THE ANALOGOUS BOUNDARIES OF NGAATI MAHUTA,
WAIKATO-TAINUI AND KIINGITANGA

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Ko Taupiri te Maunga, Ko Waikato te Awa, Ko Pootatau te Tangata
Taupiri is the Mountain, Waikato is the River, Pootatau is the Man.

(Note: In this article I indicate vowel length, following local Waikato usage, by doubling the vowel, instead of using the macron, as in Pootatau above.)

I grew up at Tuurangawaewae Marae on the banks of the Waikato River. I knew about its flooding, fogs, currents, high and low water lines, about the safe places for swimming and the less dangerous places to jump into it from bridges. I collected kōura ‘crayfish’ and tuna ‘eels’. I listened to the oral traditions about local taniwha ‘river guardians’. The river was just part of the way we lived, not something to be controlled or owned.

Yet, the Waikato River has a long history of people making claims to it, including Treaty of Waitangi claims by Māori for ownership and guardianship rights. The claiming process has most recently culminated in Waikato-Tainui and the Crown signing a 2009 Deed of Settlement for the river. This deed established a new co-governance structure for the river with equal Māori and Crown representation. But what has also transpired from the agreement is the emergence of a new guard of Māori decision-makers who have challenged and displaced the traditional Kiingitanga leaders as the main power-brokers of the river. A key observation of the situation is that the Waikato River lies at the heart of Waikato Māori tribal identity and chiefly power and is, therefore, a key focus of the ongoing local struggles for prestige and mana.

My primary purpose in this article is to explore the process of claiming property and rights through descent group identities. In particular I examine the way that the State, through the Treaty claims process, has reconfigured Māori group identities and political structures, elevating the corporate iwi above hapū and whānau groups. I also explain how Kiingitanga leader Robert Mahuta successfully advanced Waikato Māori claims to land and the Waikato River by effectively representing Waikato-Tainui as an enduring and important super-iwi.
CLAIMING ON BEHALF OF WHOM: THE POLITICS OF IWI IDENTITY

Māori assert their rights in lands and resources through their descent group identities, their memberships in these groups being based on genealogy (Ballara 1998: 200, Belgrave 2005: 20). While in the past Māori asserted and defended their rights to property through their hapū identities, since the implementation of the Treaty of Waitangi claims process, many Māori have opted to use corporate iwi identities to make claims. Indeed, these groups that are often discussed and perceived as enduring social units are, in reality, fluid and highly adaptable group formations (van Meijl 2006: 172). In this article I draw upon the words and acts of Māori located in the northern third of the Waikato River, from Lake Karapiro to Port Waikato, and examine why they make claims to lands and resources using descent group identities rather than other Māori identities that they possess. An important intention of this article is to show that regional and tribal diversities must be taken into account when examining descent groups. The descent groups I am concerned with are iwi, hapū and whānau. These terms are translated in English with the following meanings: iwi ‘tribe’, hapū ‘sub-tribe’ and whānau ‘extended family’. However, in the Waikato River region there are two other Māori group identities that hold sway with people. These are marae, which are Māori communities made up of clusters of whānau, and the Kiingitanga, a long-standing socio-political grouping that was established in 1858 to resist Māori land appropriations. These two groups are also analysed in this article.

When Kiingitanga leader Robert Mahuta filed Waikato Māori’s comprehensive compensation claim on 16 March 1987 for confiscated Waikato lands, coal and minerals in and around Huntly, the Waikato River and the West Coast Harbours, he did so not on behalf of the Kiingitanga or the various hapū whose lands had been confiscated in the 1860s, but on behalf of himself, the Tainui Maaori Trust Board (henceforth TMTB), 1 Ngaa Marae Toopu 2 and the iwi he called Waikato-Tainui, although, some five years before the claim was lodged, no such iwi known as Waikato-Tainui existed. It was a category brought into existence by Robert Mahuta in the early 1980s that effectively subsumed the various hapū along the river. But what has seldom been recognised is that Waikato-Tainui maps precisely onto the configuration of the Kiingitanga (Hopa 1999: 109). Thus, Robert Mahuta’s claim on behalf of the iwi was a claim for the Kiingitanga in all but name.

When Robert Mahuta lodged the claim it would seem that his approach to the Treaty settlements process was pragmatic. This is because in dealing with the Crown over Treaty claims, Māori groups are obliged to negotiate as larger entities, that is, as either iwi or large hapū. It is also incumbent on claimants to demonstrate an enduring and unbroken association with the land and resources they are claiming. As anthropologist Robert Layton (1997:
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123) has pointed out: “Maori . . . must demonstrate that they belong to local
descent groups, show the location of the sites on the land for which such
groups are responsible, and demonstrate that they have continued to perform
their responsibilities despite the depredations of colonialism”.

In this respect, an iwi heritage with genealogical links to the canoes and
crews of the “great migration” has far more legitimacy than a resistance
movement founded in the 1850s (see Hanson 1997: 197-99).

As contests over ownership are also struggles for status, it is important to
recognise that support for or hostility against a claim is often contingent upon
the mana or status of a claimant. This is highlighted in the case of Robert
Mahuta’s later claim for the Waikato River. Although not all Waikato Māori
agreed with Robert Mahuta’s claim for the whole river, his chiefly status as
a rangatira was undeniable. The unwavering support that he received from
Te Arikinui Te Atairangikaahu was a key factor securing this rangatira
status. When Robert Mahuta claimed the whole of the Waikato River his
mana ensured that there was little internal opposition from Waikato tribal
members who affiliated to the Kïingitanga. Additionally, that the river and the
claimants had the same name strengthened his position to make the claim. His
controversial claim was, however, contested by members from other iwi who
also had interests in the river, as Matangi Hepi from Ngāti Tūwharetoa and
Ngāti Raukawa said: “Well I think Waikato people are entitled to their part
of the river [meaning the section of the river from Karapiro to Port Waikato].
But now other iwi and even some hapū have claims on the river and they
have the right to do that” (pers. comm. November 1999).

The recent history of Māori claims illustrates that setting Māori tribal
groups up against one another produces suspicion and resentment between
ran an article by Jon Stokes titled “Competing Claim for Waikato River”. The
article reported that representatives of Ngāti Tahu-Ngāti Whaoa, an iwi-like
hapū with interests at the southern end of the Waikato River, were distressed
by the private discussions between Waikato-Tainui tribal negotiators and the
Crown. The representatives were apparently concerned that Waikato-Tainui
were trying to obtain rights to a section of the Waikato River historically
associated with, and used by, them.

When Robert Mahuta died in 2001, Waikato-Tainui’s river negotiating
role was taken over by his wife Raiha Mahuta, and Te Arataura Chairperson
Tukoroirangi Morgan. However, as the new negotiators did not have the
same standing in the tribe as Robert Mahuta, it was not long before some
Waikato members began to challenge their handling of the claim. Whiti Te
Ra Kaihau of Tahuna Marae publicly voiced his concerns about the river
claim at the Waahi poukai gathering in October 2005. Waikato members
who supported the river negotiators rebuked Whiti Te Ra Kaihau’s criticism of the claim’s progress. Yet he was not the only person from Waikato iwi to question the course of action being used by the negotiators. A male elder from Horahora Marae at Rangiriri explained: “There is a need for more consultation between the river negotiators and Horahora members. We have no idea what is going on and they are supposed to be representing us” (pers. comm. March 2006).

Similarly, a woman from Ngāti Haua, an iwi included in Waikato-Tainui’s modern tribal configuration, said she was upset because basic respect was not being paid by the people in charge of the claim. She said: “My tuupuna, they lived on this land [land at Hopuhopu]. This land right here by the Waikato River but you never hear that. You don’t hear about what we went through in the history. It’s not like I’m anti or anything but it hurts that my tuupuna don’t get recognised” (pers. comm. February 2005).

