

History of Ngāti Pāhauwera Mohaka River Wai 119 Claim

The Oral Traditions of Ngāti Pāhauwera

The oral traditions of Ngāti Pāhauwera are an essential part of their identity as a tribe. These traditions contain the histories of the tribe, the stories of their origins, and the relationship their ancestors formed with the lands and waters of Ngāti Pāhauwera. The people identified themselves to us by whakapapa, whakatauki, and waiata.

The passing down of oral traditions has been a practice in Ngāti Pāhauwera from time immemorial. The knowledge was passed on to those who were specially selected and appropriate to be the transmitters of karakia, proverbs, genealogy, and songs. These oral traditions were considered sacred and were passed down from generation to generation.

Central to their identity as a tribe and their relationship with the river and with the land was the whakatauki: *"Ko Tawhirirangi te maunga. Ko Mohaka te awa. Ko Kahu-o-te-Rangi te tangata. Ko Ngāti Pāhauwera te iwi."* This whakatauki sums up the special features of tribal identity which they all share. As members of Ngāti Pāhauwera, their mountain is Tawhirirangi, their ancestor is Kahu-o-te-Rangi, and their river is the Mohaka.

The whakapapa, or genealogy, is an essential part of Ngāti Pāhauwera's oral traditions. It traces their ancestry back to their origins and helps them understand their place in the world. The whakapapa also helps them understand their relationships with other tribes and people.

The whakatauki, or proverb, is another important part of Ngāti Pāhauwera's oral traditions. Proverbs are used to convey wisdom and knowledge about life. They are often used in speeches or as a way to teach children about important values.

Waiata, or songs, are also an essential part of Ngāti Pāhauwera's oral traditions. They are used to express emotions and tell stories. Waiata can be sung at weddings, funerals, or other important events.

In conclusion, the oral traditions of Ngāti Pāhauwera are an essential part of their identity as a tribe. These traditions contain the histories of the tribe, the stories of their origins, and the relationship their ancestors formed with the lands and waters of Ngāti Pāhauwera. The people identified themselves to us by whakapapa, whakatauki, and waiata. These oral traditions have been passed down from generation to generation and continue to be an important part of Ngāti Pāhauwera's culture today.

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Te Iwi o Ngāti Pāhauwera

Ngāti Pāhauwera is a Māori tribe that traces its ancestry back to Tamatea-Arikinui-mai-Tawhiti, who arrived in New Zealand on the Takitimu waka. According to genealogical tables produced by witnesses, the descendants of Tamatea-Arikinui-mai-Tawhiti include Tureia, Te Huki, Puruaute, and Te Kahu-o-te-Rangi.

Traditionally, Ngāti Pāhauwera's origin has been traced to Te Kahu-o-te-Rangi. Legend has it that when the head of Te Kahu was being cured, the fire blazed up and burned his beard. This event gave rise to the name Pāhauwera, which means burnt beard.

Ngāti Pāhauwera has a rich cultural heritage that is deeply rooted in their connection to the land and sea. They have a strong sense of identity and pride in their history and traditions. The tribe has a long-standing relationship with the Hawke's Bay region of New Zealand, where they have lived for generations.

The tribe has faced many challenges over the years, including land confiscation and loss of cultural heritage. However, they have remained resilient and continue to work towards preserving their culture, traditions and language.

Today, Ngāti Pāhauwera is an active member of the Māori community in New Zealand. They are involved in various initiatives aimed at promoting Māori culture and language. The tribe also works closely with local authorities to protect their land and natural resources.

In conclusion, Ngāti Pāhauwera is a Māori coastal tribe with a rich cultural heritage that traces its ancestry back to Tamatea-Arikinui-mai-Tawhiti. Their history is deeply rooted in their connection to the land, river and sea, and they have faced many challenges over the years. However, they remain resilient and continue to work towards preserving their culture and traditions for future generations.

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Ngā Hapū o Ngāti Pāhauwera

Ngā Hapū o Ngāti Pāhauwera is a Māori tribe located in the Mohaka region of New Zealand. While Ngāti Pāhauwera is the main hapū of the Mōhaka people, there are other hapū living under its mana. According to claimant witness Koro Charlie King, there were around eleven or twelve hapū in the area, with Ngāti Kura, Ngāti Kurahikakawa, and Ngāti Kapekape being the majority. Other hapū included Ngāti Paikea and Ngāiterau.

Today, however, there is only one hapū in the area - Ngāti Pāhauwera. This umbrella group includes various hapū such as Ngāti Purua, Ngāti Paikea, Ngāti Tuhemata, Ngāti Huki, Ngāti Rauiri, Ngāti Kaihaere, Ngāti Tangopu, Ngāi Taane, Ngāti Kura, Ngāti Pāroa, and others. It should be noted that some of these hapū were also mentioned in written evidence prepared by Canon Wiremu Te Tau Huata for submission to the Planning Tribunal.

Interestingly, claimant researcher Cordry Huata suggests that the hapū of the name Ngāti Pāhauwera could also be known as Ngāti Kahuterangi. This would leave the umbrella group to be known as simply Ngāti Pāhauwera.

Overall, Ngā Hapū o Ngāti Pāhauwera is a diverse tribe with various hapū living under its mana. While some of these hapū may have been more prominent in the past, today they all fall under the umbrella of Ngāti Pāhauwera.

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Te Rohe o Ngāti Pāhauwera

Te Rohe o Ngāti Pāhauwera is a tribal area located in the northern Hawke's Bay region of New Zealand. The tribe is made up of several hapū, each with their own unique rights to resources within the rohe. However, despite these differences, they all share a common territory that is familiar to them all. This territory is delineated by the proverb "Maungaharuru ki uta, Tangitu ki te moana," which roughly translates to "from Maungaharuru inland to Tangitu to seaward."

