

IN THE WAITANGI TRIBUNAL

**WAI 2700
WAI 2493**

IN THE MATTER OF

The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

The Mana Wahine Inquiry

BY

Rita Beckmannflay, for herself, her
tātai rangatira tino rangatiratanga
and for and on behalf of her
Tamāhine Tokorua and all wāhine
māori

**REDACTED BRIEF OF EVIDENCE OF RITA
BECKMANNFLAY**

DATED 20 January 2021

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Waitangi Tribunal

21 Jan 2021

Ministry of Justice
WELLINGTON

I, Rita Beckmannflay of Ngāti Torehna ki Mata-ure-ō Hau say:

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Manawāhine

10. As a Puhi Ariki, like the royal family I am classified as a Princess and my duties are delegated by the Rangatira and tohunga. I hold the mana for the wāhine in my whanau, hapū and iwi through my brother the Paramount Rangatira of Ngāti Torehina ki Mataure O Hau who wears the korowai of tikanga and Rangatiratanga.
11. My mana stays intact as long as the Paramount Rangatira remains undefeated in battle always retaining his mana atua.
12. Among the Rangatira and high-born lines few thirsted for battle unless utu was to be applied, otherwise most hapū lived in relative security under the Ariki Rangatira's protection. If other hapū and iwi attacked them they would defend mana atua with deadly force protecting their wāhine and tamariki at all costs.
13. No puhi ariki of the hapū and iwi of Ngāti Torehina ki Mataure O Hau signed Te Tiriti o Waitangi 1840.

Tikanga of mana wāhine and precolonial understanding of wāhine in te ao Māori

14. Te ao Māori, is a new concept. People talked about their whānau and hapū, their rangatira, puhi ariki and tohunga. They also talked about spiritual and celestial signs, Io and the atua, the seasons for fishing and planting and the intrinsic nature of the elements and their impact on the environment. In accordance with the tikanga of tapu.

The role of wāhine under Ngāti Torehina ki Mataure O Hau tikanga.

15. The roles of puhi ariki in their hapū according to the tikanga of Ngāti Torehina ki Mataure O Hau were, mother of the tamariki and mother of the hapū. With the

coming of age of the younger puhi ariki who themselves have become mothers, the older puhi ariki gave the younger puhi ariki koha to take over their roles.

16. The puhi ariki were always inclusive. Every role, whether it was planting, gathering kaimoana and mentoring younger wāhine, held significance and were shared among them.
17. All work was vital, held integrity and worth for the smooth operating of the hapū. The puhi ariki delegated roles to the wāhine who eagerly sought responsibility garnering respect from the puhi ariki.
18. All rangatira wives and daughters were held in high regard as teachers of waiata, history, dance, etiquette, and all cultural traditions, tikanga, and Ngāti Torehina's compiling of tatai and whakapapa similar in character to the alphabet.
19. Ngati Torehina ki Mataure-O-Hau alphabet, was our tatai and whakapapa and the whakapapa of all surrounding hapū within our rohe, rohe pōtae and further afield.
20. All wāhine of the hapū were under the tutelage of the puhi ariki and the tohunga. The puhi ariki were in charge, in particular the whare wananga for teaching to teach and learning to learn to achieve at the highest levels.
21. Mahi done on the marae had a specific role to play within the hapū and whanau. Each task completed is greeted with satisfaction by everyone. The wāhine workload is shared among them and every task assigned by the puhi ariki, held significance which were completed regardless of how big, small or the degree of difficulty. This in turn garnered respect and honour from the puhi ariki and the wāhine felt their workmanship was of value. An acknowledgement of a task completed well, encouraged the attitude of initiative, spreading the workload without the need of delegation, then the work was eagerly sought after by the wāhine of the hapū.

22. That most outstanding of all is that each wāhine knows that no matter what the job description is, that it is work worthy of doing, and worthy of being done by a puhi ariki.
23. The puhi ariki is to be a good role model for their tamariki. They would teach on the marae (home school) their tamariki. They were taught the history of their people through factual story telling, waiata, stick games, rope games and many other activities which enhanced their agility and hand, feet and eye coordination.
24. As tamariki got older they were taught tikanga (the law) and the tikanga of mana, the tikanga of manākitanga and the tikanga of tapu.

Ngāti Torehina ki Mataure O Hau traditional protocol of whāngai.

