6. 'At Every Bend a Chief, At Every Bend a Chief, Waikato of One Hundred Chiefs': Mapping the Socio-Political Life of the Waikato River

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Introduction

At 425 kilometres, the Waikato River is the longest river in New Zealand, and a vital resource for the country (McCan 1990: 33–5). Officially beginning at Nukuhau near Taupo township, the river is fed by Lake Taupo and a number of smaller rivers and streams throughout its course. Running swiftly in a northwesterly direction, the river passes through many urban, forested and rural areas. Over the past 90 years, the Waikato River has been adversely impacted by dams built for hydro-electricity generation, by runoff and fertilisers associated with farming and forestry, and by the waste waters of several major industries and urban centres. At Huntly, north of Taupiri (see Figure 6.1), the river's waters are further sullied when they are warmed during thermal electricity generation processes. For Māori, another major desecration of the Waikato River occurs when its waters are diverted and mixed with waters from other sources, so that they can be drunk by people living in Auckland.

Figure 6.1 A socio-political map of the Waikato River and catchment.

Source: Created by Peter Quin, University of Auckland.

As the Waikato River is an important natural resource, it has a long history of people making claims to it, including Treaty of Waitangi¹ claims by Māori for guardianship recognition and management and property rights.² This process of claiming has culminated in a number of tribes

1 The Treaty of Waitangi was signed by the British Crown and more than 500 Māori chiefs in 1840. It is the founding document of the nation state of New Zealand, laying out, in broad principles, the rights of both British and Māori. Many conflicts have arisen, however, over differing interpretations of these principles and over discrepancies between the English and Māori written versions of the document.

2 Over the last 35 years, New Zealand governments have provided opportunities for Māori tribes to seek redress for Crown breaches of the Treaty of Waitangi.

around the Waikato River signing deeds of settlement with the Crown between 2009 and 2012.³ In return for their agreement not to pursue ownership claims to the river, the Crown has committed NZ\$210 million to create a fund to assist in restoring the river's health and well-being. The major outcome of the combined agreements is a modern co-governance arrangement for the river that has equal Māori and Crown representation.

My contribution to this volume foregrounds the social life of the Waikato River (Figure 6.2), a river that is referred to as a *tupuna awa* (river ancestor) by Māori from the *iwi* (large tribes) of the Waikato region. In particular, I shall explore how Māori tribes and their leaders from the region have become prominent players in the river's politics and welfare. Because this work is primarily concerned with Māori engagement and relationships with the Waikato River, my focus is on the various *iwi* and *hapū* (sub-tribes) associated with the river, but I shall also discuss the roles that the Crown and the electricity company, Mercury (formerly Mighty River Power),⁴ play in the river's socio-political landscape.

Figure 6.2 Children playing next to the Waikato River.

Source: Photo by Jeff Evans.

3 These have been legislated as the *Waikato-Tainui Raupatu Claims (Waikato River) Settlement Act 2010*; the *Ngāti Tūwharetoa, Raukawa, Te Arawa River Iwi Waikato River Act 2010*; and the *Ngā Wai o Maniapoto Ngāruawāhia Waipa River) Act 2012*.

4 The company's name was changed in 2016 in a move to emphasise its new focus on solar energy and electric vehicles.

I begin my study by mapping some of the historic relationships that *iwi* and *hapū* have with the Waikato River and with one another. Throughout its course, the Waikato River has many different characters and meanings for the people whose territories it flows through. There follows a conventional discussion of the formation of the Māori political movement called the Kīngitanga (the King Movement), which was founded on the banks of the Waikato River in the 1850s in response to British invasions of the Waikato region. I then touch on the confiscation of the lower Waikato River region by the British colonial government, and the impacts of this on Māori, before examining more recent controversies—most specifically the commodification of Waikato river waters through the development of hydro and thermal electricity generation. Finally, I address the recent partial privatisation of the electricity generating company, Mercury, and examine the contradictory implications of this initiative for Waikato-Tainui Māori. For example, some Māori understand that, when Mercury uses Waikato river waters to create power, what is in fact flowing through the company's turbines is the *tupuna awa* of Waikato *iwi*.

Māori Settlement of Lands Adjoining the Waikato River: From Taupo Nui a Tia to Te Puaha o Waikato

The Māori of the Waikato River belong to one of two tribal confederations: Te Arawa and Tainui. Figure 6.1 identifies the locations of the Te Arawa and Tainui tribes and communities. In this section, I build on previous ethnographic and historical works by Stafford (1967), King (1984), McCan (1990), Jones and Biggs (1995), Stokes (1997) and Grace (2005). Piecing together Māori claims to the river and occupation of the region, I shall share a number of oral traditions to demonstrate, first, the ways in which different *iwi* and *hapū* are connected to specific parts of the region and, second, to outline the ways in which *iwi* and *hapū* boundaries have been historically demarcated. A full account of Māori oral traditions of the Waikato River would include accounts of its origin, discovery and settlement; intertribal warfare and disputes over territory; tribal alliances through marriage and fighting; notable gatherings; prominent chiefs; the sharing and exchange of resources; and the curative power of the river's waters. While many of the oral traditions collected belong to specific tribal groups, some of the stories are shared by *iwi* and *hapū* that have similar interests in the river.

The Te Arawa Tribes

The central plateau containing the source of the Waikato River is a place with historical connection to the Te Arawa people. Te Arawa ancestors are understood to have come to New Zealand from a place called Hawaiki between 800 and 1,000 years ago, settling in the Rotorua and Taupo districts.⁵

Ngāti Tūwharetoa

Lake Taupo and the lands around it are recognised by Māori as the ancestral territory of Ngāti Tūwharetoa. The people of Ngāti Tūwharetoa descend from the powerful navigating chief Ngatoroirangi, who steered the Te Arawa canoe on its voyage from Hawaiki. Ngatoroirangi is credited with discovering and claiming the Lake Taupo region for his tribe.

