

WAI 2700 – MANA WAHINE (TŪĀPAPA) INQUIRY**HEARING WEEK 1****HELD AT TURNER CENTRE, KERIKERI****MONDAY 3 - 5 FEBRUARY 2021**

Tribunal: Judge Sarah Reeves
Dr Robyn Anderson
Dr Ruakere Hond
Dr Linda Tuhiwai-Smith
Kim Ngarimu

Crown Counsel: Liesle Theron
Sarah Gwynn

Claimant Counsel: Natalie Coates
Annette Sykes
Kalei Delamere-Ririnui
Tumanako Silveira
Alana Thomas
Hinerau Rameka
Tania Te Whenua
Hemaima Rauputu
Aroha Herewini
Azania Wātene
Gerald Sharrock
Kuru Ketu
Brooke Loader
Stephanie Roughton
Lydia Oosterhoff
Dr Bryan Gilling
Hemi Te Nahu
Raewyn Clark
Te Atairehia Thompson
Tara Hauraki

Interpreter: Dr Petina Winiata

Witnesses: **Day 1 - Wednesday 3 February 2021**
Ripeka Evans
Keti Marsh-Solomon
Dame Areta Koopu
Tania Rangiheuea
Donna Awatere Huata

Day 2 - Thursday 4 February 2021

Rita Beckmannflay

Richard McGrath

Hinerangi Silveira

Lee Harris

Te Ringahuia Hata

Ani Mikaere

Professor Leonie Pihama

Mereana Pitman

Deirdre Nehua

Day 3 - Friday 5 February 2021

Tina Latimer

Kaa Kereama

Ellamein Emery

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**HEARING COMMENCES ON WEDNESDAY 03 FEBRUARY 2021 AT
09:37 AM**

(09:37) JUDGE REEVES:

5 *Tēnā tātou katoa. He mihi atu ki a koutou. Kei te mihi ki a koutou Ngāti Rēhia. Kia ora mō tō manaaki ki a koutou, ki a mātou i tēnei rā, kia ora. Kei te mihi atu ki a koutou kua tae mai i te kaupapa o te rā, te kaupapa nui, te kaupapa o te mana wahine.*

10 [Interpreter: Just a mihi to everybody. To Ngāti Rēhia who received us this morning. Greetings also to everybody who is attending today in this very significant kaupapa of mana wahine.]

Good morning everyone. I am Judge Reeves presiding over this first tuāpapa
15 hearing of the Mana Wahine Inquiry. I would like to acknowledge the support of Ngāti Rēhia for our presiding this morning and for starting us off in the right way. We have commenced with karakia already this morning so we will not have further karakia at this time. We will just move straight into our hearing. I want to firstly acknowledge the time that it has taken for this inquiry to come to
20 hearing and to acknowledge those wahine who took the first steps towards filing these proceedings in 1993 as I understand it. And who have kept the fact so to speak and here we are today commencing the first stage of this inquiry. I would like to start by introducing the panel to you. Of course many of the panel members will be well known to you and then I will take appearance from the
25 counsel who are appearing this morning and then I am going to just run through a few housekeeping matters before we start hearing the evidence from our speakers this morning. So to my left, Dr Robyn Anderson who is historian member of the Tribunal, who is currently on the Te Raki panel so is well known in these parts. Also to my left, Dr Linda Smith who will be well known to many
30 of you here. To my far right, Kim Ngarimu and to my immediate right, Dr Ruakere Hond.

So at this point I would like counsel to enter their appearances please. So if we start with perhaps the 381 claimants or whatever order you have determined. Kei a koutou.

5 **(09:41) NATALIE COATES: (APPEARANCE)**

Kia ora koutou katoa. I te tuatahi, tautoko i ngā mihi kua mihia. Ki ērā kua whetūrangihia ki te pō, ko Steven Ihaka tētahi o ērā. Kei te hoki mai ia ki te nōta i te rā nei. So ōku maumahara ki a ia. Ki a Ngāti Rēhia, te mana whenua o tēnei rohe, mō tō manaaki, mō tō whakatau i te ata nei. Ngā mihi ki a koutou.

10 *Ngā mihi ki a koutou ngā mema o te Taraiipiunara, ki a koutou i haere mai nei ki te whakarongo ki ngā kōrero i te rā nei. Ki a tātou katoa e huihui nei i kite au he maha o ngā mana wahine e noho ana i waenga nui i a tātou. Ko rātou ngā rangatira me ngā māreikura e whawhai ana nō mai rā anō mō ō rātou whānau, hapū, iwi, mō tātou katoa.*

15

[Interpreter: Greetings to everybody today. I am supportive of the greetings and acknowledgements made today to those who have passed on and to the kaupapa of today. Also to Ngāti Rēhia, our hosts today and receiving us this morning. Greetings to the members of the panel, the Tribunal, here to listen to
20 evidence being presented today. In our assembly today I see a lot of women of rangatira statues and their testament to the nobility of Māori women over the years.]

Counsels name is Ms Coates and I appear on behalf of Wai 381 and Wai 2260.

25 To my left I also have Ms Hauraki and Ms Judge and we are collectively from Kahui Legal. In terms of Wai 381 as you will all be aware that is one of the original mana wahine related claims. The background and context to this claim will be expanded upon further by claimants today. But that was filed by 16 women with the support of many others. Those women include,
30 Dame Areta Koopu, Dame Whina Cooper, Dame Mira Szaszy, Dr Irihapiti Murchie, Dame Georgina Kirby, Violet Pou, Dame June Mariu, Hine Potaka, Dame Aroha Rereti Croft, Ripeka Evans, Dr Paparangi Reid, Donna Awatere Huata, Lady Rose Henare, Katerina Hoterene, Teparā Maybelle Waititi and Kare Copper Tait. That was filed in 1993.

We are instructed, there is a number of lawyers representing that claim. We are instructed by Ms Evans as well as Dr Paparangi Reid who cannot be here today. We also represent Wai 2260 which is also a claim by Dr Paparangi Reid and Ms Ripeka Evans and that is for and on behalf of the whānau, hapū and iwi of Te Tai Tokerau. So I think it is fitting that we are here talking to that claim today.

