

IN THE WAITANGI TRIBUNAL

**WAI 898
WAI 2351
WAI 1112
WAI 1113**

IN THE MATTER of The Treaty of Waitangi Act 1975 (as amended)

AND Claims in the King Country Inquiry consolidated under Wai 898

AND the Wai 2351 claim by Frank Thorne on behalf of himself and for the benefit of Ngāti Hikairo

AND the Wai 1112 claim by **MANIHERA FORBES** and **MERE GILMORE** on behalf of themselves and Ngāti Hikairo

AND the Wai 1113 claim by **MANIHERA FORBES** and **MERE GILMORE** on behalf of themselves and Ngāti Hikairo

**BRIEF OF EVIDENCE OF
POHEPOHE MAC BELL**

Dated this 25th day of March 2013

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Introduction

1. My name is Pohepohe Mac Bell. I'm generally known as Mac Bell.¹ I give this brief of evidence as a kaumātua Ngāti Hikairo.
2. I am retired farmer and live in Pirongia. I have lived here all my life. I am a tohunga whakairo and am proud to have been one of the founders of Te Wananga o Aotearoa.
3. My evidence is about the participation of my tūpuna in the Taranaki and Waikato wars. I want also to provide this Tribunal with evidence about how complex the politics of the war times were. Our whānau had to make tough decisions to survive.
4. In some ways our whānau kōrero is not fulsome. When we asked our grandparents about our tūpuna and the land wars they tended to clam up and didn't want to talk, despite our persistent questioning. This was a Christian ethic in that generation where there were painful things you were best not to talk about. My parents were similar

¹ Also known as Peter McGruther Bell

about World War II.

5. We did learn a bit about which tūpuna fought and some broad kōrero. Much of this evidence comes from my discussions with Paddy Turnbull, a tribal scholar. He took me under his wing and told me a number of matters about Ngāti Hikairo and our histories. He told me some things about my tūpuna's involvement in the land wars and I will recount some of that here.

Taranaki

6. Some our people fought in the wars in Taranaki from about 1860. They went to the wars to support their relations, but most of all I think they joined as they could see the wider politics of what was happening. They could see the Pākehā trying to get the Māori land and felt sympathy for their Taranaki relations losing their lands. I believe they saw that their lands were next in line and they had to stop the spread of the Pākehā.
7. It had been a time when the iwi had experienced positives and negatives along with Pākehā settlers. In the early times we had good trade and sharing of

knowledge, but our people began to see the land being taken and we saw the vice of alcohol entering our community.

8. I will talk of my tūpuna Pohepohe Te Ake and Toataua Te Ake at Taranaki. They were brothers, sons of the chief Te Akerautangi.
9. I remember seeing Pohepohe's musket with whānau some years back and have a photo somewhere. It had a star carved in the butt. It had been hidden in Kāwhia after Pohepohe returned from Taranaki. It is a significant taonga to the whānau as we know some kōrero surrounding it. At a battle in Taranaki Pohepohe was part of the last contingent surviving and was retreating. With ammunition exhausted he used his musket as a taiaha and managed to escape. In recognition of that event he gave his wife the name Karo te Penete – Parry the Bayonet. She is more commonly known as Karopeneti.
10. When Pohepohe returned he came some hours ahead of his brother Toataua. Back in Kāwhia Pohepohe went to Toataua's whānau to let them know that Toataua was

well and was on his way some hours behind. He arrived to find the tangi of Toataua's wife was happening. It had been going for over four days and nights. Pohepohe requested the whānau to keep the tangi going as Toataua was to arrive shortly. Toataua arrived at Kāwhia and swam across the harbour from pipi bed to pipi bed to arrive home to the tangi. The tangi had been going for five days and five nights when Toataua reached his whānau. In commemoration of Toataua's efforts in the wars in Taranaki and to memorialise the tangi, his whānau changed Toataua's name to Pōrima. This is now a well-known name among the Ngāti Hikairo whānau.

Rangiriri

11. When the Crown forces saw our Ngāti Hikairo at Rangiriri I think that felt more disposed to killing. Ngāti Hikairo already had a warlike reputation from their fighting in Taranaki. I was told that the Crown forces definitely considered that Ngāti Hikairo were dangerous and should be killed because they had fought in

Taranaki.

12. Our whānau kōrero is that Te Akerautangi and his sons Pohepohe and Toataua all fought at Rangiriri. We are not certain, but there is kōrero that Te Akerautangi was captured and held prisoner on a ship off Kawau Island and then escaped.