In the 1920s, Lake Taupo and the Waikato River became essential resources in New Zealand's electricity development. At that time, the Crown refused to recognise Ngāti Tūwharetoa's ownership of the lake, and, in 1926, the New Zealand Government passed a law making Lake Taupo's bed the property of the Crown. To quell Ngāti Tūwharetoa's claim over the lake, the Crown agreed to an annuity for the tribe: a sum equivalent to 50 per cent of the gross revenue from the sale of the lake's trout fishing licences. However, Ngāti Tūwharetoa were further aggrieved when they were not consulted about the lake's outlet to the Waikato River at Nukuhau being altered for hydro-electric development in 1940, and also when waters from the Tongariro power scheme were diverted into Lake Taupo. Finally, in 1992, after years of disputing the Crown's method of acquiring the lake, an historic settlement agreement was reached when the Crown returned the ownership of the lake bed to Ngāti Tūwharetoa.

Ngāti Tūwharetoa is the fifth largest *iwi* in New Zealand; in the 2013 census, its population was recorded as 35,874. The tribe is reckoned to have at least 55 *hapū* and 81 *marae* (residential communities). There are at least 10 Ngāti Tūwharetoa *hapū* located around the Waikato River. After leaving Lake Taupo at Nukuhau, the river runs northeast to the Huka Falls or Hukanui (meaning 'great body of foam') and, after passing over the falls, it leaves the territory of Ngāti Tūwharetoa and enters that of Ngāti Tahu.

5 Hawaiki is the traditional Māori place of origin. It is where Io, the supreme being, created the world and the first people. It is also the place to which people return after death.

Ngāti Tahu-Ngāti Whaoa

With a territory that encompasses the ‘great bend’ of the Waikato River, Ngāti Tahu are recognised as the people of Lake Rotokawa (Stokes 2004: 53). Like Ngāti Tūwharetoa, the people of Ngāti Tahu are also descendants of the Te Arawa canoe (Grace 2005: 201). When the geographer Evelyn Stokes traced the history of Ngāti Tahu, she recorded that, in the nineteenth century, they were a nomadic people who had seasonal dwellings at Ohaaki, Orakei Korako and Nga Awa Purua (see Figure 6.1).

As the settlements were located in areas of geothermal activity (see Figure 6.3), it was unsafe for Ngāti Tahu people to live there permanently. The seasonal settlements called *nohoanga* were established for gathering prestige goods such as fish, birds, red ochre and sulphur (Stokes 2004: 55). In 1987, the Ngāti Tahu Tribal Trust wrote a submission to the Waikato Catchment Board, opposing a proposed sulphur mining operation in the area. The Trust wrote that prior to British settlement in the area:

Their principal fern grounds were on Oruahineawe, on the north bank of the Waikato River, at Otamarauhuru and along the banks of the Parariki Stream. The Waikato River was a source of fish—kokopu (native trout) and inanga (whitebait), tuna (eels) and koura (fresh water crayfish). Kokopu were a particular speciality of the section of river below Nga Awa Purua. (Stokes 2000: 126)

Figure 6.3 Geothermal activity on the Waikato River.

Source: Reproduced from an 1885 Charles Blomfield oil painting entitled ‘Orakei Korako on the Waikato’, with permission from the Museum of New Zealand.

The submission explained that Nga Awa Purua was not only the name of an important seasonal settlement on the north bank of the Waikato River, but was also the name for that part of the river. Stokes (1987: 3) wrote that the name implies the 'head of navigation where the river divides and breaks into rapids'. As Ngāti Tahu only established temporary residences in this part of their territory, Stokes' research is important as it demonstrates Ngāti Tahu's longstanding connection to the Waikato River. In some official documents, Ngāti Tahu are identified as an *iwi* of Te Arawa. However, as a result of the Waitangi Treaty claims process and a desire to pursue their own claim separate from other Te Arawa *iwi* and *hapū*, Ngāti Tahu joined with Ngāti Whaoa, another *hapū* in the Reporoa area. The existing Te Puni Kokiri tribal membership figures record that these two groups have a combined membership of 2,724 people and are comprised of five *hapū* and six *marae*.

The Tainui Tribes

After flowing through Ngāti Tahu–Ngāti Whaoa territory, the Waikato River arrives at Whakamaru, a place that is associated with the Tainui people of Ngāti Raukawa (Waitangi Tribunal 1993: 19–22). Like the Te Arawa canoe, the Tainui canoe or *waka* is said to have carried Māori ancestors from Hawaiki to Aotearoa (New Zealand). These people settled the northwestern quadrant of the North Island. The term Tainui *waka* also refers to the current confederation of Tainui *iwi*, which comprises Ngāti Maniapoto, Ngāti Raukawa, Ngāti Hauā, Hauraki, Ngāiterangi and the tribes of Waikato that were unified under the Kīngitanga. Oral tradition explains that Hoturoa was the captain of the Tainui canoe when it sailed from Hawaiki. When the canoe landed in Kawhia, its members settled in western parts of the central North Island. The boundary of Tainui territory is recited as:

<i>Mokau ki runga</i>	From Mokau in the south
<i>Tamaki ki raro</i>	To Tamaki in the north
<i>Mangatoatoa ki waenganui</i>	Mangatoatoa at the centre
<i>Ki te kaokaoroa o Patetere</i>	The long armpit of Patetere
<i>Ki te Nehenehenui</i>	The big forest of Maniapoto
<i>Pare Waikato</i>	From the mouth of the Waikato River in the west
<i>Pare Hauraki</i>	To all of Hauraki

Ngāti Raukawa

While Ngāti Tahu people contend that their ancestors, Tia and Ngatoroirangi, claimed the land on both sides of the river between Taupo and Atiamuri, the members of Ngāti Raukawa allege that they have special rights in the area because their ancestors, Wairangi and Whaita, who were great fighting chiefs, took possession of the territory from Ngāti Tahu by conquest. Today, the stretch of river between Atiamuri and Putaruru is mainly populated by these descendants of the Tainui ancestor Raukawa. The ancestral mountain of Ngāti Raukawa is Maungatautari, which is located near the Waikato River, just south of the township of Cambridge. There are debates over the tribal boundaries in Ngāti Raukawa territory. According to one informant who worked as a labourer on the Karapiro, Maraetai and Whakamaru dam projects:

The Raukawa ancestors, Whaita and Wairangi, secured authority over land for Raukawa descendants along the Waikato River not just between Maungatautari and Whakamaru but all the way from Maungatautari to Lake Taupo. (Matangi Hepi, interview, May 1999)

The boundary recited by Matangi Hepi is also recorded as evidence in *The Pouakani Report* (Waitangi Tribunal 1993: 20), which provides accounts of the rival claims of the tribal groups that occupy the block of land known as Pouakani. This report echoes the account of Pei Te Hurinui Jones, a Tainui scholar with a strong interest in local history, who proposed that Ngāti Raukawa had tribal authority over the section of the Waikato River between Whakamaru and Maungatautari (ibid.: 21). From the interviews he conducted with Māori elders over many years, he inferred that, at some stage, Ngāti Raukawa moved up the Waikato Valley from Maungatautari, and then either displaced or absorbed a Te Arawa tribe, known as Ngāti Kahupungapunga, whose members were alleged to have lived between Putaruru and Atiamuri (Jones and Biggs 1995: 138).

With the establishment of pine forests around Taupo and Tokoroa in the 1920s, and the building of Kinleith Mill at Tokoroa in 1953, many Ngāti Raukawa members were employed in the forestry and pulp and paper industries. However, the down-scaling of Kinleith's timber processing and pulp and paper production in the 1980s resulted in much unemployment and financially difficult times for Ngāti Raukawa people. The current Te Puni Kokiri tribal membership figures record that there are 5,175 Ngāti Raukawa members living around the towns of Putaruru and Tokoroa.

Ngāti Koroki-Kahukura

While Mt Maungatautari is recognised as an ancestral mountain for Ngāti Raukawa, it is also the location of Ngāti Koroki-Kahukura, an influential *hapū* because of its enduring ties and shared boundaries with Ngāti Raukawa, Ngāti Maniapoto and Ngāti Hauā. The people of Ngāti Koroki-Kahukura are located along the middle reaches of the Waikato River. Genealogical accounts show that the ancestor Koroki was the father of the ancestor Hauā. As one of the members explained:

Maungatautari acts as a *pou rahui* [boundary marker] for the tribe of Ngāti Raukawa and tribes that affiliate with Waikato-Tainui. It is an important gathering place for all the people. While everyone is welcome at Maungatautari, we affiliate to the Kingitanga. (Karihana Wirihana,⁶ interview, June 2001)

While much of Ngāti Koroki-Kahukura's ancestral lands were not included in the Crown's mass land confiscations of 1863, the tribe is notable because it took in Waikato people who were exiled from their own lands after the confiscations. While Ngāti Koroki-Kahukura was recognised as an *iwi* in its own right prior to the confiscation of the southern part of Waikato district, in Treaty of Waitangi claim contexts it is generally regarded as being a part of Waikato *iwi*. Nevertheless, Ngāti Koroki-Kahukura filed a Waitangi Tribunal claim to protect their interests in the Waikato River, and members contend that they have authority for the river between Arapuni and Karapiro. According to their treaty negotiator, Willie Te Aho, the area of the river that Ngāti Koroki-Kahukura are claiming is outside Waikato-Tainui's tribal territory (Anon. 2008).

Ngāti Hauā

The section of the Waikato River from Mt Maungatautari to Horotiu, or from Pukerimu to Ngāruawāhia, is understood to be part of Ngāti Hauā's ancestral territory (Jones and Biggs 1995: 334). Until the mid-nineteenth century, Ngāti Hauā was recognised as a formidable *iwi* by its Māori counterparts, and its lands were envied and revered for their rich soils. When the British invaded the Waikato region in the 1860s, the section of the Waikato River occupied by this group was called the Horotiu River (Belich 1998: 164, 179; Stokes 2002: 14). Much of their

6 Karihana Wirihana lives in Cambridge and is from Maungatautari Marae. He was the captain of the Waka Rangatahi, which is part of the fleet of Tainui canoes associated with the late Princess Te Puea Herangi.

territory was then confiscated, including lands in the Matamata, Hamilton and Morrinsville areas. Like Ngāti Koroki-Kahukura, the people of Ngāti Hauā are generally regarded as part of the Waikato *iwi*.

Ngāti Mahuta

Ngāruawāhia is one of many places customarily associated with Ngāti Mahuta, and is the location of the large Waikato *marae* known as Tūrangawaewae. The place known as ‘The Point’ in Ngāruawāhia is the place where the Waikato River joins the Waipa River (see Figure 6.4).

Figure 6.4 The place or ‘point’ where the Waipa River and the Waikato River meet.

Source: Photo by Jeff Evans.

Oral traditions explain that the merging of the two rivers in Ngāruawāhia symbolises the union of Ngāti Raukawa, Ngāti Maniapoto and Waikato people through the marriage of Ngawaero, who was of Ngāti Raukawa-Maniapoto descent, and Te Wherowhero, an important Ngāti Mahuta chief. As a result of the marriage, the Waipa River is sometimes personified as Ngawaero, and the Waikato River is personified as Te Wherowhero. Jones described the relationship as follows:

There are certain places in Aotearoa that seem to have a spell of strength and endurance cast upon them by primeval forces. In the Waikato is one of these places where the waters of the Waikato and Waipa Rivers meet at Ngāruawāhia. For more than 12 miles above this point the clear and deep flowing waters of the Waikato, in its westward course, appear to be bent on charging straight through the outflung Hakarimata range. But as if in obedience to the quiet persuasion of the sluggish waters of the Waipa, it turns with renewed zest to the north, where for about three miles it rushes through Taupiri gorge to the west of Taupiri Mountain. (Te Hurinui 1959: 134)