In spite of the criticisms, some supported the negotiators in their efforts to advance the claim. Hukiterangi Muru from Tuurangawaewae Marae put it this way: “I think we’ve [Waikato iwi] got to have a go eh, because the river is us” (pers. comm. June 2007).

Why was there disquiet and dissent among some local Māori? Why were there accusations that the negotiators were handling the claim poorly? There are three key reasons. Firstly, Waikato anthropologist Ngapare Hopa suggested that some of the internal rumblings of discontent may be linked to hapū members who felt justly that their hapū identities and interests had been subsumed within a Kiingitanga-dominated iwi body (Cheater and Hopa 1997: 212, Hopa 1999). Secondly, some people felt the negotiations with the Crown were being held in private and that consultations with tribal members, when they did occur, were perfunctory. And thirdly, the mode of communication at the various consultation gatherings was seen as too bureaucratic. Rather than allowing true discussion to occur, the process and outcomes of the claim were presented as bullet points in consultation documents. The method used was a corporate way of presenting a business plan. This mode of address suggested that the settlement of the claim was already a fait accompli. In short, people felt they were merely being asked to approve rather than discuss and contribute.

ANTHROPOLOGY’S ROLE IN DEFINING MĀORI DESCENT GROUP IDENTITIES

Robert Mahuta’s strategy surrounding Waikato-Tainui’s claim raises several interesting questions for analysis. Firstly, who is responsible for organising and defining Māori descent group identities? Secondly, what are the differences between iwi and hapū? Thirdly, what happens when claimants use
traditional *iwi* and *hapū* names to represent modern socio-political groups? And fourthly, how have *iwi* descent group identities been transformed into modern corporate *iwi*? In addressing these questions I will provide an overview of how Māori with long-standing interests in the Waikato River make claims to it using their descent group identities.

Robert Mahuta and his associates transformed Waikato *iwi*, *hapū*, *whānau* and *marae* for the purpose of making Treaty claims. However, whether it is the Kiingitanga that organises the modern *iwi* identities of Waikato *iwi* and Waikato-Tainui is a question that can only be answered empirically. Waikato *iwi* and Waikato-Tainui refer respectively to Waikato Māori’s modern social identity and their corporate identity. Two anthropologists well known for their work on Waikato Māori are Ngapare Hopa (Cheater and Hopa 1997, Hopa 1999) and Toon van Meijl (1990, 2000, 2003, 2004). They critique Robert Mahuta, the TMTB and senior members of the Kiingitanga for their constructions of Waikato *iwi* and Waikato-Tainui identity. For the most part, the two anthropologists’ scrutiny is framed by their neo-Marxist stance, presenting the tribal agents as Western-type elites. However, as I have argued elsewhere (Muru-Lanning 2009: 32-56, 2010: 45-50), Māori of the Waikato River use the organising principle of *tuakana* ‘senior’ and *teina* ‘junior’ to describe and evaluate social and political relationships between people and between people and things. Consequently, I offer an alternative view to those of Hopa and van Meijl.

There is a long history within New Zealand and beyond of the relative importance of *iwi*, *hapū* and *whānau*. For Poata-Smith, the modern construction of Māori descent groups may largely be the outcome of “remnants of colonial fantasies” regarding Māori land tenure, tribal boundaries and social groupings that originated from Crown officials and amateur scholars (2004: 171-72). According to Ballara, the most popular of the early published works were Elsdon Best’s *The Maori as He Was* (1952 [1924]), *The Māori School of Learning* (1923) and *Tuhoe: The Children of the Mist* (1925), Te Rangi Hiroa’s *The Coming of the Māori* (1970) and A.D. McLintock’s (1966) *Encyclopaedia of New Zealand*. Ballara paraphrased their main ideas about Māori descent groups as follows.

The Māori tribe (*iwi*) was essentially a large, territorially-based social unit, consisting at contact probably of ‘several thousands’; it was also the largest political unit…. For most political purposes the effective unit was the *hapū* or sub-tribe, whose functions were the control and defence of a specific territory. The lands of the *hapū* were divided into sections, each administered by smaller social units called *whānau* or extended, three generational families, which operated as the day-to-day economic unit (1998: 107).
The structure and function of *iwi*, *hapū* and *whānau* have been debated and defined by a number of New Zealand-based anthropologists: Raymond Firth (1929, 1957), Ngapare Hopa (Cheater and Hopa 1997, Hopa 1999), Hugh Kawharu (1968, 1975a, 1975b, 1996), Joan Metge (1976 [1967], 1995), Ralph Piddington (1968), Evan Poata-Smith (2004), Anne Salmond (1982, 1991, 1996 [1976]), Erik Schwimmer (1963, 1978, 1990), Jeffrey Sissons (1984, 1993, 2004) and Steven Webster (1975, 1998, 2002). While these anthropological works are extremely valuable they have both contributed to, and attempted to counter, the confusion and problems associated with definitions of what constitute *iwi* and *hapū* proper. Metge provides a useful insight into the complexity of the terms *iwi* and *hapū*. She suggests that whether a group is identified as an *iwi* or a *hapū* depends on the context, the relative size of a group and the relative independence that a group has from other groups. What is more, *iwi* and *hapū* identities have the potential to change over time; thus an *iwi* may come to be perceived as a *hapū* and vice versa (Metge pers. comm. 2006).

This following section surveys these anthropologists’ contributions, and in doing so examines the fluid nature of the groups in response to 19th century land appropriations and recent Treaty claims.

**THE ADAPTABLE NATURE OF HAPŪ**

Anthropology’s first professional study of Māori descent groups by Raymond Firth defined *hapū* as the principal social organising unit of Māori at the time of European contact (1929:112-14). For Firth, the *hapū* was an institution that organised the productivity of communal land holdings. Members of *hapū* were linked to one another through their shared descent from an eponymous ancestor. However, Firth also pointed out that the *hapū* as an economic and political unit had “lost much of its cohesion and power” in post-settler New Zealand (1929: 460). Firth’s view of *hapū* was later adopted by Piddington (1968 [1957]) who alleged that Māori society had become “detribalised” with colonisation. For Piddington detribalisation meant: “Marked conflicts and tensions within the community, the disintegration of indigenous authority, the weakening of traditional sanctions to morality and the breakdown of tribal institutions” (1968 [1957]: 257).

Another anthropologist who initially shared Firth and Piddington’s view of *hapū* waning was Schwimmer (1968). After conducting a study of Ngāti Wai Māori in Northland in the 1960s, Schwimmer concluded that the authority of *hapū* had become largely “reduced”. He wrote (1968: 29):

In pre-contact times, the *hapū* was a virtually independent political, economic, religious and kinship unit. It has sharply declined in importance and its
functions have been taken over for the most part by other forms of organisation. The hapū survives, however, as a basis for the choice of representatives at ceremonial welcomes, tangi, and weddings and in the lines of division in village factionalism.

Metge also did ethnographic research with Māori in Northland in the late 1960s. Working primarily with Te Rarawa Māori, her fieldwork contributed to a study which, among other things, elaborated on the “adaptable nature” of Māori descent groups. To illustrate the fluidity of hapū she wrote:

Though the term is commonly translated as ‘sub-tribe’, hapū were often sub-divisions of sub-tribes and even sub-sub-tribes. When a hapū grew too large for effective functioning, some of its members broke away under the leadership of one of the chief’s sons or younger brothers and established themselves independently, either on part of the original territory or on land acquired by conquest or occupation, sooner or later acquiring a new name. (1976 [1967]: 6)

Influenced by Metge’s findings, Schwimmer some 20 years later argued that hapū were actually in a process of “restructure”. In 1990 Schwimmer proposed that a hapū “may periodically recover its identity as a descent group when its members see the need for it and that it may then restructure itself under a new, usually more recent, hapū ancestor, with a tighter membership list” (1990: 313).

