

BEFORE THE WAITANGI TRIBUNAL

WAI 2700

WAI 2872

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 **Dr Leonie Pihama,**
Angeline Greensill, Mereana
Pitman, Hilda Halkyard-
Harawira and Te Ringahuia
Hata (Wai 2872)

BRIEF OF EVIDENCE OF TE KAHAUTU MAXWELL

Dated this 11th day of February 2021

RECEIVED

Waitangi Tribunal

11 Feb 21

Ministry of Justice
WELLINGTON



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MAY IT PLEASE THE TRIBUNAL

Te tangata nāna i noho Whakarua

Kārangaranga te muri

Ka tutū ngā tamatea o te moana

E ko au! Ko au! Ko au tēnei! Ko Tūtāmure!

1. My name is Dr Te Kahautu Maxwell. My iwi include Te Whakatohea, Ngāti Awa, Ngāi Tai, Te Whānau-a-Apanui, Ngāti Porou, Ngāti Maniapoto, Tūhoe. Mana wahine has played a huge role in my development as a person. I was raised by my grandparents Te Wiremu Maxwell and Kaaterina Maxwell (nee Gage) and my formal training in things Māori was at their feet. My introduction to the school of whaikōrero at the ripe age of 9 years old began in 1975 when I was selected by my grandparents to do the whaikōrero for my kapa haka, Ashbrook Primary School in Ōpōtiki who were competing in the Delamere Cup. My grandfather passed away in 1976 which left my grandmother who continued to train me in whaikōrero. She also taught me the use of mere (short fighting cluc) which was taught to her by her uncle the late Ngakohu Pera. The mere was the taonga that I held in my hand when i delivered my whaikōrero. I don't know if they place the mere in my hand to calm my nerves for something for me to concentrate on to take my eyes away from the hundreds of eyes watching me. My grandmother continued to teach me until her cousin the late Sir Monita Delamere came to live with her in 1979.
2. My early training to be a Ringatū tohunga began at the age of 6 when I would attend Rā or Ringatū gatherings with the late Himiona Kahika and his daughter Hiria Akurangi. Hiria was a tapu woman and holder of karakia Ringatu and an enforcer of tikanga.
3. Over time with the passing of my elders different wahine have had a huge influence on my life. Within the Hāahi Ringatu there are always wahine tapu. After Hiria passed the late Rēmana Taia held the tapu position. This position is not a bestowed position, it is not hereditary. This tapu finds the right person

and appoints that person itself and is revealed to the people over time. Rēmana was the holder not of karakia Ringatū although a Ringatū who participated in karakia, she was the holder of Whakatōhea whakapapa and history and again knowledgeable in tikanga. Like Hiria people always sought Rēmana's advise and wise counsel.

4. Following Rēmana the role fell upon the late Bella Williams who was steeped and a staunch follower of Ringatū and a stauncher believer in God Almighty.
5. Whakatōhea do not have a wahine tapu since the passing of Bella in 2019 but one will be found by this tapu. This tapu is not automatically bestowed nor the person found upon the passing of the former, but in fact it takes a number of years before this wahine is appointed solely by this tapu.
6. The late Mrs Emma Rogers my aunty played a huge role in my development she imparted to me her knowledge of the Huamata and Pure the planting and harvesting practices of Te Ringatū, which my Masters thesis is based on.
7. The late Mrs Maaka Jones the sister of Sir Mōnita who was a tohunga Ringatū and a holder of tribal knowledge.
8. There have been many in my life time Professor Linda Tuhiwai Smith my line manager and mentor at the University of Waikato has played a pivotal role in my professional and academic life.
9. And there is my mother Mrs Matilda Matirerau (Tuda Maxwell (nee Black) who in her 86th year is my pillar of strength always there when I need her love and wise counsel.
10. With my whakapapa wahine are major players. My Ngāi Tai whakapapa the eponymous ancestor is Tōrerenui-ā-Rua the daughter of Hoturoa the captain of the Tainui waka.
11. My Tūhoe whakapapa we descend from the goddess of mist Hinepūkohurangi who married Te Maunga (the mountain) and begat Pōtiki from whom Tūhoe is derived.

12. Ngāti Awa whakapapa we have Wairaka and Ngāti Awa claim that Wairaka saved the Mātaatua waka and that she uttered the famous utterance “Kia whakatāne au i ahau”.
13. My Ngāti Porou whakapapa we have Huturangi the daughter of Te Whironui the captain of the Nukutere waka, who married the famous Paikea-Ariki. And then there is Hamo-ki-te-rangi daughter of Tamawhiro tuakana of Toroa. Hamo married Porourangi where Ngāti Porou derive its name and then Hamo married Porou’s younger brother Tahupōtiki who Ngāi Tahu derive their name.
14. Then there is Ngāti Maniapoto and my ancestress Hinemānia whom descend my iwi of Ngāti Maniapoto.