Approximately 7 km north of Ngāruawāhia is Mt Taupiri, an important burial place and ancestral mountain for Waikato Māori, who believe the Waikato River to be very sacred, as it flows past this landmark. There is a story shared by Waikato and Ngāti Tūwharetoa Māori regarding the origin of the river. It was told by Ngāti Tūwharetoa's paramount chief, Sir Tumu Te Heuheu, to guests of the late paramount chief of Waikato, Te Arikinui Te Atairangikaahu,⁷ who were attending the 40th anniversary of her coronation at Tūrangawaewae Marae in 2006.⁸

Tongariro and Taupiri were a brother and a sister mountain that lived in the Central Plateau. The siblings were very close. At birth Taupiri was promised to the Tainui mountain chief, Pirongia. On reaching adulthood, Taupiri married Pirongia and went to live in his territory. At her new home, Taupiri became very sick. Concerned by his wife's condition, Pirongia gathered the most knowledgeable healers to treat Taupiri. However, none of the healers were able to cure her. Aware that her people had a remedy, Taupiri asked Pirongia if he would send word of her illness to Tongariro. Desperate for his wife's health to improve, Pirongia asked a trusted servant to make the difficult journey to Taupiri's homeland. The servant agreed and took his dog as a companion.

After several days the servant and the dog arrived at Tongariro's village. On their arrival they were welcomed and fed, and then taken to meet Tongariro. Tongariro explained that they needed to get a good night's sleep since, before dawn the next morning, they would be climbing a great mountain to obtain a cure for Taupiri. The next day Tongariro, the servant and his dog made their ascent. Stopping at a special place on the mountain, Tongariro recited a chant and then struck a rock with his walking stick. Suddenly, pure water emerged from the rock. Using calabashes that they had brought with them, the servant collected some of the special water for Taupiri. After they had filled the calabashes with the water, the servant thanked Tongariro, and then he and the dog began their long journey home. As the pair departed, Tongariro instructed the water, which had become a stream, to follow them so that Taupiri would always have a supply of the sacred water at her disposal.

On their way home the servant and the dog passed through a gigantic crater that the stream filled. This crater we now know as Lake Taupo-nui-a Tia. At Tapuaeharuru (near Nukuhau), a place at the northern end of the lake, the stream turned into a powerful river. Some versions of the story say that the Te Arawa people tried to entice the river to flow

7 The title used by Waikato Māori when referring to the paramount chief Te Atairangikaahu.

8 The following text is a version of the speech that I recorded in writing as it was being made.

through their lands, but at Te Ohaaki the dog dug a ditch, preventing the river from going in their direction. However, at Piarere, a place between Tirau and Karapiro, the river became distracted when it heard the call of its sea-parents. Unable to resist their voices, the river turned down into the Hinuera Valley and made its way eastward across the Hauraki plains where it met up with its parents at the Thames estuary. As the servant and the dog were unable to persuade the river to follow them, they continued home with the calabashes of sacred water.

On their return Taupiri drank the water and recovered immediately. The servant then told Taupiri of Tongariro's gift—the stream that had become a runaway river. On hearing the story, Taupiri began to chant. When Tongariro heard his sister's call he also began to chant. In unison their calls woke Ruaumoko, the deity of earthquakes. Ruaumoko was angry at being woken, and his fury caused the earth to shake and split and volcanoes to erupt. The runaway river, knowing that it was the cause of Ruaumoko's anger, immediately diverted its course so that it could be at Taupiri's disposal. When the river reached Taupiri she explained that it was now free to go and be with its parents. Flowing westward the river was reunited with its sea-parents at Port Waikato.

This story emphasises the unique bond between Waikato and Ngāti Tūwharetoa people. Tongariro and Taupiri not only represent two gendered chiefly ancestors, but also the peoples of Ngāti Tūwharetoa and Waikato. The Waikato River, a gift from Ngāti Tūwharetoa to Waikato people, is portrayed as a young, non-gendered waterway with curative powers. However, Waikato *iwi* also refer to the Waikato River as their primordial *tupuna awa*.

Beyond Taupiri, the Waikato River flows past several *marae* settlements. Waahi Marae in Huntly is an important one because it has been the home of many Kīngitanga leaders, and there are others between Huntly and the mouth of the river at Port Waikato (or Te Puaha o Waikato) that are significant to Waikato Māori identity (see Figure 6.1). Before the Waikato land confiscations in the 1860s, all land in the region belonged to autonomous *iwi* and *hapū* groups, but, once the lands were confiscated, they were subdivided and then turned into farms by British colonists. The *marae* dotted along the river are the only visible symbols of prior Māori occupation of the region. The 2013 census recorded the combined population of all the Waikato-Tainui *iwi* as 40,083 people, divided between 33 *hapū* and 160 *marae*.

The Kīngitanga Emerges

Māori social organisation around the Waikato River was transformed with the arrival of British colonists. The first Europeans began visiting the Waikato Valley in the 1820s, though it was another 20 years before they settled in the area. Throughout the 1840s, Māori agriculture flourished in the Waikato region as *hapū* groups cultivated a variety of crops for the growing town of Auckland. The Waikato River was an important element of their success because it provided a reliable transport route to markets in the north, and their success did not go unnoticed. Stokes (1997: 10) has explained that 'the productivity of the Waikato lands, especially in the Hamilton basin and Waipa Valley, attracted the attention of British settlers, officials and land speculators'. The identity of Waikato-Tainui is closely linked with the river and the region. Many *whakatauki* ('proverbs') refer to the river or the surrounding region. Tūkinu Te Heuheu I, a paramount chief of Ngāti Tūwharetoa, expressed this proverb to acknowledge Pōtatau Te Wherowhero during the search for a Māori king in the 1850s:

<i>Ko Waikato te awa</i>	Waikato is the river
<i>Ko Taupiri te maunga</i>	Taupiri is the mountain
<i>Ko Te Wherowhero te tangata</i>	Te Wherowhero is the chief
<i>Waikato Taniwharau</i>	Waikato of a hundred chiefs
<i>He piko, he taniwha</i>	At every bend, a chief
<i>He piko, he taniwha</i>	At every bend, a chief

The Kīngitanga movement was established in 1858, led by Pōtatau Te Wherowhero of Ngāti Mahuta, to resist the appropriation of Māori land. Pōtatau was chosen to be the Māori king 'because of his reputation as a fighting chief and high genealogical status which linked him to Hoturoa the Captain of the Tainui canoe' (Mahuta 1975: 1). In addition, Kamira Binga Haggie of Tūrangawaewae Marae has pointed out that Pōtatau was selected because of his amicable relationships with the many tribes of the lower Waikato River, who could supply food for massive Kīngitanga gatherings (Haggie 1997).⁹ Pōtatau only survived for two years as Māori monarch; when he died, supposedly at the age of 85, he was succeeded by his oldest son Matutaera Tāwhiao Te Wherowhero—King Tāwhiao.

9 Kamira Binga Haggie was the chairperson of the Tūrangawaewae Marae Committee for many years and was a tribal spokesperson for the Waikato River. He was a keen rower, whitebaiter and duck shooter.

Māori refusals to sell did not curb the Crown's desire to own large areas of fertile land, so the Crown's representative, Governor Grey, sought new methods to obtain land for British colonists in the Bay of Plenty, Taranaki and Waikato regions. The invasion of the Waikato region commenced on 11 July 1863 (Belich 1998: 119). It involved a series of assaults as far south as Ngāruawāhia. The most debilitating of these took place at Meremere and Rangiriri (see Figure 6.5), where the British militia used flotillas of vessels to attack Māori settlements (ibid.: 145). These attacks shattered the livelihoods of Waikato Māori as people were killed, lands were seized, and *marae* and tribal canoes were destroyed. The capture of Rangiriri provided a straightforward entry into the rest of the Waikato region, enabling General Cameron, who was leading the invasion, to take King Tāwhiao's headquarters at Ngāruawāhia.

Figure 6.5 Sign at Rangiriri marking the British militia's invasion of Waikato *iwi* territory in 1860.

Source: Photo by Jeff Evans.

In the 1860s, the colonial government created two pieces of legislation to remove *hapū* from their lands. First, the *Suppression of Rebellion Act 1863* proclaimed that Waikato and a number of other tribes were engaged in a rebellion against the Crown and that, as punishment for these actions, their lands would be confiscated. The confiscated lands were then given to British settlers in the form of grants made under the *New Zealand Settlements Act 1863*. While some of the confiscated lands were given as

payments to men who had fought for the Crown against the Waikato tribes, a substantial amount of land was also sold to incoming British settlers. Small blocks of poor-quality land were set aside for returning rebel Māori so that they could establish reserves once they gave their allegiance to Queen Victoria, but few Waikato Māori were interested in these unproductive lands (McCan 2001: 58).

The British view was that, when Māori lands adjoining the river were confiscated, their rights in the Waikato River were also removed. The signing of the Treaty of Waitangi in 1840 had brought Māori under the jurisdiction of the Crown, so that they were governed by English common law. Under English common law, the owner of land adjacent to a non-tidal river possessed a right to use the water, and the landowner also held a property right over the portion of the riverbed extending to the mid-stream point in the river. Therefore, when Māori land adjacent to the river was confiscated, Māori also lost their common law rights to the riverbed.¹⁰

The alienation of Māori from the Waikato River worsened when the Crown appropriated the rights to coal deposits beneath the settlement of Huntly. To establish coal production in the area, the Crown needed to own land in the Huntly area and exercise control over the Waikato River because the waterway was necessary to transport the coal to Auckland. The Crown therefore extinguished all Māori and non-Māori property rights in the Waikato River by enacting the *Coal Mines Amendment Act 1903* for what was said to be the public good. Stokes (2004: 48) has explained that, under this Act, the *ad medium filum aquae* rule was replaced by a declaration of Crown ownership of all the beds of 'navigable' rivers in New Zealand.

The confiscation of Waikato lands affected Māori from the region containing the middle and lower reaches of the Waikato River, and the Ngāti Hauā people around Horotiu and in the Waharoa area around Matamata (see Figure 6.1). A number of the tribes newly affiliated to the Kīngitanga were later forced to leave their lands and retreat to those of their closest allies.

10 This English law known as the rule of *ad medium filum aquae* was first recognised in New Zealand in the case of *R v Joyce* (1906) 25 NZLR 75.

Princess Te Puea Herangi Establishes Tūrangawaewae Marae

The third Māori king, Mahuta, relied heavily on the foresight and hard work of his niece, Te Puea Herangi (King 1984: 20). She was a granddaughter of King Tāwhiao through her mother, Tiahuia. Te Puea first gained prominence as a leader when she led a campaign against the conscription of Waikato Māori during World War I. She argued that there was no point in fighting for a country in which her tribe had no land. Te Puea affirmed her standing as a leading figure of the Kīngitanga in 1921, when she left her home in Mercer on a barge with a party of workers to rebuild Tūrangawaewae Pa at Ngāruawāhia, which is one of the places where King Tāwhiao lived prior to being exiled from Ngāti Mahuta lands.

