

BEFORE THE WAITANGI TRIBUNAL
TE RŌPŪ WHAKAMANA I TE TIRITI O WAITANGI

WAI 2700
WAI 381
WAI 2260

IN THE MATTER of the Treaty of Waitangi Act 1975

AND

IN THE MATTER of the Mana Wahine Kaupapa Inquiry (Wai 2700)

AND

IN THE MATTER of a claim filed by **DAME ARETA KOOPU** on behalf of herself and on behalf of the Maori Women's Welfare League Incorporated and by **DAME WHINA COOPER, DAME MIRA SZASZY, DR ERIHAPETI MURCHIE, DAME GEORGINA KIRBY, VIOLET POU, DAME JUNE MARIU, HINE POTAKA, DAME AROHA RERITI-CROFTS** (being past Presidents of the Maori Women's Welfare League) and on behalf of themselves and **RĪPEKA EVANS** of Ngāpuhi, Te Aupouri, Ngāti Kahu and Ngāti Porou for herself and on behalf of Māori women and by **MARY-JANE PAPAARANGI REID** of Te Rarawa and Te Aupouri for herself and on behalf of Māori women and by **DONNA AWATERE-HUATA** of Ngāti Whakaue and Ngāti Porou for herself and on behalf of Māori women and by **LADY ROSE HENARE** for herself and on behalf of Ngāti Hine and by **KATERINA HOTERENE** for herself and on behalf of Ngāti Hine and by **TEPARA MABEL WAITITI** for herself and on behalf of Ngāti Hine and by **KARE COOPER-TATE** for herself and on behalf of Ngāti Hine (Wai 381)

BRIEF OF EVIDENCE OF RIPEKA EVANS
22 January 2021

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WELLINGTON

NRC-104563-2-558-V8

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Waitangi Tribunal

22 Jan 2021

Ministry of Justice
WELLINGTON

AND

IN THE MATTER

of a claim filed by **MARY-JANE PAPAARANGI REID** and **RĪPEKA EVANS** for and on behalf of the whānau, hapū and iwi of Te Tai Tokerau (Wai 2260)

I, Ripeka Evans of Wellington, say:

INTRODUCTION

Mauri hikitia – Mauri Hapaingia

Mauri ora ki te whai ao – ki te ao mārama

Tihei mauri ora.

Hikitia ra te ha, te wairua, te mana o Hine-Ahu-One!

Ano hoki

He wahine, Me Papa, e ora ai te tangata

Ara, mai i te wahine, ‘Te whare tapu o te tangata’

Ka puta te tangata, te whānau, te hapū, te iwi,

Ngā iwi katoa.

Me aro koe ki te hā o Hine-Ahu-One.

Let our life force be raised

And held high

Let our living force emerge

Into the light of day

Into light itself – so that

It is life, it is life!

Pay heed to and uplift the dignity, the spirit and the power of woman.

For:

Through women and Papa, humankind continues -

And

From woman, “the sacred house”

Of humankind –

Have emerged the individual,

the family, the sub-tribe, the tribe, the people.

KO WAI AU

Ko Ngātokimatawhaorua, ko Tinana, ko Māmari ngā waka,

Ko Puhanga Tohora, Taiāmai ngā maunga

Ko Okorihī, Ngāwha, Parawhenua, Kareponia, Potahi ngā marae,

*Ko Ngāti Ueoneone, Ngāti Rangī, Te Rāwhiti, Ngāti Hine, Ngāti Rāhiri
ngā hapū,*

Ko Te Owai Tauehe Clarke, Ko Mere Kohao Huriwai, Ko Pahemata

*Clarke-Dalton, Ko Ringihana Tauaru-Dalton, Ko Ripeka Tihirua Taua-
Evans, Ko Maanga Wiki-Evans ōku tupuna wāhine,*

*Ko Ripeka Evans ahau tētahi o ngā uri no Ngāpuhi, Ngāti Porou,
Ngāti Kahu, Te Aupouri.*

