

BEFORE THE WAITANGI TRIBUNAL

WAI 2700
WAI 381
WAI 2494

IN THE MATTER OF

the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

the Mana Wāhine Kaupapa Inquiry

AND

IN THE MATTER OF

a claim by **Donna Awatere-Huata**
filed on behalf of her whānau,
hapū, iwi and all Māori women
(**Wai 381**)

AND

IN THE MATTER OF

a claim by **Donna Awatere-
Huata** of Ngāti Whakaue and
Ngāti Porou on behalf of all Māori
women (**Wai 2494**)

BRIEF OF EVIDENCE OF DONNA AWATERE-HUATADated this 21st day of January 2021

Annette Sykes & Co
Barristers & Solicitors
8 – Unit 1 Marguerita Street
Rotorua, 3010
Phone: 07-460-0433
Fax: 07-460-0434

Counsel Acting: Annette Sykes / Camille Houia / Tumanako Silveira
Email: asykes@annettesykes.com / camille@annettesykes.com /
tumanako@annettesykes.com

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Waitangi Tribunal

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WELLINGTON

INTRODUCTION

1. My name is Donna Awatere Huata. I am a descendant of Whānau ā Hinetāpora, Ngāti Whakaue and Ngāti Hine.
2. I am now of the view that the Mana Wāhine claim, made in 1993, ought to have preceded all other claims from that date. One of the first steps in the process of undermining the Rangatiratanga of the whanau and Hapū was to convince Māori men that Pākehā ideas of the worthlessness of women was superior to that of the Māori idea that women are the foundation of life itself, of the earth, the cosmos, water and of creativity, of whakapapa and that children have their own Rangatiratanga as gifts from the Atua to be nurtured by the many hands and minds of the whanau: to be seen and heard as living representatives of their gods and their ancestors.
3. We allowed this to happen because we recognised the pain of the trauma of the land thefts, the water theft, the abuse of their environmental ancestors and Atua.
4. What we did not foresee was that until the Mana Wāhine claim re-establishes the ancestral ground rules of the Mana and power, the centrality of the female, the balance the female elements as Atua, as ancestors, as leaders provide, then the settlements will be what they are – another way to make invisible and co-op the work and achievements of Māori women.
5. This idea of the superiority of men and the inferiority of women was carried to New Zealand by those who had early contact especially by the missionaries and the bible which is full of stories of women's subservient role. This example is typical, "Thy desire shall be to thy husband and he shall rule over thee" Genesis 3: XVI.

6. The patriarchal partnership between Māori and Pākehā men enabled the Crown to co-opt Māori men to influence other Māori constructs and institutions - the role of whakapapa in connecting us with nature, our reciprocal relationship with nature, our kawa, our tikanga, our reo - towards the Pākehā agenda of the promotion of Pākehā rights and Pākehā superiority over Māori. And to begin the process of aligning our ancestors stories of our whakapapa to those of the colonists stories.
7. I agree with those who question whether Io/God is not a recent addition that is out of sync with the plurality of Atua; or the way male Atua have been given a new storyline that shrinks that of the female Atua; or whether whakapapa hasn't been realigned to favour male lines; whether Tikanga and Kawa hasn't been bastardised to exclude the Arikitunga of women, to shrink the power of women under the guise of a rewritten concepts of Tapu and Noa. So often in the stories of outstanding female leaders – their gifts at composition filled with allusions to whakapapa, that they were knowledge keepers of tribal knowledge are commented on. The deliberate realignment of Tikanga, the Kawa of the Marae, the rituals of encounter was a mistake. Male intelligence, physical and focussed is balanced by female intelligence, strategic and flexible. All the great leaders had partners who provided that balance. That is what the paepae, the leadership has lost.
8. I certainly question those who have built the paepae into a seat only men (and the occasional white female leader) can occupy and created a zone of power for themselves. Then they extended this zone into trusts, incorporations, and other spaces – boards and anywhere they can flex a little muscle.
9. Is the leadership of Ngati Porou better now that no one has stepped into Whaia McClutchies shoes, Were the people of Te Arawa better off as a result of Kathy Dewes being prevented from taking her elected position on the Te Arawa Trust Board, Why was Tariana Turia the only Labour MP to cross the floor on the Seabed and Foreshore Act in 2004?

