

IN THE WAITANGI TRIBUNAL

**Wai 2180, Wai 1705, Wai 647, Wai 588,
Wai 385, Wai 581, Wai 1888**

IN THE MATTER OF

the Treaty of Waitangi Act 1975 and the
Taihape: Rangitikei ki Rangipo Inquiry
(Wai 2180)

IN THE MATTER OF

a claim by Isaac Hunter, Utiku Potaka,
Maria Taiuru, Hari Benevides, Moira
Raukawa-Haskell, Te Rangiangoa
Hawira, Kelly Thompson, Barbara Ball and
Richard Steedman on behalf of themselves,
the Iwi organisations who have authorised
them to make this claim and the Mōkai
Pātea Waitangi Claims Trust (**Wai 1705**)

AND

a claim by Maria Taiuru and others for and
on behalf of Wai 647 Claimants (**Wai 647**)

AND

a claim by Isaac Hunter and Maria Taiuru
and others for and on behalf of the Wai 588
Claimants (**Wai 588**)

AND

a claim by Neville Franze Te Ngahoa
Lomax and others for and behalf of the
Potaka Whanau Trust and Nga Hapu o
Ngati Hauti (**Wai 385**)

AND

a claim by Neville Franze Te Ngahoa
Lomax and others for and behalf of Te
Runanga o Ngati Hauti (**Wai 581**)

AND

a claim by Iria Te Rangi Halbert and others
for and behalf of the Wai 1888 Claimants
(**Wai 1888**)

**Statement of Evidence of Mina Bourke
12 February 2018**

Solicitor

Leo Watson
Barrister and Solicitor
342 Gloucester Street, Taradale
Napier 4112

Telephone: 06-650 7119
Mobile: 027 274 9068
Email: leowatson@paradise.net.nz

Counsel Acting: L H Watson

Statement of Evidence of Mina Bourke

Anei taku pepeha toku papa.
E nga iwi huri noa tena tatou katoa
Nei au te whakapoi ake I te mauri o te tangata
Timata mai i te kopu o te wahine
Whanau mai a te tangata ki te ao
Ko te whenua, ki te whenua he pito ki te rangi
Ka whatoro nei au ki toku hou kainga
Ko Rata te marae
E noho nei ko te rahi o Ngati Tamatereka
Ahu mai ana i nga kawai hekeheke o Ngati Hauiti
No runga ana mai i te takere waka nui o Takitimu
Ka tiro arorangi au ki toku taumata
Ko Ruahine te pae Maunga
Ka raro iho ko te wai tuku kiri o te iwi ko Rangitikei
Nana i romi romi te kiko o nga matua
Ko Utiku raua ko Agnes oku tipuna
Ko Arnold toku ure tarewa, ko Laura toku ukaipo
Toko rima a raua tamariki. Ko au te tamaiti tua tori
Ko Mina Ripeka (Potaka) taku ingoa
Ko aku tamariki
Ko Kylee ratou, ko Angela, ko Barry
Toko ono a raua mokopuna
Ko Paris, Pania, Kymani, Keiren, Kahurangi, Ko Keone
No reira e oku karangatangamaha
tena tatou katoa.

[Translation

Allow me to begin by saying I am woman the nurturer of humanity.

Bringing forth life unto the world for it is the placenta that returns to the land from whence we came.

In order to maintain the physical link to the environment and the umbilical cord place and given to the heavens. In order to spiritually enrich the soul. I reach out to the place of sustenance that being my marae, Ko Rata.

Therein resides my tribe Ngati Hauiti who have all descended from a common ancestor, and my hapū Ngati Tamatereka.

I look skyward to the peak of my mountain, Ruahine te pae Maunga. At whose base are the waters the Rangitikei that not only cleanse, but also healed the people.

Utiku and Agnes are my Grandparents

Arnold and Laura are my parents

They have five children. I am the third child.

My name is Mina Ripeka (Potaka)

My children are Kylee, Angela and Barry.

I have six mokopuna. Paris, Pania, Kymani, Keiren, Kahurangi and Keone.