According to Cordry Huata, the boundaries of Te Kahu-o-te-Rangi, an ancestor of Ngāti Pāhauwera, extended from the sea at Pukekaraka to Puketitoi down to the Waiau river. It was here that he met Te Kapua, a chief from the Urewera who declared that this was their boundary. Te Kahu-o-te-Rangi then took up his axe and began marking the bark of the tawai trees and up onto Te Haroto, down into Puketitiri and through the Te Wai o Hingaanga stream to the sea. A rock named Moremore, which belongs to chiefs from Heretaunga such as Tareha, Karaitiana, Tomoana and others, marks this boundary.

The boundary then continues from the sea to the east until it meets again at Pukekaraka. Out in the sea is a rock named Tangitu, which is a fishing ground. From there, Te Kahu-o-te-Rangi looked shoreward to Maungaharuru, a mountain that abounds with pigeon. It was the occupation and control of this territory that set Ngāti Pāhauwera apart from their neighbouring tribes.

Despite having different rights to resources within their rohe, Ngāti Pāhauwera formed a tribe and shared a common territory. This shows how important it is for communities to come together and work towards a common goal. The boundaries set by their ancestors also demonstrate how important it is for communities to have clear boundaries and respect each other's territories.

In conclusion, Te Rohe o Ngāti Pāhauwera is a tribal area with a rich history and culture. The tribe is made up of several hapū who share a common territory delineated by clear boundaries set by their ancestors. While they may have had different rights to resources within their rohe, they came together as a tribe and worked towards a common goal of occupying and controlling their territory. This serves as an important lesson for communities everywhere about the importance of coming together and respecting each other's boundaries.

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Te Awa o Mōhaka – The Mōhaka river

Central to the territory of Ngāti Pāhauwera is the Mōhaka River, which is personified and glorified in many ways in their oral traditions. The river is considered a tipuna, an ancestor, and is celebrated in chants, waiata, whakatauki, and other forms of expression.

According to the waiata Te Awa o Mohaka that was composed by Ramon Joe frequently used by Ngāti Pāhauwera, the Mōhaka River begins in the far distance to bring its message. Its tributaries include Taharua at Poronui, Ripia at Ahimanawa, Makahu at Kaweka, Waipunga at Kaingaroa, and Te Matakuhia at Tarawera. The river flows down between Turanga-kumu-rau and Te Titi-o-Kura before turning eastward along the side of Maungaharuru and emerging at Te Hoe in Huiarau. The waiata identifies the river as the Mōhaka and celebrates its twists and turns as it flows towards the marae of Ngāti Pāhauwera at the mouth of Te Ika a Maui.

Ngāti Pāhauwera's connection with the river is further emphasized in another waiata that identifies Kahungunu as their founding ancestor along with Te Huki, Te Kahu-o-te-Rangi, Puruaute, and Tureia. The river is again celebrated as Mōhaka while Tawhirirangi is identified as the mountain that overlooks it. The sea rumbles and so does the land, emphasizing the power and importance of this ancestral river.

Many members of Ngāti Pāhauwera are said to be descended from Mawete, Popoia, and Paikea - three taniwha believed to reside in the Mōhaka River. Witnesses have stated that "Pahauwera is the river, the river is us," emphasizing their deep connection with this ancestral waterway.

In conclusion, the Mōhaka River holds immense cultural significance for Ngāti Pāhauwera. It is personified as a tipuna or ancestor and celebrated in various forms of expression. Its twists and turns towards their marae are seen as a message from afar while its tributaries are named after significant landmarks. The river's power is further emphasized by its association with taniwha and its rumbling presence on both land and sea.

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The Mōhaka River is a taonga of Ngāti Pāhauwera

The Mōhaka River holds a special place in the hearts of Ngāti Pāhauwera, who claim it as their taonga. Taonga, as defined by Cordry Huata, are treasures, precious and prized property of the Māori people. For Ngāti Pāhauwera, the river represents both spiritual and physical mana, as well as a vital source of food.

Koro Ramon Joe eloquently expressed the significance of the Mōhaka River to Ngāti Pāhauwera, comparing it to other sacred rivers around the world. To them, the river is not just a body of water but a symbol of their identity and connection to their ancestors.

This connection is recognized by other tribes who have interacted with Ngāti Pāhauwera. When traveling to another region, identifying oneself by their mountain, river, and tribe is a common practice among Māori people. The river serves as a marker of identity and belonging for Ngāti Pāhauwera.

The passing down of taonga from one generation to the next is an essential characteristic of these treasures. This applies not only to the river itself but also to the benefits it provides for the tribe. The many resources that come from the river are also regarded as taonga because they are connected to it.

In conclusion, the Mōhaka River is a treasured taonga for Ngāti Pāhauwera. It represents their identity, connection to their ancestors, and a vital source of sustenance. Its significance is recognized by other tribes who have interacted with Ngāti Pāhauwera. The passing down of this taonga from one generation to the next is an essential part of its value and importance.

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The Importance of Mahinga Kai to Ngāti Pāhauwera

Mahinga Kai is a term used by the indigenous people of New Zealand, the Māori, to describe the traditional food gathering practices that have been passed down through generations. For Ngāti Pāhauwera, a Māori coastal tribe located in the upper northern Hawke's Bay region of New Zealand, the Mōhaka River is a wahi mahinga kai, or a place of food gathering and larder. The river has been an essential part of their culture and livelihood for centuries.

The Mōhaka River is home to various types of fish, with kahawai being the most highly prized and sought after. The late Canon Wiremu Te Tau Huata spoke of the kahawai in a whakatauki, or proverb: "He mao kahawai o te wahapu o te awa o Mohaka, e kore a muri e hokia." This translates to "A kahawai from the mouth of the Mohaka will not return." Tureia also said that there is a day for the kahawai who reach the mouth of the Mōhaka River and do not return. Nowadays, when any misfortune is imminent, the kahawai shoal at the mouth of the Mōhaka and do not return to sea. This analogy is also used in farewelling departed people.