10. Is the paepae any better without the cutting edge of female voices? One only has to listen to the enfeebled ramblings of most of the men who sit on the paepae to know the answer to that one.
11. As for the line of “protecting the wharetangata” - tell yourselves that lie, but spare me. We have the same ancestral access and knowledge and are more than capable of protecting ourselves. But if you really believed that story, you’d do a hell of a lot more about challenging abusive partners instead of turning a blind eye.
12. I have been in numerous situations of grave danger, on occupations, protests, “missions” and during the Springbok Tour – and I was usually with other likeminded wahine. I have often wondered how it would have been if wahine had been more a part of the 28th Battalion because it’s the combination of our strengths, the physical, the linear, the intellectual, the strategic, the sensual and the creative that made our ancestors so deadly.
13. Once the Pākehā world view hit our shores, one can only imagine the speed of change, since by 1840 much of the rewrite had been completed. The fact that only 13 women signed Te Tiriti must tell you that already discussions and negotiations were on a “man to man footing”. And the fact that some iwi leaders made such a fuss over some women signing underscores that fact.
14. However, once the Treaty was signed and the floodgates opened for immigration, the world of the whanau became a mirror image of that of the British patriarchy, very quickly, Māori girls and women were relegated to the same kinds of economic powerlessness, inability to inherit, without status or a voice and became victims of the same kinds of savage abuse experienced by British women at that time.
15. In accepting the Pākehā view of the power of men because of the worthlessness of women, Māori men began the process of accepting the

worthlessness of the Māori world view, of their connection to and relationship with their environment, of their language, institutions, economy, ways of bringing up children.

16. One important superiority proposition was the philosophy of dualism in which man and nature are separated, an idea in direct contrast to the Māori view that man and nature are as one to the point that man can whakapapa to nature, to Rangi and Papa, their children to the many shades of darkness and light. Man cannot be superior to nature because man is a part of nature. The idea of land and the earth as a commodity without its own mauri is central to its abuse.
17. The truth is there is nothing superior in these stupid Pākehā ideas. The patriarchy's legacy is violence towards women. Capitalism's legacy is the gap between rich and poor both between nations and between citizens. Dualism's legacy is the degradation of the environment and the climate emergency. Male without female = a really dumb idea. Look at the result.
18. In accepting the worthlessness of women idea, Māori men took a big step towards accepting the Pākehā superiority story.
19. I wouldn't mind exclusive Māori male leadership if it did the job – but it was in the main Māori women who led and sustained the dangerous actions in the 1970's and early 80's that led to the potential for change in sharing colonial power and redressing the breaches of the Treaty. We challenged the colonisers practices of telling lies about us, about colonisation, about themselves. Lies that swirl around every Māori from birth to death spewing out of the mouths of white people, through their media, in their texts, in their schools in their parliament like quicksand threatening to pull every Māori into its vortex.
20. That potential for change was co-opted up by male leadership in the haukainga and we, the female leaders, young, urbanised, denied their reo and Tikanga were pushed into the rubbish bin of amnesia, our

accomplishments scorned. Agree with the message, but don't like your methods (or You).

21. The result is that the Māori Nation is hardly any further ahead in terms of Rangatiratanga than we were in the 1970's and 80's. We have stagnated while the Treaty settlements have given the illusion of progress.
22. Millions of hectares of land taken. Reduced to poverty and powerlessness. At the butt end of racist parliament, laws and people all of whom made their wealth off our stolen assets. Intergenerational Trauma. Criminalisation. Prisonisation. Child Welfare. 46 years of hearings and settlements with a combined value of two months worth of superannuation (mainly for old white people). I don't think so.
23. Decades after the Kaituna, Motunui, Manukau reports and rivers and ocean even more polluted and degraded. And Rotorua Lakes Council still has not put an acceptable waste Management system in place.
24. Decades after the warning signs of methane and fossil fuel and we are now in a state of climate emergency. This would never had happened if Mana Wāhine and Wāhine Rangatiratanga was in place.
25. Māori should know better than any Pākehā that any system founded on lies, where the lies are so repeated and browbeaten into you and which make you and the environment sick will carry on lying to support the power holders, the beneficiaries of the liars.
26. Every, literally every, Rangatira action we have taken and had success with has been undermined, underfunded, belittled, and rendered less effective than they would have been if we had some semblance of Rangatiratanga. MANA Loans, Maccess, Mātua Whangai, Kohanga Reo, Wananga, social services delivery, health centres. As soon as we get something great going, rules are changed, and growth stunted.

27. The urgency for Mana Wāhine is now. It really is the last opportunity to unpick colonisation, to unpick the lies and put in place some systems of accountability and common sense based on aroha instead of the smug hatred still on show in the white world.

MANA WĀHINE, INCLUDES MANY ELEMENTS AND POWERS.

28. One element is Mana Wāhine – Mana Atua – female godliness - the cosmology of Māori women – our presence in the beginnings of the universe as atua, as having powers and responsibilities to that universe. Mana Atua is integral to the Rangatiratanga of Māori women.
29. Mana Wāhine - Mana Whenua – the rights to exercise Mana whenua, to inherit lands, to assert leadership, to hold a place in whakapapa. Also integral to the Rangatiratanga of Māori women.
30. Mana Wāhine – Mana Tangata, of attributing Mana to women as Rangatira, as the whare tangata and for their services to the whanau and Hapū. Also central to the Rangatiratanga of Māori women.
31. Mana tamariki – the inherent respect for children – and the equal treatment that was given to girls as well as boys.

