

The Taranaki Report - Kaupapa Tuatahi

CHAPTER 4

THE TARANAKI WARS

Friend Colonel Murray, Salutation to you in the love of our Lord Jesus Christ . . . You say that we have been guilty of rebellion against the Queen, but we consider we have not, because the Governor has said he will not entertain offers of land which are disputed. The Governor has also said, that it is not right for one man to sell the land to the Europeans, but that all the people should consent. You are now disregarding the good law of the Governor, and adopting a bad law. This is my word to you. I have no desire for evil, but on the contrary, have great love for the Europeans and Maories. Listen; my love is this, you and Parris put a stop to your proceedings, that your love for the Europeans and the Maories may be true. I have heard that you are coming to Waitara with soldiers, and therefore I know that you are angry with me. Is this your love for me, to bring soldiers to Waitara? This is not love; it is anger. I do not wish for anger; all that I want is the land. All the Governors and the Europeans have heard my word, which is, that I will hold the land. That is all. Write to me. Peace be with you.

Wiremu Kingi, on the eve of war, 21 February 1860

We shall live in a dreamland until we fairly conquer the rebel natives (meaning all of them) and when we are absolute masters of the country it will be time enough to talk of technical law and civilized justice . . .

Judge Maning, 1869

This is the year of the daughters, this is the year of the lamb.

Titokowaru, 1867

4.1 PURPOSE

On behalf of the Government, Crown counsel accepted in this claim that the Waitara purchase and the wars constituted an injustice and were therefore in breach of the principles of the Treaty of Waitangi. That admission is appropriate. The historical record leads indelibly to the view that Wiremu Kingi and his people never rebelled but were attacked by British troops in violation of the principles of the Treaty. Thereafter, a climate for war developed, where, in our view, Maori could not expect anything like the protection promised in the Treaty. They had cause to consider, in the circumstances of the time, that their best hopes for keeping their homes, lands, and status lay in the assertion of arms.

Despite the Crown's admission, a review of the wars is required to determine who was responsible. To begin with, the Government of the day portrayed the wars as divided into two parts and admitted responsibility for the first but blamed Maori for the second, and on the basis of the second war, confiscated Maori land. More particularly, in the Government's view, the first war, which started with the assault on Kingi's Te Kohia Pa on 17 March 1860, ended with a truce on 18 March 1861. The second war, in the Government's view, began with a Maori assault on a British escort at Oakura on 4 May 1863 and continued intermittently until March 1869. The confiscation was based on the second war and assumed that those Maori who attacked the escort at Oakura, and those who subsequently joined the fighting, were guilty of rebellion. For the reasons given in this chapter, we consider that the second war began earlier with the Governor's invasion of that area and that the Government was responsible for the second war, just as it admitted responsibility for the first. We also consider, bearing in mind that the land was confiscated from Maori on account of their alleged rebellion, that rebellion against the Queen's authority was not in fact the Maori intent and, for the most part, cannot be shown to have existed at the time the confiscations took place.

The wars at the time are also examined because they illuminate the Maori positions. The fighting was such that inevitably there were moments of attrition, yet we would say of the Maori leadership that their actions were directed not against Pakeha as such but against Government aggression and the denial of their rights. The Maori search, as we read the record, was not for war but for a peace where Maori would be respected and a proper relationship with the Government would be forged.

To begin with, some factors may be noted to dispel popular misconceptions. It is unlikely that Maori were unprepared for the size of the force or the weaponry deployed against them. As a British ally near Cook Strait, Wiremu Kingi had previous experience of British troops. It is clear, however, that the British underestimated the Maori capacity for war. Maori fighting strengths lay in their careful strategies; ability to form common policy in war; familiarity with the land; history of war experience; and ability to adapt fortifications of palisades, bunkers, and trenches against artillery attacks. Weakness lay in the absence of a central command, disparate armies, and the lack of a full-time force. Maori fighters were often accompanied by their families and regularly stopped war to tend to crops. As a result, engagements were abandoned at crucial times for domestic chores, especially during planting. None the less, there was a capacity for sustained warfare with the result that the anticipated quick victory at Waitara did not happen, and hostilities continued for nine years. This was despite the fact that an appreciation of Maori military capacities grew rapidly, as evidenced by the early import of additional troops so that Maori were outnumbered and outgunned throughout. The war opened with 423 regular troops and 300 militia and volunteers against Kingi's force, which was estimated at 300. By September 1860, there were 2300 Imperial troops. When other hapu joined the battle, the fighters were estimated at 600 in the north and 800 in the south. By 1864, and for the purpose of the Waikato campaign, the Governor had amassed a force of 14,000. By early 1865, when General Cameron opened a second front in Taranaki at Waitotara, nearly 5000 troops were employed in the province. It was apparent that by then Maori fighting strengths were well known, though the taua in Taranaki at this time comprised only about 1500 men, women, and children to stand against the Imperial and colonial troops.

4.2 THE FIRST WAR

The record suggests the Governor assumed a quick and decisive victory would be obtained to bring Kingi to submission and deter others from joining the action. He was in fact to start a nine-year war - a war that would spread widely through the island. On 17 March 1860, some 500 troops began the bombardment of Kingi's Te Kohia Pa. That night the defenders quietly evacuated, without loss of life, and the next day the pa was taken empty. If it was a British victory, it was a small one, for the ground was taken but not the enemy. From a Maori point of view, the strategy was necessary and proved successful. As discussed in chapter 3, the aim was to gain support from other Maori by exposing the Government's aggression (see sec 3.7).

The reprisals from other hapu came quickly. Those south of New Plymouth, particularly Taranaki, Ngati Ruanui, and Nga Rauru, attacked outlying settlers, who were forced to take refuge in the township. The Governor was compelled to face opponents on two flanks.

The next engagement, the so-called 'battle' of Waireka on 28 March, was a badly coordinated attempt by regular troops and local militia to rescue besieged settlers south of New Plymouth. Though most of the settlers were saved, Waireka was not the victory that the Governor claimed. The European casualties numbered 14, according to Cowan, and the Maori fatalities 'probably . . . 50, with as many wounded', but Belich considers the Maori casualties were grossly exaggerated and amounted to 'about one'. In his view, it was 'a classic example . . . of a paper victory'. In reality, the victory lay with the Taranaki war party and its allies, who plundered the settler farms and endangered New Plymouth. Indeed, in the early months of the war, Kingi and his allies held the upper hand, with the settlers and the Imperial troops confined to the township of New Plymouth and stockades at Omata and Waitara. Many of the women and children were shifted to Nelson.

Far from being over quickly, it was soon apparent that the war would be a prolonged encounter. Civilians were to be targeted as well. Just as Maori attacked settlers and burned their homes, the military attacked Maori villages and productive Maori farms, leaving defended pa untouched. The bombardment of Warea Village on 29 March and the destruction of its stores, stock, and crops was a case in point.