1. My name is Ripeka Evans. I am a Mana Wāhine and Māori Development Leader and advocate for Treaty and social justice rights. I've led transformational change for Māori and women as an activist, consultant, Chief Executive and Director across Māori, Crown, iwi and hapū organisations for 45 years. I wear seven bespoke awards of courage for leading anti-racism, human and Māori land, language and cultural rights' action for change.
2. I am Chair of NorthTec, Deputy Chair of Toi Ohomai, Deputy Chair of the Ngāpuhi Investment Fund, a member of the Reserve Bank of New Zealand Te Ao Māori Strategy Committee and Trustee on the global racial equity and social justice foundation Courageous Conversation Aotearoa. I hold a Master of Business Administration from Massey University.
3. I am a claimant for Wai 381 the Māori Women's Claim, and together with Papaarangi Reid am also a claimant for Wai 2260, the Tai Tokerau and Ngāpuhi women's claim.
4. My brief of evidence concerns the framing and critical analysis of "Mana Wāhine in te Ao Māori" in relation to the exercise of their inherent power, authority and status. I agree with Ani Mikaere that:¹

the roles of men and women in traditional Māori society can only be understood in the context of the Māori world view...Both men and women were essential parts of the collective whole, both formed part of the whakapapa that linked Māori people 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.
5. I have endeavoured to keep my evidence succinct. The purpose of it is to summarise the key themes that I wish to highlight and think are important pillars that ground an inquiry into Crown breaches of Mana Wāhine.

¹ Ani Mikaere "Māori Women: Caught in the contradictions of a Colonised Reality" (2019) 1 *Mana Wahine Reader: A Collection of Writings 1987-98* 138.

CONTEXT TO CLAIMS

6. In August 1993, the Māori Women's Claim (what became Wai 381) was filed in person with the Waitangi Tribunal. Below is a photo of the presentation of the claim by claimants Dame Areta Koopu, Papaarangi Reid, Ripeka Evans and supporters, to the Chairperson of the Waitangi Tribunal Sir Edward Taihakurei Durie.



7. The Mana Wāhine Tai Tokerau claim (what became Wai 2260) followed suit and was filed in 2008.
8. The Wai 381 claim paved the way for the emergence of, more than 25 years later, the Mana Wāhine Kaupapa Inquiry comprising some 160 allied Mana Wāhine claims.
9. Wai 381 was prompted by the removal of Dame Mira Szaszy from the shortlist of appointees for the inaugural Treaty of Waitangi Fisheries Commission in 1993.² Her displacement, as the only woman, evoked a groundswell of support as well distress from across Tai Tokerau, Te

² Mira Szaszy emerged from a humble upbringing to become one of the greatest Māori leaders and proponents of mana wāhine in the twentieth century. Melissa Matutina Williams "Szaszy, Miraka" *Dictionary of New Zealand Biography* (2018), Te Ara - the Encyclopaedia of New Zealand <<https://teara.govt.nz/en/biographies/6s2/szaszy-miraka/print> >

Ao Māori, the Maori Women's Welfare League, Pākehā organisations and the Crown.

10. Dame Mira was reluctant to consider formal action until the higher principles at stake could be defined and articulated. We had been working together (and separately) on issues and projects relating to Te Tiriti o Waitangi, social justice, equality, women and humanism for a number of years.³
11. I was Dame Mira's Speech Note Writer and Biographer. We shared a passion for "Mana Wāhine" and for the assertion of it based on ancient values expressed in a contemporary idiom.⁴
12. At Dame Mira's behest I was to ensure that the Māori Women's claim was "to be grounded in our own beliefs and assert our own mana as women that would ultimately benefit all people".⁵
13. At the time, I brought together a group of key wāhine Māori leaders for discussions in Auckland and Wellington to frame a Statement of Claim and bring together a claimant group. A research group was then established to scope a research programme for Wai 381.⁶

³ The Treaty of Waitangi and the Bill of Rights, 1981 Springbok Tour Protests, Anti-Apartheid & Anti-Racism movements, Establishment of Te Pihopatanga o Aotearoa, Te Rūnanga Waitangi, Muriwhenua Claims, The Establishment of Te Ohu Whakatupu in the Ministry of Women's Affairs. Nationally in 1993 we celebrated Centennial Suffrage Year and internationally the United Nations Year for Indigenous Peoples and Dame Mira and I researched, wrote, and presented a number of addresses in Aotearoa, Australia and Geneva.