WHAKAPAPA

32. The key to understanding Mana Wāhine is whakapapa, which means more than genealogy. It includes all the activities of our tipuna, all the taonga which they have handed into our care. It includes a genealogical relationship with the universe and all living things in it. It includes a definition of all ones human and social relationships. It defines for women our place in the world of people and our relationship to our

turangawaewae, the lands of our ancestors and to the waters, mountains, and places where their spirits are imbued.

33. “I ngā wā o mua” refers to the past, but it means, in the times in front of us. The story of that past is revealed in whakapapa and is the basis for action in the present since it is the only known.
34. Whakapapa determines our whanau, Hapū and tribal identity and our link to the Whenua, the Wai, the Taiao, the universe and the Atua. Whakapapa determines Mana Atua, Mana Whenua, Mana Tangata.

MANA ATUA

35. Through Whakapapa we trace our ancestry back to the beginnings of creation then after many eons through to the primal parents, Ranginui and Papatuanuku who gave birth to ‘ngā atua Māori’. Each of these deities represents elements of the natural world and the cosmos and who the ancestors of the Māori of today.
36. Whakapapa defines us, our collective identities, our esteem, and sense of confidence and belonging, and the duties of responsibilities, not only to each other but, to the universe. Through whakapapa we learn the history of our role models, our own female ancestors, and our female deities.

“Me aro koe ki te ha o Hineahuone
Pay heed to the dignity of women”.

37. “Our great mother, Papatuanuku, gave us the power of birth and rebirth. Hineahuone, the first being created brought the power of growth and creativity. Hinenuitepo, who denied immortality to humankind, held power over life and death. Murirangiwhenua held the magical powers for great deeds, the inspiration to courage and challenge.” (Royal Commission on Social Policy)

38. At the first Waitangi Tribunal Hearing on Water, my husband's whakapapa from the cosmos to his Iwi was presented by his sister Hira Huata. The three pictures depict firstly the whakapapa and then the female Atua who control water and evaporation, Hinewai and Hinetairi, two of the numerous female Atua who make up the balance between the male and female Atua in their whakapapa.

MANA WHENUA

39. We all have not one, but many whakapapa, which vary with an ancestor taken as a starting point and the links chosen in each generation. Apirana Mahuika¹ opens his thesis on the Female Leaders of Ngati Porou by asking the question why so many Hapū and so many marae and whare tipuna are named after women. The answer lay in their whakapapa which followed the principle of primogeniture, however, unlike the reports of other Iwi in which the male line is followed – in Ngāti Porou the female primogeniture line is also followed.
40. I have no doubt with the level of connecting throughout the motu, that this was not confined to Ngāti Porou, but in fact was a widely followed principle changed to align with the bible and colonial views on the irrelevancy of women.
41. Every generation or so, the whakapapa of several key Hapū would converge into a first-born child who would be an Ariki, as opposed to an ordinary Hapū or Iwi Rangatira. Where these Ariki were women, they exercised their power over land, made decisions regarding alliances and war, and through Apirana's descriptions of them one can sense the high esteem in which the people held them.

¹ Apirana Mahuika, Leaders of Ngati Porou, MA Thesis, University of Sydney 1972.

MANA TANGATA

42. Another explanation for the high number of women led Hapū is that many women who were not first-born attained leadership status through their exceptional abilities (as did many men). The thesis also talks about the fact that there were often several leaders for different activities – a war leader was not necessarily a leader on the marae, or the whenua, or in whakapapa or in composition.
43. Two of the women, cited by Apirana, who founded Hapū and marae are my ancestors – Ruataupare and Hinetāpora. Ruataupare was an Ariki who married Tuwhakairiora of a lesser whakapapa. He was a great warrior, won many battles and the people proclaimed a Hapū after him – Te Whanau o Tuwhakairiora.
44. Ruataupare was angry that her Hapū, Te Whanau o Ruataupare was being eclipsed so left him (in Te Araroa) and founded a marae at Tuparoa, Te Rangi Weherua (signifying the day they parted) and her meeting house, Tangihaere (because she wept without ceasing). This is the marae where my father grew up and he is buried on the hill beside the marae. She left for Tokomaru Bay where she brought several other Hapū into Te Whanau o Ruataupare.
45. Hinetāpora was an Ariki descended from Tuwhakairiora's second marriage to Ruataupare's sister. She also married a man with a lesser whakapapa, Te Rangikapotua, the descendant of another great chief, the founder of the Uepohatu tribe, Uepohatu. Hinetāpora was much revered by her people. When Tamahae was coming to wipe out her whanau, Hinetāpora sent her people into hiding and she waited for him. He cut off her head saying: "Ka nui tenei. He kotahi ia, he mano kei raro". She is enough. Although there is one of her, she represents thousands.