Sissons (1984) also asserted the fluidity of hapū. When he did fieldwork with Tūhoe Māori in the mountains of the central Bay of Plenty, he found that, although Tūhoe hapū had been largely transformed, they were still very active. An important feature of his argument was that Tūhoe members often belonged to two or three hapū groups. His study emphasised that membership of multiple hapū occurred because marriage between members of different hapū was common. Also significant was the fact that male and female children recognised their descent from both parents and could inherit property from both parents. Sissons claimed that one of the main ways hapū were undermined was through the establishment of the Native Land Court in 1862. The sole objective of the court was to transform communal hapū lands into individually owned lots (2004: 23). Thus hapū were never legally recognised as legitimate entities in the administration of Māori lands. Sissons (2004: 24) has contended that:

The fragmentation of Māori land and the associated disempowerment of hapu leaders went hand in hand with the development of an official, hierarchical model that neatly divided Māori society into iwi (tribes), hapū (sub-tribes) and whanau (extended families). Iwi came to be regarded in the late 19th century as
the major political unit within which a number of *hapu* were related via descent from a common tribal ancestor. Such a model could only gain widespread credence after the destruction of *hapu* via the Native Land Court.

Acknowledging other functions of *hapu* are Salmond (1991 [1988]) and Webster (1975, 1998, 2002). Salmond showed how *hapu* identities connect descendants to particular ancestors so that the transmission of genealogies, knowledge and history continues. Webster theorised how Māori in the 1840s and 1850s used their *hapu* identities to resist British settler land appropriations. According to Webster, *hapu* were considerably transformed in the 1860s after Māori had over three million acres (12,000 sq. km) of productive land confiscated. Since that time many Māori tribal groups have retained a transformed version of *hapu* organisation to advance their struggles against the Crown (Webster 1998).

The anthropologists discussed in this section have argued that *hapu* organisation and identity is shaped pragmatically. Their discussion demonstrates the fluid and contingent nature of *hapu* and the level at which people construct meaningful identities. Let us now examine the consequences for *hapu* (as well as whānau and marae) when the State privileges *iwi* and large *iwi*-like *hapu* in Treaty of Waitangi claims.

CREATING MODERN IWI

One function of Treaty settlements is to devolve to Māori the State’s responsibility for Māori as a marginalised ethnic group. However, in the course of achieving settlements, how have Māori descent principles and social groups been transformed? Since the making of Treaty claims, *iwi* have been conceptually transformed from being large autonomous descent and kinship-based groups into self-governing corporate bodies. Another consequence of re-presenting modern *iwi* has been the diminishment of *hapu* identity (Hopa 1999, Poata-Smith 2004, Sissons 2004 and Webster 2002). In the 1960s, Piddington (1968) used the term “detribalisation” to name the processes of colonisation that allegedly destroyed *hapu*; this concept can be contrasted with Webster’s (2002) theory of “retrabalization” which describes the outcomes of Treaty claims processes through which modern *iwi* are formed. In a case study which examined Māori rights to commercial fishing, Webster advanced Rata’s view (1996, 2000 and see below) of how “contemporary Maori kinship was being ‘retribalized’ in capitalist forms in a ‘regulatory mode of production’ [by] responding to Maori initiatives as well as government policies” (Webster 2002: 342).

Webster asserted that in the initial years of Treaty settlements, a key group responsible for defining “modern *iwi*” were the appointed Māori
Commissioners of Te Ohu Kai Moana (The Treaty of Waitangi Fisheries Commission) (Webster 2002: 348 and also van Meijl 2006: 179-81). The commissioners were asked to provide a definition of *iwi* for the Crown to be used in the process of distributing assets to *iwi* when settling Māori claims for commercial fishing rights. The commission appointees included the influential Māori leaders: Robert Mahuta; Graham Latimer, the national head of the Māori Council; Matiu Rata, a Northland leader and former Minister of Parliament; and Tipene O’Reagan, a Ngāi Tahu leader. According to the commissioners, the definition of an *iwi* was “straight forward”. They wrote, in short, that the attributes of *iwi* were:

1. shared descent from an ancestor
2. hapū
3. marae
4. belonging historically to a takiwa (tribal region, territory or area)
5. an existence traditionally acknowledged by other iwi. (TOKM 1998: 37)

Webster reported that the commissioners’ definition of *iwi* was derived not only from a definition given in the Runanga Iwi Act (1989) but from the commissioners themselves who were looking after the interests of their tribal groups (2002: 351, see also Cheater and Hopa 1997: 214-17).

As noted earlier in this article, Māori claims to lands and resources are generally filed on behalf of *iwi* and *iwi*-like hapū. This practice disadvantages those Māori who identify strongly and feel better represented by their hapū, whānau and marae. Correspondingly, Poata-Smith argues that modern *iwi* entities such as *iwi* authorities8 have been created by the State to reduce the authority of hapū (2004: 169-70). This point of view is expressed by hapū spokesperson Angeline Greensill of Tainui Awhiro9 writing specifically in relation to Robert Mahuta’s claim:

Hapu as traditional repositories of treaty guarantees, are systematically being replaced by ‘Iwi Authorities’ whose legitimacy is founded not in the hapu or in the Treaty of Waitangi but in statutes enacted in a Westminster style parliament…. Because of ‘Iwi Authorities’ manipulation (in collusion with the Crown), hapu interests have not only become ‘unbalanced’, but have become invisible, subordinate and subjugated and consigned to cargo cult status. Iwi Authorities owe their existence to the legislation which empowers them to make decisions normally made by hapu. (Greensill n.d.)

Contemporary *iwi* are constantly evaluated by the State, which requires them to compile membership lists10 and asset registers, conduct financial audits and produce reports on various tribal activities. To all intents and
purposes, this compilation of information serves not only to legitimate *iwi* but to organise them as well.

Elizabeth Rata, a sociologist of education, regards modern *iwi* as the "perfect regulatory mode for the new right policy of devolved State activities" (2003a: 11). Rata makes the point that, in a series of Treaty and Fisheries legislation and policies, tribal legal identity (meaning "*iwi* legal identity" in this context) became defined in terms of property ownership rather than as a social and cultural entity (2003a: 11). According to Rata, the State’s construction of modern *iwi* for the purpose of redistributing resources to Māori has seen the emergence of a "neo-tribal Māori elite". Leaving aside the complicated anthropological debate over what constitutes an elite, Rata’s arguments are significant. She strongly criticises these Māori agents and names Robert Mahuta as a key exemplar of this emergent group (Rata 2003b, Sissons 2005: 29). From her neo-Marxist perspective, Rata argues that a large proportion of Māori and all non-Māori are excluded from Māori self determination. She goes on to argue that Māori neo-tribalism and the inclusion of the principles of the Treaty of Waitangi in government policy are undermining democracy in New Zealand (Rata 2000: 225-32, 2003a). Tremewan concurs with this analysis. As he explains, Rata “fears for the future of democracy in New Zealand as the reified undemocratic practices of a reconstructed tribal aristocracy, the *nouveau riche* of culturalism, are validated by law” (2005: 6).