The revival of Waikato *iwi* and the Kīngitanga thus began with the construction of Tūrangawaewae Pa on the banks of the Waikato River in the 1920s (see Figure 6.6). Prior to the confiscation of Waikato lands, the original *pa* (traditional village) in Ngāruawāhia was known as Pikiarero and was located at ‘The Point’, which is the junction of the Waikato and Waipa rivers (see Figure 6.4). However, Te Puea was unable to reacquire that land, so land was bought on the other side of the Waikato River. Not only did Te Puea establish Tūrangawaewae Marae, which was a great feat in itself, but she also set up a carving school within the new settlement, built a series of meeting houses and other community facilities throughout the Waikato region and King Country,¹¹ composed songs, trained the Māori concert party known as Te Pou o Mangatawhiri and established the Tainui Māori Trust Board. The latter was established in 1947 to administer money that Te Puea negotiated from the government as a form of compensation for confiscated Waikato lands (King 1984: 338). Te Puea’s influence in the Kīngitanga lasted almost 40 years, during which time she made explicit the relationship that Waikato Māori and the Kīngitanga had with the Waikato River, as exemplified in 1929 when she rallied support for a petition for the return of tribal fishing rights in the river (Orange 2004: 122).

11 The term ‘King Country’ resulted from the invasion of Waikato by the colonial forces in the 1860s. After the attack, Kīngitanga members were forced south of what was called the *aukati*, or boundary, seeking refuge in a line of *pa* alongside the Puniu River near Kihikihi. Land behind the *aukati* remained Māori territory; Europeans were warned that if they crossed the *aukati* their safety would not be guaranteed.

Figure 6.6 Kapa Haka on the Waikato River at Tūrangawaewae Marae.

Source: Photo by Jeff Evans.

Te Puea specifically encouraged the people of Tūrangawaewae Marae to bring into play a number of cultural features that demonstrated their connection with the river. King recorded that she established the *marae* on the banks of the river:

so that its waters would be a constant and reassuring presence. By the mid-thirties she was conscious that there was only one major way in which she was not making use of the river—Waikato no longer had any large canoes. (King 1984: 206)

Evidently, nothing had stirred Te Puea more in her youth than the sight of paddlers in Mahuta's ornately decorated canoe, Tahereheretikitiki. In the mid-1930s, she initiated the building of a fleet of ceremonial canoes to honour the Waikato River (see Figure 6.7). However, as Te Puea was creating Tūrangawaewae Marae, major developments were taking place in the electricity-generating industry along the middle and upper reaches of the river.

Figure 6.7 Rangatahi Waka on the Waikato River, captained by Karihana Wirihana.

Source: Photo by Jeff Evans.

Electricity Generation

The electricity industry was first established on the Waikato River at Horahora in 1913, when a dam was constructed by the Waihi Goldmining Company to supply power for the Waikino battery near Waihi (Stokes 1997: 46). This generating station was acquired by the government in 1919. The first state-initiated power development on the river occurred in 1929, when a dam and power station were built at Arapuni, in Ngāti Raukawa territory. Throughout the 1930s, geologists surveyed the gorges of the Waikato River and identified 10 more potential dam sites. The major control gates that now regulate the flow of the Waikato River were installed at Nukuhau on Lake Taupo between 1940 and 1941. These gates control the amount of water flowing down the Waikato River to meet electricity generation and regulatory requirements. The land required for dams, power stations, switchyards and other works, as well as land flooded by dam reservoirs, was taken under the Public Works Act in a series of proclamations between 1949 and 1982. The electricity developments on the Waikato River resulted in the construction of eight dams and reservoirs

and nine hydro power stations.¹² Electricity developments that occurred in Ngāti Tūwharetoa, Ngāti Tahu, Ngāti Raukawa, Ngāti Koroki-Kahukura and Waikato territories resulted in the permanent loss of Māori lands and river access. Construction of dams and generating stations also caused serious disruptions to Māori settlement patterns in other areas. Matangi Hepi from Ngāti Raukawa, who worked on a number of these projects, recalled that:

There was lots of labouring work on dam construction sites for local men, it was known that once a dam was complete the men were no longer necessary to NZED [New Zealand Electricity Department] and we left to find work elsewhere. Back then we could just move on to the next dam being built, but after Maraetai they stopped building them, a lot of local men and their families had to leave the area. (Matangi Hepi, interview, May 1999)

Dams and reservoirs now divide the Waikato River into sections, and have altered its aquatic ecosystems. Dams prevent eels, which have always been an important food source for Māori, from being able to swim downstream to spawn in the open sea. In the reservoirs behind the dams, fish such as the *kokopu* (native trout), which were plentiful in the upper reaches of the Waikato River, have been replaced by exotic species that are better adapted to lakes.

The construction of dams and reservoirs has resulted in parts of the Waikato River becoming permanently inaccessible. For instance, it is no longer possible to traverse the Aratiatia rapids because the Aratiatia dam gates are opened every two hours between 10 am and 2 pm or 4 pm each day,¹³ allowing built-up water to surge down the narrow gorge for 30 minutes before being closed again. At the time of its construction there was no survey of archaeological sites, and many places along the river banks that were special to Māori were flooded. According to *The Pouakani Report*, these losses included:

12 The hydro-power stations known as Horahora #1 and #2 (1913) were followed by those at Arapuni (1929), Karapiro (1947), Whakamaru (1949), Atiamuri (1953), Ohakuri (1955), Waipapa (1961), Aratiatia (1964), Maraetai (1970), and two thermal power stations, Meremere (1950) and Huntly (1985). The Horahora stations were submerged when the larger Karapiro station was established (see Figure 6.1).

13 The last daily flow is at 2 pm in summer and 4 pm in winter.

the loss of the 'Waipapa rock paintings' at the confluence of the Waipapa and Waikato rivers. Other rock paintings submerged by Lake Arapuni. Hot springs at various places, such as Waimahana have been submerged. Two thirds of the active geothermal areas including geysers and papakainga at Orakei Korako, and hot springs and wahi tapu at Te Ohaaki, were submerged by the Ohakuri hydro lake. (Waitangi Tribunal 1993: 294)

Joseph Haumaha from Ngāti Raukawa lives next to Maungakaretu Marae at his family homestead in Putaruru West, which is close to the Arapuni power station. Electricity development in this area has not only restricted access to parts of the river, but has also changed the flow and level of the river's water. Although it has reduced the number of eels and fish in the river, Joseph explained that his family still regularly fish for eels and brown trout while also gathering *koura* (freshwater crayfish) from the river's tributaries.