46. Apirana mentions three of his contemporaries who were Ariki Rangatira and who brought that same level of command and leadership to their Iwi – Mihi Kotukutuku, a descendant of Ruataupare and mother of Eruera Stirling, Meroa Reedy another descendant of Ruataupare and Hinetāpora and aunt to Te Moana nui a Kiwa Ngarimu. Mere Karaka was also a descendant of Hinetāpora, Ruataupare and from Whetukamokamo the Paramount chief who led Ngati Porou in defense against the attack of Pomare of Ngā Puhī. Mere Karaka descends from his eldest daughter, Puaiwhanake and I come off the youngest son, Awatere, named for his father's death at the battle at the Awatere River.
47. I cannot think of any Wāhine Māori who can command that level of Mana Atua, Mana Tangata alive today to represent any tribe with the same levels of whakapapa knowledge, and brilliance he describes. And we are so much the poorer for it.
48. Leadership of Wāhine Māori has changed – leaders are more likely to have university degrees, or to have risen among the ranks of the Crown's bureaucracy or from a post settlement entity. Qualifications have replaced whakapapa and the ability to succeed in the Crown's world given more value. Trouble is "being successful" can also mean being institutionalised to a hierarchy of command, to individualism, to linear thinking, to duality, to sucking it up when faced with the racism and stupidity of the wall-to-wall white people in the organisation. Survival in those settings can also demand learning to being a rag doll, to acting assimilated and giving assimilationist advice dressed up as "Kaupapa Māori". By the time success has been achieved, the ihi, the wehi has been sucked out of them.
49. I long for the days when female Ariki abounded in every tribe. Like Mihi Kotukutuku who when she came to Arawa for a tangi and stood to speak was challenged by the Ariki Rangatira, Mita Taupopoki. He interrupted her and she struck right back, recited her Ariki whakapapa which must

have been pretty impressive because he conceded her point. Not to mention that she pointed to her whare tangata and to paraphrase said, you come from here – so back off bro.

MANA TANGATA MĀORI: WHANAU; COLONISER: NUCLEAR FAMILY; MALE OWNERSHIP OF ASSETS, WOMEN AND CHILDREN

50. Whānau, Hapū structures in the past provided an infrastructure of support for child rearing and socialisation in cultural values. Children were literally raised by the whanau but the cumulative effect of colonisation, assimilationist policies, cultural and institutional racism and, finally, urbanisation has almost destroyed these structures.
51. The role of women as homemakers in the western nuclear family had no equivalent in pre-European Māori society simply because there was no nuclear family. The concept of women as property, whose practice the colonials brought with them, was unknown.
52. The life of the Māori woman was not based on the concepts of ‘motherhood homemaker’. The fact that the three terms - whaea, whaena and koka - are used by different tribes indicates a specific term for ‘mother’ is comparatively recent.
53. Women were child bearers, lovers, writers of waiata, holders of whakapapa, te whare tapere performers, means of procreation and ensuring tribal continuity, but never the individual ‘mother of children’ as defined today. The Māori child was cared for by all relations and had many parents who had equal rights over her or him.
54. I am sure not to be the only one to cite Dame Anne Salmond’s rebuttal to Alan Duff’s claim that Māori men’s violence to women and children is the result of a “simple” pre-European culture. She cited the observations of six Pākehā writing between 1807 and 1840 that Māori men were “kind, loving and devoted to their children.”

55. This quote from Samuel Marsden who visited New Zealand for the first time in 1814 is typical of those cited: "I saw no quarrelling while I was there. They are kind to their women and children. I never observed either with a mark of violence upon them, nor did I ever see a child struck."
56. And according to Richard Cruise in 1824, girls were treated in the same caring way as boys: "In the manner of rearing children, and in the remarkable tenderness and solicitous care bestowed upon them by the parents, no partiality on account of sex was in any instance observed".
57. According to Prof Salmond, these are but two of a "multitude" of such observations.
58. This domestic harmony contrasts with that in Britain:
- "At the same time in Britain, it must be noted, the violent chastisement of women and children was commonplace, in the law and in everyday life. Under the doctrine of "coverture", women and children were legally the property of their husbands and fathers, who were entitled to use corporal punishment as a form of discipline."
59. Lord Granville in the House of Lords spoke about the "horrible cases of assault in the columns of morning journals, how numerous were the cases of great cruelty, wholly wanton and unprovoked, committed by brutal husbands upon their defenceless wives and children."
60. Only the most horrific cases, of near death or gruesome attack (such as eye gauging or blinding with vinegar) went to court - the usual penalty being a 5 pound fine. At the time ill-treating a dog attracted a 3-month prison term with or without hard labour, stealing a lamb a 10-year prison sentence and stealing plums a 7-year deportation.

