claim descent from Rakaihautu, Hotu Mamoe or Tahu Potiki the principle ancestors of the South Island Maori now known as Ngai Tahu.

Brailsford has had a long association with Ngai Tahu. His book *The Tattooed Land* that deals with the history of the South Island Maori was a best seller as was his follow up *Greenstone Trails*.

Ruka's background is more vague.

Ruka claimed Ngai Tahu descent, yet has never enrolled as a Ngai Tahu beneficiary. This is not unusual. Many Ngai Tahu do not enrol. Yet Ngai Tahu from the home marae generally know what house of whakapapa tribal members slot into. The Ngai Tahu Trust Board whakapapa expert, Terry Ryan is not aware of Ruka's Ngai Tahu affiliation. This is unusual as Ryan knows the whakapapa of Ngai Tahu intimately. What we know is that Ruka has no connection to any Ngai Tahu runanga or marae. The Waihao and Moeraki Runanga, cradles of Ngai Tahu whakapapa, do not recognise Ruka as one of theirs.

Ruka came to prominence within Ngai Tahu in 1986 when he approached Rakihia Tau, then secretary of the Ngai Tuahuriri Runanga, to help in the formation of fishing evidence for the Waitangi Tribunal. It soon became apparent that the evidence presented was not traditional. That suspicion was confirmed by the tribunal who would not consider Ruka's evidence. The tribunal agreed with Ngai Tahu that the evidence was taken from a text book on fishing rather than an unnamed kaumatua informant as Ruka had said. Ruka's evidence did not stand examination when compared to traditional fishing information from Ngai Tahu-Waitaha-Mamoe fishermen. (David Graham, *A treasury of New Zealand Fishers p48 Ngai Tahu Sea Fisheries Report, Ngai Tahu, 1992.*)

In theory this should have been the end of Ruka's involvement with Ngai Tahu and South Island Maori history. However by 1988 Rakihia Tau had proposed to Michael Bassett, the Minister of Internal Affairs, that Ruka and Brailsford write a book on Rapuwai, Ngai Tahu, Ngati Mamoe and Waitaha histories. The project was called *Nga Tapuwae o Te Waipounamu or Footsteps* and was launched during the inglorious year 1990 by the 1990 Commission. It is important to realise that at this stage the Footsteps Project was to include the history of Ngai Tahu and Ngati Mamoe. There was also an assurance that Brailsford would work under the

cloak of the Ngai Tuahuriri Runanga as well as other local Ngai Tahu runanga. Furthermore the Kaiapoi Pa Trustees were to monitor the overall text. Ruka and Brailsford were to be accountable to the Kaiapoi Pa trustees. The Kaiapoi trustees are Ngai Tahu, but also claim Waitaha descent lines. One of the trustees Mr John Rehu, comes from a long line of respected tohunga from both Ngai Tahu and Waitaha.

Tau's selection of Ruka and Brailsford was to prove unfortunate. Brailsford, a Pakeha historian who was never given access to tribal manuscripts by his "Upoko" Pani Manawatu or the Pitama whanau, and Ruka who's evidence was, as one scholar noted "wildly improbable", was a combination waiting to explode into realms of fantasy. (Atholl Anderson, *p48 Ngai Tahu Sea Fisheries Report, Ngai Tahu 1992.*)

By 9 April 1989 Tau was critical of Brailsford's delving into spiritual matters belonging to Maori. On the wider Ngai Tahu front others were unhappy with Ruka's involvement. The same anger was not directed to Brailsford for whom many Ngai Tahu still had high regard. Elenor Murphy of the Otakou Runanga wrote to the 1990 Commission requesting that the "Footsteps Project" be reappraised. Tau wrote to staff of the Commission "I support the editing of the written word". Tau's attitude to this was summarised in a note "Proof first, gives credibility...".