Ngati Pāhauwera has developed unique traditional fishing aids called a Reti board to catch kahawai at the mouth of the river. Kahawai is supplemented by other fish such as snapper, mullet, herrings, gurnard, whitebait (in season), and eels. Native Land Court evidence indicates that Ngāti Pāhauwera's tipuna had rights to pa tuna (eel weirs) in the river and its tributaries. These records show how extensively the river was used particularly for these pa tuna. They could at times be very substantial structures sometimes crossing the entire course of the river.

Apart from fishing, Ngāti Pāhauwera also gathered other resources from the river and adjacent forest and shoreline such as birds, rats, timber, firewood, fruit of the kiekie, medicinal plants, dye made from mixing river clay and pigeon oil, and puha. Timber was washed down the river and used for firewood, building and canoes.

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The river continues to be of major economic importance to Ngāti Pāhauwera. A survey undertaken by Ann La Porta and reviewed by BERL economist Kel Sanderson showed a very substantial ongoing dependence on the river. Fishing from the river was worth about \$62,600 per year with families fishing on average 2.8 times a week. The collection of firewood was valued at a further \$16,300 for 16 families involved.

In conclusion, Mahinga Kai is an integral part of Māori culture that has been passed down through generations. For Ngāti Pāhauwera, their connection to Mahinga Kai at Mōhaka River runs deep as it provides them with food and resources essential for their survival. The river continues to be an important economic resource for them while also holding cultural significance that cannot be measured in monetary terms.

The Significance of Hangi Stones to Ngāti Pāhauwera

The Ngāti Pāhauwera tribe holds a deep reverence for the hangi stones, which have significant cultural and spiritual importance to their community. These stones are used in the traditional Māori cooking method of hangi, where food is cooked in an earth oven. Of special significance to Ngāti Pāhauwera were hangi stones obtained from the Mōhaka river. Flooding dislodges the stones so that they periodically become available.

There are four types of hangi stones known and used by Ngāti Pāhauwera, Taupunga, Opunga, Poutama, and Kowhaturi/Kowhatumakauri. Taupunga is a greyish type that is also used as sinkers, Opunga is a whitish, trachyte rock that is also used for weapons and sinkers, Poutama is a pink type, obtained mainly from the top of the Mōhaka river, and Kowhaturi/kowhatumakauri is a black/blue type.

The Ngāti Pāhauwera whakatauki “Mohakaharara, taupunga, opunga” refers to the different types of hangi stones which will not break when fired – a symbolic reference to the unity within Ngāti Pāhauwera, notwithstanding their differences. This whakatauki highlights the importance of unity and cooperation within the tribe. It is interesting to note that the word ‘Harara’ is a kiwaha of Ngāti Pāhauwera which is the sound that the hangi stones make as they roll down the river.

Frequently, the hangi stones are given as koha to other marae. As Ann La Porta observed, “they are a gift from the ancestors to the present and future generations”. This practice reflects the tribe’s belief in sharing resources and supporting other communities.

Ngāti Pāhauwera were especially concerned that gravel extraction and other activities on the river were destroying these stones and thereby limiting the tribe’s ability to hand these on to future generations. The tribe has taken steps to protect these stones by advocating for their preservation and raising awareness about their cultural significance.

In conclusion, hangi stones hold great cultural and spiritual significance for Ngāti Pāhauwera. These stones represent unity within the tribe and are seen as gifts from their ancestors to be shared with future generations. The tribe’s efforts to protect these stones reflect their commitment to preserving their cultural heritage for years to come.

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Wai - Water

Water holds a significant place in the culture and beliefs of Ngāti Pāhauwera. According to Toro Waaka, water is of paramount importance to the tribe as their spiritual origins began amidst water and darkness. The tears of Ranginui, absorbed by Papatuanuku, channelled through underground waterways or tomo, hold spiritual significance for the tribe. The Mohaka River, which is at the beginning of the river and flows into the sea, holds sacredness and authority for Ngāti Pāhauwera.

The spiritual use of water includes healing and tohi rights. The river is considered a source of healing, where some families go for spiritual cleansing. Cordry Huata referred to the river as the source that quenches thirst and as healing waters. When the river is referred to as a source of healing, it is usually the spiritual reawakening that is being spoken of. The late Canon Wiremu Te Tau Huata spoke of the healing powers of the river for the body and mind, as well as for the spirit.

Ritual bathing and healing powers of water are also mentioned by Koro Ramon Joe, Kuia Wiki Hapeta, and Koroua George Hawkins. Although some claimants had lost family in the river, they still love it. Wi Derek Huata stated that the river is a taonga that they as kaitiaki know they have to preserve. Their ancestors taught them to respect the river, and if they respected it, it looked after them. If the river is desecrated, it will affect their deep beliefs about it.

To Ngāti Pāhauwera, water is an essential ingredient of life and a priceless treasure left by their ancestors for their life-sustaining use. They are charged with a major kaitiaki duty to ensure that these treasures are passed on in as good a state or better to those following. Professor Ritchie described Ngāti Pāhauwera as having a right under common law and under the Treaty to undisturbed security of their central beliefs regarding water and practices that flow from them.

In conclusion, water holds immense significance in Ngāti Pāhauwera's culture and beliefs. It has spiritual properties that include healing and tohi rights. The Mohaka River holds sacredness and authority for Ngāti Pāhauwera. They have a kaitiaki duty to preserve these treasures left by their ancestors for future generations. Any desecration of these treasures will affect their deep beliefs about them.

The significance of Archaeological Sites on the River to Ngāti Pāhauwera

Archaeological sites on the river hold great significance for Ngāti Pāhauwera, as they provide evidence of their ancestors' occupation and settlement of the Mohaka river and its tributaries. The archaeological surveys conducted by Susan Forbes and Pam Bain in 1989 and later years respectively, have recorded a substantial number of sites that demonstrate the close association of the tangata-whenua with the river.