I just have a couple of procedural issues in relation to the timetable. I am happy to raise those now or later if that works?

JUDGE REEVES:

(Mic off - 09:44:21)

NATALIE COATES:

Kia ora thank you.

15

(09:44) ANNETTE SYKES: (APPEARANCE)

Kia ora e te whare. Kei te tū ahau ki te tautoko i ngā mihi. Rātou kua menemene ki te pō. I rongō au i ngā wāhine māreikura e mate ana, i whakatakoto i te kaupapa i mua i a tātou. Kei te mihi atu au ki a rātou. Nā rātou i whakakaha ngā mema kei te ora tonu kia whai tonu te kaupapa e pā ana ki ō mātou nei whāea, kuia, ngā māreikura o ngā rā o mua. Kei te tū hoki ki te tautoko i ngā mihi ki ngā rangatira i whakatau i a tātou i te ata nei. Kei te tino koa tāku ngākau i kite atu ngā whakatipuranga o rātou mā i hainatia tō tātou nei Tiriti i tēnei wiki o tē rā o Waitangi. Ka nui te mihi ki a koutou rangatira mā.

25

[Interpreter: Greetings to everybody today. This morning to the reflection to all of those women who facilitated this kaupapa. And as for us to follow on in their footsteps. Also I'd like to wish to acknowledge those who received us this morning. It's also a privilege to see and hear of the – those who signed the Treaty, this being also the week of Te Tiriti o Waitangi.]

30

Ka huri atu au ki a koutou o te Tēpu, Te Rōpū Whakamana i te Tiriti, tēnā koutou. Ko mātou mai Rotorua mai te tari o Annette Sykes, i tae mai i tēnei rā ki te whai atu he maha ngā kerēme kei raro i te maru o tō tātou nei ringa. Ko au he rōia mō Wai 381, ka whakamārama au i wērā. A muri i tērā ka tū a
 5 *Ms Delamere Ririnui, kia mōhio ai ko wai te kerēme kei a ia e whakahaere, ana ka tū a Mr Silveira kia mōhio ai te katoa. Nā – ko te raruraru ki ahau ko wareware au wētahi o ngā kerēme. So pai, me noho rāua ana ka kōrero au mō tēnei o ngā kaupapa.*

10 [Interpreter: We're from Annette Sykes Legal from Rotorua. And there's several claims that we facilitate. She's identifying the two lawyers and their roles and the presentation today.]

It's my pleasure today to be here. I was actually one of the lawyers with
 15 Denise Henare who is now a Judge, and the late Kathy Ertel who drafted the Wai 381 claim, so it's a particularly special claim to me. It's one that was drafted at a time of immense turmoil in te ao Māori, when Māori men had actually takahi'd the mana of some significant women leaders of that generation. So, it's really important that when those names were called today by Ms Coates,
 20 we take a moment perhaps to remember some of those women and all they achieved during their lifetime.

I particularly want to mention while we are here, Lady Rose Henare, she was somebody who with her quiet dignity was a huge supporter of
 25 Dame Mira Szászy who was the one that took the brunt of the takahi mana that occurred at that time. And they were supported by the Māori Women's Welfare League but it was a galvanising claim that brought the Māori world together under the leadership of dynamic Māori women leadership and it's really sad. I want to place this on the record, that it's taken this long for
 30 Māori women's voices to be actually prioritised. While the Treaty settlements have almost completed and Māori women have still been marginalised in those processes.

I look forward to what happens over the next year but it's really urgent that we start, in my view, to progress these matters. I know sometimes these claims can take up to two to three years just to gestate while we do research and I'm getting too old for that. I don't want to be watching my young ones 28 years carrying on and that's my desire that I place before this Tribunal because those women deserved more and this generation must carry the burden of their yearnings for equality of Māori women in Aotearoa New Zealand.

So, I represent one of the foremost advocates for Māori sovereignty, Donna Awatere. She hails from Ngāti Hine, Ngāti Whakaue of Te Arawa and Pōrourangi, she has several connections there to Ruataupare and Hinetaupora are just two of their wāhine hapū that she descends from. She is somebody that galvanised the original black women's movement and the Māori women's movement. And I feel very proud and honoured to be representing her today. Kia ora.

(09:49) KALEI DELAMERE-RIRINUI: (APPEARANCE)

Kalei Delamere-Ririnui tōku ingoa, ko au tētahi o ngā Kaiwawao e whakakanohi nei i te kerēme Wai 2872. He kerēme nā Dr Leonie Pihama rātou ko Ani Mikaere ko Angeline Greensill, ko Mereana Pitman, ko Hilda Halkyard-Harawira, ko te mea whakamutunga ko Te Ringahuia Hata. I tēnei wiki ko ngā kaikōrero, tuatahi ko Te Ringahuia, whai muri ko Dr Leonie Pihama, ko Ani Mikaere, ko te mea whakamutunga anō ko Mereana Pitman. Ko ēnā tāku i tēnei wā, na reira tēnā koutou katoa.

25

[Interpreter: Greetings to everybody, I'm one of the counsel representing a claim by Leonie Pihama and Ani Mikaere, Angeline Greensill, Hilda Hawkyard-Harawira, and Te Ringahuia Hata. Te Ringahuia will speak, and Leonie Pihama, Ani Mikaere and Mereana Pitman.]

30

(09:49) TUMANAKO SILVEIRA: (APPEARANCE)

E ngā mana e ngā reo koutou e te tēpu tēnei ka mihi ki a koutou. Tūmanako Silveira tōku ingoa. Ko ahau te Kaiwawao mō Hinerangi Cooper Puru mō te take o Wai 2933. Ko ia tērā e whakakanohi nei i

ngā hapū, ngā iwi, o te Tai Tokerau. Anō hoki ko ētahi o ngā kaikōrero – tētahi o ngā kaikōrero ko Lee Harris. Ana, ko rāua ka tū āpōpō, ana tēnei ka mihi ki a koutou, kia ora.

5 [Interpreter: Those who have assembled here today, greetings to everybody and representing Wai 2933. Representing the hapū of the north. Lee Harris is one of the speakers who will present tomorrow.]