As a result of the 1990 Commission's uneasiness, the Footsteps Project was suspended until Ngai Tahu had resolved the problem on 1 July 1989. A meeting was quickly convened where Ngai Tahu meet with Peter Ruka.

The outcome was that Ruka was to supply his whakapapa of his descent from Ngai Tahu or the tribe would withdraw support for the project. The whakapapa was not forthcoming and Ngai Tahu kaumatua Tipene O'Regan, Waha Stirling and Rakihia Tau informed Barry Brailsford of Ngai Tahu's withdrawal of support for the project.

Upoko Runanga and acting Upoko for his uncle Pani Manawatu, who was slowly dying of cancer. Both Tau and Pani Manawatu were concerned at Brailsford and Ruka's apparent disregard of their accountability to the Runanga and Kaiapoi Pa Trustees. Pani Manawatu was to pass away in 1991. Why did Brailsford, Ruka and associates use Pani Manawatu's dedication and patriarchal blessing when he had died three years before the book was released and he would not have seen the end product?

Effectively Brailsford and Ruka were left without the mandate they had started from. In Maori terms the withdrawal was damaging. The Ngai Tahu Trust Board, the iwi authority for Waitaha, formerly withdrew support for the project.

It was at this stage that the book

doing this the books direction could then be focused on the South Island but the histories did not have to be Ngai Tahu. The result is the publication of *Song of Waitaha*.

Although not stated, but certainly suggested, is that the information stems from Te Maiharoa and Puaō Rakiraki. This is interesting, the writer owns and has seen extensive whakapapa texts from Te Maiharoa's descendants and his students Wi Pokuku, Hoani Kaahu and Herewini Ira. None of their whakapapa texts support the traditions of *Song of Waitaha*. Ironically the book says, "until now we have said nothing, when others wrote our histories for us and brought error to the paths of truth".

The problem for Brailsford and Ruka is that while Te Maiharoa did not

particularly his mokopuna Wikitoria and his student Wi Pokuku.

Those stories told by Wikitoria Paipeta, Herewini Ira, Hoani Kaahu, Wi Pokuku and even Taare Te Maiharoa are significant in that they are consistent with one another. Much of their information was captured by Herries Beattie who published extensively on Ngai Tahu, Ngati Mamoe and Waitaha traditions. Maori who learnt from these elders were Hoani Maaka, Henare Te Maire and latterly Te Aritaua Pitama, second cousin and close friend to Pani Manawatu.

None of these people instructed Brailsford or Ruka. How could they? Brailsford is Pakeha and cannot claim Waitaha whakapapa nor did he meet or learn from the kaumatua given

(continued page 20)

Trial by Runanga

# The arrest and imprisonment of Cleophas Te Koko

Russell Caldwell

The powers of modern Runanga are certainly limited compared to what they once were. As Mackay described in 1861 all subjects effecting the interests of the community, as well as private grievances and disputes between individuals, were brought before Runanga. Trial by Runanga was indeed a serious business as Cleophas Te Koko, an advocate of the Tainui King movement, was to find out in 1863. Te Koko wrote to the North Island claiming that the kingitanga was widely supported in Te Waipounamu. This was considered a grave offence. Consequently Te Koko was tried by Runanga at Port Levy under the jurisdiction of Pita Te Hori (Native Assessor).

The following is a translation of an account of the outcome of that trial, published by Te Hori in The Press (1 December 1863).

*"Friends - Ye people who live on this Island. Listen, O ye of this end and of that end and of the midland part of this Island; all ye white people who live on the Middle Island and all ye who inhabit the Northern Island too, where the fire of Mahuika is burning. Listen ye all.*

*Raukawa is the boundary. Let not the Maori of the Northern Island come across to this Island and treat the law with contempt. Neither let the Maori of this Island go to that and trifle with the law there. There is a dividing space between them and us, like unto that*