Tena koutou katoa]

1. My pepeha binds me to the natural surroundings of my ancestors and the whanau history of who our people are, our connection to Ranginui and Papatuanuku and thus to each other.
2. Whakapapa links Maori back to the beginning of the world and women in particular played a key role in linking the past with the present and the future. Whakapapa gives orderliness, evaluation and progress. It was the responsibility of the collective to ensure that all of the respective roles were valued and protected.
3. The Maori world view is seen in the natural order of the universe, the inter-relationship or whanaungatanga of all living things to one another and to the environment and overarching principle of balance.
4. Our relationship to our earth mother should be to love, respect and replenish her. To put back what we have reaped from her. Mankind has become an exploiter of others and of our natural resources. We waste, exploit, denude forests, pollute air and seas and scar the earth. We are caretakers of the land and it has to be treated with reverence and to be passed onto the next generation in the whanau. A new sense of awareness and attitude is required to change our thinking and set us on a different road.
5. My evidence is a personal story, but it highlights two aspects of my history which seem particularly relevant to the mahi of this Waitangi Tribunal.

- 5.1 A celebration of our mana wahine; and
- 5.2 The effects of land loss on our mental wellbeing, as evidenced by the tragic story of our whanau.
6. I give this kōrero as Tamatereka, Hinemanu, Ruaanga of Ngāti Hauiti. Kei te Mihi Kia Koutou Katoa. Tena Koe Judge Harvey, fellow panel members, treaty lawmen and law women. Whanau whanui o Ngati Hauiti, koutou ko Ngati Paki me Ngati Hinemanu, koutou ko Mokai Patea. At the last hearing here, I was cooking your kai in the kitchen and now I'm submitting my kōrero to you. I guess I've been promoted.
7. After the arrival of Europeans, Maori women were caught in the contradictions of a colonised reality. It is often assumed that according to tikanga Maori, leadership was primarily the domain of men who exercised power over women. However, evidence refutes the notion that traditional Maori society attached greater significance to male roles than to female roles.
8. Three tipuna from our iwi spring to mind that I wish to refer to.
9. Niho from Ngati Raukawa was Tapui Potaka's first wife. Her father Te Momo immigrated from the Waikato and joined Te Rauparaha whom settled in the Kapiti. Tapui and Niho bore their son Utiku around 1824. Niho came from strong bones and was a fine woman. She died at Pohangia while visiting relatives.
10. Rora Te Oiroa (nee Broughton), was of Ngati Ruaanga and Pamoana. In 1874 she married Utiku Potaka and they had a family of 10. She undertook work and responsibility equal to any man while holding an esteemed position in her own right at Ngati Hauiti and died April 27, 1918 age 65. (SLIDE ONE, Rora Te Oiroa).
11. Rutakau was of high rank and the daughter of principal chief of Ngati Apa, Kawana Hunia. Her marriage and land gifted to Ngati

Hauti was sealed in a peace agreement. She was a very prominent kuia in our iwi. Our present kuia Aunty Bo Rangi is her niece.

12. One of the indications that there is no hierarchy of sex lies in the Maori language, as both the personal pronouns (ia) and the possessive personal pronouns (tana/tona) are gender neutral. Rose Pere has written on the positive concepts of females by pointing to the description of women as whare tangata (the house of humanity), the use of the word whenua to mean both land and afterbirth, and the use of the word hapu as meaning both pregnant and large kinship group. Pere has pointed out the common saying, “He wahine, he whenua, e ngaro ia te tangata”, often interpreted as meaning “by women and land men are lost”, also refers to the essential nourishing roles that women and land fulfil, without which humanity would be lost. The first call on a marae is from a woman in her karanga.
13. And so it begins.
14. My great grandparents Arapeta Tapui Potaka and Esther Potaka met as teenagers in the Rangitikei. Arapeta was himself the 2nd son of the 3rd child of Utiku Potaka and his 3rd wife Rora Te Oiroa. Utiku being the Principal Rangatira of Ngati Hauti after whom the village was named. Arapeta had taken up farming the 300 acres at Utiku in the Awarua block allocated to him during the late 19th Century following his young marriage to Esther Caselberg.
15. Nanny Esther was the daughter of a nearby Mangaweka storekeeper. Her original surname was Kasrael however this was changed at a border patrol in Poland). (SLIDE TWO, Arapeta Potaka, SLIDE THREE, Mangaweka store). Nanny Esther was of Jewish descent and the daughter of Eli and Catherine Caselberg. Eli emigrated to New Zealand alongside his brother Myer whom at that time resided in Masterton. Strict Orthodox Jews, their quest in search of a better life took them across the world from their origin of Kovna province

in Poland, to England and then a passage to New Zealand. (SLIDE FOUR: Myer Caselberg, his corporation and their three sons).