The Governor waited for reinforcements before resuming the offensive. Meanwhile, Maori were courting allies. In April, a delegation representing Te Atiawa, Taranaki, and Ngati Ruanui tendered their allegiance to King Potatau. Although the King advised his own people against any intervention, others associated with the King movement could not be stopped and war parties, mainly from Ngati Maniapoto, went to Kingi's aid. They moved along the old war trails into north Taranaki, setting aside their traditional enmities to fight in common cause.

Ngati Maniapoto first became involved in the fighting at Puketaukauere, near Waitara, which Belich describes as the most important battle in the Taranaki war. The Ngati Maniapoto taua, under Epiha Tokohihi, joined forces with Te Atiawa under Kingi's military commander Hapurona, along with contingents from Taranaki, Nga Rauru, and Whanganui - which gives some illustration of the widespread unity of the

time. Maori were opposed by elite troops from the 40th Regiment, assisted by a naval brigade and guided by none other than Ihaia Te Kirikumara. Though the British had superior numbers and weaponry, they were outwitted by Hapurona and subjected to what Belich has described as 'one of the three most clear cut and disastrous defeats suffered by imperial troops in New Zealand'.

The British defeat had a twofold effect. On the one hand, it engendered a confidence in the Maori camp whereby some moved to the outskirts of New Plymouth (though no frontal attack was mounted), with sections of Waikato joining in. On the other, the British changed tactics, preparing for a long haul. Colonel Gold, who was seen as incompetent, was replaced by the cautious General Pratt, who used his troops to dig long, laborious saps to the ramparts of pa before the final assault. It was a slow and costly business, which much amused Pratt's foe, who offered to help in the work for a shilling a day, only to abandon the pa at the last moment and start again elsewhere.

In the spring of 1860, the pressure was reduced when Maori withdrew to plant their crops. Even so, the British were unable to gain any effective victories until, fortuitously, they won a battle at Mahoetahi early in November. There, more than 600 British regulars, colonial militia, and Maori allies attacked some 150 Waikato, mostly Ngati Haua, under the command of Wetini Taipourutu, before they managed to entrench themselves. Though they fought with reckless bravado, Taipourutu and his men were heavily outnumbered, unable to withstand the British bayonet charges, and suffered heavy casualties. One-third of the force was killed and another third was wounded, the British losing only four men, with 16 wounded.

Waikato reinforcements arrived seeking revenge, and the local hapu who had not been engaged at Mahoetahi continued to harass the army while constructing further pa. At the end of December, Pratt took the field once more, carefully advancing by sap before assaulting strongly defended pa at Kairau and Huirangi on the northern approaches to Waitara. These pa also guarded Te Arei, at the approach to the historic pa of Pukerangiora. It took Pratt a month to capture Huirangi, though he also repulsed a reckless counter-attack by Te Atiawa and Waikato troops on one of his redoubts, inflicting almost as many casualties as were suffered at Mahoetahi. After this, the military settled down to push a long double sap towards Te Arei, while constructing further redoubts to protect the rear. This incipient trench warfare was inconclusive, however, with progress frequently being interrupted by Maori sniping by day and filling the saps by night.

4.3 PEACE

So far, the war had produced no clear result but was enough to encourage the Governor to accept a truce. The initiatives appear to have come from Waikato. The Kingitanga was committed to supporting Kingi, who had placed his lands under the mana of the Maori King, but the support was through emissaries for peace rather than through arms. The chief peacemaker was Wiremu Tamehana, the Ngati Haua leader known as 'the kingmaker' for his role in the selection of a king. He opposed involving the Kingitanga in the Taranaki war, urged Ngati Haua against joining Taipourutu there, and initiated peace moves. For that purpose, the Kingitanga first met the Governor in Auckland early in 1861. At that time, the Governor did not agree. In March, Tamehana arrived in Taranaki but had difficulty in persuading the military

officers of his peaceful intent. The Governor, however, sent the Native Secretary to the scene and a cease-fire was agreed on 18 March. Tamati Ngapora and two other Waikato rangatira then accompanied the Governor from Auckland to Taranaki to finalise the peace terms.

The terms, formalised on 3 April, included a promise by the Governor to investigate the Pekapeka purchase and to 'divide the land . . . amongst its former owners'. It was agreed that plunder taken from settlers would be restored by Te Atiawa, who would submit to the Queen's authority. Tamehana signed for Waikato and Hapurona for Te Atiawa, but not all Waikato felt bound, nor did all Te Atiawa agree, Kingi himself declining to sign at that time. Other Taranaki hapu were not involved.

Later, Kingi wrote to the Governor to say that he 'consented to the peace', and then, as if to prove the integrity of his word, he left Taranaki to take up residence with Rewi Maniapoto at Kihikihi, where he remained for some two years. The cease-fire was maintained for over two years, and there is no record that Kingi or his followers ever returned to arms once their consent to the peace terms had been given.

Following the peace agreement, Pekapeka remained occupied by the military, pending an inquiry, while by way of set-off, the hapu of central Taranaki, assisted by Ngati Ruanui from the south, held on to Omata and Tataraimaka. Although not party to the peace terms, they abided the arrangement and New Plymouth was not attacked.

There then occurred what we consider a most provocative act, assuming Maori were aware of it and understood its portent. Despite the truce and though a question of land tenure had sparked the preceding war, and without awaiting the Governor's promised inquiry into Pekapeka, the General Assembly passed the Native Lands Act 1862. This replaced traditional communal tenure with ownership of prescribed 'pieces' in severalty along the very lines that the Governor had sought and Kingi, rightly in our view, had opposed. Thus, the Taranaki settlers had their way, even though the earlier Act, the Native Territorial Rights Act, which provided for individual Maori land ownership, had formerly been disallowed in Britain. The purpose of the Native Lands Act, as we see it, was to facilitate the sale of Maori land and prevent tribal leaders from exercising any kind of tribal authority that might constrain sales.

The historical record also leaves little doubt that during this period the Governor temporised with peace while preparing for war. He used the time to plan the invasion of Waikato, because, in his view, the Kingitanga was the core of the 'rebellion'. During the truce, which Maori scrupulously observed, most of the British troops were shifted to Auckland to construct a military road through the Hunua Ranges to the Waikato River. New Plymouth was very vulnerable at this time, but no Maori attack was made.

The policy of promoting peace while preparing for war was continued by the new Governor, Sir George Grey, who arrived late in 1861. Grey established 'civil institutions' in Maori districts, which were headed by a European civil commissioner and officials but included Maori assessors and constables, to work alongside Maori runanga. While purporting to recognise Maori authority, this system brought it under European control. In Waikato, it was seen as a direct challenge to the Kingitanga, along with various other measures aimed at military intervention, including the

construction of the military road from south Auckland towards the King's inner border at Mangatawhiri. With preparations for war becoming more evident, the Kingitanga sent Pakeha residents out of Waikato and declared they would fight if the military road crossed the Mangatawhiri River. On 12 July 1863, the Imperial army and local militia crossed the river, and the war in Waikato began.