61. The early settlers brought these same practices of cruelty and brutality toward women and especially married women. Firstly, once married, women lost virtually all rights to own anything (other than land) – or clothing and personal items brought into the marriage which her husband could sell if he so wished.
62. Secondly, any land and any revenue off it which she brought into the marriage was now controlled by her husband unless a special settlement had been made.
63. Thirdly, she lost her status as a legal entity – she could not go to court without her husbands say so. Over time these constraints on women changed – but the underlying principle that women are inferior did not.²
64. In Māori society before and after contact, use-rights over land and resources were 'owned' or held by women as individuals as well as by men, subject only to the overriding right of the tribal community and the Mana (authority) of chief over the land and people.
65. “Inheritance was bilateral; eel weirs, rat runs, bird and berry trees, cultivations and other forms of property could be handed down from either parent to specific children, male or female. Gifts of land and resources were often made by parents to their daughters on their marriage. These lands remained the property of the women, not their husbands, and they could hand them on to some or all their children. Residence was often on the wife's lands, rather than the husband's, for at least part of their married life. Although the husband, or the extended families of both husband and wife, might assist the owner to work on and collect the resources of that property, it remained hers, and decisions regarding it were hers to make”.³

² Bettina Bradbury, *From Civil Death to Separate Property. Changes in the legal Rights of Married Women in 19th Century New Zealand*. Jof NZ History 1995.

³ Angela Bellara, *Wāhine Rangatira*.

66. Angella Bellara gives examples of how the status of Māori women about property rights continued into the land court era. She has well documented the wāhine Rangatira of the Hawke's Bay⁴ in whom the senior lines of whakapapa converged and who exercised huge political and economic influence.
67. One such wāhine in the 1840s was Hineipaketia a 'person of highest rank' and the 'Queen, as they term her. She is being the Principal person of the whole District'. In 1850 Te Hāpuku had to get her permission to sell the Waipukurau block. From 1854 into the 1870s Hineipaketia pursued a course of land selling, exercising her Mana over land and people as though they were her personal property.
68. Even though Hineipaketia was wrong to do this (confusing tuku whenua with the power to alienate), Bellara uses this power of Hineipaketia to show that Māori women indeed held and exercised ultimate power over their tribal assets.
69. The control and ownership of property by women was still recognized in the immediate Land Court era after 1865. Women often gave evidence, sometimes conducted cases for others including male claimants, were often grantees under the ten-owner system as established by the Native Land Act 1865, and when, under the 1873 Native Land Act, the names of all owners of blocks were recorded on the back of the certificates of title, theirs were included. No distinctions were made on the basis of gender.
70. Unsuccessful attempts had been made by Pākehā men to get control of the lands of Māori wives by challenging clause 22 of the Native Lands Act 1869. This clause concerned conveyances of property by married Māori women, allowing them to be as valid and effectual as if signed by a single independent woman.

⁴ Angela Bellara, Wāhine Rangatira: Māori Women of Rank and their role in the Womens Kotahitanga Movement of the 1890's, NZJournal of History 1993.

71. But the Native Land Act 1873, clause 86, provided that husbands should be party to all deeds which the law required to be acknowledged before Commissioners executed by married women.⁵ Clause 86 was telling Māori women that according to the law they no longer are able to do anything without their husbands involvement.
72. From here on in, the assault on Māori women's ability to inherit and manage their lands moved into high gear at the same time as the assault on Māori philosophy of whakapapa was being undermined by Christian beliefs in duality – the separation of mind from body, the nuclear family and male dominated marriage.
73. As the economic base of the whanau and Hapū was removed from them, the role and status of women moved swiftly into the colonial paradigm and assimilation led to the erosion of the whakapapa base and therefore, the economic and social power of Māori women.
74. Many Rangatira who were women were excluded from the native titles to their lands – and whakapapa began to be recalibrated to minimise the matrilineal lines and trace descent through lesser patrilineal ones.
75. My mother and her sisters were excluded from many of the land blocks that their brothers were given shares to. The same thing happened to husband's mother.
76. When the Māori Lands Administrations Act 1900 came along, all male committees were set up and wahine Rangatira rendered completely invisible. The Māori Social and Economic Advancement Act 1945 came into effect, the same thing happened. Māori women in response to this exclusion set up the Māori Women's Welfare League which became an important vehicle for helping families cope.

⁵ Angella Bellara *ibid.*

77. Māori women stayed largely absent from consultative and advisory bodies set up by the Crown to provide Māori input into decision-making processes. This process of recognising only Māori men not only insulted Māori women's ability to do the jobs but reinforced the idea that Māori women have nothing to offer.
78. This exclusion of Wāhine Māori led in time to the failure to appoint Dame Mira Szasy to the Māori Fisheries Commission. By this time there was a build-up of anger at how Māori women had been excluded from Boards and trusts for so long. The combined anger and frustration led to the prosecution of this Wai 381 Claim.

THE RESULT OF THESE ASSAULTS ON MANA WĀHINE IS NOW WELL DOCUMENTED.