Waiari

13. My tūpuna lived at Waiari. It was an ancient pā for Ngāti Hikairo. They lived alongside Ngāti Puhiawe and the whakapapa lines became merged there.
14. When the fighting occurred at Waiari a number of Ngāti Hikairo fought. I believe my tupuna Te Akerautangi (also known as Te Whakaea, Wiremu Te Akerautangi, or Wiremu Te Ake Kārewa) fought there. He was quite old at that stage but still fought alongside his two sons Pohepohe Te Ake and Toataua Te Ake. Te Mūnu Waitai and his daughter Rangiāho Waitai were also there (and they also fought at Pāterangi).
15. The fighting was not at all easy. They were short on everything. Our kōrero is that they were short on food

and ammunition and were ultimately outnumbered. I understand this was a pattern for all of the land wars for our people.

16. We have kōrero that they were using stones and even wood pieces in their muskets. We also understand that there was a mix of fighting skills among the persons who were present. A number were not tested warriors at all.
17. Pohepohe and Toataua also fought at Hairini.

Confiscation

18. In my view the confiscation took the best quality lands from Ngāti Hikairo and other iwi of Te Rohe Pōtae. I have farmed for many years at Waimiha, Pārāwera, Mangatī, Pirongia, and Waiari and have some knowledge about the quality of lands for farming and horticulture. Much of the lands that were confiscated in the south of the district were the most fertile and rich in the Waikato region. Our farm at Waiari was only about 60 acres, and it was difficult to manage such a small lot, but it was really good land. The loss of such lands was a huge loss to Ngāti Hikairo and the other iwi and hapū

of Te Rohe Pōtae.

19. Today our whānau have no lands outside of Kāwhia moana. I don't believe our tūpuna were awarded any lands from within the confiscation district. When I farmed in Waiari it was on land I had to purchase myself. So it is confiscated and then you have to buy it back.
20. The impacts of the confiscation were absolutely disastrous on our people. Many researchers have discussed the matter of "urban drift" as a key cause of problems within Māoridom, but in my view some of the worst situations for Ngāti Hikairo, and other iwi of Te Rohe Pōtae, had existed well before those times. The confiscation saw lots of our people focused in little areas which were absolute hell-holes. Numerous whānau were crammed into kāinga surviving on small stretches of riverways. There was drinking and many associated problems. Our culture was slipping away. It was hell for some whānau. I am sorry to say that Te Whatiwhatihoe was such a hell-hole for a period.
21. The generations after the confiscation worked hard with what little they had. Still our whānau were always

struggling in poor housing and without running water. Many resorted to stealing to keep up and this became a way of life. I really do believe that the loss of land was a key source of these troubles.

The Land Wars: A time of confusion and contradictions

22. It is well known that Ngāti Hikairo was divided during the times of the land wars. We were quite split up. Our people have seen statements that factions of Ngāti Hikairo were “rebels” and factions were “loyalists”. It is so much more complex than that.
23. It is true that a number of whānau and individuals took quite different positions about the land wars. Some fought against the Crown forces, some left the area, some remained in the region but didn’t fight, and some sought to show support for the Crown and Māori.
24. In our iwi kōrero we know of no Ngāti Hikairo who fought for the Crown against Māori during the land wars. Some persons did provide assistance with diplomacy or acted as guides to the Crown.
25. My evidence to this Tribunal is that there was so much

pressure on our people that the iwi didn't act as one during the land wars. The pressure forced some individuals and whānau to make their own decisions about what they needed to do to survive.

26. Many of our whānau were seriously tested during the wars. I think a number of factors worked against us. Our rohe included some of the very desirable and fertile lands from Pirongia maunga to the east and north. We occupied Kāwhia Moana which was a transport and trading hub and which was rich in marine resources. We experienced some of the earliest interaction with Pākehā at Kāwhia. I think the Crown forces advanced relatively quickly to the south in 1863 and our kōrero is that some within Ngāti Hikairo started to fear the worst from an early time. Indeed some of the iwi had seen first-hand what the Crown was capable of in the wars in Taranaki. I think all these factors were part of a pressure that the Crown exerted and applied on us.
27. Our customary ways were all about sticking together. The first reaction was to fight together, but we began to find that we could not drive Pākehā into the sea. In fact

they seemed to be growing in numbers after the wars in Taranaki began. Our people had to make decisions as a matter of survival and tikanga was tested.