In short, privilege based on ethnicity goes against the democratic ideals of a modern liberal multicultural society. Or, as Carroll du Chateau summarises it, Rata’s argument is that “public policy formed along racial rather than egalitarian lines”, that “knits” racial divisions into the culture through government funding policies, is also highly dangerous (du Chateau 2006: B3).

Rata’s anxiety raises a number of interesting questions (which are largely beyond the scope of this article), including: what and whose definition of democracy is she referring to? Her analysis suggests that the source of the problem is actually New Zealand’s bi-cultural framework. If that is the case, what realistic alternatives are there? While Rata does not provide any solutions to these conundraums, she does nevertheless highlight some of the problems that have been created by the corporatisation of *iwi*. In particular, the construction of modern *iwi* identities has seen urban Māori excluded from accessing Crown compensation payments (Babadzan 2006: 62; van Meijl 2000: 89, 2006c: 170; Webster 2002). However, urban-Māori are not the only Māori disadvantaged by the State’s prioritising of *iwi*. Some of my informants, who are living in *marae* settlements along the Waikato River, remarked that their modern *iwi* identity did not serve any political or economic purpose for them. Joseph Haumaha of Maungakaretu Marae in the Ngāti Raukawa region
said that his marae identity was extremely important to him. He explained that his whānau had helped build Maungakaretu Marae and that they were responsible for its upkeep. When I asked him how he felt about the claims for the Waikato River, he said:

It is a difficult situation. We recognise the mana of Te Atairangiakaahu in Waikato, and Waikato [iwi] has a right to claim. The Raukawa Board has a claim too but Maungakaretu [marae] doesn’t know what’s happening, we hear about things after they’ve been done and then it’s too late. We’ve phoned to find out different things but they don’t like to give out information, it’s a closed shop. (pers. comm. January 2004)

A MODERN DEFINITION OF MARAE

According to Māori academic and cultural commentator Ranginui Walker (2004: 187), marae symbolise group unity and are regarded as the final refuge in New Zealand where Māori people can maintain their cultural traditions. In general, marae are not recognised as descent groups but as traditional communal meeting places (Rosenblatt 2002, Tapsell 2002). The marae proper
is defined as an enclosed space that usually extends in front of the porch of an ancestral meeting-house. A marae complex includes a dining-hall and other small buildings set in about an acre (0.4 hectares) of land which is fenced off from surrounding properties (Metge 1976 [1967]: 229-32, Tapsell 2002: 141). However, for members of Tuurangawaewae Marae in Ngaruawahia, this definition of marae is better suited to the word “pā”. Before the 1960s in New Zealand, any Māori settlement fortified or not, was called a pā. The word pā fell out of favour for naming Māori settlements following the publication of a controversial book in 1964 called Washday at the Pa written by Ans Westra. Indifferent to the alleged racist connotations of the book, Tuurangawaewae members continued to use the word pā when referring to the communal buildings at Tuurangawaewae and the word papakāinga to refer to the homes of members built on Tuurangawaewae lands that surround the pā. Importantly, informants of this study from Tuurangawaewae use the word marae when referring jointly to the people and the communal buildings. This echoes a point made by Gupta and Ferguson (2002: 67) about the adaptive character of cultural groups and their spaces.

Keeping in mind that notions of locality or community refer both to a demarcated physical space and to clusters of interaction, we can see that the identity of a place emerges by the intersection of its specific involvement in a system of hierarchically organized spaces with its cultural construction as a community or locality.

In the Waikato, marae thus refers to a Māori socially interacting kin-based group as much as a physical space. Waikato marae are perhaps best defined as the clusters of whānau who live together and share the resources of their community.

WHĀNAU FISSION AND FUSION

For over five decades Metge has contributed to the literature of whānau. Early on in her research she made the point that while membership to iwi and hapū is determined by a person’s descent from an eponymous ancestor, a person’s membership within a whānau is established on different grounds. Metge contended that whānau are a nucleus of people descended through a male and female ancestor, usually a husband and wife. As the ancestors recede, family members group themselves into branches stemming from the dominant personalities among their elders. Over time these branches act with increased independence until eventually all who remember the ancestors have died. Once the elders of the group separate their descendants become large-families in their own right. A consequence of the fission is that whānau membership usually stays at between 30 to 50 people who are distributed
among several households (Metge 1976 [1967]: 136). While Hirini Mead (2003: 212) claimed that a key characteristic of whānau is that its “members are born into it and all are relatives”, Metge has asserted that whānau groups are inclusive of “people who are attached to its real members by marriage and adoption” (Metge 1995: 62-64).

However, while marae and whānau are salient units of Māori social organisation, claims and rights to lands and resources are not lodged through these identities. The relevance of this will become clearer when I examine why marae are now a crucial component of modern Waikato-Tainui iwi identity.

REPRESENTING MODERN IWI IDENTITIES: WAIKATO IWI, WAIKATO-TAINUI OR KIINGITANGA

Robert Mahuta’s training as a tribal leader began as a child when he was immersed in the language and practices of Waikato Māori.

Figure 2. Robert Mahuta working tribal gardens.
In his youth he worked in the coal mines and at the freezing works, which were common jobs for Waikato men. He also served as a soldier in Malaya for the New Zealand Army. In his late twenties Robert Mahuta went to the University of Auckland where he completed a Masters degree in anthropology. Recognised by his teachers as a promising scholar, he was encouraged to go to England where he enrolled in a PhD programme at Oxford University. However, after just one year of study, Robert Mahuta returned to New Zealand to take up the position of Director for the Centre for Māori Studies and Research at Waikato University. His decision to return to the Waikato to take up the university position was instrumental in establishing Waikato Māori’s modern identity as he established a university research centre to produce a series of reports to advance Waikato Māori claims (among them Mahuta and Egan 1981a, 1981b, 1983; Tainui Māori Trust Board 1984a; Tainui Māori Trust Board 1984b; Stokes 1980).

The reports had two functions: (i) they clearly demonstrated the injustices of the colonial government towards Waikato Māori and their existing hardships, and (ii) they emphasised the name “Waikato” when referring to Waikato Māori. This new name merged all the iwi and hapū of the Waikato region into one “super-tribe” (or super-iwi). To further legitimate Waikato Māori as a united super-tribe Robert Mahuta created maps (see Map 1 in this article which was labelled by Mahuta) that identified the ancestral regions of Tainui and Waikato iwi (Mahuta and Egan 1981a: 4, Mahuta and Egan 1983: 8). Mahuta’s map is referenced as being sourced from Salmond’s 1976 publication. However Salmond uses a map derived from Hirini Mead in later editions of her 1976 text (see Map 2 in this article).

On close inspection of the two maps, Robert Mahuta’s map represents the tribe of Waikato as the most significant tribe in the Waikato region. The map also identifies Ngāti Mahuta as a tribe. The identification of Ngāti Mahuta was bold given that many Waikato members thought of Ngāti Mahuta as an iwi-like hapū and a subdivision of the new Waikato super-tribe. Robert Mahuta did not explain why Ngāti Mahuta was emphasised on the map while many other iwi-like hapū were not represented, e.g., Ngāti Naho, Ngāti Te Ata and Ngāti Tipa of the lower reaches of the Waikato River. However, a reason may be found in the work of the Tainui scholar Pei Te Hurinui Jones. Jones wrote in an earlier work that Ngāti Mahuta was a powerful Waikato tribe because it is the tribe of the kaahui ariki (Te Hurinui 1959: 135).