79. Māori women and girls quickly came to feature highly in every negative statistic of this country whether it be infant mortality, having a lower level of education before the birth of their first child, limited prospects of initial employment, have limited employment choices after childbearing, have limited assistance for tertiary training or retraining to gain more skills, social service agency intervention, be in rented accommodation with no prospects of home ownership, live in multiple or lone parent households in each case increasing the risk of stress or live with the possibility of arrest, teenage suicide, teenage pregnancy and imprisonment.
80. Such was the impact of the removal of Mana Rangatiratanga from Māori women.

PĀKEHĀ GIVE EVERYTHING TO RACISM!

81. So, what do we do – how do we restore Mana Wāhine? From the moment of their conception, Māori women experience the effects of the trampling of the Mana of women.

82. The principal barrier to the restoration of the Mana of women is racism in its many forms and shapes. Racism was developed and perfected over 2000 years, long before Aotearoa was colonised. Racism is the philosophy that supports the colonial process and comes as complete package of ideas about race, culture, religion, language, beauty, intellect, environment, and everything in it. The ideas are mainly about the coloniser's own culture; the colonised are judged against its precepts.
83. Then there are the special tools, such as the Doctrine of Discovery, that give the colonisers comfort that they have the Lords blessing to take over the lands of indigenous peoples and to wipe them out if necessary.
84. This philosophy of racial and cultural, not to mention intellectual superiority has been passed on by colonising societies for eons from generation to generation, so it is firmly embedded in the institutions of state and family life, into the daily routines and into the DNA, blood vessels and thinking of the "common man".
85. The coloniser's philosophy allowed them to believe they were spreading goodness and lifting noble savages into civilisation while in fact they were reducing Māori from a wealthy trading nation to poverty and despair. Having taken power and sovereignty from Māori, they then expunged from their minds that it was done in breach of the Treaty, in breach of Christian principles. They held the pen on who tells the story of colonisation. They hold the reins of power, and that is what racism and colonisation is all about.
86. What makes racism hard to deal with is that its ideas are held as normal and any criticism of them considered to be an attack on the individual or on New Zealand's (or white people's) way of life and the instigator considered subversive.

87. As the recent assault on the Capitol in the US by white supremacists shows, white racism is alive and well in the USA a flickering flame that can be lit quite easily.
88. That racism is alive and well here and is the main barrier to the restoration of Mana Wāhine. The ease with which Hobson's Pledge collects enough signatures to force a vote on Māori wards shows how widespread, prevalent, and ubiquitous white supremacists are in New Zealand.
89. It is the reason why negative Māori statistics continue to plague the Māori world despite generations of assertions of sovereignty on the one hand and working at the grassroots level on the other.
90. The process of colonisation, imposition of white sovereignty has been well documented by the Tribunal and need not be repeated here. But what I will do is remind us that as a people we did not sit idly by – we took to arms where possible – also well documented by those Iwi and Hapū, who defended their Mana Rangatiratanga in battle, in their Tribunal claims.
91. Here are just some of the actions we took. Where we have documented evidence through newspapers and letters of the time, we can see that wāhine Māori played a significant role in the discussions.
92. Here are some events that occurred:
 - a. 1853 Inter-Tribal Kotahitanga meetings were held to discuss land sales and the encroachment of white settlement. A special topic was their dissatisfaction with the apparent deliberate breaches of the Treaty of Waitangi.
 - b. 1858 A King was elected at a special Kotahitanga hui. The King was to be a symbol of unity and nationalism. The aim was to find a peaceful way of solving Treaty breaches.

- c. 1860 A four-week conference of Ariki Rangatira was held at Kohimarama to debate again the commitment to the Treaty.
- d. 1866 King Tawhiao appealed to the government for the establishment of Māori Council to allow the Iwi to administer Māori land rights as promised under the Treaty.
- e. 1869 A Kotahitanga o te Tiriti o Waitangi movement began meetings with the King Movement, culminating in a meeting at Waitangi in 1875.
- f. 1879 Paora Tuhaere's Parliament was held at Orakei, where the Treaty was again the sole topic of debate.
- g. 1882 A deputation (including Taiwhanga) from Ngā Puhī to the Queen. They presented a petition requesting a 'Royal English Commission' to investigate and rectify laws that had contravened the Treaty, and that permission be given to establish a Māori parliament.
- h. 1884 A Waikato deputation to the Queen. Their petition was similar to that of Ngā Puhī. A Māori parliament, a commissioner, (a Queen's appointee to act as an intermediary) and an independent inquiry into confiscations.
- i. 1889 Another conference at Kohimarama. Once again, the Treaty was the focus of discussion.
- j. 1891 The first meeting of the Māori Parliament of Kotahitanga. The Māori Parliament claimed the right to take up land grievances since 1840.
- k. 1894 Hone Heke introduced the Native Bill of Rights calling for the establishment of Māori Councils to administer Māori land. Received little support.