The invasion of Waikato, for which the Government has now admitted responsibility, enlarged the scope of the war. It assumed a national character as Maori from as far afield as the East Coast went to the support of the King.

Meanwhile, even before the invasion of Waikato, steps had been taken to resurrect the Taranaki war.

4.4 RESUMPTION OF WAR

The events leading to the resumption of warfare in Taranaki need analysis, because it is only on the second war that the land confiscations were based. We summarise the events as follows:

- (a) With the negotiation of a truce in Taranaki, British troops retained Pekapeka and some Waitara Maori land, but as a set-off, and pending an inquiry, southern hapu held Omata and Tataraimaka.
- (b) Before any inquiry as to Pekapeka was made, as had been promised, on 12 March 1863, British troops occupied Omata and on 4 April they moved on to Tataraimaka. There is no evidence of any provocation. It will be observed by reference to figure 6 that these two blocks were separate and that it was necessary to cross Maori land to move from one to the other.
- (c) At the same time as the troops were directed to move, Ministers and officials were discussing proposals to confiscate Maori land to pay for the war.
- (d) Two days later, the Governor purported to investigate the Pekapeka purchase and found what he called 'new facts'. Of course they were well known before. It was 'found', however, that Kingi had a pa and cultivations on the block, that Te Teira did not have an undisputed title, and that the purchase, despite an initial payment, had not been completed. It was then agreed that Pekapeka was not Crown land after all.
- (e) Though it was then decided that the land must be returned, the Governor delayed saying so. It was not until 22 April that his decision was conveyed to his Ministers. They in turn delayed a fortnight further before doing anything. It seems no one was prepared to announce this unpalatable fact to the settlers, to admit wrong to Maori, or to do anything that might defer the military resumption of Omata and Tataraimaka.
- (f) At all times, Maori were unaware of anything other than the military activities south of New Plymouth. At Taiporohenui, they debated the Government's breach of the truce by the reoccupation of Omata and Tataraimaka and the trespass of troops on the Maori land between. They appear to have decided to respond. On 4 May, a month after the military had reoccupied Tataraimaka, a military escort was ambushed on Maori land at Oakura, between Omata and Tataraimaka, and nine soldiers were killed. The ambush, it will be noted, was against soldiers on Maori land. It could be said,

in Maori terms, that the soldiers were in error, for they were caught where they should not have been, and that their trespass was a provocation. Indeed, it is likely that Maori saw the trespass on Maori land as more significant than the resumption of Omata. Even before the war, Maori had become acutely conscious of the need to maintain boundaries where Europeans were concerned, and to enforce recognition of their ownership, they had imposed a toll on Europeans crossing the area.

- (g) That same night, as soon as they were informed of the ambush, the Ministers agreed to renounce the Waitara purchase. They also decided that the land between Omata and Tataraimaka that belonged to the party who had carried out the ambush should be confiscated by the Crown in retaliation and should become a military settlement. They further advised the Governor to summon a meeting of Te Atiawa at Waitara to issue a declaration of the Government's decision:

That circumstances connected with the purchase of Waitara having come to light which made it, in the opinion of Government, inadvisable to complete the purchase, the government are willing and ready to restore the Waitara to its former owners, and to publish a general amnesty for all former offences; on condition that those engaged in the late insurrection should absolutely separate themselves from the Southern tribes and leave the punishment of the late murders entirely in the hands of the Governor.

If they failed to comply and assisted the southern tribes:

the whole of their own land at Waitara will be declared forfeited in like manner as the territory between Omata and Tataraimaika.

- (h) At the same time, politicians were proposing larger confiscations throughout Taranaki, south Auckland, Hauraki, and Waikato.
- (i) On 11 May, Grey issued a proclamation abandoning the Waitara purchase and all claims on it by the Government.
- (j) A proclamation on 6 July 1863 notified an intention to survey settlements at Oakura and to place military settlers in possession of sections in return for military services. This was the first formal notice of a confiscation intent. At that time, no empowering legislation was in place.
- (k) On 3 December 1863, the General Assembly enacted the legislation for the confiscation of Maori land. The Taranaki confiscations were then proclaimed in 1865.

The retraction in respect of Pekapeka was amazing in light of the tragedy of the previous war and startling for its omissions and timing. The question of whether land could be sold without a general hapu agreement was not considered. Instead, legislation (the Native Land Act 1862) had already been passed to enable land to be sold without tribal consent and control. The retraction blatantly avoided an honest inquiry into who was to blame for the war and gave no thought to compensating Maori. The retraction was also made after the Oakura ambush and the resumption of hostilities. If it were true that Maori had held the southern blocks as a quid pro quo for Pekapeka, pending its return, and if the abandonment of Pekapeka had been announced beforehand, the ambush might not have happened. In a touch of irony,

Pekapeka was confiscated two years later on the basis that Kingi was at war, although there is no evidence that he had engaged in hostilities since the resumption of the war.

The retraction, it seems to us, was simply play-acting; the fabrication of a scene to place blame on the former Governor, so that the new Governor might restart the war with a clean slate.

We can thus reach some conclusions on the resumption of the war. The Government contends that the second war dated from the Oakura ambush of 4 May, a view that posits Maori as the aggressors and responsible for the second war. That position has long been regarded as untenable. The second war arose from the Government's breach of the peace, the failure to inquire promptly and honestly into Pekapeka, the military reoccupation of Omata and Tataraimaka, and the military trespass on Maori land. These were hostile acts, in our view, which were undertaken during the truce and which could have implied only that the war had been unilaterally resumed. They were contrary to the honest conduct expected under the principles of the Treaty of Waitangi.

Our conclusion is thus similar to that reached by the Sim commission in 1927, which apportioned no blame to Maori for the outbreak of the second war but saw it as a continuation of the first. That commission went further to observe that 'the armed occupation of Tataraimaika was, in the circumstances, a declaration of war against the Natives, and [it] forced them into the position of rebels'.

4.5 THE SECOND WAR

Some commentators have written of a Maori custom so precise that even in war certain courses of action were predictable. In practice, the war conventions of races are imperfectly observed but breaches are not proof that no rules applied. With that qualification, it may be said of the first war that it was characterised by set battles, where gallantry and honour were not rare. Some indication of the Maori attitude to warfare may be found in the Maori word for enemy - hoariri, or one's friend in a fight. It may be said of the second war, however, that it was marked by a descent to attrition, as the Government faced criticism over progress and as Maori saw that the war was no longer a dispute on the method of buying land but part of a programme for confiscating their land.

Change came in response to the Government's new policies. Formerly, Maori had taken set positions, challenging the army to an open contest. In the second war, the settlers were to remain behind a protecting ring of redoubts, which the army gradually extended. As the line of fortresses expanded, military settlers were introduced to fill the land behind them. By this means, the frontier was pushed beyond the lands claimed by purchase, to effect a creeping confiscation of Maori land. It was a strategy of systematic military conquest and colonisation that had been used as early as Roman times in Britain. Under this new system, it was clear the objective was no longer to define the settler and Maori pieces but to take all the territory. In support came a series of proclamations, laws, and regulations to make the process legal and to put Maori in rebellion at law, irrespective of the position in fact.