Mahuta’s representations of “Waikato” as a long-standing super-tribe in the Tainui Report contradicts earlier statements by Pei Te Hurinui Jones who recognised the autonomy of iwi-like hapū such as “Ngati Tipa, Ngati Naho, Ngati Amaru, Ngati Pou, Ngati Te Ata, Te Waiohua,
Ngati Tamaoho, Ngati Whawhakia and Ngati Mahuta” (Te Hurinui 1959: 135). Therefore, it seems that the word “tribe” works to obscure Māori descent group identities. It is a term that Robert Mahuta used interchangeably to mean iwi and hapū. What must also be pointed out about Robert Mahuta’s map is that the word “tribe” is used rather than the Māori words iwi and hapū.

While the claims process has forced some iwi and hapū into seemingly unified relationships with one another, there are instances where Treaty claims have excluded and even concealed the existence of some tribal groups. Again this highlights how Treaty settlements have reshaped Māori descent groups. Notably absent from Mahuta’s map of Tainui was Ngāti Raukawa iwi. This omission occurs in maps published in The Tainui Report (Mahuta and Egan 1983) and a bullet point chronological history of Māori settlement in the Waikato region. Tom Moke, a former secretary of the TMTB, remarked: “Prior to Waikato’s 1995 settlement, one objective of the Board was to establish a bullet point history for Waikato Māori that Crown officials could understand” (pers. comm. April 2008).

The history gives specific dates (as bullet points) in listing accounts of significant events. It claims the rightful occupation of Waikato lands was by Waikato tribal members, recording that in 1830 Waikato established overall control of the claimed territory with the expulsion of Ngaati Maru (of Hauraki) and Ngaati Raukawa (Mahuta 1975: 9).

History cannot be fully addressed or explained using maps and selected accounts. Challenges to Mahuta’s version of history come from Jones and Biggs, who identified Ngaati Raukawa as “one of the great branches of the Tainui Tribe” (1995: 324); Claudia Orange, who acknowledges that “Ngāti Raukawa is recognised by the Waitangi Tribunal as an iwi in its own right” (2004: 317); and, more recently, Robert Joseph (2005) who has written a work on effective self-governance and “authentic” representations of Waikato-Tainui. It is possible, as Poata-Smith suggested, that Mahuta’s omission of Ngāti Raukawa occurred because “the Treaty claims process encourages adversarial relationships among Maori claimants, both within and between iwi. The claims process virtually invites Maori communities to compete for exclusive access to resources by developing a strong sense of territorial integrity” (2004: 180).

However, another way to think about the Treaty claims process is that it provides a convenient vehicle for adversarial parties to engage in strategic one-upmanship. Any process creates winners and losers. People have agency and ultimately they make choices on how they will participate.
The Tainui Tribal Area includes four major tribes, the Waikato, Maniapoto, Hauraki and Ngati Haua. In modern day usage the term Waikato is generally taken to refer to the tribes within this area.

Map 1. Robert Mahuta’s Map of Māori Tribes.
IDENTITY DEBATES IN THE WAIKATO

In March 1987, after much ground work, Robert Mahuta filed a comprehensive Treaty of Waitangi claim for the confiscated lands and resources of Waikato Māori. Some people expected Robert Mahuta, like the first Kiingitanga leader Pootatau Te Wherowhero, to unite the major iwi of Tainui, these being Ngāti Haua, Ngāti Raukawa, Ngāti Maniapoto, Hauraki and Waikato. One scholar said:

Like Pootatau, Robert Mahuta would find this an impossible task as, while Ngaati Maniapoto and Ngaati Raukawa were willing to cooperate, they did not want to sacrifice their iwi identity or autonomy, and of course went their own way and were excluded from the Waikato tribe’s 1995 settlement. (pers. comm. November 2005)

His statement was challenged by another scholar, who said:

That comment is not entirely correct. There are a number of Ngaati Maniapoto marae (Te Tokanganuianoho and Mangatoatoa and others) and Ngaati Raukawa marae (Poohara, Paraawera, Hoturoa and Ngaatira) that were not excluded from the settlement. You just need to look at where the poukai are, they are held all over the country. (pers. comm. June 2006)

The point the scholar was making is that, while most Tainui iwi and hapū groups were not included in Waikato-Tainui’s settlement, those marae who support the Kiingitanga were included.

Robert Mahuta and his contemporaries were successful in creating an alternative view of history which focused on the unjust actions of the Crown towards Waikato-Tainui Māori. In anthropological terms, Robert Mahuta may be classified as an “organic intellectual”. When Antonio Gramsci described the role of organic intellectuals, he proposed that they are a necessity to any group which hopes to establish a new class within a society (1971: 6). Organic intellectuals are the individuals that are expert in articulating the understandings and aspirations of a particular community to people in and out of the group. By and large, those people who can write authoritatively possess the power to not only record custom and culture, but to transform it as well. In this respect, some Māori activists have argued that Robert Mahuta and his associates’ methods were similar to the colonial government’s early processes of land appropriation.18

Van Meijl Critiques Waikato-Tainui Development

Also critiquing Robert Mahuta’s actions in the 1990s was the Dutch anthropologist Toon van Meijl. Van Meijl produced a study that described
the role some Waikato tribal members played in generating two new Waikato tribal discourses. He named these two discourses the “discourse of development” and the “discourse of tradition”. At the forefront of his study was the argument that senior Waikato tribal administrators and the TMTB, of which Robert Mahuta was a member, devised these two discourses to assist Waikato Māori in their Treaty claims with the Crown. Van Meijl drew on neo-Marxism and Foucault’s notion of power when he analysed the discourses that, in his view, were being used to legitimate Waikato-Tainui as a long-established and traditional tribe. For van Meijl, the advantage of using Foucault’s theory in his analysis was that it allowed for the exploration of the ideological motivations underpinning the articulation of development and tradition, without making an assessment of the “truth value” of the discourses. His work depicted the two discourses as paradoxes. For example he wrote (1990: 4):

[D]evelopment is future orientated and aims at equal living standards of Maori and Pakeha, although both groups are supposed to retain their political and cultural autonomy. The justification for an independent path into an equal future is sought in the different past of the Maori, which is reinterpreted in opposition to the stereotypical representation of Pakeha society e.g. bottom-up tribal management procedures versus top-down hierarchy European style. Present-day reinterpretations of the past defy and resist historic changes in Maori tradition. The political purpose of representing Maori traditions as timeless treasures, however, is to make changes, to bring about changes in the inequalities between Maori and Pakeha.

The van Meijl study suggests that the discourses of development and tradition effectively increased the power of Waikato-Tainui iwi and revitalised the Kiingitanga while at the same time diminishing the identities of smaller iwi and hapū in the Waikato region by, for example, redefining tribal boundaries and selectively emphasising particular tribal histories and genealogies. Van Meijl argued that the discourses were dictated by a small group of progressive tribal representatives and university academics without any participation from “ordinary” Waikato members. Throughout his study van Meijl raised many provocative issues regarding the unbridled power of Robert Mahuta and his senior administrators and some TMTB members. He claimed that the dual discourses were promoted by some out of self-interest and solely to secure more power for themselves.

In essence, van Meijl’s work proposed that the tribe’s traditional chiefs were being marginalised by a younger chief and a select group of officials in charge of the two new discourses. Van Meijl’s study identified Tumate Mahuta as an older traditional chief who had a vital role in the Kiingitanga
and Robert Mahuta as the young chief in charge of Waikato Māori’s economic development. Tumate Mahuta and Robert Mahuta were close relatives of the head of the Kiingitanga, Te Arikinui Te Atairangikaahu. While Tumate Mahuta oversaw the general operations and fundraising activities taking place on Waikato marae, Robert Mahuta led the TMTB in its commercial and political dealings outside the tribe.