(09:50) ALANA THOMAS: (APPEARANCE)

10 *Tēnā koutou katoa. Mātua rā, e tautoko mārika ana au i ngā kōrero, i ngā kupu kua whārikihia ki mua i a tātou i tēnei ata. Ki a koutou, ki a tātou i whakarauika mai i raro i te korowai kotahi, i raro i te whakaaro kotahi. Ko te tūranga o te wahine, ko te mahi o te wahine, ko te tangi o te wahine, ko te reo o te wahine, i te mutunga iho ko te mana wahine tēnā, tēnā koutou. Hei te Tiatī, ngā mema*
 15 *o te Taraipiunara e nonoho nei, koutou katoa ngā kaimahi, tae atu ki tō tātou kaiwhakawhiti reo i tēnei wiki nei, ka nui te mihi atu ki a koutou katoa. Ma'am, Ms Thompos, tēnei e whakakanohi ana i te kerēme Wai 3003. Ko Rukuwai Allen tēnā, Heni Brown me Hinewai Pomare, tēnā koutou.*

20 [Interpreter: Greetings to everybody and all the words and thoughts that have been shared this morning. Especially that of the dignity of the women, presence of women and the integrity of women. Greetings to everybody especially to the panel. And to the interpreter. She represents the three that she just named, greetings.]

25

(09:51) HINERAU RAMEKA: (APPEARANCE)

Otirā tēnā koutou katoa kua huihui mai nei i raro i te mana o tēnei o ngā kaupapa. Ko Ms Rameka taku ingoa. Kei taku taha nei ko Ms Ngapo Lipscomb nō NL lawyers māua. Ko tā māua nei kaikerēme ko Ms Ngatai Huata. Ko te
 30 *kerēme 2082 te nama o tā māua nei kerēme, nō reira huri noa i te whare tēnā koutou.*

[Interpreter: Greetings to everybody who have assembled today. Ngatai Huata is our claimant. And we are here representing her.]

(09:51) TANIA TE WHENUA : (APPEARANCE)

E te whare, tēnā koutou ngā haukāinga e whakatau nei i a tātou i waenga i a koutou i tēnei rā. Ko tēnei a Mātaatua e tū whakaiti nei ki te mihi atu ki a koutou
 5 *anā kua tau anō a Mātaatua i waenga i tētahi o ngā taunga o Mātaatua Waka, nā reira mihi mai, mihi mai, mihi mai. Ki te tēpu, e aku rangatira, tēnā koutou, tēnā koutou, tēnā koutou me aku hoa rōia nei. Otirā ngā kaikerēme e ārahi ake i ēnei kerēme nunui rawa ki a tātou katoa te whakamanahia tēnā tō tātou mana wahine. E tika ana me mihi, me mihi, e kore rawa e mutu ngā mihi atu ki a*
 10 *koutou katoa.*

[Interpreter: Good morning to everybody. This is a descendant from the waka of Mātaatua. To the panel, those presiding over this inquiry, the lawyers, the claimants who are guiding this inquiry never seize to acknowledge your efforts.
 15 Claim 2859, that is who I am representing as well the claims.]

Kua Tania Te Whenua te ingoa o tēnei. He māngai ā rōia nei mō ēnei kerēme 2859, he kerēme mō te Rūnanga o kaimahi Māori o Aotearoa. Koirā ko te Rūnanga o te New Zealand Counsel of Trade Unions. Anō nei ētahi atu o ngā
 20 *kerēme. Te nama Wai 2864, he kerēme mō te Rūnanga o ngā toa āwhina. Te Rūnanga, the New Zealand Public Service Association.*

He kerēme anō mō te nama Wai 3011, he kerēme tērā e ārahi ake i ngā wahine o te Rōpu Mangumangu, the wahine tour chapter of the New Zealand Mongrel
 25 *Mob. Ko ngā women o roto i ngā kēnge me a rātou tamariki me a rātou whānau. Anō nei he kerēme 2123, he kerēme tērā mō kēnge whānui o te New Zealand Mongrel Mob e ārahi ake nei i ētahi o ngā rangatira o rātou, he rangatira tāne nei mō a rātou whānau whānui. Ka mutu te kerēme mō te nama Wai 1511, koirā te kerēme mō tētahi o ngā hapū o taku kāinga, te hapū o*
 30 *Ngāi Tamatea ki Waiotahe, tēnā koutou.*

[Interpreter: 2864 and claim 3011 and claim 2123 and finally claim 1511.]

(09:44) HEMAIMA RAUPUTU: (APPEARANCE)

Kei te rōpu Whakamana i te Tiriti o Waitangi tēnā koutou. Otirā tēnā tātou. E tautoko ana i ngā mihi ki te haukāinga o Ngāti Rēhia, nā rātou mātou i whakatau i te ata nei. Otirā e rere tonu ana ngā mihi ki ngā kaitono tuatahi kua 30 tau e
 5 *tārewa tonu nei kia ohooho ake, kia whārikingia ēnei take whakahirahira ki mua i te aroaro, ki mua i tō aroaro i tēnei rā. Ko Ms Rauputu tēnei, ko Ms Rolleston tēnei o Tukau Law e whakakanohi nei i ngā kerēme o Ngāti Hine, Wai 682 me Te Kapotai, Wai 1464, tēnā koutou*

10 [Interpreter: To the Tribunal greetings and everybody good morning. To pay tribute to Ngāti Rēhia who received us this morning. I represent the claim of nearly 30 years ago.]

(09:55) AROHA HEREWINI: (APPEARANCE)

15 *Kei te tēpu whakamana i te Tiriti, kei te Kaiwhakawā, tēnā koe. Ko au ko Aroha Herewini kua tae mai nei i tēnei rā, ko māua ko Ms Chestnutt e whakakanohi ana anō i te kerēme Wai 381. Ko tā mātou kiritaki ko Kahurangi Aroha Reriti Croft e whakakanohi ana i te kerēme mō te Rōpū Wahine Māori Toko i te Ora. E mihi ana ki ngā kaikerēme katoa, ki ngā whānau kua tae mai i tēnei rā me te*
 20 *hirahiratanga o tēnei kaupapa. Ko te kerēme tuarua he kerēme nō te iwi o Te Patuharakeke, ko Wai 745, Wai 1308 tērā. Tēnā koutou, tēnā koutou, tēnā tātou katoa.*

[Interpreter: ...the panel of the Tribunal to the Judge presiding, greetings. We
 25 two are representing claimants of Wai 381 and those of Māori Women's Welfare League. And also represent hapū, Patuharakeke and their claim.]