The surveys have revealed a pattern of permanent settlement concentrated around river crossings, which suggests that the Mohaka river was a vital resource for Ngāti Pāhauwera. The river provided them with food, water, transportation, and other resources necessary for their survival. The close association of the tangata-whenua with the river is evident in the location of their settlements, which were strategically placed near the river crossings.

The surveys have recorded 13 pa sites, eight village areas or papakainga, four pit sites, wahi tapu, urupa, and a number of historical sites associated with the lower Mohaka river. In addition to this, a further survey of the upper Mohaka river recorded 37 sites – 10 pit sites, two papakainga, eight pa, one midden, two findspots, 10 areas of pits and terracing, and five historic sites. These findings demonstrate that Ngāti Pāhauwera had a substantial presence along the Mohaka river.

Ramon Joe's detailed evidence and illustrated map provide further insight into the significance of these archaeological sites to Ngāti Pāhauwera. The map shows the location of each site along the Mohaka river and its tributaries. This information is crucial as it helps to identify areas that were important to Ngāti Pāhauwera's ancestors.

The archaeological sites on the river are not only significant to Ngāti Pāhauwera but also to New Zealand's history. They provide valuable information about how people lived in this region before European settlement. The information gathered from these sites can help us understand how people adapted to their environment and how they interacted with each other.

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In conclusion, archaeological sites on the river hold great significance for Ngāti Pāhauwera as they provide evidence of their ancestors' occupation and settlement along the Mohaka river and its tributaries. The surveys conducted by Susan Forbes and Pam Bain have recorded a substantial number of sites that demonstrate the close association of the tangata-whenua with the river. Ramon Joe's detailed evidence and illustrated map provide further insight into the significance of these archaeological sites to Ngāti Pāhauwera. These findings are not only significant to Ngāti Pāhauwera but also to New Zealand's history as they provide valuable information about how people lived in this region before European settlement.

The importance of Mōhaka River as a Highway to Ngāti Pāhauwera

The Mōhaka River holds great significance to Ngāti Pāhauwera as it served as a vital highway for transportation and communication. The river was an integral part of a traditional network of Māori tracks and waterways, connecting various regions such as Mahia, Ahuriri, Heretaunga, and Taupo. The river was open for all to use with the permission of the rangatira for the iwi who exercised jurisdiction over it between defined points across its line of flow.

For Ngāti Pāhauwera, the right to travel down the river was freely available, while members of other tribes could also use it with permission. However, given the extent that the river was the tribe's larder, travel up and down the river was not without complications. Eel weirs could be constructed from one bank to the other, and interference with these would create significant problems.

As European settlers arrived in New Zealand, rivers were used for transporting timber, which created a major issue of negotiation. Balancing the different uses of the river became a challenge that required resolving issues of competing use on the river and balancing relationships between different hapū involved. Matters such as these involved the exercise of tribal control or rangatiratanga.

The Mōhaka River played a crucial role in facilitating trade and commerce among different regions. It allowed for easy transportation of goods such as food, timber, and other resources. The river also served as a means of communication between different tribes and facilitated cultural exchange.

In conclusion, the Mōhaka River holds immense importance to Ngāti Pāhauwera as it served as a vital highway for transportation and communication. It played a crucial role in facilitating trade and commerce among different regions while also serving as a means of cultural exchange. The river's significance highlights the importance of preserving traditional networks of Māori tracks and waterways to maintain cultural heritage and promote sustainable development.

The importance of Ngāti Pāhauwera's Rights to the River

The Mohaka River holds significant cultural and historical importance to Ngāti Pāhauwera, as evidenced by the Native Land Court minutes of the 1903 partition hearing of the Mohaka block. The court heard claims of ancestral rights to resources in the river, particularly eel weirs, which were highly prized possessions and had been constructed by ancestors dating back to Tureia's day. These rights were inherited or acquired through enterprise and were held by different hapū based on descent, with some mahinga kai rights held in common.

The complexity of the customary system of rights is demonstrated in the testimony presented, where individual rights to use or access river and land resources were inherited or acquired through enterprise. The river and land resources were viewed as part and parcel of the same tenurial regime which applied on land. While individual hapū exercised user rights to specific resources along and in the river, these rights should not be equated with Māori customary ownership of the river or land as a whole.

Māori customary rights existed at different levels, with ownership made up of a network of different kinds of rights such as limited use rights, proprietary rights, and rangatira rights. The hapū rights described in these Native Land Court cases were proprietary rights subject to rangatira rights, which was the overall control and protection of the tribe's resources by the principal rangatira of the tribe itself.

The importance of Ngāti Pāhauwera's rights to the river cannot be overstated. The river holds cultural significance as a taonga and is an integral part of their identity. It is essential that their customary rights are recognized and protected to ensure that their cultural heritage is preserved for future generations.

In conclusion, the Mohaka River holds significant cultural and historical importance to Ngāti Pāhauwera. The evidence presented demonstrates the complexity of the customary system of rights and highlights the importance of recognizing and protecting these rights. It is essential that these customary rights are respected to ensure that Ngāti Pāhauwera's cultural heritage is preserved for future generations.

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The Meaning of Rangatiratanga to Ngāti Pāhauwera and Other Tribes

The Mohaka River holds great significance for Ngāti Pāhauwera, as it is not only a source of sustenance but also a symbol of their cultural identity. The river is shared by many hapū, and the complex rights of each group must be respected. The “rangatira” rights, which refer to the leadership and decision-making powers of chiefs, were particularly important in Ngāti Pāhauwera’s dealings with other iwi.