Te Whakapapa o Tāwhaki

Te Tau o Mataatua

Ko wai rā! Ko wai rā te tangata tūtū taua!

Kāore koa ko Hau,

ko Nuiho,

ko Nuake,

ko Manu,

ko Weka,

ko Toroa,

ko Ruaihona,

ko Te Tahi o te Rā.

Tēnei te maro ka hurua huruhuru nui nō Manu, nō Weka.

Ka tū tapori atu, ka tū tapori mai.

Wero noa, wero noa ngā rākau whakaiaia nā ngā tīpuna i tīkina mai i

rāwāhi hai hōmai mō taku waka mō Waimihia,

te mata o ngā rākau a Tūkariri,

te mata o ngā rākau a Tūkaniwha,

te mata o ngā rākau a Tūkaitaua

whāno, whāno haramai te toki, haumi e, hui e, tāiki e!

15. According to the late Sir Monita Delamere, the karakia above is the Tau o Mātaatua. Within the karakia, it recites the whakapapa to Wekanui the mother of Muriwai. This whakapapa traces its descent from Tāwhaki. According to Mātaatua traditions it was Tāwhaki that ascended the heavens and acquired the kete o te wānanga the kits of knowledge.
16. The whakapapa below traces the Muriwai whakapapa from Papatuanuku to Tamanuitera who married Mārama-taiahoaho and begat Uira who begat Whaitiri-matakakā. Whaitirimatakakā she was a cannibal. She took Kaitangata for a husband because she liked his name. However she became disappointed when he was the total opposite to what his name meant (cannibal). To show her affection toward her husband Whaitiri kills her favourite slave Ānonokia and offers the heart and liver to Kaitangata. He was totally horrified at the gesture.
17. In fact Kaitangata spent his time fishing gathering food to feed his family. Kaitangata didn't know how to make fish hooks with barbs so the fish kept getting away. Whaitiri gives him a barbed fishing hook.
18. While Kaitangata was away fishing Whaitiri sets a net and catches two of Kaitangata's relatives Tūpeketī and Tūpeketā. She asks Kaitangata to perform the karakia over the slain before offering human flesh to the gods. However Kaitangata did not know the karakia. So Whaitiri did not dare make it known that she herself did not know the appropriate karakia to be performed over human flesh before making the whakahere (offering). So Whaitiri continued to pretend and mumbled humbug words over the slain, such was her hunger to indulge in human flesh. After Whaitiri was finished eating only the bones were left (Reed 1963:158-9).
19. Kaitangata and the villages were disgusted at Whaitiri's actions. Kaitangata uses the bones of Tūpeketī and Tūpeketā to make the fish hooks. He catches hāpuku and feeds the fish to Whaitiri but does not tell her that he had fashioned the hooks from the bones of his relatives. Whaitiri becomes blind because the fish had in fact become tapu by the fish hooks. Whaitiri doesn't

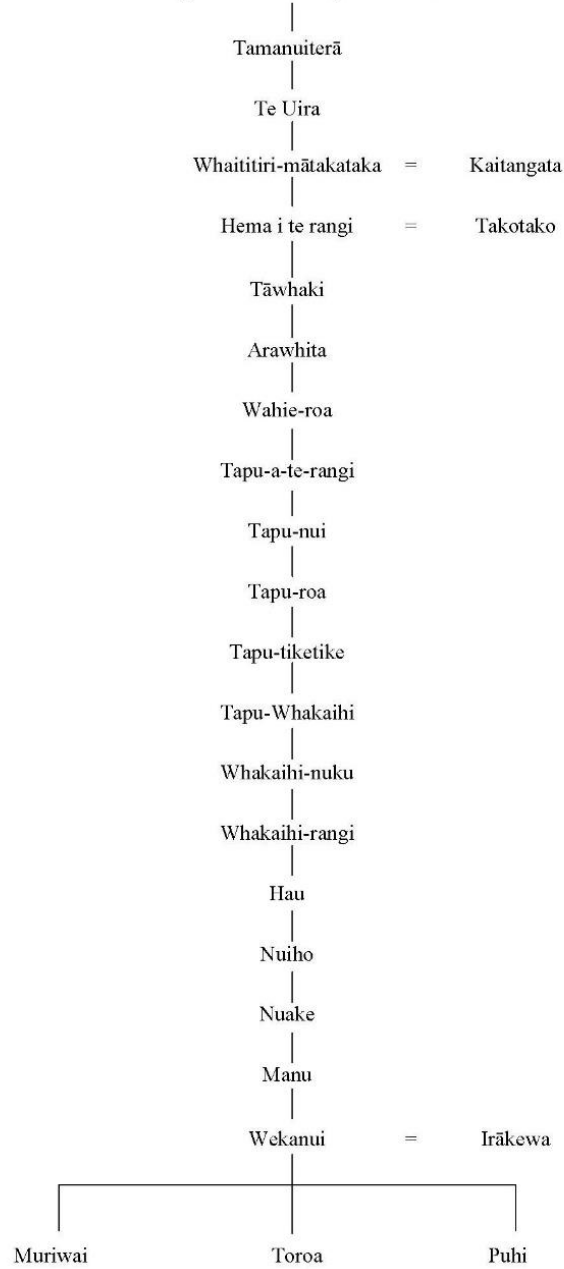
know why her condition was such until she was visited by a woman from Rarohēnga who explained to her the reason (Reed).