(09:56) RACHEL WATENE: (APPEARANCE)

Tēnā koutou, counsel's name is Ms Wātene, I appear today on behalf of
 30 Wai 381 and Dame Areta Kopu. We sought leave on Friday to appear via Zoom, but I'm pleased to be able to have Dame Areta here today to appear alongside the other Wai 381 claimants. Tēnā koutou katoa.

(09:56) GERALD SHARROCK: (APPEARANCE)

Tēnā koutou, counsel's name is Sharrock, I'm appearing on behalf of Wai 1941.

(09:57) KURU KETU: (APPEARANCE)

5 *Tēnā koe e te Kaiwhakawā, e Te Rōpū Whakamana i te Tiriti o Waitangi, tēnā koutou. Ketu māua ko Ms Harding ngā māngai mō Wai 1913, rāua ko Wai 1504.*

10 [Interpreter: To the presiding Judge, the panel, the Tribunal greetings. The two of us represent claim 1913.]

Counsel's name is Ketu appearing with Ms Harding today Wai 1913, which is a claim brought by Ngāti Tukorehe and Wai 1504 which is a claim for Mihirawhiti Searancke tēnā koutou.

15

(09:57) BROOKE LOADER: (APPEARANCE)

20 *Kia ora tātou katoa. Tuatahi ki te haukāinga o te rohe, Ngāti Rēhia, te taumata o te whenua, kei te mihi ki a koutou o ngā manaakitanga ki a tātou katoa. Huri ana ki te Tēpu o ngā rangatira, ki a koutou te whakaaro whānui nō te tikanga o te Ture, nō te hītori ki te reo, e mihi ana ki a koutou. Ki te rōpū nui kei konei kei te mihi, kei te mihi.*

25 [Interpreter: Greetings everybody, to the host of this region Ngāti Rēhia, acknowledge you today. Thank you for your hospitality. I turn to the panel with the role to provide leadership in this inquiry to the assembly of people here, acknowledge you all.]

30 Loader tōku ingoa, Hockly tōna ingoa. He māngai māua ēnei claim Wai 2717 J Kake, Wai 2855 Hana Maxwell, Wai 288 for Thelma Connor and Christie Henare and Wai 2917 Huhana Lyndon, tēnā koutou katoa.

(09:58) STEPHANIE ROUGHTON: (APPEARANCE)

E te Kaiwhakawā, me koutou o te Taraipiunara, ngā rōia mō te Karauna, ngā rōia mō ngā kaikerēme, koutou ngā kaikerēme huri noa ki te whare, tēnā koutou katoa.

5

[Interpreter: To the presiding Judge and the panel of the Waitangi Tribunal, lawyers of the Crown with the lawyers of the claimants, acknowledge you all.]

10 May it please the Tribunal, counsel's name is Roughton, and I'm appearing at this hearing on behalf of Jasmine Kura Williams, her whānau and members of Ngāti Taimanawaiti and that's Wai 2063, Denise Egan her whānau members of Te Māhurehure is Wai 2005; Robert Gable on behalf of Ngāti Tara; Wai 1886, Annette Hale on behalf of herself the late James Topu Kōkiri Wikotu, the Wikotu Whānau is Wai 2743; Te Enga Harris, and Lee Harris and the Harris Whānau
15 Wai 1531, Evelyn Kereopa her whānau and members of Te Ihingarangi Hapū of Maniapoto Wai 276, Catherine Nicol and Sonia Matheson on behalf of the late Catherine Ngahuia Mardon, the late Emma Gibbs Smith and their whānau Wai 1488; Merle Mata Ormsby, Daniel Ormsby, Te Aho Pilo and Manu Patenga on behalf of themselves and members of Ngāti Tamakōpiri and Ngāti Hotu,
20 that's Wai 1196.

Bryce Peda-Smith, Steven Mark Renata and Russell Owen Smith on behalf of Ngāti Pakihi, that's Wai 2377.

25 Reuben Taipari Porter on behalf of the descendants of Ngāti Rangatira, Lily Tuwairua porter and the late Hera Peti Poata and whānau pani, that's Wai 1968.

30 Wiremu Reihana on behalf of his whānau and members of Ngāti Tautahi ki Te Ringa, Wai 1957.

Okeroa Rogers, her whānau and Ngāti Koheriki, that's Wai 2869.

William Taueki on behalf of the late Ron Taueki and Richard Takuwera and members of Muaūpoko and the Taueki whānau, Wai 237.

5 Susan Taylor on behalf of the wāhine of the Taylor whānau as a member of Te Whakatōhea, that's Wai 2729.

Mona Vercoe on behalf of her whānau in the Wāhine of Nine Mahi hapū Wai 2863.

10 Violet Walker, her whānau and members of Ngāti Uru and Te Tahawai hapū, that's 2382. Violet Walker as a member of Ngāti Kahu, Ngāti Rangī, Ngāti Porou and Ngāpuhi Wai 2818.

15 Charlene Walker Grace and members of Te Hokinga Mai e te Iwi o Ngāti Whātua Ngāpuhi-nui-tonu, Wai 2206.

And Michael Williams on behalf of his whānau and the wāhine of Ngāti Pango and Māori wāhine survivors of family violence, that's Wai 2838. Tēnā koe.

20 **(10:01) LYDIA OOSTERHOFF: (APPEARANCE)**

Kia ora koutou katoa, counsel's name is Ms Oosterhoff. I appear on behalf of Phoenix Law, apologies that Ms Mason cannot be here today. I am here on behalf of a number of claimants.

25 The following claimants are under the Wai number #2846, that's Cletus Manu Paul on behalf of himself and the Māori communities in his district which he represents. Raymond Hall and Titiwhai Harawera on behalf of themselves and the Māori communities in their districts which they represent. Desma Kemp Rātana on behalf of himself and the Māori communities in his
30 district that he represents. Diane Black on behalf of herself and the Māori communities in her district which she represents and Rihari Dargaville on behalf of himself and the Māori communities in his district which he represents.