⁴ Mira Szaszy *Rapua te purapura e ora ai te iwi = Seek the seeds for the greatest good for all people* (Te Kawa a Māui Department of Māori Studies Victoria University of Wellington, 1993).

⁵ Particulars of Urgent Claim by Areta Koopu, President of the Māori Women's Welfare League AND Dame Whina Cooper, Dame Mira Szaszy, Dr Erihapeti Murchie, Georgina Kirby, Violet Pou, June Mariu, Hine Potaka, Aroha Rereti-Crofts being Past Presidents of the League AND Ripeka Evans of Ngāpuhi, Te Aupouri, Ngāti Kahu and Ngāti Porou AND Mary-Jane Papaarangi Reid of Te Rarawa, and Te Aupouri AND Donna Awatere-Huata of Ngāti Whakaue and Ngāti Porou each for herself and on behalf of all Māori women AND Lady Rose Henare AND Katerina Hoterene AND Teparā Mabel Waititi AND Kare Cooper-Tate each for herself and on behalf of Ngāti Hine, July 26th 1993.

⁶ Ripeka Evans, Materoa Dodd, Tania Rangiheuea, Donna Awatere-Huata, Papaarangi Reid, Kathy Ertel, Dame Areta Koopu, Dame Georgina Kirby, Miria Simpson, Moe Milne, Rona Ensor.

14. The research focused on Mana Wāhine projects that engaged the discourse of reclamation and reconstruction of our political and cultural identities, roles and relationships. Māori women and men have always been involved in the obvious Te Tiriti issues relating to land, language, forests, and fisheries. Māori women have also always been involved in the harder and more complex issues of collective identity, whānau, whakapapa, whai rawa, wairua and kainga.
15. What followed was a collection of projects that contributed to the discourse about Mana Wāhine drawn from our own beliefs, “our own tikanga...which upholds and elucidates the mana that is inherent in our lives as hine”. The culmination was a “Mana Wahine Reader” , a collection of writings speaking to relevant issues of Mana Wahine.⁷
16. Some of the key themes that emerged from this project were:
 - (a) The whakamana of wāhine Māori present in tikanga Māori, te reo Māori, and ātua wāhine.⁸
 - (b) The political power and leadership of wāhine Māori⁹.
 - (c) the perversion of tikanga Māori by western patriarchy and the subsequent effects on the relationship between wāhine Māori, tāne Māori and tikanga Māori¹⁰

⁷ Leonie Pihama, Linda Tuhiwai Smith, Naomi Simmonds, Joeliee Seed-Pihama and Kirstin Gabel (eds) *Mana Wāhine Reader A Collection of Writings 1987-1998 Volume 1*, . (Te Kotahi Research Institute, Hamilton, Aotearoa/New Zealand, 2019).

⁸ Rangimarie Mihomiho Rose Pere “To Us the Dreamers are Important” (2019) 1 Mana Wahine Reader: A Collection of Writings 1987-98 4; , Watere Norman, “He aha te mea nui?” (2019) 1 Mana Wahine Reader: A Collection of Writings 1987-98 13; Margie Hohepa “Hokianga Waiata a Nga Tupuna Wahine” (2019) 1 Mana Wahine Reader: A Collection of Writings 1987-98 110; Patricia Johnston and Leonie Pihama “What Counts as difference and what Differences Count?” (2019) 1 Mana Wahine Reader: A Collection of Writings 1987-98 155; Stephanie Milroy “Māori Women and Domestic Violence” (2019) 1 Mana Wahine Reader: A Collection of Writings 1987-98 168; Ripeka Evans “The Negation of Powerlessness” (2019) 1 Mana Wahine Reader: A Collection of Writings 1987-98 126; Kathie Irwin “Reflections on the Status of Māori Women” (2019) 1 Mana Wahine Reader: A Collection of Writings 1987-98 83.

