

Makahuri: He Kinaki Whakamutunga

Makahuri me to ropu, Tena Koutou

Since our generation of Ngai Tahu set out on the long road of due process before the Tribunal and the Courts, Aotearoa has had four Prime Ministers and much has changed. Sir Monita has passed on and many of our own who appeared before you on the marae throughout Te Wai Pounamu have gone too. Many more, though, still live and a new generation is inheriting the Ngai Tahu dream of justice. As we in our time shall not rest, unless in justice, neither shall they rest. Only in justice can there be peace between Ngai Tahu and the Crown.

We must find that peace though — lest the grievance consume the future as it has so much of our past.

‘He mahi kai takata, he mahi kai hoaka’

‘It is a work that devours people as sandstone devours pounamu’

Makahuri mai, ka tika hoki o koutou mahi nunui. Ka mihi o Kai Tahu ki a koutou mo tena. Kua mutu. Ma te wa te mahi rokopai o Kai Tahu me te Karauna.

Ngai Tahu greet you and we thank you for this huge task which has now finished. The future task is for Ngai Tahu and the Crown to make peace.

Sir Tipene O'Regan
Chairman
Ngai Tahu Maori Trust Board

Epilogue

And so in this month of April 1995, after an inquiry which has been proceeding for over seven years, the Waitangi Tribunal constituted for that purpose and known as the Wai 27 or Ngai Tahu Tribunal now presents its third major report. In 1991 the Tribunal reported on the major land claim involving 73 grievances. That report was followed in 1992 by another major report on sea fisheries and now the Tribunal reaches the end of its inquisitorial function by reporting on 100 ancillary and specific matters raised by individual members of the iwi during the progression of the main land and sea fisheries claims. It is not quite the end of the Tribunal's function as remedies may yet call for Tribunal intervention, as discussed in the chapter 9. But it is the end of the detailed examination and determination of Ngai Tahu grievances.

At the conclusion of its 1991 report, the Tribunal looked back and recounted the unforgettable moments of its journey through Ngai Tahu's land and of the various encounters it had with Ngai Tahu people, some poignant, some heartwarming, some disputatious, but all rewarding.

The Tribunal members will never forget the courtesy, grace, and hospitality of all of the hapu of Ngai Tahu. Nor will the Tribunal forget the dignity, patience, and innate sense of humour of Ngai Tahu people despite their long-standing frustration and anger at being ignored for well over a century. As the Tribunal sat for the last time at Tuahiwi and listened to the general discussions of the tangata whenua on all that had taken place over the lengthy hearing process, one important theme emerged. The people were satisfied and relieved that they had discharged the trust reposed in them by tupuna to have Ngai Tahu grievances heard. It speaks much for the tenacity of the tribe that despite every set-back over such a long period a small number of kaumatua had marshalled resources to have their claim put to the Tribunal and in such capable manner.

In its 1991 report the Tribunal also thanked counsel for the claimants and counsel for the Crown for the constructive, fair, and able way in which evidence had been presented. Four years further on the Tribunal reiterates its appreciation of the contribution of so many people to this lengthy inquiry.

Neither the claimants nor the Crown will be satisfied with all of the findings of the Tribunal. There is one enduring satisfaction, however, in the vast written record that now exists in respect of Ngai Tahu history and grievances. There is an even greater satisfaction for Ngai Tahu in having persevered in their search for justice through legal process and in discharging the heavy burden that they have carried for so long. It now remains for the Crown to try to regain the honour and the trust it lost last century by offering fair and just terms of settlement.

Final Message and Prayer

At the end of each hearing day, as the Wai 27 Tribunal journeyed through Te Wai Pounamu, Bishop Bennett closed proceedings with a thought for the day and a karakia.

Following that fine tradition, he now gives us this final message and prayer:

Throughout the long deliberations on Ngai Tahu's claims, from the 'tall trees' to the 'undergrowth', something quite unrelated to the proceedings themselves was developing.

The human factor in all of this became more and more evident as time passed. The Ngai Tahu claim was one of the earliest and certainly one of the largest, bringing together a large number and a wide variety of people, many being involved for the first time in the social and cultural intricacies of Maori history, Maori values, Maori attitudes, Maori pain, and Maori expectations. The relationship between the major participants — the claimants, the Crown, and the Tribunal — reached new levels of understanding as the parties strove in their common task to set the record of history straight and plot a future which could bring benefit to all of the people.

A new appreciation and respect for the people of Ngai Tahu grew as their story of dispossession and tribal poverty unfolded. In the early days following settlement only the tenacity with which they held to the memories of their waahi tapu, their mighty rivers, bountiful lakes, sacred mountains, and mahinga kai, together with their sense of iwi, kept their own homeland from becoming a foreign country to them.

Added to all of this was their deep sense of spirituality. Their regard for their majestic Aoraki was not dissimilar to that of the early Israelites during their own time of oppression, when, needing help, the psalmist cried, 'Ka anga oku kanohi ki nga maunga kei reira he awhina moku' ('I will lift up mine eyes unto the hills from whence cometh my help. My help cometh ever from the Lord who hath made heaven and earth').

We wish to end this report on a note of appreciation to all of those involved in these claims, and we express our hope that our children may go forward together in strength with trust and confidence in themselves as a just and honourable people.

Ma te Atua tatau katoa e manaaki.

Ngai Tahu Ancillary Claims Report 1995

In accordance with section 6(5) of the Treaty of Waitangi Act 1975, the registrar is directed to serve a sealed copy of this report on:

- (a) The claimants, Henare Rakihia Tau and the Ngai Tahu Maori Trust Board; and
- (b) The Minister of Maori Affairs;
The Minister of Justice;
The Minister in Charge of Treaty Negotiations;
The Minister of Conservation;
The Minister of Lands;
The Minister of Fisheries;
The Minister for State-owned Enterprises;
The Minister for the Environment; and
The Solicitor General.