Based on the research provided, we emphasise some features of the war that might not otherwise be obvious. The war was not a war between Maori and Pakeha. There were Maori on both sides, and many Pakeha advocated a Maori point of view. Most prominent among the latter were Sir William Martin, the retired chief justice, who wrote extensively on the topic, Bishop Selwyn, and the Reverend Octavius Hadfield. Even military officers were opposed to what was happening, the commander of the Imperial forces eventually resigning his office in protest. In effect, the war was about Government policy, not race.

Similarly, it is not sufficient to say that certain hapu participated in the war but the balance did not, because some hapu were divided and, irrespective of the general tribal position, there were always individuals who would go the other way.

In addition, the Maori involved were not limited to those from Taranaki. Much to the Government's dismay, Maori from elsewhere joined them, and much to Maori dismay, the Government itself recruited Maori from outside.

Finally, the war should not be seen as an isolated event or one continuous fight. While a constant tension was evident throughout the nine-year course of the wars, there were lulls in the fighting and civilian activities never ceased to expand. As stockades were built, farms were settled, lands were surveyed, roads and (eventually) railways were built, courts sat, and provincial councils deliberated. The infrastructure of European settlement and officialdom was being established.

4.6 THE MILITARY OCCUPATION OF CENTRAL TARANAKI

The second Taranaki war began in a desultory pattern of raids and engagements south of New Plymouth. Once more, Tataraimaka was abandoned by the Imperial army and the troops pulled back to defensive positions at Omata and the Bell block. The settlers remained in the sanctuary of the town or redoubts, while the army conducted occasional raids on Maori pa and kainga.

The first indication of an invasion was a proclamation under the Government's new policy of 'creeping confiscation'. The proclamation, published in the *New Zealand Gazette* on 6 July 1863, set out conditions for a military settlement on Maori land between Omata and Tataraimaka. The land was to be confiscated because, it was claimed, the owners were responsible for the Oakura ambush. The proclamation proposed the allocation of lands for settlers in return for military service, prescribed the terms of service and the allotments to be received, and defined the area to be taken. All this was done, even though the empowering law for confiscation had still to be enacted.

The military settlers, recruited mainly from the Victorian and Otago goldfields, were rapidly introduced during the latter months of 1863 and were soon engaged in hostilities alongside the Imperial troops of the 57th Regiment and local Taranaki settler militia. They were known variously as the Taranaki Military Settlers and the Melbourne and Otago Volunteers and fought as a separate company in a series of

search and destroy missions south of Oakura. They gave new impetus to the 'scorched earth' practice of laying waste to Maori villages and cultivations in the area.

It was soon apparent that the establishment of the military settlement in central Taranaki was likely to be but a foretaste of much more. The New Zealand Settlements Act of 3 December 1863, which followed soon after, envisaged large-scale land confiscation of loyal and rebel land alike. Military settlements; a scorched earth policy of attrition, with indiscriminate attacks on villages, whether warlike or otherwise; confiscation without distinction as to loyal or rebel land; and the Government's unlikely claim to have purchased Waitotara, despite the trouble over Waitara, could have served only to convince Maori that the settlers' hunger for land knew no bounds. Unsurprisingly, a new level of desperation became evident in the Maori response. This was first apparent following a search and destroy operation and the destruction of Maori crops at Ahuahu, near Oakura, by a party from the 57th Regiment. The group was taken by surprise on 6 April and the captain and six others were killed. This was the first known action in the war by the adherents of Pai Marire, a religion based largely on the Old Testament and founded by Te Ua Haumene at Te Namu in September 1862. Following tradition to demonstrate the vulnerability of an enemy, and with the biblical precedent of David and Goliath and others to sustain it, the slain soldiers were decapitated. The heads were preserved and later taken around the island by emissaries of the new faith to symbolise their power and enlist support for their cause. They succeeded in attracting many, and they then directed their efforts away from their own area to relieving Te Atiawa in the north. The Te Atiawa position is now explained.

4.7 THE MILITARY OCCUPATION OF NORTH TARANAKI

There was little sign of Te Atiawa aggression after the resumption of war in May 1863 and yet their lands were also about to be invaded and confiscated. 'Kingi's Natives', as they were called in the local press, reinforced their old pa and were sometimes engaged in skirmishes with the settler militia, usually over cattle, but they did not go on the offensive. Kingi himself was not involved. On the contrary, his actions were exemplary. When the first war ended, he left Waitara to live with Rewi Maniapoto at Kihikihi in the King Country, and he was still there when the second Taranaki war started. Having agreed to the truce and having obtained the Governor's admission that the Pekapeka arrangements were wrong, for the most part Kingi distanced himself from the scene, providing the Governor with no proper grounds for further military action against him or for the confiscation of his land, but his lands were invaded and confiscated just the same.

The army, which had begun its attacks on central Taranaki, extended its raids on Maori pa and kainga into north Taranaki, initially utilising strongholds at New Plymouth and on the Bell block. Later, in September 1863, the colonial troops went on the offensive when the Forest Rangers attacked Te Atiawa Maori in the bush between the Bell block and Mataitawa.

Subsequently, the military presumed not merely to attack Maori on Crown land but to begin the occupation of the Maori lands as well. Early in the execution of that strategy

came the occupation of a pa on Maori land at Sentry Hill, north of the Waiongana River, by the Taranaki Volunteers in January 1864. In February, troops under the command of Colonel Warre began constructing a redoubt there, at this stage without resistance from local Maori, though they were reported to have called for support from the south.

The Maori response, when it finally came on 30 April 1864, was led by prophets of the Pai Marire faith, though the founder, Te Ua, was not there. With a combined force of some 200, thought to be of Te Atiawa, Taranaki, Ngati Ruanui, Nga Rauru, and Whanganui hapu, they assaulted Sentry Hill. The redoubt, being on Te Atiawa land, was a deliberate affront and challenge to Te Atiawa and their allies. According to British reports, the Pai Marire force advanced on the redoubt in broad daylight, fully exposed with their right hands raised and chanting 'hapa, pai marire'. They were cut down in droves, with about 50 killed, including the leader, the apostle Hapania Kapewhiti. A recent historian, Paul Clark, has cast doubts on this and other depictions of Pai Marire and their alleged 'blind fanaticism' at Sentry Hill. Such characterisations helped justify British aggression. The Pai Marire party, in Clarke's view, had expected the troops to emerge from the redoubt to fight them in the open. 'Pai Marire', meaning 'peace', was indicative of the movement's ostensible purpose. The name 'Hauhau' was given to it by the settlers.