25. Whangāi were traditionally utilised for strategic purposes.
26. The Taotahi high-born (puhi ariki) were strategically placed with other hapū within our rohe rohe pōtae. Showing the significant prestige this hapū held within the iwi being selected as the young rangatira and puhi ariki as whāngai. That way the hapū bringing up the child gained special protection through this whāngai.
27. Similarly, for the young Taotahi Rangatira and Puhi Ariki who were placed in a hapū completely outside of their mana atua lines. It was a strategic move again giving both the protection and allegiance through this whāngai.
28. This is a contrast, from the reality of my experience as a whāngai. The significance of the role of the puhi ariki in our hapū and iwi, were whāngai was of high-born tamariki (your matuas and rangatira whanau; their children, the puhi ariki as the high-born) were an integral part of a living treaty between different hapū and their Ariki, Rangatira and Tohunga pre-colonial times.

Impact of Crown imposed adoption and my whāngai journey

29. I am the mother of three tamariki, two of them are wāhine of Ngāti Torehina ki Mataure O Hau.

30. My husband Rangatira Richard Beckmannflay, observed the negative effect of the outworking of injustice inflicted on me through being disconnected from my Taotahi whānau. He sometimes expressed anger and disappointment at what had been denied me and often felt helpless when I was ever confronted with a difficult whānau situation.
31. He was horrified to learn of my journey from as young as a few days old being taken to live with my whāngai parents, losing my whāngai mother at two years of age and then experiencing a Crown imposed adoption with the obvious imbalance of being raised by a pākehā father Richard Flay nearly 60 years my senior, to then watch the physical deterioration of my father figure and his subsequent death when I was fourteen years old. Then to be passed around two adopted sisters with separate codes of conduct and discipline, to be raised within their families with two separate sets of nieces and nephews, removing my rights as their children's aunty. Under the law I was adopted from my whāngai Mohi line into the Tamihana line.
32. The teaching of my tatai and the stories of my hapū and iwi, Ngāti Torehina ki Mataure O Hau, at that time lay dormant.
33. Upon the tick and stroke of a pen to legitimise my adoption and the handshake of the presiding judge with me and my pākehā father; the Crown alienated me from my biological parents.
34. This was a trampling of my mana and the mana of the Paramount Rangatira my father Aubrey Puhipi Taotahi and the mana of whāngai, in accordance to tikanga.
35. Relationality or the connection to both my adopted, whāngai and biological whanau was almost non-existent, making the healing processes through the death of my whāngai mother and my adopted father difficult for me to work through.

36. What the imbedded nature of imperialism and colonisation planned was to be rid of the Ariki lines. This left Māori with remnants of tikanga to build on, of which have been dismembered, pieced together, written and re-written. A tikanga that aligns to suit the Crown and here we are today with a watered down version that is used in every Crown entity to tick the tikanga boxes.
37. If you wonder why these hearings in the Waitangi Tribunal continue today, it is because the watered down version of tikanga has Māori clutching at baseless words (folk lore) to have their voice heard. The Crown know this, and might in turn give Māori a morsel to appease them but they still remain in control.
38. Today I stand here as a direct descendant of the Ariki line and a living signatory to both treaties, to reiterate a history; the true account of Ngāti Torehina ki Mataure O Hau in support of the very words recognised scholars like Dame Anne Salmond and Margaret Mutu once said on National TV, “the true stories must be told,” I say, not only told by the Paramount Rangatira of Ngāti Torehina ki Mataure-O-Hau but recorded, written, published and acknowledged as true and correct.
39. The foundation I based my identity on was in part fabricated. A fabricated history through a Western lens of peer-reviewed scholarly writing that goes back 180 years and more.
40. My Rangatira and I view this behaviour today, as a thief who can write their own sentence and be rewarded for these criminal actS of desecration of our history.

Further and Continued Subjugation

41. How does one authenticate our history through a Western lens when portions of our supporting evidence have been archived?
42. Scholars like Anne Salmond, Paul Moon and many others have written books on my tūpuna whanau. Not only have they told an inaccurate history, they never sought permission from my Rangatira whānau to write about us. This is a complete travesty given the government plans to introduce across schools the

‘so-called’ true history of Aotearoa New Zealand in 2022. The Crown has allocated to the person’s responsible for recording a westernised history bereft of Ngāti Torehina ki Mataure Ō Hau historical facts and history.