The boys and the nephews get brown trout at Arapuni. You can't get rainbows because the water is too muddy, they like to be nearer the lake. The dams have made a big difference to our fishing, there's no native fish now and the eels aren't fat anymore. You are supposed to have a licence to fish for trout around here — that's another thing we're not happy about. (Joseph Haumaha, interview, January 2004)

While Māori at the northern end of the Waikato River do not have to contend with some of the impacts of dam construction, Fookes (1976) reported the frustration and distress that Waahi Marae Māori experienced when the Huntly power station was built in 1973, including many of the impacts commonly associated with involuntary resettlement of Indigenous peoples.

Privatising Mighty River Power

In 1986, the New Zealand Government announced that it intended to reform both the generation and transmission sectors of the electricity industry. The first of the reforms occurred in 1987, when the Electricity Corporation of New Zealand (ECNZ) was set up as a state-owned enterprise (SOE) to own and operate the then Ministry of Energy's generation and transmission assets. Subsequently, ECNZ created a subsidiary called Transpower to run its transmission assets. The reforms continued in 1993 under the *Electricity Act 1992*, which effectively removed the statutory monopolies of existing distributors and

the obligation to supply electricity, while the Electricity Market Company Ltd was established to facilitate a market framework for wholesale trading. In 1994, Transpower was separated from ECNZ and set up as a stand-alone SOE. The year 1995 saw ECNZ split into two competing SOEs: ECNZ and Contact Energy. In 1998, a range of reforms was announced by the government, including the sale of Contact Energy, and a further division of ECNZ into three rival SOEs. Of the three companies formed, two were dependent on the Waikato River for their generation processes. These were Genesis Energy, which operates the power station in Huntly, and Mighty River Power (MRP), a hydro generator with eight power stations along the Waikato River.

Figure 6.8 Waka Ama, a racing canoe co-sponsored by Mighty River Power and Waikato-Tainui.

Source: Photo by Jeff Evans.

In 2011, the national government proposed the partial privatisation of New Zealand's remaining state-owned electricity generating assets. When this was announced, some Māori leaders were keen to buy shares (Tahana 2011). They included Waikato leader Tukoroirangi Morgan, who announced that his *iwi*, Waikato-Tainui,¹⁴ was excited by the prospect of buying shares in MRP (see Figure 6.8), which produces around

¹⁴ Waikato *iwi* came to be known as Waikato-Tainui after its 1995 land treaty settlement with the Crown.

16 per cent of New Zealand's electricity. To reassure New Zealanders that the assets would be in safe hands, Morgan explained that 'iwi won't sell [their shares], the investments are intergenerational' (Gifford 2011). However, Morgan and the leaders of other *iwi*, such as Ngāpuhi and Ngāi Tahu, changed their positions when the New Zealand Māori Council challenged the government's privatisation strategy and water ownership policy.¹⁵ The council members, who regard themselves as guardians of the resources in which Māori have interests, warned that Māori should reject the asset sales until their property rights in fresh water had been determined (Māori Council 2013).

In September 2012, many Waikato River tribes were separately contacted by Crown representatives to discuss how the partial privatisation of MRP might affect them. These Crown-*iwi* meetings occurred at the same time that Waikato-Tainui's paramount chief King Tuheitia and his representative, Tukoroirangi Morgan, called a pan-tribal forum at Tūrangawaewae Marae to discuss Māori property rights in fresh water. While Māori leaders from all over the country attended the water forum, Prime Minister Key banned Crown representatives and National Party MPs (including Māori MPs) from attending the gathering. The concern for Māori was that the privatisation of MRP could hinder their future claims to property rights in fresh water. However, against the wishes of many Māori and non-Māori New Zealanders, MRP was partially privatised in May 2013.

It has been argued that the process of privatisation serves 'first to undo the relations between things and people, and then to remake them in a different form' (Alexander 2004: 48). Following this logic, the partial privatisation of MRP could transform the Māori relationship to the Waikato River by turning the water into a commodity divorced from its relationship with the land over which it flows, as well as from the Māori people themselves. Arguably, when the government privatised the company's power stations, turbines and dams, they privatised the waters of the Waikato River as well. In an earlier work, I argued that the New Zealand Government's current focus is on the economically important parts of the Waikato River—that is to say, on the water rather than on the banks or the riverbed (Muru-Lanning 2010).

15 The New Zealand Māori Council is a statutory body with elected representatives of all Māori people. The functions of the Council are set out in the *Māori Community Development Act 1962*.

The process of commodification has been examined by a number of scholars. One who reported on the commodification of water in the River Stour in England wrote that 'each new process, each layer of complexity, each investment of labour and knowledge, has transformed (water) from a "raw" or "natural" substance into a product' (Strang 2004: 36). Appadurai's edited contribution, *The Social Life of Things*, is another important work on the theme of commodification (Appadurai 1986: 6). In that volume, Kopytoff, in his discussion of slaves as a commodity, argues that the process of commodification involves a succession of phases during which the slave is sometimes a commodity and sometimes not. In Kopytoff's words:

Slavery begins with capture or sale, when the individual is stripped of his previous social identity and becomes a non-person, indeed an object and an actual or potential commodity. But the process continues. The slave is acquired by a person or group and is reinserted into the host group, within which he is resocialized and rehumanized by being given a new social identity. (Kopytoff 1986: 65)

In other words, slaves are only commodities between the time they are captured and sold. Kopytoff's discussion of 'slaves as commodities' has relevance for analysing the processes through which the Waikato River has been turned into a commodity. Strang went on to argue that 'just as pricing reduces and commodifies "nature", the material culture of metering imposes human agency onto water emphasising its re-creation as a product, manufactured by the water industry' (Strang 2004: 228). For water to be commodified, it is necessary to physically and conceptually separate it from its riverine and cultural context, and then create instruments for measuring and pricing it. These processes of confining water and treating it as a commodity are not unique to water utilities, because controlling water is also crucial to the production of electricity, as in the case of the Waikato River.