I also appear for the following claimants, Louisa Collier who is to give evidence this week but due to medical – a serious medical condition was unable to make it. That is Wai 1537, Wai 1541, Wai 1673 and Wai 1917.

5 Michelle Marino and Errol Chilton on behalf of themselves and their descendants, that's Wai 377 and Wai 2847, Shana Lee Haimoana on behalf of herself and Māori survivors of sexual assault, Wai 2873. Ahi Wihongi on behalf of themselves and on behalf of gender minorities Aotearoa, that's Wai 2843. David Potter and the late Andre Patterson on behalf of themselves and their
10 hapū, that's Wai 1996.

And Shaney on behalf of herself and the Māori Women's Refuge and Māori and Tamariki who experience violence, that's Wai 2875. Te Amohaia McQueen and Albert McQueen on behalf of themselves and their whānau, that's Wai 2118.
15 Waiatua Hikuwai on behalf of herself and Ngāti Ruamahue, that's Wai 2923. Apihanga Mac on behalf of herself and Ngāti Awa ki Kapiti, that's Wai 2924.

Titewhai Harawira on behalf of herself and her whānau and her hapū, that's Wai 1427. Mary Mangu on behalf of wāhine and tamariki of Ngā Puhi, that's
20 Wai 3010. Moerangi Pōtiki on behalf of herself, her whānau, her hapū and iwi, that's Wai 3012. Beverly Wiltshire Reweti on behalf of herself and all Māori children and wāhine that are displaced from their whānau, hapū and iwi, that's Wai 2850 and Ripeka Ormsby on behalf of herself and her whānau, that is Wai 2934 and a number of confidential claimants. Kia ora.

25

(10:05) DR BRYAN GILLING: (APPEARANCE)

Tēnā koe te Kaiwhakawā. E te Rōpu Whakamana i te Tiriti o Waitangi, tēnā koutou. E te whare, e Ngāti Rēhia, tēnā koutou, tēnā koutou, tēnā tātou katoa.

30 [Interpreter: Greetings the Judge, panel of the Tribunal greetings to you all. Everybody gathered here, particular Ngāti Rēhia greetings to everybody.]

May I please your Honour. Counsels name is Gilling and I appear with my learned colleague Ms Ho and we represent several claims. Wai 58, a claim by

Patricia Jane Tauroa and Robin Elizabeth Moana Tauroa, on behalf of ngā hapū o Whangaroa. Wai 972 a claim by Margret and Love and others on behalf of themselves. The Kauwhata Treaty claims, kōmiti, te marae kōmiti o Kauwhata trust and ngā uri tangata o Ngāti Kauwhata. Wai 1661, a claim by
 5 Moananui a Kiwa Wood, Waitangi Wood and Tere Smith on behalf of themselves and the descendants of Ngāti Rua ki Whangaroa. Wai 2389, a claim by Tahua Murray, Kawhena Paul and others on behalf of themselves and Ngāti Ruamahue. Wai 2922, a claim a Manu Te Whata and Taura Te Whata on behalf of themselves and wahine Māori in respect of wahine Māori in the
 10 shearing industry. And also Ma'am, particular Wai 2188 a claim by Tihi Daisy Nobel and others on behalf of themselves and Te Kanihi Umutahi Hapū of South Taranaki. Sadly Ma'am, last week Ms Noble passed away and so we will be taking steps to ensure that, that claim is picked up by other members of that group. May I please the Court.

15

(10:07) EVE RONGO : (APPEARANCE)

Tēnā koutou katoa. Ko Eve Rongo ahau. He māngai au mō 2709 mō Rosaria Hotere me tana whānau. Me 2756 mō Arohanui Harris me tana whānau, nō reira kia ora. [Interpreter: Kia ora everybody my name is Eve
 20 Rongo. I represent a claim as mentioned.]

(10:08) HEMI TE NAHU: (APPEARANCE)

*Tēnā koe Ma'am. I te tuatahi tino nui te mihi ki a koutou te haukāinga o Ngāti Rēhia. Tēnā koutou hoki ki te whakamārama mai i a mātou te ingoa
 25 tūturu o te whenua nei. Nō reira tēnā koutou katoa anō. Nāu hoki i pōhiri mai, nāu hoki i whakatau mai, nāu hoki i karakia mai. Ko te tumanako nāu hoki i manaaki mai i a mātou me tēnei kaupapa mana wahine. E te Kaiwhakawā, kei te tū au hei uri o Rongomaiwahine, Hinematiaro, Ngāti Hinepēhinga. Ko Hemi Te Nahu taku ingoa. Kei te tū au mō te tono Wai 1944, ngā hapū o
 30 Kererū. Ētahi hapū o Ngāti Raukawa. Ko Ngāti Takihiku, Ngāti Ngārongo, Ngāti Hinemata, kia ora.*

[Interpreter: Greetings Judge. Firstly I would like to acknowledge Ngāti Rēhia our hosts. And in particular providing us an explanation of the original name of

Kerikeri. It was your voice that received us, provided karakia for this inquiry of mana wahine. I am a descendant of Hinerupe, heroin of the east coast. I am here for 1144.]

5 **(10:09) RAEWYN CLARK: (APPEARANCE)**

He wahine, he whenua, ka ngaro ai te tangata. E te Taraipiunara, tēnā koutou. E ngā kaiwhakahaere tēnā koutou. Ki ngā mātāwaka o te motu, tēnā koutou katoa. Ko Raewyn Clark tōku ingoa.

10 [Interpreter: Without women and land, people would perish. To the panel, Judge, people of all around the country who have assembled, greetings.]

I act for Wai 1781 claimants. It is a claim from Tracey Hillier in on behalf of Ngāi Tamahaua hapū from the Bay of Plenty nō reira tēnā koutou, tēnā koutou,
15 tēnā tātou katoa.