According to van Meijl, traditional chiefs were important to Robert Mahuta and his associates because they symbolically legitimated the “discourse of tradition” within Waikato iwi and to Crown representatives. His study implies that a contest existed between the two chiefs. Van Meijl infers the rivalry of the two leaders by presenting verbal accounts such as the following (1990: 94):

A similar complaint about the lack of reporting by people’s representatives on committees, boards, trusts, councils and the like, has been voiced by Queen Te Ata’s main advisor, her uncle Tumate Mahuta. He is known as the spiritual leader of the Kiingitanga and ‘the big boss of everything’. Being the typical traditional type of leader, Tumate has become increasingly marginalized by the rise of the discourse of development. One day he expressed his anxiety when he walked into a meeting of the Waahi Whaanui Trust. Immediately upon his entering the room it became rather silent. With his soft voice and a timid smile, he then said: ‘Ah here are all the chiefs’. …[V]ery subtly Tumate expressed the opinion that development is raising the status of administrators above that of traditional chiefs.

However, Maea Marshall of Waipapa Marae has a different interpretation of this situation. Rather than focusing on the rivalry which may or may not have existed between Tumate Mahuta and Robert Mahuta, she suggests that the two secular leaders, together with Te Arikinui Te Atairangikaahu in her role as spiritual leader of the Kiingitanga, provided Waikato Māori and the Kiingitanga with a strong and effective leadership. Because of their different views and because they had different strengths and weaknesses, Tumate Mahuta and Robert Mahuta not only complemented one another but also kept one another in check.

When van Meijl challenged tribal administrators and the TMTB, it is probable that one of his aims was to champion those Māori who had been marginalised by Waikato iwi’s contemporary identity (van Meijl 2000: 103). However, van Meijl’s advocacy for those marginalised people has meant that he explicitly contradicts another group’s claim to authenticity. What van Meijl encounters in his argument is the dilemma that Hanson (1997) discussed in his work on “invention of tradition”, that is, who do anthropologists side with? Indeed, van Meijl’s defending of subjugated tribal members, which he refers to as the “grassroots” and “flax roots” Māori in other works, made visible the actions of the so-called “elites” within a marginalised group.22
Van Meijl’s work focuses on the creation of two new Māori-State discourses and how the processes associated with the discourses created new tribal subjects and more power for Waikato and Kiingitanga tribal elites. However, by presenting discourse as an impartial theoretical method, that is, “theory that does not make an assessment of the truth value of discourses” (1990: 4), he understates the cultural significance of the Kiingitanga to Waikato Māori and overlooks the tribe’s pragmatic need to negotiate a settlement with the Crown. In fact, the benefits of the settlement extended well beyond senior members of the kaahui ariki and tribal officials. According to Waikato elder Ngahineturac Te Uira, it was Waikato iwi’s responsibility to lead the claim negotiations for the Waikato River with the Crown. Her reasoning behind the comment was structured by her view that Waikato iwi and senior Kiingitanga members have an obligation to other tribes in the Waikato River region.

In general van Meijl’s thesis is a critique of the lack of democracy within the tribe. However, given that the socio-political structure of Kiingitanga (and Waikato-Tainui) derives ideologically from a fusion of the Polynesian chiefdom and British monarchy where social hierarchy is a key variable, his argument that the organisation should be evaluated along democratic lines is unrealistic.23

Hopa’s critique of the corporate identity of Waikato-Tainui
In 1995, Waikato-Tainui settled their land claim against the Crown. The deal was negotiated by Robert Mahuta and the Minister of Treaty Settlements, Douglas Graham. Both parties agreed that the Waikato River and the West Coast Harbours would be set aside to be negotiated at a later date. Consequently, the Waikato Deed of Settlement (1995) returned to Waikato-Tainui a small portion of their confiscated lands, financial compensation and an apology from Queen Elizabeth II (McCan 2001: 305). The implementation of new political and economic structures established under the Waikato Raupatu Claims Settlement Act 1995 saw the mana and status that once rested solely with senior members of the kaahui ariki and ranked elders, extended to other Waikato tribal members. It is now possible for ordinary tribal members to hold decision-making roles within Waikato-Tainui’s Te Kauhanganui. Te Kauhanganui is composed of 195 tribal members who represent 65 marae.24 Each marae elects three representatives to Te Kauhanganui to debate and vote on tribal matters. These represent the rangatahi ‘youth’, the kaumātua ‘elders’ and the marae as a whole. From the whole Te Kauhanganui group, ten members are elected to form an executive tribal council called Te Arataura.25 Also on Te Arataura is a representative of the Kiingitanga’s kaahui ariki. Robert Mahuta was Te Arikinui Te Atairangikaahu’s kaahui ariki representative until his death in 2001.
The 65 marae are spread over an area extending from Te Kuiti in the south, to Auckland in the north. Waikato-Tainui’s new iwi authority, which is responsible for the management of tribal monies and assets, is called the Waikato Raupatu Lands Trust (henceforth WRLT). This body, in conjunction with Te Arataura, replaced the TMTB on 30 April 1999. While the WRLT had some financial success with Robert Mahuta in charge, by 1998 the new management and governance structures revealed divisions within the tribe. These were highlighted dramatically in a debate between two distinct groups of Waikato Māori: those who supported the Kiingitanga’s traditional positions of authority and viewed themselves as steadfast Kiingitanga supporters, and those who supported the newly elected representatives serving on Te Kauhanganui and Te Arataura. There was concern about the methods used by the newly elected members, particularly their use of the media and courts to question the authority of Kiingitanga leaders. Some of the newly elected members, who also considered themselves Kiingitanga supporters, were concerned about the investments being made with tribal monies and what they saw as nepotism within the tribe.

In 1999 Waikato anthropologist Ngapare Hopa noted how the State’s preference for dealing with iwi and large hapū in Treaty settlements undermined the authority of hapū. According to Hopa: “In New Zealand, hapū (lineages), not iwi (tribes), owned resources and signed the 1840 Treaty of Waitangi, yet tribes have been empowered on an increasingly corporate basis, by the settler colonial state now compromising Māori claims” (1999: 105).

Hopa examined the Crown and the TMTB’s dual involvement in establishing Waikato-Tainui identity. She contended that Waikato-Tainui was the TMTB’s preferred name for the conglomeration of Waikato iwi and hapū. Hence, the term was written into the Waikato Raupatu Claims Settlement Act that accompanied and implemented the Waikato Deed of Settlement (1995). According to Cheater and Hopa, “Waikato” and “Tainui” were two “traditional” but ambiguous representations that were used to fashion Waikato Māori’s contemporary iwi identity. They wrote (1997: 211-12):

In the north-western quadrant of the North Island, known as Waikato, most tribes regard themselves as descended from those founders of Māori society who arrived in the Tainui waka (canoe). Māori identity in the Waikato is, however, ambiguous. The two options are either a putatively descent-based waka identity as ‘Tainui’, also glossed as an iwi identity; or a locality- and descent-based iwi identity as ‘Waikato’. These two options are further complicated by the fact that ‘Tainui’ itself is a recently constructed identity: last century, the local identity was unambiguously ‘Waikato’. ‘Tainui’ has only developed since 1946, when it was formally defined by the state as comprising the thirty-three hapū (then understood as sub-tribes) of Waikato
who had suffered confiscations of their lands in 1863. Tainui’s institutionalised identity therefore dates from the establishment in 1947 of the Tainui Maaori Trust Board, to represent these hapū.