43. The writers of the ‘mana journals’ have placed and described my Rangatira whānau as Ngāpuhi and from the iwi Ngāpuhi, this description is incorrect.
44. My tatai shows a clear timeline of my Rangatira whānau surpassing five hundred (500) years. Our presence in the area dates back further, including in the Waitematā.
45. I mentioned these words in the recent Oranga Tamariki Urgent Inquiry, ‘cultural genocide.’ These acts would be legally recognised by the United Nations Convention, as acts of cultural and ethnic genocide.
46. To ensure that my tamariki and future mokopuna do not have to experience what I have endured, it has meant teaching my children in the whare wānanga, whenever I get the opportunity to korero and tell them of our rangatira and puhi ariki whānau, and the stories of our whenua.
47. It has been a Crown imposed whāngai hikoi; a painful journey which continues to present day.
48. The generational imposition of legislation that was imposed on my Rangatira whānau, must cease, and desist today.

Mana exercised traditionally by Ngāti Torehina wāhine

49. The puhi ariki of Ngāti Torehina ki Mataure O Hau understood clearly that their ariki and paramount rangatira who wore the tapu tapu korowai, was their protection.
50. The puhi ariki shared in the mana atua held by the ariki and paramount rangatira and his rangatiratanga. “To bathe in the glory of their rangatira”

51. Everyone held a special place within the hapū, there was no bias or exclusion toward a person with gifting or disability.
52. Ngāti Torehina ki Mataure O Hau have remained undefeated in our rohe, rohe pōtae and hold mana atua and all the other korowai of mana in accordance with tikanga and koha of the tapu tapu korowai of rangatiratanga from Io, Tangaroa and his brother Kane-nui-akea.
53. An expression of mana wāhine in traditional times is much the same as it is today. As Puhī Ariki, my great great grandmother Waihora ‘Hika’ Taotahi set an example for her tamariki and future generations.

Mana of our wāhine of Ngāti Torehina ki Mataure O Hau.

[REDACTED]

55. [REDACTED]

56. [REDACTED]

57. [REDACTED]

[REDACTED]

58. [REDACTED]

59. [REDACTED]

[REDACTED]

Rangatiratanga

- 61. Rangatiratanga is sovereignty of ownership of all that you preside over including the whenua, wāhi tapu, moana, motu and reefs (the realm of the Ariki Rangatira).
- 62. Only those who hold mana atua can exercise rangatiratanga.
- 63. This tapu tapu korowai is only worn by the Paramount Rangatira and Rangatira exclusively in their dominion, in accordance with tikanga.
- 64. For a puihi ariki to exercise rangatiratanga she had to petition the Paramount Rangatira with the take involved, to exercise her rangatiratanga, which was very rarely granted as the Paramount Rangatira would adjudicate personally on such issues, in accordance with tikanga.
- 65. To understand what it means to exercise rangatiratanga you must first perform raupatu conquest to hold mana atua, koha from the atua.

66. Rangatira Richard McGrath will speak to this and explain the tikanga of mana. The tikanga of mana will not be written but orally presented, in accordance with the tikanga of Ngāti Torehina ki Mataure O Hau.

Wāhine and Whenua

67. When the wāhine gave birth to a pēpē, the pēpē umbilical cord is cut from the placenta (whenua), later follows the ceremonial act of returning both the umbilical cord with the placenta (whenua) to the earth (whenua), on her whenua and tūrangawaewae; the place where she belongs.
68. The planting of the placenta and umbilical cord is usually placed at a tree which is then made tapu. The wāhine and whanau understood this ceremony to mean that their children were in Tane's safe keeping.
69. The wāhine connection to Papatuanuku, for cultivations.
70. Tane's forest from those cultivations, streams and the swamps which gave us our birds, the eels, inunga and other native fish.
71. The wāhine that were tangata whenua held occupation rights only, inside the rohe until their marriage.
72. The hereditary rangatira whenua titles were held exclusively by the Paramount Rangatira and Rangatira only.
73. His rohe was depicted by the mana atua lines in his rohe, rohe pōtae.
74. The Puhi Ariki, the tamariki, the warriors and their wives and whānau as tangata whenua, held occupation rights only in the rohe at the rangatira's discretion. The ownership of the whenua resided exclusively with the rangatira only who wore the tapu tapu korowai of rangatiratanga. This was koha from the atua to the rangatira.
75. [REDACTED]