Late in 1864, as the war in other parts of the country ended, troops were released to concentrate on Taranaki, and the military occupation of Maori land in north Taranaki was resumed. In October, the troops captured Manutahi Pa near Sentry Hill. Then, the formidable Te Arei Pa, which had frustrated General Pratt in 1860 and 1861, was taken without a fight. Wiremu Kingi's people, who had put up little resistance, withdrew along the Whakaahurangi track into Ngati Maru country on the upper Waitara River, where they were to stay for the remainder of the war. Later on, Kingi was to join them there.

The military established a line of redoubts along the lower Waitara at Mataitawa, Manutahi, Matakara, Te Arei, and Huirangi. These in turn provided security for military settlements that were later established at Mataitawa, Manutahi, Huirangi, and Manganui. At the same time, the lands on either side of the Waitara River were formally confiscated, as will be discussed in chapter 5, by proclamations on 31 January 1865 (for the lands to the south) and 5 September 1865 (for the lands to the north).

In the early months of 1865, the pattern of military occupation and creeping confiscation was extended northwards, not because of any local hostility but because of a rumour that the old war paths would be used again by the Waikato tribes. In April, Pukearuhe in the far north was occupied by troops on Colonel Warre's instructions after reports were received of the 'movements of the Rebel Natives apparently with a view to recommencing hostilities in the Province'. In fact, there is no record of any hostilities at all but a military settlement was established. A military redoubt was erected soon after at Urenui. Although the Ngati Mutunga people there and at Mimi were seen as loyal to the Crown, the military were concerned about Kingi, who had returned to Taranaki and was said to be at Kaipikari, near Urenui. Kingi did not offer any resistance and retired to the upper Waitara River, where he remained until 1872. In May, another military settlement was established at

Tikorangi, on the north bank of the Waitara, where the local Ngati Rahiri people were also loyal. All this occurred before the land was formally confiscated by the proclamation on 5 September 1865.

With such a lapse of time as now prevails, one cannot be certain of all the facts, but the historical record certainly suggests that the whole or at least the greater part of northern Taranaki was invaded, occupied, and finally confiscated without any act of rebellion having taken place from and after 1 January 1863, being the date from which the law of confiscation for rebellion applied. In so far as Maori fought at all - and few did - they were merely defending their kainga, crops, and land against military advance and occupation. The only possible exception of which we are aware is the Maori attack on Sentry Hill. This redoubt, erected on Te Atiawa land after the truce and without any act of aggression, rebellion, or insurrection to justify the occupation of the land, was an unlawful trespass, if not an invasion, and Te Atiawa were entitled to seek the recovery of that which was theirs. Technically, however, the attack may be classed as a rebellion, but a Pai Marire rebellion, not a rebellion by Te Atiawa as such, unless there is evidence that the Te Atiawa leadership was implicated. Whatever the view, however, Sentry Hill was a small part indeed of the tribal and geographical landscape of north Taranaki, and the attack could not possibly have justified the confiscation of the whole area, including lands well beyond Te Atiawa's influence.

Indeed, with the absence of Maori-initiated warfare in north Taranaki after the truce, one could fairly ask whether, apart from immediate responses to the initiatives of the Imperial troops, the second war ever really happened there. In the result, when most of north Taranaki was eventually confiscated in 1865, for the ostensible purpose of introducing settlers to the land to keep the peace, in terms of the legislation all that was necessary to keep the peace was for the army to withdraw. There was no need or justification for the Act to be applied, because Maori were not at war.

In other words, on the evidence, such as it is now, one can assume only that the confiscation of the whole of north Taranaki was not only contrary to the principles of the Treaty of Waitangi but unlawful in terms of the confiscation legislation itself, for the fundamental circumstances on which any action under that Act might be taken did not exist at the time that action was taken.

Of course, it may be that there were circumstances that were known at the time and of which we are now unaware, even though we have examined a substantial collection of documents. We consider, however, that the confiscation of the thousands of acres of a distinct people could not be said to have been done with any measure of integrity when there was no carefully documented record of the acts of aggression and warlike circumstances that would justify, without any measure of doubt, such an extreme measure. In fact, the evidence is rather of a culpable lack of concern. At best, it was assumed a warlike state applied. At worst, evidence that a warlike state did not exist was deliberately ignored. This applies especially to the confiscation in the far north and to the first military settlements there. It is perfectly clear, and was obviously known at the time, that the war had not extended that far and the hapu there were at peace. If, on military grounds, there had been a case for a military outpost at Pukearuhe - to guard against possible Kingitanga raids into Taranaki - that could not

justify the confiscation of the surrounding land of local people who were not in rebellion.

In any event, the war in north Taranaki was at an end. The only subsequent trouble, the killing of the Wesleyan missionary John Whitely and several military settlers in February 1869, was carried out not by local hapu but by others from outside Taranaki and occurred long after the confiscations had been made.

4.8 THE MILITARY OCCUPATION OF SOUTH TARANAKI

The third expansion of the military frontier came from Whanganui in the south. Though the Imperial troops and military settlers held redoubts beyond New Plymouth as far as Tataraimaka, the long territory from there to Whanganui remained in Maori hands. In the southern region lay the Waitotara block. In July 1863, the Government claimed to have completed the purchase of that block by a payment to some Nga Rauru Maori. In 1864, in preparation for the sale of Waitotara land to settlers, a road was pushed into the block, to the consternation of local Nga Rauru, who viewed it as Waikato had viewed the military road to Mangatawhiri. A sale was held in Wellington on 17 October 1864, when 12,475 acres of land were sold, including 1980 acres for military land orders. In November, as the road work approached the Waitotara River, the road makers were stopped by Hare Tipene and Pehimana. Though the sale of the Waitotara block was hotly disputed, to have taken the road beyond the Waitotara River would have been to invade what was clearly Maori land. The Governor responded by instructing General Cameron, who had now completed the Waikato and Tauranga campaigns, to use two regiments to secure 'sufficient possession' of land between Whanganui and the Patea River in order that the Waitotara road could proceed. It was the beginning of a grand strategy for a thoroughfare north from Whanganui to New Plymouth, with redoubts and military settlements to protect it along the way.

As in north Taranaki, the military advance and settlement preceded formal confiscation. Cameron's advance from Whanganui began early in 1865. The confiscation itself was not effected until 5 September 1865, when the whole of the coast from Whanganui to Tataraimaka was taken. The military fought an engagement at Nukumaru, in the middle of the Waitotara block, on 24 January, crossed the Waitotara River on 3 February, and then continued their advance northwards. They were continually harassed by Maori forces, being unwilling to follow them into the bush or even assault them in strongly entrenched pa. The failure to attack Weraroa, subsequently captured by a mixed force of colonial militia and Maori auxiliaries, serves as an example. Nevertheless, the slow advance continued and military posts were established at the various river crossings. By the end of March, the troops had reached the Waingongoro River, deep in Ngati Ruanui territory. Settlement proceeded behind the military progression.