- l. 1913 Another deputation to England.
 - m. 1920's Tahupotiki Ratana formed a political party. The party's objectives were to have the Treaty incorporated in legislation and to concentrate on current social problems and past grievances.
 - n. 1975 Land March from Te Hapua in the North to Wellington. A petition signed by 60,000 people asking that Māori land be protected from sale.
 - o. 1984 Treaty of Waitangi Hui at Turangawaewae seeking a consensus on the future status of the treaty of Waitangi. (Remits from this hui read almost identical to those made at the 1860 Kohimarama Conference.)
93. Then there was the National Māori Congress set up in 1990 with 45 Iwi and then we have, to this day, the Iwi Leaders Forum – another attempt at the same thing with about 76 Iwi.
94. Other than these national responses, many Iwi were staging their own court actions and protests. The Ngāti Whatua of Orakei for example, brought:
- 8 actions in the Māori Land Court.
 - 4 actions in the Supreme Court.
 - 2 actions in the Compensation Court.
 - 2 actions in the Court of appeal.
 - 6 appearances before Commissions and Committees of inquiry
 - 15 Parliamentary Petitions.
 - 2 Land occupations.

RESISTANCE FROM WĀHINE MĀORI

95. Apart from Meri Mangakāhia and Akenehi Tomoana in the 1890's the work of Māori women in this fight against colonial abuses are still largely invisible. While Māori women shared the concerns, white women had for the vote, for moral reform and for control of alcohol, their primary concern was the theft by force, stealth, or law of their lands and for the poverty and hardship that resulted from the loss of the lands and the waters (lakes, rivers and swamps). They wanted to see an end to the Native Land Court, an end to land sales and fines put on those who sold the land.
96. During the 1893 session of the Kotahitanga parliament Meri Mangakahia spoke to her motion to give women the Vote. Her speech indicated that one of the principal concerns of the women was that the men had on numerous occasions appealed to the Queen over the problems affecting the Māori people and their land with little result.⁶
97. Her argument was that women might have more luck than the men had at getting Queen Victoria to listen. Bellara comments that the speech confirmed that the main concern of Māori women, other than the Vote, was control over their own property.
98. Māori womens concern in 1893 was the move in Kotahitanga to bring all remaining Māori land under the control of the Kotahitanga government.⁴⁵ The women feared that their independence with regard to property was again to be threatened, this time by Māori rather than the colonial parliament. No debate was taken as Akenehi Tomoana proposed the matter be put aside until the debate on the limits of sovereignty be resolved by the Kotahitanga parliament.

⁶ Angella Bellara, *ibid.*

99. The issue of women's suffrage and representation was taken up again in the 1894 session of the Kotahitanga parliament at Pākirikiri, Tūranga (Gisborne) where a Bill was passed allowing women's committees to be set up. Bellara documents the establishment of numerous such committees and at the 1895 session, the women held their own sessions during the Kotahitanga hui.

100. Angela Bellara comments that:

“The level of debate among Māori women of this period, as reflected in their letters to Te Puke Ki Hikurangi and other papers, was intellectually and politically sophisticated. This was hardly surprising. The various Māori newspapers of the period, even the less political, more Anglican versions such as Te Pipiwharauoa and, later, Te Kōpara, provided contemporary Māori of both sexes with a forum for vigorous intellectual debate.”

101. For which I, who have witnessed the genius of Māori leaders, am grateful.

ALTERING TIKANGA AND KAWA TO MAKE WĀHINE MĀORI INVISIBLE

102. I have one story to tell about how the way that some tribes institutionalised the superiority of men and invisibilised Māori women making up stories about the role of tapu and noa to justify their sorry actions is still going on in contemporary times.

103. I knew Heni Sutherland well. She was an early leader in the Kohanga movement when I was helping Aunty Iritana develop financial support and training for the whanau. Then when I was part of the review of Maatua Whāngai in 1985 she joined us on the 80+ hui we held with communities around the country. An Ariki Rangatira for Rongowhakaata.

104. She tells the story of how at Whakato marae, they were told a special seat, a paepae was going to be put up and that it was to be made permanent. It was for men only, and no woman dare sit here. To Heni, “That put a difference on it altogether. Because they are saying to us—we are tapu men; we are so special that you women cannot come and sit here. That has never been part of us. The men, the orators. . . those men just used to sit around, for they knew who they were, and they knew when they were to stand up. They never made themselves special. And when they came up with this paepae for men only, I reacted badly. Now, I never saw it done to my Grannies, and I do not see why it should be done to me, and why it should be done to my children, because that was never our way.”
105. At the wananga to discuss it, one of kuia, disagreed with the paepae being set up— saying there is only one paepae, the paepae hamuti (toilet).
106. Then one speaker said, the paepae is proper and “if you don't do these things properly, things would happen to you people, not good things.” And that he would remove photos of his tipuna from the whare. At this stage Heni realised that she would have to reply as she was very well aware “that we are a senior family” and when you have to speak you tipuna will stand beside you.
107. “I do really believe this, that our tipuna, spiritually, they are always with us. When the need arises, they will help you. For me, at that particular time, all those tipuna all around the house, up on top of the house, and Rongowhakaata himself!”
108. So, she stopped the imposition of the colonial mindset on her marae and the paepae was not set up.
109. This story is from a few years back. Would be interested to see whether the marae now has a paepae – because one thing the coloniser learned in their 2000 years of colonisation – is that their success relied on the eventual assimilation or elimination of the indigenous people as a

recognisable entity. They just keep going extending their power and systems of belief over us.