Tuwharetoa claimed a special relationship with Pāhauwera because of the river, and this relationship was based on mutual respect and consultation. If Ngāti Tūwharetoa did something that Ngāti Pāhauwera did not agree with, there would be a consultation process between the two groups. This demonstrates the importance of communication and diplomacy in maintaining relationships between iwi.

The use rights on the river were complex and varied between different iwi. Toro Waaka described how he observed the inter-relationships between tribes along the river, which were evident in whakapapa (genealogy) that showed continuous inter-marriage and occupation between tribes from early periods of settlement. These inter-marriages continue to this day.

Relationships between tribes were often dealt with diplomatically through agreements and treaties to resolve conflicts and apply overall control of resources. There were peace treaties between Rakaipaaka and Tuhoe, as well as agreements made between tribes regarding uses of land or parts of the rivers. For example, Ngāti Hinepare and Pāhauwera had an agreement regarding uses in relation to coastal areas and hinterland. Ngāti Hineuru had an agreement allowing them to fish at the river mouth at certain times when kahawai was running, while Pāhauwera had access to hinterland areas when food on the coast was scarce.

The unifying function performed by the river was described by Canon Wiremu Te Tau Huata as a peaceful joining that remains as a unifying force within Ngāti Pāhauwera. The people believe that it binds them together, emphasizing the importance of cultural identity and connection to the land.

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In conclusion, the importance of Ngāti Pāhauwera's rights to the Mōhaka River cannot be overstated. The complex use rights among different iwi demonstrate the need for communication and diplomacy in maintaining relationships between groups. The river serves as a symbol of cultural identity and unifying force within Ngāti Pāhauwera. It is crucial that these rights are respected and upheld for future generations to come.

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The Importance of Ngāti Pāhauwera's Mana and Rangatiratanga Over the River.

The importance of Ngāti Pāhauwera's mana and rangatiratanga over the Mōhaka River cannot be overstated. For Ngāti Pāhauwera, the river is not just a physical entity, but a spiritual and cultural one as well. The river is a source of sustenance, a highway for transportation, and a place of spiritual significance. The control of the river is seen as an inherited responsibility, passed down from their ancestors. This control is not just about pride or ownership, but about maintaining the strengths of the tribe and making decisions that are right for them and the river.

Intertribal relations are also an important aspect of Ngāti Pāhauwera's rangatiratanga over the Mōhaka River. While different hapū may have control over different parts of the river, from at least Te Hoe down to the mouth, it is Ngāti Pāhauwera who have ultimate authority. This authority is not just about making decisions for themselves, but also about reconciling competing interests between different groups. By having control over the river, Ngāti Pāhauwera can ensure that all parties are heard and that decisions are made in the best interest of everyone involved.

Maintaining the river as a highway is another important feature of Ngāti Pāhauwera's rangatiratanga. The river has been used for transportation for centuries and continues to be an important mode of travel for many people in the region. By having control over the river, Ngāti Pāhauwera can ensure that it remains safe and accessible for all who use it.

However, maintaining control over the river has not been without its challenges. The Crown's increasing role in management of national resources and alienation of much of the surrounding land has made it difficult for Ngāti Pāhauwera to maintain their control over the river. Despite this, they continue to see themselves as having 'control' over the river and believe that it is their responsibility to fight for its return.

In conclusion, Ngāti Pāhauwera's mana and rangatiratanga over the Mōhaka River are essential to their identity as a tribe. It is not just about pride or ownership, but about maintaining their cultural heritage and making decisions that are right for them and the river. Intertribal relations, reconciling competing interests, and maintaining the river as a highway are all important features of their rangatiratanga.

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Despite challenges from outside forces, Ngāti Pāhauwera remains committed to fighting for their control over the river and ensuring that it remains a source of sustenance, transportation, and spiritual significance for generations to come.

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Ngāti Pāhauwera's Significant Relations with the Mohaka River

Ngāti Pāhauwera, a Māori coastal tribe located at the upper north of Hawke's Bay in New Zealand, has a significant relationship with the Mōhaka River. The Crown has acknowledged that the tribe has a strong spiritual and cultural association with the river, which is inevitable given its importance to the tribe's food gathering, means of communication, and mana as a tribe. The river is considered a possession of the tribe under Article 2 of the Treaty of Waitangi, and it is also a taonga, or treasure, of the tribe due to its immense value as a spiritual and physical force in their lives.

The hapū of Ngāti Pāhauwera have proprietary rights to eel weirs along the river and various cultivations and mahinga kai along its banks. However, these rights are subject to the rangatiratanga of the tribe as a whole. Rangatiratanga refers to more than just ownership; it includes the ability to control resources in accordance with tikanga, or customs, to ensure their protection for present and future generations.

The Crown has raised questions about whether Ngāti Pāhauwera relinquished their control over the river through the Treaty or lost title to it through land sales. These questions will be addressed in subsequent chapters.

Overall, Ngāti Pāhauwera's relationship with the Mōhaka River is deeply rooted in their culture and history. The river is not just a resource but a vital part of their identity and well-being. As such, it is essential that their rights to it are respected and protected for future generations.

History of Ngāti Pāhauwera Mohaka River Wai 119 Claim

The History of Treaty Protection for Ngāti Pāhauwera

The Treaty of Waitangi is a sacred covenant for the Māori people, including Ngāti Pāhauwera. It is regarded as a taonga, a solemn token of covenant that brings together Māori custom and English law. The Treaty is the foundation document of the nation, and it speaks for justice and must continuously function as the rod by which anybody of New Zealand law affecting Māori people is measured.

At the time of the signing of the Treaty, Ngāti Pāhauwera were living at Nukutaurua on the Mahia peninsula. They had migrated there in search of security from raiding parties from Taupo and Waikato who were partly armed with muskets. They participated in the flax trade and whaling, procuring firearms and other trade goods. Te Hapuku, a Te Whatu-i-apiti chief who married the daughter of an old Ngāti Pāhauwera chief, was prominent in the wider Ngāti Kahungunu community that formed at Nukutaurua. He signed the Treaty in 1839, and although Ngāti Pāhauwera chiefs and people did not participate in the signing, they identified themselves with Te Hapuku and others who did and accepted the rights and obligations of the Treaty.