76. The following land issues have not been before the Waitangi Tribunal and as wāhine we continue to suffer through this loss of whenua to current day.
77. The loss of the whenua occurred through the use of false whakapapa by people not of this land in 1909 and through the decisionmaking of the Māori Land Court, influenced by the Crown. The same scenario occurred again in 2007, with the enactment of legislation pertaining to the wāhi tapu whenua of Taotahi only.
78. The 1909 courtcase was the stepping stone for defeated tribes for people who had never walked these lands the courts elevated them from landless people ‘kore’ to a status they should not hold as whenua owners.
79. The tangata wheunua held occupation rights only at the rangatiras discretion. Occupation was not a stepping stone to ownership.
80. Ownership of whenua by other māori is a pākeha concept only, as many had māori wives but no access to land where the rangatira’s papakāinga was. If any man māori or pākeha, married a puhi ariki or wāhine he took her back to his papakāinga where he had his cultivations and where he held fishing and birding rights, this was and still is in accordance to tikanga. He had an obligation to feed, clothe and take good care of her and their tamariki. There was loyalty and respect in these relationships. The wāhine were able to ‘bathe in the glory’ of their rangatira.
81. The Crown has used legislation; the Securities Act (Matauri Bay Properties Limited) Exemption Notice 2007, to confiscate whenua illegally and was used as collateral for a loan in the failed Bridgecorp Company the use of plausible deniability for the enactment of this legislation to save Māori land. The rangatira of Ngāti Torehina ki Mataure O Hau signed no documents to support any Bridgecorp loans.
82. With the Ariki rangatira lines whose mana has been trampled, tarnished and eventually nearing extinction, over 180 years has taken a grim toll on the wāhine and the tamariki, the glory of their rangatira was lacking as the patriarchal

system began to manifest itself, where in marriage a wāhine was able to bathe in the glory of her rangatira, she now became the property of her husband.

83. When the colonist arrived so did capitalism, ushering in the colonisation of Aotearoa.
84. Mahi no longer held the same status on the marae as legislation began to strangle and strip māori of their sustainable ways of knowing and being.
85. Their rangatira were falling victim to either diseases brought in from the boats arriving and/or the ravages of war. The wāhine were having to take up tasks their rangatira and men once held as their whenua was confiscated by the Crown.
86. Many of the men went to look for mahi. Even the wāhine went to look for mahi, many settling for menial tasks pākeha men and women would not do, to support their whanau. In this new and hostile world wāhine Maori felt insignificant and undervalued and no longer a sense of achievement. She was now a commodity; a modern form of slavery.

Ownership and succession to whenua

87. Puhi Ariki, and wāhine of the hapū did not own land, they held occupation rights within the rohe.
88. Hereditary ariki rangatira whenua titles of Taotahi have automatic succession of all whenua held by the Taotahi, including all mouere and moana, fishing, birding, hunting, cultivation rights and waka landings.
89. People not of the whenua at Mataure-O-Hau rohe, rohe pōtae have utilised false whakapapa from 1909 to present day to fraudulently corrupt the hereditary whenua titles of the rangatira of Taotahi.
90. The use of false whakapapa as evidence presented to the Māori Land Court resulted in the removal of the rangatira's dowry which comprised of whenua in the Chatham Islands They portrayed Ngaurere Taotahi as a single woman, not

as a married woman. Under pākehā law a wife's chattels belong to her husband, it is the same under tikanga.

91. This dowry was given to my grandmother to take to the marriage bed as koha, giving her 'rite of passage' to become a Puhi Ariki to the hereditary Ariki Rangatira of Taotahi. This whenua became the property of Paramount Rangatira Hone J. Taotahi and becomes hereditary whenua, with automatic succession to my father Paramount Rangatira Aubrey P. Taotahi.
92. The Paramount Rangatira Wayne A. Taotahi has been prevented through these false whakapapa of succeeding the land for the rangatira and puhi ariki of Taotahi. Pākehā saw land as a commodity to be bought and sold, Māori work with the land as they have spiritual ties to it.

Matauranga

93. Knowledge is held by the ariki, rangatira, tohunga, matakite and puhi ariki. They are the repositories of all knowledge of the iwi and hapū.
94. The puhi ariki were repositories of information. They held knowledge of the stories of the iwi and hapū, they taught their tamariki in the whare wananga on the marae.
95. Strict discipline was instilled in the whare wananga and each child learned every thing, as it was committed to memory. If one child was slow in learning, all helped to bring them up to speed; part of their scholastic skills. Sports, games, fishing and hunting were incorporated as part of learning.
96. Everyone in the village were role models for the tamariki.

My hikoi as puhi ariki at the University of Auckland

97. As a puhi ariki in academia in 2006, I was able to be a role model to my children by teaching them that age does not define your capabilities, stay true to yourself, be open to learning new things and be not afraid to seek truth and justice.