Hopa claimed that Waikato-Tainui was created by senior Kiingitanga members and the TMTB. The primary function of the new entity was to obtain control of the lands and monies that were awarded to Waikato Māori in their settlement with the Crown. While the TMTB alleged that Waikato-Tainui represented the interests of the 33 aggrieved hapū who had their lands confiscated in 1863, Hopa suggested that State records from 1900 list a total of 88 hapū from the Waikato region who had lands confiscated (1999: 106). Hopa condemned the actions of the senior Kiingitanga members and TMTB who in her view eradicated 55 hapū from Waikato Māori history. In another work, Joseph (2005) referred to the 55 hapū as “the missing Waikato tribes”. For Hopa, the 1995 settlement was unfair because descendants of hapū that were not recognised by the TMTB had no mechanism to challenge the redistribution of settlement resources (see also Ward 1999: 54-55). Ultimately, my argument is that it is difficult for Waikato Māori to identify and organise themselves as hapū when tribal lands are scarce and where the overriding and abstract ideology of Kiingitanga prevails. This is demonstrated in a public statement by Robert Mahuta after he had negotiated Waikato-Tainui’s settlement: “Hapū exist only in concept, only in the head. Hapū is a myth, with no formal structure. The marae are concrete entities and existing communities” (Hubbard 1995).

Further evidence that the hapū is not currently a significant political and economic institution for many Waikato tribal members is provided by Durie (1998: 226) writing about Waikato Māori’s preferred system of tribal governance.

As required in the Waikato Raupatu Claims Settlement Act 1995, [Waikato-] Tainui also took steps to establish a representative body which would be more appropriate as a governing body for the tribe. A three-year consultation process commenced in 1996 and registered beneficiaries will be asked to shape the new structure. Among the options being studied are a marae-based rūnanga with representatives from each of the 61 marae, a hapū-based rūnanga with representatives from each of the 33 hapū, and an iwi electorate model where any registered beneficiaries can stand for election to the rūnanga (or board) and the elected board is responsible to all 33,000 beneficiaries rather than to hapū and marae.

The outcome of the election was that Waikato members voted to have representatives for their tribal governance, Te Kauhanganui, elected from
marae rather than hapū or individuals standing from the iwi. Clearly this was further testimony that, for Waikato Māori, the marae is the primary unit of social identification rather than hapū.

Waikato Māori can also be distinguished from other Māori tribes by the choice of many of its members sometimes not publicly reciting whakapapa (genealogy) that associates them with a hapū. Whakapapa is used to describe the recitation in proper order of particular epochal genealogies and also to name genealogies. Ngahinaturae Te Uira said in an interview (pers. comm. October 2005):

Waikato do not whakapapa individually, we don’t say the names of our parents or tūpuna. Our whakapapa is the Kiingitanga which is Ko Pootatau te tangata, Ko Taupiri te maunga, Ko Waikato te awa, that being: Pootatau is the man, Taupiri is the mountain and Waikato is the river.

Many Waikato Māori have both private and public genealogies. Usually a member in a whānau is responsible for keeping the detailed records of family and tribal genealogies. Often the public whakapapa is that which emphasises the line of kaahui ariki leaders and the Kiingitanga, and the private genealogy is the other directions that a person’s lineage may take. One way Waikato members acknowledge King Tuheitia as the paramount chief of Waikato is by including the name of his ancestor Pootatau Te Wherowhero in their whakapapa. By and large individuals selectively choose the strands of their whakapapa that enhance their standing in particular situations or encounters.

* * *

Rival claiming between iwi and hapū existed long before the era of Treaty settlements. However, now instead of iwi and hapū rangatira dealing with one another directly, tribal claims are evaluated by government institutions such as the Waitangi Tribunal, The Office of Treaty Settlements and the courts. Since the establishment of these bodies, the methods of disputing and negotiating rights in lands and resources have been transformed (Tomas and Quince 1999: 211-20). This is because the decisions of government institutions are supposed to conclude tribal disputes by resolving tribal boundaries and rights in lands and resources once and for all. In reality this is not the case as I have argued (Muru-Lanning 2010: 159-61).

Before Waikato-Tainui’s 1995 land settlement, the tribe’s leadership had been based upon understandings of mana and tapu, meaning that the leadership and organisation of Waikato as an iwi rested with the ariki, rangatira and ranked elders. The assignment of many new elected members into positions
as leaders and managers has seen tensions arise within the tribe. One of the problems is that claims negotiators are expected by tribal members to conduct themselves as *rangatira* when they are not trained for the role. While it has always been a challenge to get some form of consensus from other tribes with interests in the Waikato River, since the deaths of Robert Mahuta and Tumate Mahuta it has also been difficult to achieve internal consensus from members of Waikato *iwi* too.

Overall, this article illustrates that the various anthropological arguments about *hapū* “loss of cohesion” (Firth 1959), “transformation” (Sissons 1993, 1998; Webster 2002), “adaptation” (Metge, pers. comm. 2009) and “re-structure” (Schwimmer 1990) do not fit the experience of Māori from the lower Waikato River. I note the anthropologists who have completed studies arguing for the prevalence of *hapū* have done so in areas where Māori still own tracts of land. This includes Metge’s work with Te Rarawa, Schwimmer with Ngāpuhi, Salmond with Ngāti Porou and Te Whānau ā Apanui, Sissons with Tūhoe, Webster with Tūhoe and Kawharu with Ngāti Whātua.

While in other tribal areas *iwi* authorities are not able to dismiss the requests of their constituent *hapū*, in the Waikato it is possible. The reasons for this are twofold: (i) many Waikato *hapū* had their lands confiscated in 1863, and (ii) most of the landless *hapū* relinquished their autonomy when they merged to form the Kiingitanga. As a great number of Waikato *hapū* had no lands or resources to manage, some tribal officials like Robert Mahuta saw the practicality of preserving *hapū* identities as pointless. In the Waikato, the emphasis on *marae* identity is central to the formation of their modern *iwi* identities, these being Waikato *iwi* and Waikato-Tainui. Thus, instead of having an *iwi* identity that is composed of *hapū* units, Waikato *iwi* and Waikato-Tainui are configured and legitimated by *marae*. As I demonstrated above, the Kiingitanga is an important social grouping which maps precisely onto Waikato-Tainui and Waikato *iwi*.

The newly created Waikato-Tainui identity accentuates many aspects of Māori social and political life; it also overrides and conceals other identities. Here, I have argued that corporate *iwi* identity has both positive and negative consequences. These larger tribal representations serve to legitimate identities, construct alliances and define territorial boundaries. Yet, corporate *iwi* identity can mask the fluidity and political importance of other Māori descent and socio-political groupings.
## APPENDIX 1

**History of Settlement**

Maori settlement along the banks of the Waikato River can be traced back to 1560. As recorded by Kelly (1949) and tribal informants, this history can be summarized thus –