Ngāti Pāhauwera holds fast to the spirituality of the Treaty. They have always wanted it, even though there was discord between the Anglican Church and Ratana. Ngāti Pāhauwera split and went to Ratana because they believed in their support for the Treaty. To them, the Treaty promised security from traditional foes and unruly Europeans on the beach. Following its signing and the spread of Christianity and peace, they began to return to their former settlements.

The Mōhaka river has a special application to Ngāti Pāhauwera's relationship with all their resources because it is central to their existence as a river people. It would have been seen as the cornerstone of the Treaty's guarantee of their tribal identity. From their perspective, British sovereignty was not unlimited and indivisible but was qualified by rangatiratanga. The Treaty laid the foundation for peaceful co-existence between two peoples, each with its own system of authority.

History of Ngāti Pāhauwera Mohaka River Wai 119 Claim

In conclusion, Ngāti Pāhauwera's history with treaty protection is rooted in their belief in its spiritual significance as a taonga that promises security from traditional foes and unruly Europeans on their beach. The Mohaka river has a special application to their relationship with all their resources because it is central to their existence as a river people. The Treaty laid the foundation for peaceful co-existence between two peoples, each with its own system of authority.

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A Summary of The Mohaka Purchase and the Crown's Assumption of Riparian Rights

3.1 Ngati Pahauwera's Customary and Treaty Rights Over the River

The Mohaka River holds great significance for Ngāti Pāhauwera, as it has been an integral part of their culture and way of life for generations. At the time of the Crown purchase of the Mōhaka block in December 1851, Ngāti Pāhauwera held mana and rangatiratanga over the lower Mōhaka river, at least as far as the Te Hoe confluence. This was confirmed and guaranteed by article 2 of the Treaty of Waitangi, which recognized and protected Māori customary rights.

Ngāti Pāhauwera's relationship with the river was not just one of ownership, but also one of responsibility. Individual family groups and hapū occupying adjoining land had customary rights to use its resources such as water, fish, and hangi stones. However, with these rights came the duty of preserving and protecting the purity of the water and wahi tapu. This responsibility devolved on Ngāti Pāhauwera, who historically took great care to maintain a harmonious relationship with the river.

Unfortunately, this relationship was disrupted by land sales and confiscation. Alienation from the land led to an alienation from the river, and Ngāti Pāhauwera's customary and Treaty rights were eroded. It is therefore important to examine whether or not Ngāti Pāhauwera disposed of any of their customary and Treaty rights in the river when they sold land on the south bank to the Crown in December 1851.

For the purposes of this claim, it is not necessary to consider whether or not the sales themselves were fair and proper or whether sufficient land was reserved for Ngāti Pāhauwera's present and future needs. These issues are the subject of a further claim. What is important is that Ngāti Pāhauwera's customary and Treaty rights over the river were recognized and protected by law, and any attempt to diminish or extinguish these rights must be carefully scrutinized.

History of Ngāti Pāhauwera Mohaka River Wai 119 Claim

The Mōhaka River is not just a physical entity but also a cultural one. It holds immense spiritual significance for Ngāti Pāhauwera, who have a deep connection to its waters. The river is a source of life, sustenance, and identity for them. Therefore, any attempt to interfere with their customary and Treaty rights over it must be viewed with utmost seriousness.

In conclusion, Ngāti Pāhauwera's customary and Treaty rights over the Mōhaka River are of great importance both culturally and legally. These rights must be respected and protected by all parties involved in any dealings related to the river. Any attempt to diminish or extinguish these rights must be carefully scrutinized to ensure that justice is done for Ngāti Pāhauwera.

The Impacts of the Crown Land Purchase Policy

The Crown Land Purchase Policy had a significant impact on the indigenous Māori people of New Zealand. As early as 1848, blocks of land in Hawke's Bay were being leased from local Māori chiefs for sheep grazing, in spite of the express prohibition on squatting in the 1846 Native Land Purchase Ordinance. Governor Grey's land purchase policy was to exercise the Crown's exclusive right of pre-emption to purchase extensive blocks of land ahead of the needs of settlers as quickly and as cheaply as possible, that is before settlement had enhanced its value.

In the Wairarapa and Hawke's Bay, Grey was anxious to purchase land being illegally leased by squatters before the chiefs fully realized the advantages of leasing rather than selling. This policy had a significant impact on Māori communities, as it allowed for the rapid acquisition of their lands without proper consultation or compensation.

In December 1850, Donald McLean was sent to negotiate the purchase of the Waipukurau and Ahuriri blocks. McLean was an able, experienced negotiator who was expert at arousing the cupidity of Māori owners. However, he saw no conflict between his public duties as land purchase commissioner and his private ambition to acquire a great pastoral estate. In Hawke's Bay, he worked under considerable pressure to execute Grey's land purchase policy and to satisfy both settler demand for cheap land and chiefly ambitions to participate in the market economy and acquire European wealth and settlers.

Prominent among the land-selling chiefs in Hawke's Bay was Te Hapuku who virtually assumed "the role of Crown land agent in chief" in the Mōhaka purchase. This highlights how some Māori chiefs were willing to sell their lands for personal gain, even if it meant disregarding their responsibilities to their people.

History of Ngāti Pāhauwera Mohaka River Wai 119 Claim

The impacts of this policy were far-reaching. It led to significant loss of Māori lands, which had been passed down through generations. The loss of these lands also meant a loss of cultural identity and connection to ancestral lands. The policy also disrupted traditional Māori ways of life, as they were forced to adapt to new economic systems that did not align with their cultural values.