98. My fifteen-year-old at the time wanted to leave school, so ‘I walked the talk.’
99. What also reinforced my reason to study was to understand and comprehend the cultural bias displayed toward Māori; that is, there were more Māori and Pacific Island students facing exclusion or expulsion from school than any other ethnic groups.
100. As a board member for the second-largest high school in Aotearoa New Zealand’s; Avondale College Disciplinary Board, in 2006, the figures showed those who were predominantly excluded or expelled from school were Māori students, these figures were similar across several high schools in Aotearoa New Zealand at the time. Today, nearly 15 years on Education Counts suggests there has been no change in those figures.
101. In May 2019, at my Postgraduate Diploma Graduation, the marae at the University of Auckland, where Māori Television Master of Ceremonies exposed the credentials of an individual who presented himself as a genuine living Ngāpuhi rangatira from Rakaumangamanga of the 1875 iwi; as a fraud.
102. The University of Auckland, Māori faculty denied me and my eldest brother the Paramount Rangatira and rangatira whānau who were present; the presence of my tūpuna by not announcing my iwi, hapū, rank and name in accordance to tikanga.
103. What was also quite alarming was to hear this same self-appointed rangatira who wrote his Master of Maturanga Māori thesis on the ‘Wāhine Rangatira o Ngāpuhi,’ had earlier asked Rangatira Richard McGrath the question, what is a puhi ariki?
104. The unconscious bias and racial profiling of me and my whānau is a breach of human rights and Te Tiriti o Waitangi, 1840.
105. Tikanga demands you present who you are where you come from and a brief history of your whakapapa or as a rangatira and puhi ariki your tatai. The marae at university demands this tikanga also.

106. I seized the opportunity to write our narrative, in my Masters.

Tohunga and Wāhine

107. ■ great great Grandfather Rangatira Te Whakaariki Taotahi was a tohunga and matakite. He trained and mentored many of the tohunga in the North, at Putataua ‘the place of apparitions’ including my great great granduncle Rangatira Hongi hika.

108. [REDACTED]

109. [REDACTED]

110. [REDACTED]

111. Tohunga practiced at different levels within their iwi and hapū.

112. Tohungatanga does not reside in the wairua and mātauranga, kaitiakitanga are new concepts possibly beginning in more recent times, if these words had standing they would have been written into Te Tiriti O Waitangi 1840, instead of tikanga. It is more likely that iwitanga is also a pākehā concept.

113. Within Ngāti Torehina ki Mataure-O-Hau wāhine tohunga were rare. All tohunga were recognised regardless of gender as this was koha from the atua.

Whakapapa

114. Whakapapa were for the newly established rangatira not the ancient ariki lines which went back thousands of years. They held the tatau of ariki, tohunga matakite rangatira, these were hereditary whenua and moana titles.

115. We come from the ancient lines, that is, directly from the Pacific islands and are called, a tatau. Whakapapa was for those who did not hold the ranks of rangatira or puhi ariki. With the exception of the Taotahi tatau (ancient line), all those that are now living in Matauri Bay and on our confiscated whenua hold whenua titles in our rohe illegally.

116. Everyone was held in high esteem within our hapū which created great loyalty.

117. [REDACTED]
[REDACTED]
[REDACTED]. [REDACTED]
[REDACTED].

118. My rangatira whānau and puhi ariki all agree that this is contrary to tikanga as you must openly state who you are, where you come from and who your tūpuna are when welcomed onto a marae in the whole of Aotearoa including Australia.

Atua and significance to wāhine

119. [REDACTED]
[REDACTED] [REDACTED]
[REDACTED].

120. [REDACTED] [REDACTED]
[REDACTED].

121. [REDACTED] [REDACTED]
[REDACTED]

122. [REDACTED] [REDACTED].

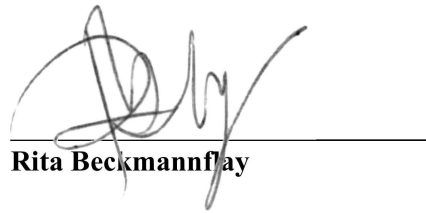
123. [REDACTED] [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

124. The puhi ariki bathed in Tangaroa for both healing and cleansing purposes, not only for the body and the soul, it was for a spiritual cleansing and healing.
125. Our Kaitiaki, is our taniwha and pou, he is our guardian and protector of our whenua, moana, motu, urupā and wāhi tapū whenua, marae, papakāinga and pā. Koha from Tangaroa.

Conclusion:

The wāhine never owned land.
They ‘bathed in the glory of their rangatira’

Signed this 20 day of January 2021



Rita Beckmannflay