*between Jacob and Caban, which continues a perpetual testament for us. That Island is separated from us together with their king. We have a king, that is Tuahuriri. Although he is dead his authority remains with us - his offspring. We have great mountains on this island - Tapuaenuku, Kaitaurau, Mangatere, Ahupatiki, Tarahaua, Mihiwaka and Rakiura. Friends, let not the Maori of that Island no longer come over to this and work deceitfully.*

*O my friend, the Governor, salutations to you. On the 25th of November 1863 I went to Port Levy. It was on a Wednesday.*

*Early in the day I summoned a Runanga; it was 6.00 am on the 26th; it was to examine a Maori of the other Island whose name is Cleophas Te Koko.*

*Then we found out the wrong doing of that man. He brought hither the working of Satan, and was working deceit among the people, - that is, he told lies, and wrote to the other Island, saying that all the Maoris of this settlement are for the king. This is a lie, and therefore, I had him tried by the Runanga, and that man Cleophas is in confinement for his bad doing. If any man will invent lies let him suffer for his wicked deeds."*

*This is all  
From your sincere friend*

*From Pita Te Hori*

Between 1844 and 1863 Ngai Tahu signed major land sales contracts with the Crown. Each of these contracts was a formal agreement in English common law. The price paid to Ngai Tahu for the 37.5 million acres of land involved was very low, £27,000, especially as much of the land was immediately on-sold by the Crown for substantially more.

But Ngai Tahu was prepared to live with the low price for it saw substantial opportunities to participate in the new economy alongside the settlers. In each of the land deals Ngai Tahu was robbed of these opportunities because the Crown failed to honour its own legal agreements. The law required these transactions to keep one tenth of the land in Ngai Tahu ownership and the contracts required provision of schools and hospitals. The law and the contracts also required the protection of important food gathering areas and access to them.

If the Crown had honoured these contracts, Ngai Tahu would have shared in the land-based economic developments that took place as the South Island prospered in the late 1800s and early 1900s and have owned about 4 million acres of land. Expert estimates of the present day loss to Ngai Tahu of the Crown failing to honour contracts are about \$15 billion. It should be noted, Ngai Tahu has not claimed anything even reflecting the loss.

The net result was that, instead of prospering alongside the settlers, Ngai Tahu people were made virtually landless and unable to participate in the new economy.

Ngai Tahu first protested its case in 1849 and went to court on its Claim in 1868, but the Government quickly passed laws stopping the courts from further deciding the case. Since then, commissions, hearings, courts and tribunals have established the justice of Ngai Tahu's claims, but Ngai Tahu have not received justice.

In 1987 Ngai Tahu decided not to pursue a claim against the Crown based on their contract rights in common law and preferred the negotiation route available through the Waitangi tribunal as we believe

this route to be less contentious than going to court. The Waitangi Tribunal is the latest court to hear the case and the Tribunal validated most of the claims in its Ngai Tahu Report in 1992, although some claims were turned down.

The Tribunal recommended that Ngai Tahu and the Crown begin negotiations for a settlement. The only assets that can be used for a settlement between the Crown and Ngai Tahu are crown-owned assets in the South Island, as Ngai Tahu has always said that no private land or privately owned assets should be included in the negotiations.

### *Ngai Tahu's Response to the Fiscal Envelope*

Ngai Tahu has emphatically told both the Waitangi Tribunal and the Government it does not expect the full value of our present day losses to be met in any settlement package. Only a fool would suggest otherwise. We have no wish to bankrupt or damage the society and the economy in which we want to prosper.

For that reason, in February 1993, we proposed to the Government a financially responsible settlement package. Allowing room for some debate on valuations, the cash cost to the taxpayer of settling with Ngai Tahu would be relatively modest.

Much of the Settlement would be simply a transfer of certain Crown-owned assets to Ngai Tahu and under our ownership and with our competence these mostly idle assets would increase in value. Christchurch people have already seen this happen with the Moorhouse Ave railway yards. Yet the Government continues to give the impression that Ngai Tahu is trying to extract vast and unaffordable amounts in a Settlement.