20. Whaitiri is hurt when she hears her husband belittling her saying her skin is like the wind and her heart cold as snow and that their children were dirty. Whaitiri then revealed to Kaitangata that she was not of his world and that water would render her state noa. Insulted Whaitiri returns to the heavens. Prior to leaving she prophesises that one day one of her children will go in search of her (Reed).
21. One of the children of Whaitiri and Kaitangata is Hema. Hema has a son named Tāwhaki and it is he who goes in search of Wahitiri. It is Tāwhaki according Mātaatua who ascends the heavens by way of the vines or the Tarere o Tāwhaki the swing of Tāwhaki. The guardian of the vines was Whaitiri who spent her days counting kumara. When Tāwhaki came upon Whaitiri, her sight was restored. It was Whaitiri who gave the advice to Tāwhaki and his brother Karihi how to ascend the heavens and to return safely to Papatuanuku. Whaitiri advised them both to go via the Aka Matua and not by the Aka Tārere. The Aka Matua this vine has its roots firmly based in Papatuanuku. However the Aka Tārere is rooted in the heavens. Karihi does not heed the advice and gets lost in heaven and falls to Papatuanuku. However Tāwhaki ascends via the Aka matua and safely returns to Papatuanuku. The reason for climbing to heaven was to avenge the death of their father.
22. This whakapapa shows that whakapapa of Whakatōhea from Papatuanuku to Wekanui down to Muriwai that we have a very strong wahine whakapapa.
23. Muriwai according to Whakatōhea traditions is the eldest of the children of Wekanui and Irākewa. Her brothers being Toroa the captain of the Mātaatua waka and their brother Puhī the tipuna of Ngā Puhī. The waka Mātaatua is in the river at Tākou Bay, Te Tī or Te Tīheru o Mātaatua (The bailer of Mātaatua) which is in the north, Waitangi area.
24. Irākewa could not give the captaincy of the waka to his daughter Muriwai. He gave the mana to Toroa. However his younger brother could not accept

the mana of his older brother Toroa and it is well known the strife and quarrels that arose from this. Hence the waka is in the north with the descendants of Puhi.

25. It is said Irākewa gave instruction to his whanau and said you will settle on coastal land in Aotearoa. The landmarks will be clear. You will see a waterfall (Wairere) and a cave (Ana). The cave will be a place for your sister Muriwai because she is too tapu and must live apart from the iwi. Te Ana o Muriwai is the name of the cave.
26. It is said that the men folk were too worried about claiming land for themselves and the Mātaatua was in trouble and about to be washed on to the rocks at Whakatāne. So Muriwai said the karakia “Kia Whakatāne au i ahau” and proceeded to take the waka to safety. A role that was only performed by man. Hence the name of the present Whakatāne township.
27. It was Muriwai who imbued the mawe or mauri of the Mātaatua waka into the Mānuka known as Te Mānuka Tūtahi. Toroa did not know the karakia so Muriwai swam out to sea on a manuka and safely put the mawe into the Mānuka and planted the Mānuka at Makaka in Whakatāne.
28. It was Muriwai upon the drowning of her two sons that set the boundary of the Mātaatua rohe. Mai Ngā Kuri a Whārei ki Tihirau. Supposedly the biggest rāhui known to Māori.
29. Muriwai was warned by her people that a tauā or warparty was approaching. However Muriwai refused to come out of her cave. The warning was given a number of times yet Muriwai could not be moved. So the watchmen responded by saying “Kāti te kuia tohetohe ko koe!” Meaning what a stubborn person you are. Hence the name of her people Te Whakatōhea.
30. The korero presented here is a snippet of Mana Wahine and Ira Wahine and how it has influenced my life and development. However there have also been many a great men and leaders that have many contributed and influenced my way of being and how I conduct my everyday affairs.

Ranginui rāua ko Papatuānuku



1

Te Kahautu Maxwell

¹ The whakapapa of Muriwai from Papatuanuku (Maxwell 2019).