MRP, now known as Mercury, captures water using control gates at Nukuhau and a series of dams along the river. River waters held in reservoirs behind the dams become lakes. These volumes of water are contained at different points on the river. Water held in lake storage systems is monitored and controlled by dispatchers who work in a trading room at the company's generation office in Hamilton (Titchall 2008: 12–13). River water is only a commodity from the time it is held in lake storage to the time it flows through the company's electricity-generating turbines. Indeed, it is not possible to commodify river water

without the dam structures that capture the water. When water is turned into a commodity, it is easier to detach it from a past history that includes its relationships with different groups of people. Commodification does not fit with a Māori worldview because of the way that it conceptually separates things. In contrast, a Māori worldview is always seeking to connect one thing to another, and especially to connect people, lands and resources to Papatuanuku (Mother Earth), which is understood to be a living entity (Walker 2004: 11–14; Smith 1999: 74).

Voices from the Waikato River

In 2011 and 2012, I asked Waikato-Tainui members how they felt about the privatisation of MRP and their opportunity to become shareholders in the company. Their responses fell into four categories. First, there were those people who said they did not know the company was being sold. People from this group explained that the sale would not make any difference to them because they had no say in Waikato-Tainui or New Zealand politics. Second, there were humorous or sarcastic responses, like that of a 34-year-old male who had lived most of his life at Tūrangawaewae Marae: ‘One minute it’s a *tupuna* (ancestor), then it’s an *awa* (river), next thing you know it’s *apis* (ready cash) in the pocket’.¹⁶ Another example would be this rhetorical question from a male in his 50s: ‘Why bother when Ngāi Tahu’s going to buy it?’¹⁷ Third, were many Waikato-Tainui members who responded to my question with silence, which I would interpret as the most culturally appropriate response from those deeply affiliated with the Kīngitanga. Finally, there were some members who, like Tukoroirangi Morgan, believed that the tribe should buy shares. One female member, who has sat on Waikato-Tainui’s tribal authority for some years, expressed her opinion as follows: ‘Why not buy shares in Mighty River Power? It is better that *tangata whenua* [local Māori] buy them rather than the Americans or Chinese’.

16 The term *apis* is a neologism that derives from the name of Sir Apirana Ngata, a Māori leader whose face appears on the New Zealand 50-dollar note.

17 Ngāi Tahu is an *iwi* with ancestral territory in the South Island, and is recognised as an influential tribe because of its members’ financial success since signing their 1997 treaty settlement.

A similar response came from a male elder:

The government's going to sell Mighty River Power whether we like it or not, that's the sort of government we have. If we don't buy shares, these companies will be sold to overseas buyers and then where will we be? We have an obligation to protect our interests in the *awa*—if we don't buy we'll get left out.

However, within a year of my interviews, the tribe's newly elected executives and their business advisors, who did not include Tukoroirangi Morgan, decided that Waikato-Tainui *iwi* would in fact *not* buy shares in MRP when the company was floated in 2013. Mike Pohio, the chief executive of Tainui Group Holdings, declared in a media statement that the tribe had 'no interest in asset share sales'. And, for many Waikato Māori, the final decision not to buy shares in the company came as no surprise. As Waikato lawyer, Shane Solomon, put it in October 2012:

Why the hang would we want to buy shares in something we already own? We have a claim on the water. Mighty River should be paying us to use our water.

Conclusion

Overall, this study is characteristic of the way that Māori tribes are represented in Waitangi Tribunal reports and published tribal histories (Stafford 1967; Jones and Biggs 1995; Grace 2005). One purpose has been to describe the Waikato River as a setting, using a traditional Māori trope for representing relationships between people and territory. In constructing a commentary that highlights the relationships of the river to Māori as a cultural resource and boundary-making entity, my aim has been to show that the river's contested nature comes from the diverse range of 'interests' that people have in it. The Waikato River has a rich history of being claimed and contested because it is a very important resource. Yet, what I have also tried to show is that the river has multiple social lives that operate in unison. For now, the co-governance agreement with the Crown is the primary mechanism used by Māori to stake their interests and claims in the river. However, while the co-governance arrangement forces the local tribes and the Crown to work together for the well-being and betterment of the river, it should not be forgotten that each *iwi* and *hapū* has its own set of goals and aspirations for the Waikato River. Furthermore, Māori with interests in the river have found

that the state's shedding of responsibility in certain areas of governance has not been accompanied by any relinquishment of real control over the important water resource.

While it is evident from the media coverage that leaders of the Waikato-Tainui and the Kīngitanga were annoyed by the government's process and rhetoric, I suggest that a more important ideological factor influenced Waikato-Tainui's decision not to buy shares in MRP. Since all but one of the company's power stations on the Waikato River are outside the tribe's ancestral territory (the exception being Karapiro), the *iwi's* decision-makers may have felt that shares in the company were not vital to the tribe's identity and future aspirations. A second and more pragmatic reason may have been that, after conducting business evaluations, the tribal decision-makers felt that buying shares in the company was simply not a good investment, and could become problematic in the future if their own tribe, or a Māori collective of tribes, were to pursue ownership claims to fresh water.

However, what is also evident from expressions of disinterest in the asset sale, or from their joking, sarcasm and silence, is that a number of Waikato-Tainui Māori were not prepared to sell their *tupuna awa*. In this respect, and most importantly, this study develops ideas that may serve to 'root' Māori groups (*iwi*, *hapū*, *whānau* and *marae*) to particular lands and resources. It emphasises significant tribal histories and provides insight into the social life of the Waikato River as a *tupuna*.

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This text is taken from *Island Rivers: Fresh Water and Place in Oceania*,
edited by John R. Wagner and Jerry K. Jacka, published 2018 by
ANU Press, The Australian National University, Canberra, Australia.

doi.org/10.22459/IR.06.2018.06