(10:10) TE ATAIREHIA THOMPSON: (APPEARANCE)

WAIATA (TUIA KI TE RANGI E TŪ NEI)

20 *Ko te tuatahi māku me mihi ki ngā tōtara pū o Ngāti Rehia, tēnā koutou. E te Kaiwhakawā, tēnā koe, ki a koutou ngā Taraipiunara o te Tiriti o Waitangi tēnā koutou katoa. Ki a koutou ngā kaikerēme me ngā māreikura, tēnā koutou, tēnā koutou, tēnā koutou katoa.*

25 [Interpreter: Heavens to the land, the heavens to the land to the seas and everything that we do. To those of you of the panel, Waitangi Tribunal panel, greetings to you, the claimants greetings to you all, everybody assembled, good morning.]

30 Counsel's name is Ms Thompson and I appear with my learned colleague Mr Tupara, we appear for 10 claims being Wai 2921 Wiremu Aperehama and Joseph Kingi; Wai 2493 Rita Beckmannflay who will be presenting sometime this week; Wai 475 Wonder Briviledge; Wai 2217 Violet Nathan, and Maringi Broughton; Wai 2371 Tracey and Kylie Wilson; Wai 2854 Cybil Rickett;

Wai 2817, Nick Tūpara; Wai 2825 Dianne Wright; Wai 2819 Tahei Simpson, Kiri Dowell and Wara Valley; Wai 3009 Dr Alvina Edwards, ngā mihi.

(10:12) ANNETTE SYKES: (APPEARANCE)

5 May it please the Tribunal *kei te tū ahau anō kia whakamārama i wērā o ngā kerēme kāre i taea i tēnei wiki engari kei raro i te maru o tō tātou nei tari. Ko te tuatahi ko Wai 345, he kerēme mai Ngāti Manu o Te Tai Tokerau, o Pewhairangi, ko a rātou nei hiahia me tū rātou a te marama, te Hūrae pea, mēnā kei te tū tētahi o ngā kaupapa whakahaere i taua wiki rā.*

10

[Interpreter: I just like to say stand and to explain a few other things. Claimants of Ngāti Manu would like to present in July.]

Wai 1885 which is on behalf of the Women's Refuge in Kirikiriroa; Wai 2807, 15 which is on behalf of Te Rūnanga o Kirikiriroa; Wai 2728, which is on behalf of Sharon Campbell and Mania Campbell of Te Whakatōhea; Wai 2494, which is a claim by Ms Donna Awatere asserting institutional racism and oppression in Aotearoa; Wai 125 which is a claim by Ngā Uri o Tainui, an umbrella claim for the descendants of Sam Kereopa, who was the brother of Tua Eva Rickard, 20 and those claims will be heard on that rubric. Wai 558, Ngāti Ira o Waioweka, *tēnā koe e te matua i runga i taua tūhonotanga ki tērā taha ōu kei Whakatohea;*

[Interpreter: Is a Waioweka, our elder here today, greetings in those connections to us.]

25 Wai 2874 Women in gangs, and Wai 2713 Māori Nurses, which is being led by Kerry Nuku at this time, kia ora.

JUDGE REEVES:

Tēnā koe Ms Sykes, kua oti? Thank you, Ms Sykes, have we finished?

30 Okay, appearances. Right I just want to talk about the timetable for the week now, and the timetable had to be consolidated as a result firstly of the sheer number of witnesses from Te Tai Tokerau wanting to be heard. And secondly, as a result of I guess the concerns around the Covid situation, which arose in

the last week, and opportunity was given for those who didn't to appear in person to either defer appearances or appear by Zoom.

So anyway we have received the amended timetable for this week this morning.

5 And in terms of balancing up availability of witness. We are today, sitting for this morning. So we sit through until we finished which should approximately around lunch time. Tomorrow we have a full day of hearing and Friday again is a half day.

10 Now, sorry – I have even written a note to myself. Apologies.

(10:15) BILL KAU: (APPEARANCE)

Tēnā koe e te Kaiwhakawā. E haere tonu ngā mihi ki a koutou Ngāti Rēhia. Huri noa ki a tātou te hunga kua tae ake nei i raro i tō tātou nei kaupapa. Ko te
 15 *ingoa ko Wiremu Tutepuaki Kaua Terangi, known universally as Bill Kaua. Ko au te kaiārahi o tēnei tēpu.*

[Interpreter: Greetings Judge and I wish to extend thanks to Ngāti Rēhia our hosts. And I know Ms Bill Kau, I am here to lead the Crown counsel.]

20

And I would like to your Honour introduce my friends. To my immediate left is Liesle Theron and to her left is Sarah Gwynn from the Crown Law office. I would also like to acknowledge the presents of our support team from the Ministry of Woman's Affairs in the guide of Nicola Ngawati, Joshua Pierson,
 25 Milly Tamaki, Annie Broughton and Ripeti Riria and a representative of Te Puni Kokiri, Sharmaine Nolan. Nō reira ko tēnei mātou e noho mai i tēnei taha, kia ora tātou.

JUDGE REEVES:

Tēnā tātou. Nāku te hē. All right so resuming that kōrero around the timetable.
 30 Ms Coates did you have submissions you wanted to make or comments about the timetable?

(10:17) NATALIE COATES: (APPEARANCE/TIMETABLE)

Yes Ma'am, just to brief points in relation to the timetable today. There has been a slight reorder of those who will be presenting. The only difference is that Ms Awatere Huata will go last and the other two will shift up. So just a slight reshuffling in that sense. The other matter that we wanted to briefly raise is timing. As you will be aware everyone was squeezed and compressed given the shared number of people to present their evidence. Given that there seems to be a bit more time available today. We were hoping, noting the need for efficiency for our witnesses to potentially present for longer than their initial time allocations.

JUDGE REEVES:

There is no difficulty from the Tribunals perspective. Initially we came prepared to be sitting for three full days so if we take longer than is indicated in the timetable today.

15 NATALIE COATES:

Thank you, your Honour.

ANNETTE SYKES:

Ma'am witnesses tomorrow have got some speaking notes that I am hoping to get through tomorrow but I will try and seek to file them late tonight. We have already filed speaking notes so don't relate to any witness today although I understand that Ms Awatere may have a close speaking notes filed after she presents today. I just seek the leave, I am trying to get as much information on the record as I can I know that I have received this morning a significant document from Ms Mereana Pitman which I will certainly be placing on this afternoon. No disrespect to my friends from the Crown. It has just been a very difficult period over the last four weeks, kia ora.