At the same time, Colonel Warre was extending military outposts south of New Plymouth. In April 1865, he established posts at Warea and Opunake. Early in June, two small British forces, one from Opunake, the other from Waingongoro, effected a junction. The old coastal track from Whanganui to New Plymouth was thus reopened,

but it was only precariously held since the military authority hardly extended beyond rifle-shot from the redoubts. Over the next few months, there was considerable fighting following the destruction of undefended kainga in the vicinity of Warea.

At the end of 1865, the character of the war changed again. The scorched earth policy of stripping the land of Maori homes and crops that had been applied since the beginning of the war in 1863 was supplemented by 'bush-scouring'. This strategy aimed to take the fight to Maori in the bush, the army by then having the assistance of Maori contingents from other districts. Though the British regiments were being withdrawn, in accordance with the 'self-reliant' policy of the Government of the time, the remaining troops were put under the command of Major-General Trevor Chute. Cameron had been reluctant to prosecute the war, which he saw as being prolonged in order to facilitate land confiscation. Chute, on the other hand, was prepared to wage the war relentlessly and to carry it into the bush. On 30 December, he led a mixed force of Imperial troops, colonial militia, and the Whanganui Native Contingent to attack bush settlements and destroy crops north of Waitotara. In mid-January 1866, Chute's force captured the strongly fortified Otapawa Pa on the Tangahoe River. The force then moved across the Waingongoro River, destroying kainga as it went. Instead of proceeding along the coast, however, Chute went inland, following the ancient Whakaahurangi track, which ran around the eastern foothills of Taranaki to Pukerangiora on the Waitara River. After an exhausting nine days' march, Chute's force arrived in New Plymouth on 26 January 1866. Then, to complete the subjugation of the province, he took the troops back round the coast, completing the encirclement of Taranaki mountain and assaulting Maori pa along the way. In a campaign that lasted five weeks, Chute's force destroyed seven fortified pa and 21 kainga and inflicted heavy casualties. Belich was to write:

Not all the pa stormed were hostile, not all the villages destroyed were fortified, and not all the Maori slain were armed, but the devastation was just the same. This was the terrible strategy known as 'bush-scouring' - sudden attacks on soft targets, even deep in the bush.

This was the last significant involvement of British troops in the New Zealand wars. Although one British regiment remained in New Zealand until 1871, it was largely confined to barracks. For the remainder of the war, the fight against Maori resisters was carried out by colonial militia, military settlers, and Maori units.

It was now assumed that the confiscated land of south Taranaki could be occupied by military settlers. Some 50,000 acres between the Waitotara and Waingongoro Rivers were laid out for military settlers around townships at Kakaramea, Mokoia, and Ohawe, while a military camp was established at Patea under Major Thomas McDonnell. A survey of land for settlement was started at Manutahi in Pakakohi country, but it was resisted and warfare was resumed. In the second half of 1866, McDonnell's forces fought several engagements against Ngati Ruanui and their allies, including a sharp conflict at Pungarehu, just to the west of the Waingongoro River.

4.9 TITOKOWARU'S WAR

The final phase of the war is named after its chief protagonist, Riwha Titokowaru, the leader and prophet of Nga Ruahine. Though much of the person and his motives for beginning and abandoning the war remain obscure, his reputation was widespread. Titokowaru's onslaught on the settlements of south Taranaki was so successful that Whanganui was threatened and fears were held for settlers as far south as Wellington. Yet his military campaigns ended when, for unknown reasons and while at the height of success, his forces abandoned their position. Titokowaru himself took refuge with Ngati Maru.

On General Chute's March by Gustavus von Tempsky. Photograph courtesy of the Museum of New Zealand Te Papa Tongarewa.

The extent of Titokowaru's influence and his initial hopes for peace were apparent when he announced 1867 as the year of the daughters and the lamb, because Maori resistance then ceased. European settlement was to proceed unhindered, save that Ngati Ruanui and Pakakohi expected the settlers to obey Maori laws and exacted muru against settlers as punishment for offences. In Belich's view, Titokowaru's peacemaking was so successful that it alone 'would have made him famous had he done nothing else'. Cowan, on the other hand, claimed that Titokowaru used the peace to organise for war.

Whatever the explanation, the year of the lamb was replaced by the year of the lion. The change apparently followed a dispute over some horses and the overly zealous actions of a magistrate in arresting three of Titokowaru's men. In June 1868, three military settlers were killed in reply at Te Rauna, east of the Waingongoro River, by a party from Titokowaru's pa at Te Ngutu-o-te-manu. Another military settler was killed a few days later near the redoubt at Waihi. A hotel and house belonging to Edward McDonnell, Colonel McDonnell's brother, were burned down. It appeared Titokowaru was challenging Colonel McDonnell to fight. McDonnell was the target of Maori criticism following allegations that he had been party to a cavalry charge on, and killing of, a group of defenceless children. Then, on 12 July, a force led by Haowhenua, a close relative of Titokowaru, stormed the redoubt at Turuturu-mokai, near Hawera, killing 10 and wounding six of the garrison of 27. Upon the arrival of a relief force led by Von Tempsky, the Maori troops withdrew, leaving three dead.

With only one Imperial regiment remaining, the colonists had to rely largely on their own resources. McDonnell assembled a mixed force of nearly 1000 volunteer militia, military settlers, and Maori allies from Whanganui for an advance on Titokowaru's settlement at Te Ngutu-o-te-manu. Titokowaru, by contrast, had a force of about 60, mostly Nga Ruahine. Despite the imbalance, the contest, when it finally occurred on 21 August, was indecisive. McDonnell attacked an undefended settlement, but his troops were continually harassed as they withdrew. His second attack on 7 September was a disaster. In seeking to advance on the pa from the rear, many of the soldiers became lost in the bush. When they reached a clearing and began to attack the pa, they were met by withering fire from Maori concealed in the surrounding bush. McDonnell lost control and could not coordinate his forces, and his withdrawal turned into a rout, his fleeing troops being continually harassed. Altogether, 24 of McDonnell's men were killed, including five officers. The claim that Titokowaru's losses were 28 was unsubstantiated and is thought to be unlikely.

Titokowaru then challenged McDonnell again by moving south across the Waingongoro River and occupying open country at Taiporohenui. McDonnell made a desultory attack on 20 September, but retreated without dislodging him. With the remnant of his volunteer army disintegrating and the Maori allies returning to Whanganui, McDonnell was forced to retreat still further. All redoubts north of the Patea River were abandoned, along with the main military camp at Waihi, though a garrison remained holed up at the Patea township. Titokowaru, on the other hand, increased his strength with the addition of Pakakohi and Nga Rauru allies, and proceeded to harass settlers still in occupation of land south of the Waitotara River.

Before McDonnell could organise a counter-attack, he was dismissed from the command and replaced by Colonel Whitmore. Titokowaru had built a new pa at Moturoa, just inside the bushline between the Waitotara and Whenuakura Rivers. Whitmore assaulted the pa with a combined force of colonial volunteers and Whanganui allies but they were repulsed by a counter-attack from the pa and the surrounding bush. This time the troops beat an organised retreat, suffering some 50 or 60 casualties. Once again, Titokowaru's victory brought him new recruits - from the local Nga Rauru and even, it appears, from central and north Taranaki - giving him a force of about 1000. He then continued his relentless advance southwards, threatening the small garrison at Weraroa and another at Nukumaru, and constructing a pa at Tauranga-ika, within 20 kilometres of Whanganui. Whitmore's troops were forced to retreat yet further, and by 18 November, Titokowaru had reached Kai Iwi, within eight kilometres of Whanganui.