16. Arapeta and Esther had 7 children. Their eldest son was Louis Hauiti (fondly known as Ike). (SLIDE 5, Dr Louis Potaka). Then came Rora Catherine (Kereopa), Nukuteaio Selina (Gillespie), Wera Rawinia (O'Connor), Utanga Ripeka (Stevenson), also known as Aunty Pud. Wirihana Winiata Potaka and Potiki Utiku Albert Potaka. (My Grandfather). (SLIDE 6, Koro's siblings).
17. Ike, as he was known to all his friends and whanau went on to Utiku primary school and when his father became ill the family moved to Whanganui to be nearer to medical attention. He completed his secondary education at Collegiate school. It was here that his father's illness became terminal and he died on 4th July 1919 at 40 years old.
18. Ike excelled academically after graduating from Otago University with a medical degree in the late 1920s and went on to become (as I understand it) the first Maori to visit the Antarctic Continent where he wintered over with the 2nd Byrd expedition from February 1934 to February 1935. This created a desire within him to seek answers and understand the reasons why his father should have suffered for so long. A Grand Aunty Erena Pucher told me that there was speculated rumor of a curse that plagued this wider whanau.
19. His mother, (my great grandmother) Esther was now a widow with a farm and 7 children aged 3-18 years old. We acknowledge our Jewish descent through the Caselberg whanau via great nanny Esther. Her husband Arapeta took it as a "given" that she would retain their land should anything happen to him. But although they were husband and wife, they hailed from opposite sides of the world. Her history was of oppression, persecution and deprivation from the Germans. Through tyranny and the policy of discrimination of the Jews, they remained in a state of bondage until the tremendous

upheaval which followed the revolution and shattered the Empire of the Tsars.

20. Unfortunately, the land here in Aotearoa did not hold the mana or significance for her as it did for our tipuna. My Aunty Erena Pucher said although Nanny Esther held a life interest until her death, she managed to sell land and went overseas for a holiday.
21. I'm surprised that with Nanny Esther's history, why she ended up selling some of the land. Aunty Tari spoke of the alienation of Maori land and our oppression and likened it to the holocaust.
22. Land loss affected our whanau in another terrible set of circumstances.
23. Whanau land had been acquired in Otara-Otamakapua. This was gifted by Great Uncle Tumihau to my Koro Utiku and his siblings. Koro Utiku was a pilot flying all over the world. (SLIDE 7, Koro Utiku, Royal New Zealand Air force application). (SLIDE 8, Koro Utiku and his air force comrades). His marriage to Agnes Meri Akenihi Down of Ngati Tuwharetoa brought about nine children. (SLIDE 9, Agnes and Utiku Potaka). There was no TV in those days. Their eldest son was Arnold Hauiti Potaka, my father. Next came Louis, Lionel, Jim, Jane, Shirley, Janice, Beverley and Karaitiana. (SLIDE 10, Dad's siblings).
24. While Koro Utiku was away, his sons managed the farm and nanny Aggie assisted in keeping the home fires burning. My Dad married Laura Merehiria (nee Waaka), of Ngati Raukawa me Ngati Toa on his father's birthday 24th November 1962. Although they settled on Dads family farm, Mum was from the city and thought that in the beginning, the idea of farm life was that of a hippy hickory-doo. Koro was still managing the farm until his death at 40 from a road collision in the Manawatu.