JUDGE REEVES:

And just to confirm there has been mention of it previously but the intention is that we will be holding a further northland hearing in July. So the second hearing at the end of this month will be in Ngāruawahia. The detail of that

hearing in July hopefully will become clearer as this week precedes so there may be some kōrero going on around venues and dates and so on and so forth. But that is the intention so the intention the Tribunal is to provide as much time as we can reasonably can for the evidence of those wahine claimants who wish
5 to be heard to present their evidence to the Tribunal. So if there is no other kōrero around the timetable, I will just note that there will be lunch available at 12.40 so we will sit now through until lunchtime and if we are continuing after lunch well, kei te pai, so be it. We will take that as it comes. Right.

10 Now, moving on, it would be useful to have an update at some point around the research committee processes, in particular what progress there has been in terms of finalising the appointment of claimant counsel membership. Certainly from the panel's perspective, we are anxious that that committee be finalised so it can set about its work in terms of the research process. So, if we could
15 have an update around that at some point, please.

Now, we have had a number of media requests from a number of media organisations. I think *Radio NZ*, *Māori Television*, I cannot remember who else. So, you may be aware of a media in our space. The only condition I have put
20 upon that is that if they want to take photographs, they must ask permission and if anybody does not wish their image or photograph to be taken for them to make that known please.

Now, real housekeeping matters, in terms of the venue here, the wharepaku
25 are on the entrance level where we came in, in case of emergency, please head towards the nearest exit which are obvious to us. The righthand side and also at the back of the room and the assembly point is at the top carpark. Lastly, a message to ensure that your phones are turned off. Yes.

30 So, the only other matter that I wanted to raise was that prior to this hearing, Dr Smith has raised with me a number of relationships, personal and professional that she has with counsel and claimants. I do not consider that any of these raised issues which in the nature of conflict which would prevent her full participation in this hearing. It's my intention just to address that further

in written memorandum directions which we will issue after this hearing. But certainly, that is a matter that has been brought to my attention and that's the view that I am taking on it. Okay.

- 5 So, before we commence are there any last-minute matters that either counsel claimants or counsel for the Crown wish to raise? Kia ora.

NATALIE COATES:

Tēnā koutou anō. As already articulated, we represent claimants for Wai 381 and Wai 2260. The witnesses that we will be calling to give evidence for those
10 claims is Ms Ripeka Evans, Ms Ketī Marsh-Solomon and Ms Tania Rangihēua. *Kua mihia katoa te nuinga o ngā mihi.* [Interpreter: I've expressed most of my gratitude.]

But I just I think given the historic nature of today it would be remiss of me not
15 to just make a couple of very short remarks in advance of our witnesses giving evidence, noting the intention to very much minimise the voice of the lawyer in these proceedings today.

First, I just want to acknowledge how fitting it is that the hearing is being held
20 up here in the north. I note the timing is not convenient for many people but here is where He Whakaputanga was signed, here almost 181 years ago is where Te Tiriti o Waitangi was signed, and those two documents are central to the hearings and the issues that the Tribunal will be hearing over the course of hopefully not too many years.

25 Second, I just again wanted to acknowledge those wāhine who have really paved the way for this hearing to take place, some are here today but many are not. The inquiry is happening because of those many wāhine Māori who had the courage to lodge those claims. Because of the many wāhine who for years
30 in the face of racism, sexism and abuse have called out and pushed for change often at great personal great sacrifice. There are people at this bench who have been arrested for example.

We as wāhine Māori, collectively stand here today on the shoulders of these women and the shoulders of our tūpuna to, in these initial series, articulate our stories, articulate our tikanga and the manifestation of wāhine Māori leadership in its various forms. So, then in the hearings that follow express our pain and the loss and the Crown's role in that with a view to ultimately paving the way forward and seeking strong recommendations on redress. This process must result in change otherwise *moumou tāima mō tātou katoa*. [Interpreter: This process must result in change otherwise all of these proceedings were a waste of time.]

10

Thirdly and finally, I just wanted to comment briefly on the expansive nature of this inquiry and the really complex issues that it invokes and entails. There are very few issues that do not have a wāhine Māori focus. The scope of these hearings will address and range from various issues, such as exclusion from decision-making, the alienation of wāhine Māori from land and resources, health, child removal, domestic and sexual violence, education and economic disparities to name but a few of the issues that will no doubt likely come up over the course of this inquiry.

15

This is an opportunity for us though to centralise the wāhine Māori voice, experience and identify common themes that occur across all of those areas. Importantly, this is not about pitting wāhine Māori against tāne Māori. We are not fighting. This is not a competition for who has suffered the worst. But, it's importantly an opportunity to recognise the unique position, experience and circumstances of wāhine Māori who are connected to tāne Māori and our broader whānau and inevitably impacted by negative statistics of tāne Māori for example, in jail.

20

There are times when the issues raised will likely be confronting, not only the advert and obviously sexist and racist Crown actions over time but also the Crown role in more insidious creep of ideas or our male dominance and the patriarchy that have been entrenched in society systems and the way the world works. The impact of that will inevitably require holding a mirror up to ourselves and that will not be a comfortable thing at times I am sure.

25

30

So, with those comments, I'd like to introduce and call our first witnesses. So, we have Ms Evans and Ms Ketī Solomon-Marsh. Ms Evans has filed a brief of evidence for both Wai 381 and 2260, that's document #A021 and she will primarily talk to her brief. Ms Marsh-Solomon, sorry the other way around. She will present evidence for Wai 2260 and she has prepared some speaking notes which have not been circulated but we will circulate those as soon as possible after her presentation today. So, kia ora kōrua mō tō wā.

10 Could we just initially start with you, Ms Evans, and if you could just state your full name, occupation and your place of residence?