The threat to colonial settlements was not confined to Whanganui. Te Kooti had escaped from the Chatham Islands and on 10 November he had attacked the settlers at Matawhero near Gisborne. Whitmore had to withdraw his best troops for an East Coast campaign, leaving Titokowaru in command of the countryside throughout south Taranaki to the outskirts of Whanganui. With the forts, redoubts, and military camps of south Taranaki abandoned, the settlers in refuge at Whanganui, and 1000 Maori troops encamped in a pa nearby, and with the contemporaneous attacks from Te Kooti in Poverty Bay and the Bay of Plenty, the colony faced its darkest moment. Titokowaru, however, did not attack.

It was not until Te Kooti was dislodged from his fortress at Ngatapa early in January 1869 that operations against Titokowaru could be resumed. On 2 February, Whitmore and some 2000 troops began an artillery bombardment on Titokowaru's elaborately engineered and virtually impregnable pa at Tauranga-ika. Titokowaru's troops returned fire then, unexpectedly, evacuated the pa in the night.

The remainder of the war consisted of the pursuit of Titokowaru's disbanding forces. In the weeks that followed, there were engagements at Weraroa, on the west bank of the Waitotara River, and at Otautu, on the east bank of the Patea River, with a last engagement in March 1869 at Whakamara near Taiporohenui, the site of one of the first anti-land selling hui as long ago as 1854. Titokowaru, now a fugitive with a price of £1000 on his head, inflicted casualties on his pursuers but always managed to extricate himself. He was never captured and took refuge with Ngati Maru in the upper reaches of the Waitara River. The long Taranaki wars had ended.

In recognition of that fact, 233 Pakakohi men, women, and children came down from the hills and surrendered on the basis of promises they would not be harmed. Of these, 96 were tried for treason and 74 were sentenced to death, the sentences being later commuted to imprisonment in Dunedin. It was the start of a new route for Taranaki Maori - the trail of broken promises.

4.10 CONCLUSIONS

For the reasons given in chapter 3, the Government's initial invasion of north Taranaki was, in our view, contrary to the principles of the Treaty of Waitangi. Wiremu Kingi was forthright in the pursuit of peace and did not rebel, but he was attacked. In the second war, north Taranaki was invested once more, and again, there was no prior act of aggression or provocation from Maori to justify the action taken. Kingi actually left the district, which gave the Government no ground to fight again or to take his people's land. The record is sufficiently clear to establish that the Government was the aggressor and, consequently, that its action in taking up arms against Maori in north Taranaki and occupying and confiscating their land was contrary to the Treaty. In addition, though questions of law require another standard of evidential proof, now hampered by lapse of time, we think it probable, on the historical record and for the reasons given earlier, that the confiscation of north Taranaki was unlawful as well.

Central Taranaki was invaded on the basis that local hapu had breached the truce by carrying out the Oakura ambush. In fact, the Government had earlier breached the truce by taking Omata and Tataraimaka and by conducting military manoeuvres on Maori land. The Oakura ambush must be seen as an attempt by Maori to stop the military's continued trespass. The Sim commission came to the view that the Crown's armed occupation of the Tataraimaka block was, 'in the circumstances, a declaration of war against the Natives . . . [which] forced them into the position of rebels'. The commission appears to have concluded that in the first war Maori were not in rebellion but fighting in self-defence and that in the second they were forced into rebellion. Leaving aside for the moment some questions as to the extent to which Maori could lawfully respond to aggression, we concur with the Sim commission's view that the second war began with the Crown's taking of Omata and Tataraimaka. In addition, we would give weight to the military activity carried out on Maori land between those blocks. It seems to us that the Maori action was carefully planned to occur on their own land so there could be no doubting that they were responding to aggression.

Given the circumstances in which the Crown invaded the area - during a truce, without prior discussion, and without mention of the proposed return of Waitara - it is apparent that the Government was setting up a situation where the inevitable Maori response would put Maori in the wrong. Accordingly, the intention as we see it was not to challenge the Queen's authority but to respond to an invasion. That invasion was without just cause and contrary to Treaty principles.

Whether or not the confiscation was unlawful for lack of evidence of rebellion is another issue. The legal issues are more fully developed in the next chapter, but it may be said here that there were occasions when the Maori response, though justified, was not strictly limited to self-defence and that therefore there was a rebellion in terms. That in itself, in terms of the law, was sufficient to permit the area to the south

of New Plymouth to be confiscated, as was done in January 1865. Our concern for the moment is that in September 1865 the land confiscated extended far beyond the area to the south of New Plymouth and covered the whole of central Taranaki. We can find no evidence that, as at the date of that confiscation, the central hapu were in rebellion in any part, save, for the above reasons, for the Oakura area. At the time in question, they were subjected to the invasion of troops under Cameron and Warre, with indiscriminate attacks on pa and kainga, but the evidence is that their response at the time (but not afterwards) was entirely in self-defence. From this distance in time, one cannot be completely sure of the facts, but once more it certainly appears that the confiscation of almost all of central Taranaki was unlawful at the time and that the New Zealand Settlements Act 1863 was wrongfully applied.

The war in the south was also commenced by the Government and again, being done without just cause, was contrary to the Treaty of Waitangi. More particularly, the Government began the war not because of any prior hapu acts but because of Maori opposition to the Government's purchase of the Waitotara block and the construction of a military road over the land. The purchase of that block, however, was even less defensible than that of the Pekapeka block, where the Government admitted its wrongdoing. Here again, Maori had good cause to protest the survey and sale of the block and the construction of roads on that land. There was thus no justification for the use of military force to take the land or to extend the invasion well beyond the block to take the whole of south Taranaki. In our view, that action was also contrary to the principles of the Treaty.

Here again, we consider there was no rebellion at the time of the confiscation, but rather there were at that time acts of self-defence in the face of an overt invasion. Certainly acts of aggression well beyond self-defence came later in response to the confiscations and other Government action. It appears to us, however, that at the material times (from 1 January 1863 to the confiscation in 1865) there had been no rebellion in terms anywhere within the relevant part of the Ngati Ruanui confiscation district. Again, it would seem that the lawfulness of the confiscations, in terms of the Government's own legislation, is very much in question.