25. It is regretful that Koro's sister's Aunty Nuku Gillespie and Aunty Pud Seiffert overrode the wishes of our Nanny Agnes, Dad and his siblings and decided to sell the land in 1964 to a local pakeha farmer down the road called Graham MacIntyre. The MacIntyres still remain there.
26. My father and his brothers tried to purchase the farm through legal process, but unfortunately our grand aunties chose to sell to the MacIntyres. This set off a ripple effect of despair for Nanny Agnes and her children. Furthermore, much anger from Dad's wider whanau his cousins, Uncle Loisie, Uncle Tume and friends in the surrounding districts. It caused a wide division between each other given the severity of the loss.
27. Alienation from one's land is a loss of mana, a loss of those precious ties and my mother said that our father never really got over the sale of their turangawaewae to the Pakeha. My mother was pregnant with my brother Arnold and she told me that it was absolutely devastating for our father, and his whanau. They were given two days to get off the farm and had to stay with Dad's first cousin Tume Potaka down the road. My father and his brother Louis purchased a home for their Mother in Marton and the move split their siblings up. Dad, Mum and my brother's Albert and Arnold moved to Wanganui where he got a job working with the City Council working on the roads.
28. This whole chain of events has impacted on our generation as well. Over the years it has been mentally challenging. My brother Arnold and I have been fighting the good fight to retain our dignity in holding on to other lands we have inherited with the passing of our father and his brothers and our Nanny Agnes. This has been perilous as only a select few get the vast amount. Greed is such an insidious and sometimes silent partner in the destruction of self-worth brought about by alienation and total disregard for others.

29. As part of my own desire to heal, some of those wounds have been written down into a book titled G.O.V.T. Going over va top, it isn't always black and white. It is currently with Xlibris publishing company and will be launched this year. My hope is that it can assist toward understanding the behaviours and the social parameters that we are subjected to from a Maori Women's perspective. I have dedicated it to my late father. (SLIDE 11, Arnold Hauiti Potaka).
30. My brother Arnold still feels the mamae and my siblings often speak of repurchasing or living in Ohingaiti. Is it a pipe dream, grief, or do we really need to let it go. But how does one do that?? My brother is the spitting image of our Grandfather Utiku and cannot be at Rata Marae to present evidence due to work commitments but I have his support.
31. When two cultures collide and one is more dominating than the other, it isn't right and the outcome is sad.
32. The effects of colonization brought about some positive aspects, however the downside is what I deem catastrophic. Alcohol, drugs, depression, mental health, physical stress, grief and loss are the remnants of a greedy and senseless act of betrayal.
33. Getting back to the dreaded curse and mental health in our family, Aunty Erena Pucher told me that Koro Utiku did not fear death. According to her, our principal tipuna saw the advantage of an alliance with the Pakeha, however this may have upset the mana motuhake movement in those days which may have deemed him a kupapa, (traitor). I deem it the "divide and conquer" syndrome.
34. My Grand-Uncle Dr Louis Potaka died from suicide at 36, Koro Utiku at 40 from a road accident. In Dad's generation he and his brothers all died under 50, dad at 36 from a brain tumour, Uncle Jim at 30 from suicide, Uncle Louis dropped dead at 46, Uncle Lionel from cancer at 44, Karaitiana hung himself at 22. In my generation, first cousin's Steven to cancer and then suicide, Eli at 19 to a hole in

his heart and Erin in his early life to suicide. There has been many mental health issues for the women. My point is without land there is a loss of mana and without the men, the protection from the male is gone and women have to carry on solo, with their children.

35. I see my cousins relishing in their turangawaewae and I marvel at their stickability and “No compromise” rule to retain their land at all costs. Cousin Utiku and Raihania and their whanau here in Rata. Cousin Barb and Jack live just down the road in Ohingaiti. I acknowledge them all.

I O Matua

Aotearoa

Awhina mai tangata

Awhina Mauri Ora

**Mina Bourke
12 February 2018**

Bibliography

Caselberg, Angel. (1975). The Caselberg history. Karori, Wellington.

Edwards, Jim. (2009) Information on Caselberg family and photos, Wanganui.

Lomax, Neville. (1994). (Ike). Louis Hauiti Potaka, Te Wananga o Raukawa.

Metekingi-Anson, Erena. (2018). Information on Kuia in our rohe, Ohingaiti land sale, Rata.

Pere, Rose. (1982). Ako Maori Tradition. University of Waikato, New Zealand.

Potaka, Arnold. (2007). Information on Utiku Albert Potaka. Our Grandfather.

Potaka, Laura. (2017-2018) Information on Ohingaiti and the land sale, Waiwhetu, Wellington.

Pucher, Erena. (2010) Info on Utiku Albert Potaka and the alleged curse. Khandallah, Wellington.

Thomason, B. & Potaka, R. (2018). Whanau hui, Rata.