

IN THE WAITANGI TRIBUNAL

**Wai 2700
Wai 2846**

IN THE MATTER OF the Treaty of Waitangi Act 1975

AND

IN THE MATTER OF the Mana Wāhine Kaupapa Inquiry

AND Cletus Maanu Paul *ONZM JP*, for
and on behalf of himself, and the
Māori communities in his District
which he represents (“First
Claimant”)

(continued)

BRIEF OF EVIDENCE OF CLETUS MAANU PAUL

19 February 2021

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Waitangi Tribunal

19 Feb 2021

Ministry of Justice
WELLINGTON

AND Desma Kemp Ratima *ONZM JP*, on behalf of himself, and the Māori communities in his District which he represents (“Second Claimant”)

AND Rihari Richard Tuira Dargaville, on behalf of himself, and the Māori communities in his District which he represents (“Third Claimant”)

AND Titewhai Harawira and Raymond Hall, on behalf of themselves, and the Māori communities in their District which they represent (“Fourth Claimants”)

AND Diane Black and Rangi McLean, on behalf of themselves, and the Māori communities in their District which they represent (“Fifth Claimants”)

I, CLETUS MAANU PAUL, Kaumatua, of Ōhope, state:

A: Introduction

1. I present this Brief of Evidence in support of the Wai 2846 claim in the Mana Wāhine Kaupapa Inquiry.
2. I am considered a Kaumātua amongst a number of Hapū and Iwi which I affiliate to. As a well-respected Kaumātua, I am a long-standing member of 56 years of the New Zealand Māori Council (“NZMC”), a statutory body with advocacy responsibilities for all Māori. I have, over my many years of advocacy, come to be seen as a national advocate on behalf of Māori, to protect their social, cultural, environmental, and economic interests.
3. I am a Māori intellectual whose body of knowledge/Mātauranga Māori has been passed on by my parents, grandparents and other Kaumātua by way of oral histories told to me since childhood. Consequently, I was well endowed in Mātauranga Māori before I went to the University of Waikato, whereupon I gained a Bachelor of Social Sciences degree, majoring in Race Relations. I then gained a Master’s degree from Auckland University in Māori Philosophy.
4. The iwi that I affiliate to are Ngāti Manawa and Ngāi Tūhoe on my father’s side. On my mother’s side, I affiliate with Ngāti Awa and Tainui.
5. My personal experience has affected my view of the role of wāhine Māori. I lost my mother when I was seven years old. Obviously, this was extremely traumatic for me. In saying this, I was very lucky to be surrounded by a whānau of strong, powerful women.
6. From my mother’s death, until I was 16 years old, when my father took me to work with him, I was raised by my aunts and grandmothers (both paternal and maternal). These strong, powerful wāhine taught me everything I know.

They supported me, and ensured I was cared for and raised in line with Te Ao Māori principles. For example, my paternal grandmother taught me how to plant in synchronicity with the moon. Whereas, my maternal grandmother, who lived by the sea, taught me about the ocean and our whānau connection with it.

7. I am not ashamed to say that my upbringing made me a staunch feminist. It also allowed me to do the good that I am doing for the Māori community today. I have such aroha for the tribe of strong wāhine who raised me.

8. I will now address the four themes that have been identified for the Tuāpāpa Hearings, namely:

- a. atua whāea and tipuna whāea and the blueprint for mana wāhine;
- b. te ira wāhine and te ira tangata – the relationality and balance of wāhine and tāne for the good of all;
- c. te mana o te wāhine in Māori society and rangatira wāhine; and
- d. wāhine rangatiratanga over whenua, whakapapa/whānau, whai rawa and mātauranga.¹

9. My evidence will conclude with a discussion of the impact of colonisation on mana wāhine.

B: Atua Whāea and Tipuna Whāea and the Blueprint for Mana Wāhine

10. Myths are important because they arise from people’s need to make sense of the world around them, what they see and observe. Myths are the penultimate truth. They are the culmination of a series of observations over time.

¹ See Appendix B of Joint Memorandum of Counsel filing Tuāpāpa Hearing Plans, 18 November 2020, Wai 2700, #2.5.36(b).

11. Mana wāhine derives from many sources, including from the story of Hine-nui-te-pō fatally crushing Māui when he had entered her body.
12. Another example of an important myth regarding a tipuna whaea is that of Ōhinemataroa, who had a daughter and left her at the mouth of the river. Eventually the daughter gave birth to a child, and a karere was sent to Ōhinemataroa that told her she had a mokopuna. The karere was sent back to the daughter to tell her to put the mokopuna on a rock. Ōhinemataroa then passed urine which created the Whakatane River. The reflection of the mokopuna in the river was transferred upstream to Ōhinemataroa so she could see her mokopuna.
13. I referred to this myth at a hearing of the Town and Country Planning Tribunal in the 1960s when the Whakatane Borough Council wanted to dump the town's raw sewage into the river. I objected on the basis that it would pollute my ancestor. A lawyer asked if the Tribunal was supposed to believe this myth, to which I responded "Yes", pointing out that millions believed in Christian myths such as the virgin birth of Jesus. The Tribunal refused to grant the Borough Council's application.

C: Te Ira Wāhine and Te Ira Tangata – The Relationality and Balance of Wāhine and Tāne for the Good of All

14. In pre-colonial Māori society there was no sense of male superiority. Rather, the roles of tāne and wāhine were seen as complementary. A tāne speaking on the marae expresses the tihei mauri ora homai te wai ora ki ahau "give me the life-giving life force", referencing the sperm which enables the capacity for wāhine to ensure the survival of the people. Having tāne sit at the front on the marae was not to demonstrate superiority, but for protection of te whare tangata. In our Mataatua area, it is the duty of the tāne to protect the wāhine from the darts of verbal cursing which could eradicate the whakapapa of that whānau/hapū.

D: Te Mana o te Wāhine in Māori Society and Rangatira Wāhine

15. Te Tiriti was initially only signed by men. It is estimated that around 40 chiefs signed te Tiriti on the 6th of February 1840. By the end of the year, around 500 other Māori, including 13 wāhine, had put their names or moko to the document.² The fact that so few women signed, was not because their own people prevented wāhine Māori from signing. Rather, it reflects the fact that the colonisers only acknowledged male power. In the East Coast and elsewhere women signed as equals with their menfolk.

E: Wāhine Rangatiratanga Over Whenua, Whakapapa/Whanau, Whai Rawa and Mātauranga

16. It is important for the Crown to recognise that wāhine possess a distinct body of knowledge about the Māori world. In pre-colonial Māori society, wāhine were in charge of the whakapapa. Wāhine also had control over land and resources.

F: The Impact of Colonisation on Mana Wāhine

17. Under colonisation, the mana wāhine was overpowered by the myth of tāne superiority, based on the Christian creation story of Adam and Eve. Wāhine's knowledge was no longer respected. For example, their understanding of medicines led to their being seen as witches. Wāhine were no longer able to exercise control over land, and make decisions regarding their tamariki and their whānau. Rather, the courts exercised jurisdiction over these matters. Until quite recently, the judiciary was very much a masculine institution.

² Ministry for Culture and Heritage “Treaty signatories and signing locations” (1 July 2016) New Zealand History < <https://nzhistory.govt.nz/politics/treaty/making-the-treaty/signing-the-treaty>>.

18. Aotearoa was the first country to acknowledge the right of wāhine to vote. I would like to see it become the first country to abandon the myth of male superiority.

Dated 19 February 2021

A handwritten signature in black ink, appearing to read "C. Maanu Paul". The signature is written in a cursive style with a large initial 'C'.

Cletus Maanu Paul