Speaking more broadly, and not in terms of the strict letter of the law, it is doubtful that any Maori could be seen as acting from other than a defensive position once Wiremu Kingi was so clearly and unjustifiably attacked and the Pekapeka and Waitotara blocks were so easily acquired, or once Omata and Tataraimaka were taken during a truce, for the trust in the Governor was broken. Conversely, no Government action can be read as being consistent with Treaty principles when underlying the action as a whole was an intention, manifest at an early stage of the war, to confiscate the greater part of the land for European settlement. Thereafter, the Government could no longer be impartial. The appearance became more important than the reality. All that was needed to justify the Government's actions was for Maori to react predictably to the deployment of troops, or settlers, on Maori lands. Similarly, promises and proclamations that lands would not be confiscated from those who laid down arms were meaningless when they bore no relation to the creeping confiscation that was happening on the ground and the indiscriminate attacks on villagers. Maori were not rebelling but simply responding and had been left with no choice if they were to avoid being subjugated and dispossessed of their land. On their own terms, they were bound to take action to keep the balance, as required by utu.

Legal machinations to define, declare, and create rebellion, as referred to hereafter, were likewise unjustified when what was fought for was that which no free society could deny and that which the Treaty had guaranteed. It was evident from an early stage that Maori were fighting to protect their way of life, their freedoms as a people, and, more pragmatically, their hearth and home.

Though the wars united the Maori of Taranaki in unexpected ways, with taua coming from all over to assist those who were attacked, the wars also divided people, because while most of the 'friendly' native contingents came from outside Taranaki, some of the local hapu actively assisted the Government. The local divisions created a lasting bitterness between the 'loyals' and the 'rebels'.

There was also some particular anger from the loyals. The confiscations included the land of loyals and rebels alike, and the former had to prove their loyalty before a court. As is noted later, in most cases the court then failed to protect loyal groups in the ownership of their land. Certain Maori auxiliaries who found they were treated no better than those branded as rebels were particularly bitter. The outstanding loyalist Major Keepa, for example, became a leading opponent of the Government over the alienation of Maori land, and other leading loyals were later to be imprisoned for their protest actions. It was one of the surer points of the war that in the end it did not matter which side one had been on. Maori 'loyalty' was something the Government respected when it had need to and forgot when it did not.

Relevant in assessing the impact of the war is the length of it. It is sometimes not appreciated that the wars lasted longer in Taranaki than anywhere else. The New Zealand wars began there. The focus then shifted to other parts of the country, but the main engagements lasted for only 18 months in Waikato and were over even sooner in other centres like Tauranga, Whakatane, Opotiki, Gisborne, Wairoa, and Hawke's Bay. Throughout this time, the war in Taranaki continued and it was there that, after nine years and following the concentrated efforts of the battalions that had fought elsewhere, the major engagements of the New Zealand wars ended. That was in 1869, but even then, Maori resistance had not finished. Passive resistance continued in Taranaki, culminating in the 1881 invasion of Parihaka by a force of 1500 soldiers, who sacked the village and harassed and dispersed its population.

Some indication of the scale of the war is apparent from the record of troop deployments. At the start of the first war in 1860, British troops in Taranaki numbered 800. By 1861, that number had risen to 3500, and by 1865, it was nearly 5000. Maori were consistently outnumbered, there being an estimated 200 to 300 Te Atiawa and 400 to 500 central and southern fighters and not more than 1500 altogether, if we include women and children with the men. Titokowaru fought his first campaign outnumbered by nearly 12 to one. By the mid-1860s, there were several native contingents serving with the Imperial army, including 457 men of the Whanganui Native Contingent in the field in November 1868.

At this distance in time, it is impossible to quantify the losses of life and property. Cowan's casualty figures (taken from official records) were, as he admitted, clearly too low with regard to the Maori side, because, in accordance with certain beliefs, Maori removed their dead and wounded from battle sites. The record for Taranaki,

however, is that 534 Maori were killed and 161 wounded, while 205 Taranaki and colonial troops and Maori allies were killed and 321 wounded.

Personal injury and the loss of crops and homes is part of the equation in assessing the consequences. Of course, settlers lost too, but without wishing to minimise the extent of destruction and slaughter that they suffered, it should not be forgotten that a claims system was introduced for their property losses, and they were compensated from the proceeds of the sale of Maori land. There was no compensation for Maori and their loss was permanent. The greater part of Taranaki was simply confiscated.

The larger loss on both sides arose from the legacy of fear and loathing. The prospect of a conquest by Maori seemed never more likely than in Taranaki. The consequential fear led to an outburst of hatred, with Maori regularly depicted in cartoons, papers, and periodicals in an unwholesome way. Some sensitivity to racial characterisations remains, for cartoon images of a heathen and contemptible people survived to influence generations of racial attitudes.

Retribution was also swift and terrible. For reasons given later, we doubt that any Maori were more harshly treated in post-war operations than those of Taranaki. Incarceration was to become the order of the day, beginning with the Pakakohi people sent to Dunedin.

For Maori, the picture of Pakeha was little better. Recollections of atrocities were passed down, mainly from the scorched earth and bush scouring periods, and though their veracity may not all be proven, the significant reality is that such images remain. Those incidents with some corroboration in contemporary written accounts include attacks on 'civilian' targets, of which a notable example is the bombardment and sacking of the prosperous Warea Mission, which traded in flour and other foodstuffs, while the nearby pa, which was set up for an encounter, was avoided. The slaughter of unarmed persons is also referred to; for example, the attack on Pokaikai after it had sought neutrality or peace and the sabre charge on a party of 12 boys aged six to 12, which, by the soldiers' reckoning, killed eight. The bounty of £10 a head for chiefs and £5 for 'ordinary men', which unexpectedly led to decapitations, has also been recorded, together with various reports of rape, plunder, pillage, and the destruction of crops, waka, homes, and sacred shrines.

The consequences cannot be assessed solely in terms of property loss and personal injuries: the homes destroyed, crops burned, and numbers killed or maimed. The atrocities of the war, real or imagined, linger in people's minds. The legacy of fear and racial hatred was manifest in acts of retribution against Maori for many years to come. On the Maori side, memories of the war have lasted longer because they were, and remain, excluded from their forebears' lands. Every nook and cranny of those lands was redolent with ancient history and meaning, and the silent land spoke loudly to them of their ancestors and their own dispossession. They were confronted by a new landscape, peopled by military settlers and grid-ironed with forts and redoubts. They had to contend with new layers of authority, exercised by local, provincial, and central government officials. All came to supplant the rangatiratanga of their chiefs, who were submerged by colonisation.

We were reminded of this in certain submissions during the Tribunal sittings at Waitara. It became obvious there that, though the wars are remote for some, for others the message remains alive; this dark era of our history is deeply entrenched in their consciousness and a litany of landmarks serves as a daily reminder to them. Beneath the escarpment that marks the Owae-Waitara Marae, for example, is the town of Waitara, where the wars began. There, on the lands that were once held by Wiremu Kingi and generations of his forebears, and to the offence of many Maori, the street names are a celebration of military and political conquerors. It is our view that name changes are needed. It is when leaders like Kingi, who understood the prerequisites for peace, are similarly memorialised on the land and embedded in public consciousness that those names will cease to stand for conquest and the Waitara war will end.