28. Some of our whānau decided that to survive they should fight the Crown forces. Others decided that survival required some sort of support for both the Crown and Māori. I say support for both Crown and Māori as the question is not clear cut. It wasn't a case of Māori being against Māori but more a situation where some whānau saw their fate as Māori hinging upon their relationships with both Māori and Pākehā.
29. Some among Māori call those who fought with the Crown "Kūpapa". The term is nearly always derogatory. It is sometimes applied to any Māori who chose not to fight against the Crown forces and sought to remain somewhat neutral. Again, the term is usually derogatory even when used this way.
30. I understand that Kūpapa means to be neutral in an argument. In fact, Kūpapa can mean a person who actively tries to peacefully resolve an argument. I understand the term can therefore be either positive or

derogatory. In our kōrero the term Kūpapa comes from “Kū” - a pigeon. In Christian thought the dove represented peace. This was the positive meaning. However, when a pigeon became fat we considered that it had become fat by cooperating with the enemy. This was the derogatory thinking behind the term.

31. The tupuna of my whānau chose to fight against the Crown forces. I know of some Ngāti Hikairo whānau who chose to keep a relationship with the Crown and Māori. I think most of those who kept a good relationship with the Crown acted as intermediaries between the warring parties and tried to broker peace. I would like to hope that today they can be looked at as neutral brokers of peace – using the more positive meaning of Kūpapa.
32. I have headed this section of my evidence “a time of confusion and contradictions”. I would like to give some examples why simple terms like “rebel”, “loyalist”, or “kūpapa” are really meaningless at this time.
 - (i) For example there was our chief Hōne Te One. He fought alongside Māori at Taranaki at Māhoetahi

and was injured and captured by Crown forces. Hōne Te One, along with Te Akerautangi, Kikikoi, Pikia, Te Au Makoare and other chiefs, placed the lands of Ngāti Hikairo under the Kīngitanga. However, when the Crown brought the land wars to Waikato he chose not to fight with Māori but worked between the Crown and Māori to broker peace. Because of his decisions on this issue he was exiled from Kāwhia to Aotea Moana (to his other whānau connections) and stayed for the most part of the wars at Mōtakotako. For parts of the wars he lived at Pukerimu (a hill between Te Rore and Pikopiko) right within the war zone and Crown forces occupied his lands at one stage. While still at Mōtakotako, Hōne Te One invited Tāwhiao to assure him that Ngāti Hikairo remained in full support of the Kīngitanga. It was also during his time at Mōtakotako that Hōne Te One worked with the Crown building roads in the Aotea harbour region. Later, it was he, along with Pikia, and Hōne Wetere, who invited Tāwhiao to live at Te

Whatiwhatihoe – onto lands he had personally been awarded after the confiscation. He himself lived at Pirongia at Whatiwhatihoe for some time. So Hōne Te One did not shrink from fighting for his people, but later promoted a relationship with the Crown and Māori which he believed was necessary for survival. It can be seen that the situation is simply not clear cut.

(ii) Now I think of my tupuna Pohepohe. He fought against Pākehā in Taranaki and in the Waikato. Pohepohe hated Pākehā. At Taranaki he fought against Mr McGruther, a Scottish member of the Crown's forces. This same McGruther was later to marry Pohepohe's daughter at Kāwhia. Pohepohe went from a deadly foe to a father-in-law. This is another example of the times and the contradictions that it created.

(iii) I think also of Rangihō Waitai, the daughter of Te Mūnu Waitai. Both her and her father had fought at Waiari and Pāterangi. Later she joined the whānau exiled in Mōtakotako and was a wife to Tāwhiao.

So, she had consistently fought against the Crown and was to become a wife of Tāwhiao, but she lived among the exiled Ngāti Hikairo at Mōtakotako.

33. In the above examples I am trying to show that the situation on the ground was complicated. Simple explanations don't explain the complicated layers of customary relationships coupled with war and rapid change. It is therefore difficult to brand any particular whānau of any iwi with a label.
34. One label that was branded against Ngāti Hikairo as a whole was "rebel". I'm told our iwi was listed as a rebel iwi by the Crown at the end of the wars. In those turbulent times you did what you could to survive, but above all you defended yourself from the Crown's invasion. We fought to defend not to rebel.

Conclusion

35. My tūpuna fought against the Crown and lost life and property. Some of our Ngāti Hikairo whānau chose a different path for their survival. It was a complicated time of change and the Crown created various pressures. Ultimately, we all suffered through the wars

and confiscation. Many years after the wars and confiscation I believe our people continue to suffer today. It is not just the land loss. Our people still hold the pain of the wars on their shoulders.

36. Our iwi lost its very best lands. In the grand scheme of things we did not lose a huge quantity of land, but we lost our best quality lands. I know this applies to Ngāti Apakura and Ngāti Maniapoto hapū along with Ngāti Hikairo.

37. I'm told there are a few small blocks of Ngāti Hikairo land remaining within the confiscation district around Pirongia Maunga. I don't believe that any of our whānau have any lands at all in this area. All we have are small plots our lucky few have been able to buy back on the open market. We now only have whānau land in Kāwhia Moana (and much of those lands are the subject of perpetual leases to others).