<table>
<thead>
<tr>
<th>Year</th>
<th>Event</th>
</tr>
</thead>
<tbody>
<tr>
<td>1560</td>
<td>Kokako goes to the Waikato Head.</td>
</tr>
<tr>
<td>1600</td>
<td>Maki makes his way to Kaipara via Waikato. Kiki – nga uri o Kiki whakamaroke raakau. Mahuta and Paoa – lived at Te Uapata/Kaitotehe.</td>
</tr>
<tr>
<td>1625</td>
<td>Koroki married Wairere’s daughter and begot Haua and Hape.</td>
</tr>
<tr>
<td>1700</td>
<td>Whare Tipeti and Tapuae. “Me pewhea koe e eke mai ai I te paepae tuangahuru o Uenuku”</td>
</tr>
<tr>
<td>1725</td>
<td>Te Putu lives at Taupiri defeats N. Tuwharetoa war party under Tutetawha at Taumatawiwai just above Karapiro. Papaka seeks Te Putu’s help against Toaangine – Te Putu’s reply, “Ehara te kaahu tau noa, aa paa taau ko nga kaahu pookere o Taamaki, ko nga kuri rangauunu e kore e ngaro i te hinapouri”.</td>
</tr>
<tr>
<td>1750</td>
<td>Ngati Raukawa encroachment to Nukuhau. Ngakotowaru kills Te Putu and Tawhia-ki-te-rangi takes revenge on N. Raukawa at Maungatautari.</td>
</tr>
<tr>
<td>1820</td>
<td>Rise of Te Wherowhero, Te Hiakai, Te Kanawa, Mama, Te Rangituaatea, Pehi Tukorehu and Te Rauparaha. Battle of Matakitaki against Ngapuhi invaders.</td>
</tr>
<tr>
<td>1830</td>
<td>Waikato establishes overall control of territory with expulsion of N. Maru and N. Raukawa.</td>
</tr>
<tr>
<td>1840</td>
<td>Signing of Treaty of Waitangi.</td>
</tr>
<tr>
<td>1850</td>
<td>Search for a Maori King.</td>
</tr>
<tr>
<td>1863</td>
<td>Confiscation of the Waikato.</td>
</tr>
<tr>
<td>1920-30</td>
<td>Te Puea taxes the Waikato river tribes to assist in the construction of Turangawaewae Marae.</td>
</tr>
<tr>
<td>1938</td>
<td>Tumate’s body conveyed by river from Turangawaewae to Taupiri.</td>
</tr>
<tr>
<td>1940</td>
<td>Tributes of fish are presented to Koroki.</td>
</tr>
<tr>
<td>1942</td>
<td>Mahuta’s body conveyed from Hukanui to Taupiri.</td>
</tr>
<tr>
<td>1952</td>
<td>Waikato war canoes salute visit to Turangawaewae of Queen Elizabeth II.</td>
</tr>
<tr>
<td>1975</td>
<td>Waikato war canoes salute Queen Elizabeth II on her second visit to Turangawaewae.</td>
</tr>
</tbody>
</table>
ACKNOWLEDGEMENTS

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NOTES

1 The Tainui Māori Trust Board was one of 13 Māori Trust Boards that was created between 1922 and 1981 to receive compensation to settle tribal grievances against the State. The Tainui Māori Trust Board was established under the Waikato-Maniapoto Māori Claims Settlement Act (1946) to administer compensation funds for what was then regarded as a full and final settlement involving 1.2 million acres of confiscated land. After Waikato-Tainui’s land settlement in 1995 the Tainui Māori Trust Board was dissolved. Evidence of the dissolution of the Tainui Māori Trust Board is given in The Agreement in Principle for the Settlement of the Historical Claim of Waikato-Tainui in Relation to the Waikato River (16 December 2007).

2 Ngaa Marae Toopu is a body that represents the collective voice of about 120 Tainui marae.

3 Nine canoes are associated with the popular idea of the “Great Fleet”. The Māori people who have descended from the captain and crew of these canoes are linked by this common origin.

4 These are generally significant hapū groups with strong leadership, large memberships and ancestral lands that are located in strategic positions. However, in the case of Ngāti Tahu-Ngāti Whaoa, the Treaty claims process has forced the two neighbouring hapū to amalgamate and form an iwi to settle their claim.

5 Poukai are a series of Kiingitanga gatherings on marae that are held at set times during the year. The poukai was established after Waikato lands were confiscated as a way to gather Waikato people together to feast, disseminate news of relevance and to bring people’s concerns to the attention of Kiingitanga leadership.

Waikato Māori had 1.2 million acres (4,860 km²) of land confiscated in late 1864. This included most of the lower Waikato district, including some of the lands of tribes who were aligned with the British and a third of the lands of Ngāti Haua.

Iwi authorities are groups of persons who act for an iwi and are recognised by that iwi as having the authority to do so.

A hapū with ancestral ties to Raglan.

In most iwi the membership lists are referred to as the beneficiary roll. This term is derived from Trust Board Acts.

Elites, according to Shore, are “[t]he leaders, rulers and decision-makers in any sector of society, or custodians of the machinery of policy making. Elites are thus the ‘makers and shakers’: groups whose ‘cultural capital’ positions them above their fellow citizens and whose decisions crucially shape what happens in the wider society” (2002: 4). Similarly, Pina-Cabral defines elites as: “groups that control specific resources by means of which they acquire political power and material advantage. In such contexts, the transmission across generations of the benefits resulting from control over these resources often depends on the maintenance of structures of authority” (Pina-Cabral 2000: 2).

See Sissons critique of Rata’s theoretical position (Sissons 2005a: 29-31).

Prior to Waikato iwi’s 1995 settlement with the Crown a watchtower stood near the main entrance onto Tuurangawaewae Marae.

A freezing worker is the local name for a meat processor.

The Tainui canoe is said to have carried Māori ancestors from Hawaiki to Aotearoa-New Zealand. These people settled the north-western quadrant of the North Island. Tainui also refers to the confederation of Tainui tribes in the region.

Ballara made a similar argument when she critiqued the definitions of tribe and sub-tribe offered by Evans-Pritchard and other scholars. For Ballara not only are the terms not specific enough to equate to iwi and hapū but also the words tribe and sub-tribe obscure the proper meanings of iwi and hapū (1998: 17).

Appendix 1 provides a full version of the bullet point chronological history.

Angeline Greensill and Gareth Seymour made this point on a number of occasions when they spoke in public spaces at Waikato University and in Hamilton in the early 1990s.

The group included senior members of the kaahui ariki, some renowned Waikato and Ngāti Maniapoto elders, the Tainui scholars Ngapare Hopa and Edward Douglas, and a number of non-Māori academics who wrote reports for the Centre of Māori Studies and Research at Waikato University when Robert Mahuta was the Director. The group included Kenneth Egan, Barbara Harrison, Isla Nottingham, Ann Parsonson, James Ritchie, Evelyn Stokes and Toon van Meijl.

Tumate Mahuta was the uncle of Te Arikinui Te Atairangikaaahu and a well respected senior member of the Kiingitanga Movement.

According to a number of participants Tumate Mahuta was not the spiritual leader of the Kiingitanga as this role belonged to the paramount chief Te Atairangikaaahu. Tumate Mahuta and Robert Mahuta were regarded as the secular leaders of the Kiingitanga.
See van Meijl 2000 for further explanation of his ethnographic fieldwork experiences with Waikato tribal leaders and members, in particular, when he wanted to publish his doctoral thesis.

There are probably no other Māori tribal groups in New Zealand with such a well defined use of *tuakana-teina* as those who affiliate to the Kiingitanga.

Not all Waikato *marae* are represented in Waikato-Tainui’s governance.

The Te Arataura tribal council was formerly known as Te Kaumaarua, meaning Jesus’ twelve wise disciples.

See page 7 of the Waikato Raupatu Claims Settlement Act 1995 for evidence of “Waikato-Tainui” being used.

The *hapū* were acknowledged in the Appendix to the *Journals of the House of Representatives* 1900, Vol 2, G-1: 1-14 “Landless Māori in the Waikato, Thames Valley and Waikato Districts”.

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This article explores the process of claiming property and rights through Māori descent group identities. In particular, it examines the way that the State, through the Treaty claims process, reconfigures Māori group identities and political structures, elevating the corporate iwi above hapū and whānau groups. More specifically, the discussion details how Kiingitanga leader Robert Mahuta successfully advanced Waikato Māori claims to land and the Waikato River by effectively representing Waikato-Tainui as an enduring and important super-iwi.

Keywords: governance, identity, Kiingitanga, Treaty of Waitangi claims, Waikato.