⁹ Ripeka Evans “The Negation of Powerlessness”, above n 8.

¹⁰ Linda Tuhiwai Smith “Māori Women: Discourses, Projects and Mana Wahine” (2019) 1 Mana Wahine Reader: A Collection of Writings 1987-98 39. Patricia Johnston and Leonie Pihama “The Marginalisation of Māori Women” (2019) 1 Mana Wahine Reader: A Collection of Writings 1987-98 114.

- (d) The challenges of today's world on being wāhine Māori (in academia, politics, feminism, education, health, culture, law, science, and in the whānau).¹¹

MANA RANGATIRA: NGĀ TOHU WĀHINE – THE WOMEN SIGNATORIES TO TE TIRITI O WAITANGI

17. Thirteen Māori women have been identified, so far, as having signed Te Tiriti o Waitangi.¹² Women such as Takurua, Te Marama and Ana Hamu signed at Waitangi on 6 February 1840. Others such as Marama and Ereonora signed at Kaitaia on 28 April 1840 and Rangī Topeora, Kahe Te Rau o te Rangī, Pari, Te Kehu, Ngararekau, Te Rene o Maki, Hoana Riutoto, and Te Wairakau signed on behalf of themselves and their iwi at various places around Aotearoa.¹³
18. I have focused on four of the five women who are known to have signed the Te Tiriti at Waitangi and Kaitaia. I acknowledge the seminal research in te reo Māori of the late Miria Simpson whose skills, knowledge and wisdom informs and inspires the “Māori Women Signatories” field of inquiry.

Te Tohu a Ana Hamu

19. Ana Hamu made her mark at Waitangi on 6 February 1840, one of about forty-six chiefs who signed that day.
20. It is known that Ana Hamu was the wife of Te Koki, a rangatira of Te Uri-o-Ngongo.¹⁴ Te Koki was a brother of Tuhikura (mother of Hongi Hika).¹⁵ She was invited to attend the hui as the representative of Te

¹¹ Linda Tuhiwai Smith “Māori Women: Discourses, Projects and Mana Wahine” above n 10; Linda Tuhiwai Smith “Getting Out from Down Under” (2019) 1 *Mana Wahine Reader: A Collection of Writings 1987-98* 89; Kathie Irwin “Becoming an Academic” (2019) 1 *Mana Wahine Reader: A Collection of Writings 1987-98* 53

¹² Tania Rei *Māori Women and the Vote* (, Huia Publishers, 1993) at 8.

¹³ Above: See Map of Women who signed the Treaty of Waitangi and the locations where they signed.

¹⁴ Miria Simpson *Ngā Tohu o Te Tiriti, Making a Mark, The signatories to the Treaty of Waitangi* (National Library of New Zealand/Te Puna Matauranga o Aotearoa, 1990) at 15.

¹⁵ Connection to Hongi Hika recorded in: Ann Evans “Whakapapa Books”(Wells Reunion, Te Rawhiti, 2000).

Koki who had earlier signed the Declaration of Independence on October 28, 1838 and had since died.¹⁶

21. "With her own land interests, Ana Hamu would have signed the treaty in her own right as a land owner".¹⁷
22. In 1823, Marsden and Williams selected a tract of her land to set up their Mission, promising they would send missionaries to live in Paihia. With this promise fulfilled, Marsden was able to secure the protection of Te Koki.¹⁸
23. Her name and tohu/mark appear on the document following Paraara and before Hira Pure of Te Uri o Hua.¹⁹

Te Tohu a Takurua

24. The name Takurua appears on Te Tiriti the same day as Ana Hamu (6 February 1840). She was the daughter of the senior chief and tohunga Te Kemara, of the Waitangi hapū Ngāti Takiwa.
25. Takurua was the wife of Te Tai who had signed Te Tiriti earlier: "[t]his may be Nganiho Te Tai whose parents were Nga-kahu-whereo and Muriwhenua".²⁰ If this is the case, Takurua had some of the most senior lines of Te Rarawa converging on her children and held rangatira status.
26. Simpson notes that Ana Hamu "would have signed with authority in a number of ways: as the daughter of a rangatira and tohunga; the wife of a rangatira; and as the mother of rangatira children".²¹
27. Her name and mark appear on Te Tiriti between Kowao and Te Hinake.²²

¹⁶ Claudia Orange. *The Treaty of Waitangi* (Allen & Urwin, Port Nicholson Press, 1987) at 35.