Although the Fiscal Envelope proposal gives the impression that \$1 billion is the maximum the country can afford, Ngai Tahu negotiators have put considerable effort into showing the Government how a Ngai Tahu settlement need not put any strain on the country's finances. These proposals apply just as well to settling other major claims.

For instance, long term Treasury "Treaty Bonds" could be issued to iwi allowing Settlements that give just redress in accord with the Treaty. They need not overload the Crown's yearly funding capacity. There need be no undue burden on other citizens, but Ngai Tahu would have an income to drive education, superannuation and iwi development projects.

Ngai Tahu has further proposed an alternative type of Treaty Bond, which could be linked to the annual GNP figures. This would ensure that if the economy turned down, Ngai Tahu and other Maori would not continue to benefit from high fixed returns while the rest of the community was disadvantaged. Equally it would ensure that should the economy improve, Ngai Tahu would also benefit in step with their fellow citizens. This proposal is consistent with the recent Privy Council decision in the Broadcasting Assets case which indicated that the level of Settlements was linked to ability of the country to afford them at any one time.

Ngai Tahu contends that the Settlement of any claim does not have to be within the proposed ten-year time frame or within any particular total value. Yet the Government continues to raise the questions of "affordability".

The fact is that the "affordability" argument is a bogey of the government's own invention created to frighten the electorate.

Treasury requires certainty in disclosing the Crown's Treaty settlement liabilities under the Fiscal Responsibility Act and this is important in meeting international financial obligations and credit rating criteria. Ngai Tahu's Settlement proposals actually provide greater certainty on future costs or liabilities than the fiscal cap in the Fiscal Envelope which will never settle anything with certainty.

Like other iwi, Ngai Tahu feels that the \$1 billion figure has absolutely no relationship to the extent of the losses suffered by individual iwi. In the Government's own words this figure is nothing more than a "political decision" and a "shot in the dark".

*(To be continued - Issue 3)*



above. Likewise, although Ruka is Maori, he has yet to give his whakapapa to Ngai Tahu let alone Waitaha. There is general belief that Ruka is a mixture of Nga Puhi and Ngati Whatua as his parents were from Whangarei and part of the religious sect called Rapana. Like Brailsford, Ruka did not sit with any of the kaumatua.

A solid critique of the book would be time consuming. One feels as if one is reading the saga of the smurfs and their migration to the land of the hobbits. The writer could find little that could qualify as authentic tradition. Basic placenames are replaced. We are told that the South Island was called "Aotearoa" and the North Island "Whai repo". Mythical

racers such as the Ure Kahu come to life and a suspiciously new race called Maori is brought to our attention.

The very real danger is that this book may be seen by Pakeha, and Maori not raised by the kaumatua, as traditional material. From an historians point of view there is lack of scholarship due to lack of references.

We are asked to believe in traditions without being told the identity of the informants or being shown evidence that the traditions have survived intact.

Brailsford admitted in an interview with the magazine *New Spirit* that at times he became lost when writing this book. I suspect the book tells us more about Brailsford's search for

his identity - or perhaps his loss. Michael King wrote in *Pakeha*

I feel nothing but sadness for Pakeha who want to be Maori, who believe they have become Maori - usually empty vessels waiting to be filled by the nearest exotic cultural fountain - who romanticise Maori life and want to bask forever in an aura of aroha and awahina. These are the same people who crumple with disbelief and shock the first time somebody calls them honky or displays the more robust characteristics of Maori behaviour.

No doubt Brailsford was crushed when Ngai Tahu-Waitaha kaumatua such as Pani Manawatu and Rick Tau withdrew their support from the *Footsteps Project*. The tragedy is that Brailsford looked for another "exotic fountain".