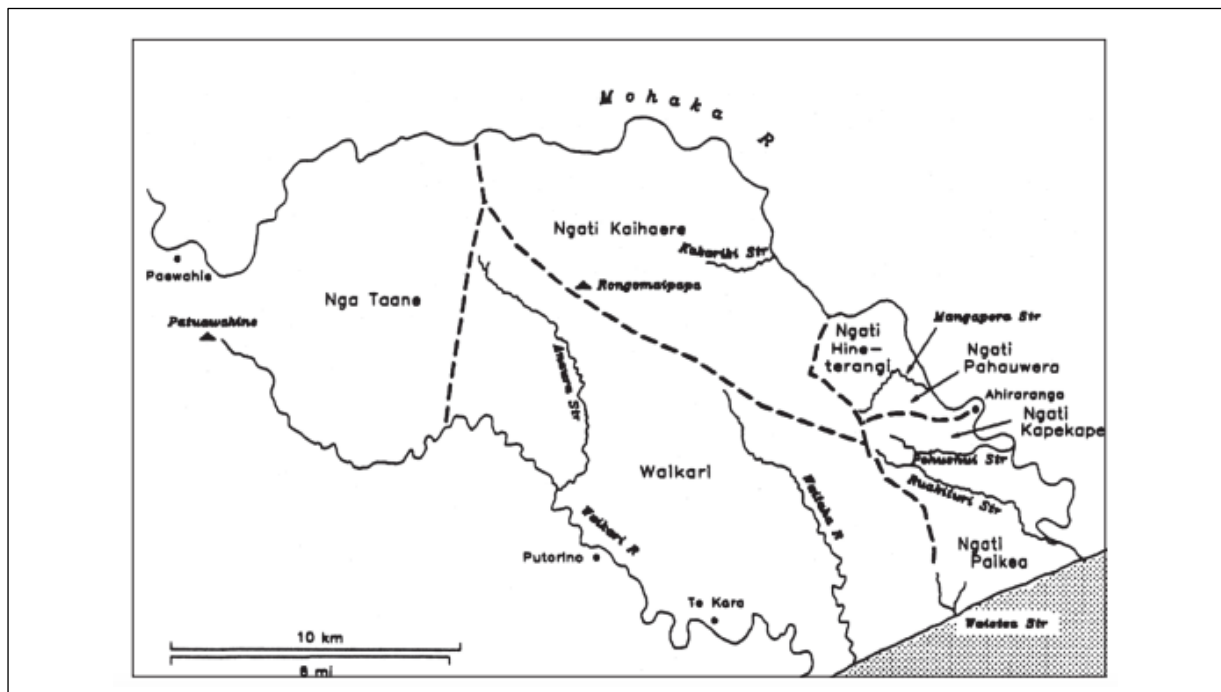
Furthermore, this policy contributed to ongoing tensions between Māori and European settlers. The rapid acquisition of Māori lands without proper consultation or compensation created a sense of injustice among Māori communities that persists today.

In conclusion, the Crown Land Purchase Policy had a significant impact on Māori communities in New Zealand. It led to significant loss of lands, disrupted traditional ways of life, and contributed to ongoing tensions between Māori and European settlers. It is important that we acknowledge this history and work towards reconciliation with Māori communities today.

History of Ngāti Pāhauwera Mohaka River Wai 119 Claim

The Impact of Waikare and Mohaka Chiefs Offering Land to McLean

In April 1849, three Waikare chiefs had asked Governor Grey to visit them to discuss whether he was disposed to permit Pakeha to settle in the district. For 15 years, the writer said he had been considering having white people, and some cows, sheep, horses and goats that he might see “in what consists the wealth of the White people”. Soon after he arrived at Ahuriri, McLean was offered land by three northern Hawke’s Bay Māori. They were Te Aotea, a chief of Te Wairoa who invited McLean to visit his settlement; an unidentified man from Wairoa; and a Mōhaka chief, Paora Rerepu, “a quiet sensible young man well-disposed to the English” who seemed anxious that McLean visit his place.



Map 3.2 Deed plan of Mohaka block 1851 Source : DOSLI, Wellington

The impact of the Waikare and Mōhaka chiefs' offer of land to McLean on 27 January 1851 when he stopped a night at Mōhaka was significant in the history of New Zealand. The negotiations between McLean and the local Māori regarding the purchase of land were conducted with mutual respect and understanding, and the resulting agreements were based on clear boundaries that would benefit both parties.

History of Ngāti Pāhauwera Mohaka River Wai 119 Claim

The offer of land by the three northern Hawke's Bay Māori, including Paora Rerepu, was a significant step towards allowing Pakeha settlers to establish themselves in the region. The fact that these chiefs had been considering the idea for 15 years shows that they were open to the idea of working with Europeans, and saw potential benefits in doing so. McLean informed the people of his intention to only purchase one side of the Wairoa river and ascertained that the southern bank could “be easily purchased”.

His return to Mōhaka after visiting Turanga, and on his way back to Ahuriri, to resume his negotiations. The local Māori assembled on the 5th of March and “fully agreed to sell their claims to the south side of Mōhaka on to Waitaha, retaining the north side on to Waihua: and at his suggestion “ for themselves which will be a good river boundary”, McLean's acceptance of the offer was also significant, as it demonstrated his willingness to work with local Māori and respect their boundaries. The use of rivers as block boundaries was a practical solution that ensured both parties had access to water, and reduced the cost of surveys. The following day on the 6th March, the Māori people from Waikare arrived and offered to sell land from Waitaha to Moeangiangi, which is the block immediately to the south of the Mōhaka block and on both sides of the Waikare river. He received a further offer of land which extended the boundary on to the Waipapa stream on the 7th of March, and reported to Grey that he had obtained an extension of the Ahuriri block towards the Mōhaka river, including several thousand acres of land, which from being bounded by the Mōhaka river, will save a great expense in surveying.