¹⁷ Miria Simpson, above n 14.

¹⁸ Alan Lambourne *The Treaty-makers of New Zealand, Heralding the birth of a Nation* (The Book Guild Ltd, Lewes, Sussex, 1988) at 17.

¹⁹ Miria Simpson, above n 14.

²⁰ Henare Tate in *The People of Many Peaks: The Māori Biographies from the Dictionary of New Zealand Biography* (1990) 1 at 61.

²¹ Miria Simpson, above n 14.

Te Tohu a Te Marama

28. Little information is available on Te Marama who also signed on 6 February 1840, at Waitangi. There appears to be some uncertainty about whether Te Marama was a woman or man. However Simpson concludes that: “He wahine, he tane ranei Ehara, ka pea tenei i te ingoa tane. Te Marama is rarely a man’s name”.²³
29. The name and mark of Te Marama appear after Hiro and before Moenga Herehere.²⁴

Te Tohu a Ereonora

30. Ereonora was a woman of very high rank. Married to the influential Te Pātu and Te Rarawa chief Nopera Pana-kareao, she and her husband signed Te Tiriti at the Kaitaia hui on 28 April 1840.²⁵
31. According to Angela Ballara in *The Dictionary of New Zealand Biography*:²⁶

Ereonora agreed to the treaty ‘in her own right... A[nother] measure of her influence lies in the fact that Te Ruki Kawiti of Ngāti Hine tried to solicit the support of Pana-kareao to expel the governor by first speaking to Ereonora.

Rangatira in their own right / denial of rangatiratanga

32. The signing of Te Tiriti o Waitangi by wāhine Māori is illustrative of the rangatiratanga, mana and leadership roles that wahine had within te ao Māori. However, it simultaneously illustrates early denial of wāhine Māori rangatiratanga and agency by the Crown.
33. While Māori women comprise a minority of the more than five hundred rangatira who signed Te Tiriti, their right to sign as rangatira through their own standing is undeniable. The political activism of the generation of Ngā Tamatoa Wāhine Toa that stood up and spoke out

²² Above.

²³ Above.

²⁴ Above.

²⁵ Above.

²⁶ Angela Ballara in *The People of Many Peaks The Māori Biographies from the Dictionary of New Zealand Biographies* (1990) 1 at 85.

in the 1970s and 1980s has its origins in the status of the wāhine whose tohu are etched into Te Tiriti and in He Whakaputanga as two of the founding constitutional documents of Aotearoa-New Zealand.²⁷

34. However, the Crown and its agents also actively denied wāhine Māori signing Te Tiriti. The colonial frame through which the colonising culture viewed Māori was one that looked to men as leaders and chiefs. This caused the negation of wāhine Māori mana motuhake and rangatiratanga over their whenua, taonga, mātauranga, hearts, bodies, minds, beliefs, and physical and metaphysical relationships²⁸
35. A specific example of this is that in 1840 the daughter of the Ngāti Toa chief, Te Pehi, was not permitted to sign Te Tiriti because she was a woman.²⁹ This restriction was imposed by colonial officials who did not recognise that women of rank represented the mana of their people. This was an early indication that relations between Māori women and the colonial state would be problematic.³⁰

COSMOLOGICAL NARRATIVES: ATUAWĀHINE – BLUEPRINT FOR MĀORI WOMEN LEADERS

36. Māori women in critical mythology occupy an important role, they assume the psychological dominance they achieve through the knowledge they have of the universe having power to control its force enter freely the spirit world and return to their earthly natures with few restrictions or demeanours They have power to permit access to forbidden domains.³¹ They not only controlled the power, they also had control of the resources.
37. The relation of the creation myth of the Sky Father Ranginui and the Earth Mother Papatūānuku and Hine-Ahu-One's birth of the human

²⁷ See Donna Awatere and Ripeka Evans as photographed by Gil Hanly, *Broadsheet* (October, 1982) cover page.