3-4 MILLION PĀKEHĀ – COLONISERS OR RECENT ARRIVALS

110. 3-4 million Pākehā stand in the way of Mana Wāhine – some less staunch – but most rabid and ready to strike. Imagine 3 million Grainne Mosses. Imagine 1 million Don Brashes and you have it.
111. Everyday millions of Pākehā – some quite young going about their daily business making hundreds and thousands of decisions based on colonial attitudes of which they are quite unaware – that eliminate the gains Māori women make to restore Mana Wāhine.
112. Unlike white supremacists in the US, white people here go about the business of entrenching colonial power so quietly most of them do not notice. They might arrest a Māori for an action they'd give a Pākehā a warning for, they might find a Māori guilty on evidence they'd find a Pākehā innocent, they might fail to notice when a Māori serves jail time for fishing to feed his family but a group of Pākehā are fined for the same thing; They might fail to prescribe treatments they'd prescribe for a Pākehā with the same condition, they might teach 5 and 6 years Māori babies to read using methods found by numerous studies to fail Māori but to work well for middle class white children. Every action is based on a lie they don't know they are following, to create a new lie.
113. These invisible acts never come to light because all we ever see is the aggregate of their actions: Māori women three times more likely, four times more likely. Their racist actions, whether carried out by individual judges, rental agencies, or officials in MBIE, all buried in the collective data.
114. The Treaty promised Māori women equal rights to citizenship – and that means equality of treatment – which is not possible if ordinary Pākehā can

quietly go about their business delivering injustice to Māori and to Māori women hundreds of thousands of times a day and never once be held to account.

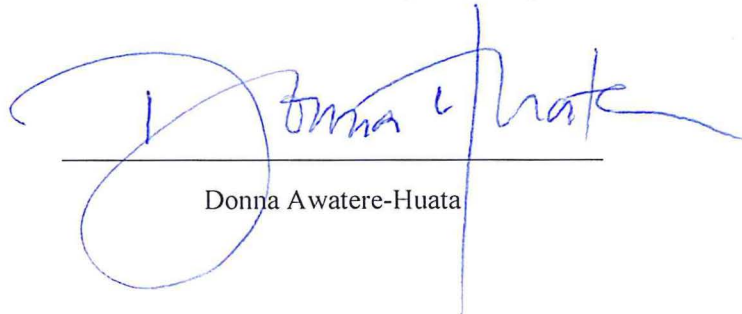
115. In 2016 I was asked to speak to a forum at Tamatekapua in Te Arawa for the incoming Labour Māori Caucus. My message was simple:
116. The key to overcoming the oppression created by colonial power and Racism is to measure it, to count every instance and to hold people accountable. That means collecting and comparing the arrest rates of each police worker, the judgements of each judge, the outcomes of care of each nurse, the death rates and treatments of each doctor, to put cameras in classrooms and hold teachers accountable for race-based teaching or for racist comments. While this sounds like a nightmare, in fact technology now makes this process possible. Change will only come when everyday racists making every day racist decisions are held to account for their choices and actions.
117. There is a great need to run campaigns to change what is considered normal and acceptable. And to move swiftly and to give effect to the co governance dictum in the Treaty. We owe it to our uri to finally start having some success in holding the Crown to account for its Treaty obligations.
118. The protests of the 1970's that led to the establishment of the Waitangi Tribunal in 1975 and to references to the Treaty being written into legislation, prompted a backlash from Pākehā - so governments one after another, Labour, then National and back again were anxious to reassure white voters that their power and economic advantages were secure. This is the dilemma for the Māori caucus. You know what to do – but getting the political courage for the party to do it is another matter.
119. Of course, anything that involves the removal of white power and economic and social privileges and stands up to white supremacy is going

to be in trouble. So, it is going to be important to start at the source, at changing that set of beliefs that justify in white minds continuing to tell lies to keep power and control.

120. Finally, I said – you must Protect your Legacy – do what you can to embed your achievements so they cannot be undone by the next National government who will sweep back onto power on the back of the next surge of the white supremacist wave.

Ka ora te wāhine! Puapua
Ka ora te whanau! Puawai
Ka ora te Hapū! Puawananga
ka ora te Iwi! Purotu

DATED this 21st day of January 2021.



Donna Awatere-Huata