The negotiations also highlighted the importance of clear communication and mutual understanding. McLean took the time to visit each settlement and discuss his intentions with the local Māori, ensuring that everyone was aware of what was being proposed and had a chance to voice their opinions.

Overall, the impact of the Waikare and Mōhaka chiefs' offer of land to McLean was significant in terms of establishing a positive relationship between Pakeha settlers and local Māori. The negotiations were conducted with mutual respect and understanding, resulting in clear boundaries that benefited both parties. This approach set a precedent for future land purchases in New Zealand, and helped to establish a foundation for peaceful coexistence between different cultures.

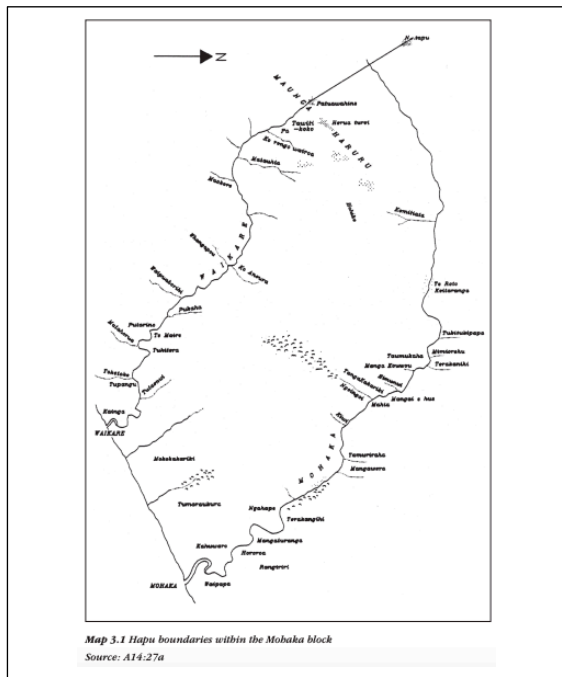
History of Ngāti Pāhauwera Mohaka River Wai 119 Claim

The Result of McLean Procures a Survey

In May, the Mōhaka block's external boundaries were surveyed by Robert Park, the chief government surveyor in Hawke's Bay. The survey was completed in just over three weeks as the boundaries were almost entirely defined by rivers and the coast. In his report to McLean, Park described the Mōhaka block as being distant about 21 miles from the Ahuriri block and ranging from 80,000 to 90,000 acres.

The Mōhaka block is bounded on the southeast by the sea, with a distance of about 7 miles from Mōhaka southwards to Waikari, all cliff. The southern boundary is formed by the Waikari River along which it runs to its source, about 16 miles, to a place called Patuwahine on the Maungahururu range. From there, it runs down to the Mōhaka 2 miles farther. On the west and north, it is bounded by the Mōhaka River following it until it joins the sea, with a total distance of about 30 miles.

Park's survey plan delineates these external boundaries and various place names between Mōhaka and Te Rotokakaranga on the Mōhaka river and Waikare and Patuwahine on the Waikare river. The inclusion of place names should have helped the vendors understand exactly what land they were selling because place names were "the survey pegs of memory."



However, there is no indication on either the deed plan or the "1852 Bousfield map" of Hawke's Bay land purchases that any part of the Mōhaka river was included in or excluded from the sale. This lack of information could have led to confusion or disputes over ownership of certain parts of land.

Overall, McLean's decision to procure a survey of the Mōhaka block was crucial in defining its external boundaries and providing clarity for vendors. However, more detailed information about specific areas within those boundaries could have been

beneficial in avoiding potential conflicts over ownership.

The Impact of Deed of Sale of Ancestral Lands

Ngāti Pāhauwera people were severely impacted by the Deed of Sale of Land as stated in the Mohaka River Report. The Deed of Sale of Land was signed on the 6th day of February 1840 in Napier and was between the Crown and the Ngāti Pāhauwera people. This document is significant for Ngāti Pāhauwera people as it established the boundaries of their tribal land and the rights and interests that the Ngāti Pāhauwera people had to the land and waters of the Mōhaka River.

This sale of land was a devastating blow for the Ngāti Pāhauwera people as it was the first in a series of losses of their ancestral lands. The Deed of Sale of Land gave the Crown the right to all the land and the waters of the Mōhaka River with the exception of the reserves that were specifically set aside for the Ngāti Pāhauwera people. This meant that the Ngāti Pāhauwera people lost most of their traditional lands and the important fishing grounds that had sustained them for generations.

The loss of land and resources meant that the Ngāti Pāhauwera people were now reliant on the Crown for their livelihoods and they were no longer able to practice their traditional lifestyle. Furthermore, the Deed of Sale of Land also meant that the Ngāti Pāhauwera people had less control over the management of their land and resources. This loss of control has had an ongoing effect on the Ngāti Pāhauwera people and their relationship with the Crown.

History of Ngāti Pāhauwera Mohaka River Wai 119 Claim

Was Any Part of the Mohaka River Sold?

Ngāti Pāhauwera maintained that the Mōhaka river was never sold. The 1851 sales deed states that the boundary of the sales went 'i roto o te awa', (into the water)...of which Ngāti Pāhauwera understanding of the sale, if it was indeed a valid sale, is that they had only sold the land, not the water or the river bed. Hence, Ngāti Pāhauwera maintained that they are the owners' and kaitiaki of the river.

The Crown argued that the deed of sale was the clearest evidence that some part of the river had been sold. The deed, the Crown maintained, was a valid sale and should be given effect to. The claimants' submissions thus could not be accepted. Ultimately, the Court found that the 1851 deed of sale did include the sale of some part of the Mōhaka river, namely, the river bed and the water in it, and that Ngāti Pāhauwera had indeed sold some of their customary and Treaty rights in the river.