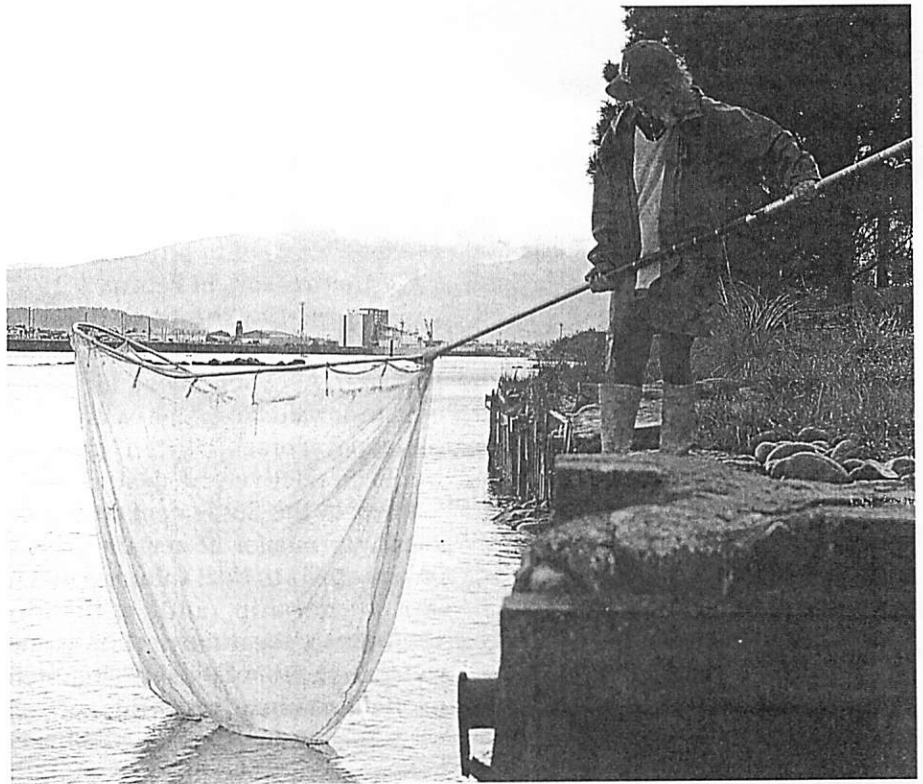
## Inaka

and tangata whenua they'll be notified of approved changes before they are made public.

Of course one of the reasons Coasters are so passionate about whitebait is the amount of money that it injects into local communities. West coast businesses know a fat season means a prosperous Christmas. Service stations, food outlets and motor camps make at least double the sales through the season. Local pubs and hotels also do handsomely and have the advantage of buying the delicacy direct.

For every commercial sale, whitebaiters are supposed to pay 15% of it back in tax. Alice says most fishers avoid the charge by striking contra deals. Two years ago, the local power board got creative and were offering whiteware for whitebait. Alice says last year she swapped enough bait with a friend to share 1/2 of their bullock.

Politics and feuding aside, whitebait season is a time to savour. Less than 5 metres away from the Buller river-bank at Spring tides; Batt can scoop whitebait off her front lawn. Her stand-alone home is a renovated whitebaiters hut which has accommodated up to 13 sleeping bodies on the eve of the first whitebaiting day. "It's like the night before Christmas. It's a real carnival



atmosphere the same people come here every year. We have 3 or 4 caravans parked out in our yard, some of them stay for 10 weeks. If it's a nice day you'll wander up and down the bank have a talk, a smoke and a cup of coffee, the kids will come down in the afternoon and there's barbecues on the beach."

At nearly 50 with 4 grandchildren, Batt says the social side of whitebaiting is its main attraction. "I

know one bloke that the only thing that keeps him alive is his whitebaiting he may be crippled up but he loves it. That's how he wants to die - it's their whole life. I wouldn't like to die doing it but I thoroughly enjoy it...Some days you can go out and get sweet bugger all. Usually people take down pillow-slips or mutton cloth tied for bags in case you have the big run." Alice smiling broadly says "You're always prepared for the big run."

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