²⁸ Wai 2700, #3.1.312(b) - Appendix B: Tūāpapa Hearings Plan at [4].

²⁹ Claudia Orange, above n 16.

³⁰ Tania Rei, above n 12.

³¹ Kuni Jenkins "Reflections on the Status of Māori Women" (2019) 1 *Mana Wāhine: A Collection of Writings* 1987-98.84.

race are proof that women did hold status and knowledge as well as power.³²

38. The Māui legends give insight into the position of women as having the authority to make their own decisions (Taranga aborting her last child); possess magical powers and knowledge of formula and strategies (Māui's grandmother Muri-ranga-whenua); possess knowledge of fire and energy for warmth and cooking (Māui's tupuna Mahuika), and finally to be overcome by the powers of the goddess of death Hine-Nui-te-Po.
39. There are tribal herstories of women who are remembered for their mana and deeds to their iwi and humankind. Women such as Waimirirangi, Maieke, Reitu and Reipae from the North and Wairaka from the Eastern Bay and wider Mataatua wielded immense influence, power and control.

A BLUEPRINT FOR MANA WĀHINE

40. The power of the myths and legends provides a blueprint about women's knowledge and power and how that can be used to reclaim the best of the past to navigate the present and construct a better future.
41. Much of the impetus for projects connected with the wider Mana Wāhine Inquiry have come from women leading the way in providing new ways of claiming and reclaiming space to establish institutions and organisations based on recognition of Treaty rights and responsibilities.
42. In 1984 Dame Mira Szaszy asked me to bring together a group of women to support her to establish Te Ohu Whakatupu in the Ministry of Women's Affairs.³³ She was keen for Māori women to have a place in a new policy department of state and so we were charged with designing and advocating for the establishment of the ohu. It began

³² Above.

³³ Dame Mira Szaszy, Betty Hunapo, Ripeka Evans, Donna Awatere, Josie Keelan, Lee Ann Farach, Moana Herewini, Annette Sykes, Helene Leef, Papaarangi Reid.

as an ohu that was based on a tikanga wāhine and inspired by the deeds of the Goddesses. It was guided by a Rūnanga Kuia that was an innovation for the public sector. The ohu was eventually disestablished and whitestreamed.

43. There are other examples of the establishment of ohu, or specialist Māori units or roles or strategies within government departments or Crown funded organisations. Patricia Johnson and Leonie Pihama and many others have written comprehensively about the cultural and intellectual vigilance needed to combat marginalisation of Māori women through the destruction of our spheres and sites of power and the imposition of colonial and Western ideologies of gender and race.

LANGUAGE

44. One of the most fundamental ways of demonstrating mana wāhine is through an analysis of te reo Māori.
45. A starting point is the gender neutrality of the personal pronouns and possessive pronouns ('ia' and 'tana').³⁴ Whilst English has 'he', 'she' and 'they' as a gender neutral option, te reo Māori only has 'ia' and no gendered option at all. In daily kōrero there was an inherent equality between tāne Māori and wāhine Māori.³⁵

³⁴ Ani Mikaere, above n 1.

³⁵ Huia Jahnke "Towards a Theory of Mana Wāhine" 3(1) He Pukenga Korero 27.

46. The whakataukī “He wahine, Me Papa, e ora ai te tangata” begins this submission. It was written by Dame Mira Szaszy following the lodging of Wai 381 to encapsulate the wairua of the moment and it can be translated as “Through women and Papa humankind continues.” She wanted no translation or qualification of “Papa”.³⁶ At the time she had just returned from 12th Session of the United Nations Working Group on Indigenous Peoples in Geneva where they had been discussing the impact of greenhouse emissions on the planet and there was much talk amongst Indigenous peoples about their Earth Mothers. She wanted Papa up there where she belongs and where our women belong.

DATED this 22nd day of January 2021



RIPEKA EVANS

³⁶ Personal communication with Ripeka Evans, Ripeka Evans Archive.