(10:29) RIPEKA EVANS: (#A021)

15 *Tēnā koutou katoa. Te mea tuatahi i tēnei wā, ka mihi ahau ki ngā mihi kua mihia. I mua i te tīmatanga o ā tātou kōrero o tēnei ata, ka mihi ahau ki ōku whanaunga kua wehe atu ki te pō, kei a Steven Ihaka, me ōku mokopuna ko Kahi Harawira me te Whaea, Daisey Noble, mihi mai ki a rāua.*

20 [Interpreter: Greetings everybody. At this stage I acknowledge all of the greetings spoken of this morning. Similarly to the tributes paid this one to those who have passed, this Steven Ihaka and to Kahi Harawira and Daisey Noble who have passed also.]

25 *I tēnei ata, i mua i te tīmatanga o tātou kōrero, ka whakaaro ahau ki te wā i takoto mō te takoto ana a tātou kerēme kei 1983.*

[Interpreter: This morning, before I begin my presentation, I reflected on the time in which this claim was presented in 1993.]

30 So, in opening this morning, before I tell you who I am, I just like to recite the original statement that framed the original Mana Wāhine Claim which was from – written by Dame Mira Szaszy who was the proponent or the key proponent of the Mana Wāhine Claim and I'll just read it to you because I think it

encapsulates the meaning of Mana Wāhine and the meaning of this claim, not just to me but to Māori women to Māori people.

5 Mauri Hikitia, mauri hāpaingia, mauri ora ki te whai ao, ki te ao mārama, tihei mauri ora. Hikitia te hā, hikitia te wairua, te mana o Hineahuone, anō hoki he wahine me Papa e ora ai te tangata. Arā mai te wahine, te whare tapu o te wahine, te whare tapu o te tangata. Ka puta te tangata, te whānau, te hapū, te iwi, ngā iwi katoa. [Interpreter: No Translation - Nil.]

10 Let our force be raised and held high. Let our living force emerge into the light of day, into life itself, so that we can breathe, it is life, it is life. Pay heed to the dignity the spirit and the power of women, for through women and Papa, humankind, continues and from women, the sacred house of humankind, have emerged the individual, the family, the subtribe, the people.

15

KO WAI AU

Ko Ripeka Evans ahau. Tētahi o ngā uri nō Ngā Puhi, Ngā Puhi-nui-tonu. Ngāti Porou, Ngāti Kahu me Te Aupōuri. Nō reira tēnā koutou, tēnā koutou
20 *katoa.*

[Interpreter: Who am I? I am Ripeka Evans descendant of Ngā Puhi, and Ngāti Porou, Ngāti Kahu, and Te Aupouri, greetings to everybody.]

25 My name is Ripeka Evans, I live in Wellington and I am claimant for Wai 381 and Wai 2260. They are two claims that I am proud to say I am not only a claimant of but I stand before the Tribunal of my peers today to say they are two claims that I want to see settled in my lifetime. I want to see the mana wahine claim and the Ngāpuhi claim are settled in my lifetime. Before I begin
30 my formal brief and I am going to stick as in structured to the script. Before I do, I do want to acknowledge a number of people some of whom are here and some of whom are not. So if you don't mind if you can indulge me for a minute.

I first and foremost want to acknowledge Dame Mira Szaszy and Dame Whina Cooper who were the two woman that really not only legally but instrumental in bringing about and change in their lifetime but also where the two claimants, I know that Dame Areta will speak later about the role that both
5 those woman but also herself as the then president of the league played in lodging the original Wai 2381. I want to acknowledge also all of the woman on the original Wai 381 claim who are no longer with us today. Irihapiti Murchie, Dame Mira Szaszy, Dame Whina Cooper, Hine Potaka, Lady Rose Henare, Katerina Hoterene, Aunty Teparā Mable Waititi and Kare Cooper Tait. They
10 were woman that had courage enough to be able to put their tohu to their original claim. I also want to acknowledge Ann Delamere, Pae Ruha, Kathy Ertel, Atareta Poananga, Rose Pere and last but by no means least, Aunty Miria Simpson who were woman that were there in that moment in 1993 who really helped us crystallise why we need to have a claim that was bigger
15 than woman person.

And I also want to acknowledge another group of woman who have really being the kāhui of these claims that instigated the mana wahine inquiry and some will be present here and will give evidence today but also will give evidence in that
20 later in the claim. In particular I want to acknowledge Materoa Dodd who was our original claims researcher for Wai 381. I want to Tania Rangihēua who will give evidence today. I want to acknowledge Judge Denise Henare who was the first lawyer who lodged the claim, to acknowledge Annette Sykes, Professor Paparangi Reid, Professor Leoni Pihema, Professor Linda Smith, Moe Milne,
25 Dame Areta Koopu and Dame Georgina Kirby who were really the woman that sat in my office in Auckland and in Wellington, in our home in Wellington and really crafted together the significance of what became Wai 381.

I also acknowledge a special, make a special acknowledgement for two other
30 woman that have been part of my life for 48 years, not 28 years to help out Harawira and Josey Tiroingo Ōrongonui. Those are the woman that have made this claim possible. I want to acknowledge also my fantastic counsel to Natalie Coates, Tara Hauraki and Joanne Judge who are here today. And to all of the counsel who are here today. I want to acknowledge Judge Reeves,

kei a koe te whakawā. The chair of the Tribunal and the members of the Tribunal and it would be remiss of me not to acknowledge how special this moment is. Now down to business.

5 I want to turn now to my brief of evidence and I do want to take the time to read through it. Because I am aware that there are people in the room that may not have read it and sorry, one last acknowledgement. I want to acknowledge Tania Rangiheuea and the wonderful team at Ngā whare watea in Auckland who have visualised these beautiful tohu that I will talk about in my kōrero today.

10 These are hand painted tohu for those that didn't know of all of the woman signatories to the Treaty and these ones here are absolutely special Te Keeti and myself because these are the ones that signed at Kaitiaki and at Waitangi and then Tania Rangiheuea will speak today about Rangitōpeora who also signed the Treaty as well. They framed this hearing and framed what I am

15 about to say today. These are our founding mothers. They founded the Treaty of Waitangi is our second constitution other than the Whakaputanga of Aotearoa. When we were hanging them yesterday then also one of our whanaunga from Ngāti Kahurangi came and also put up these wonderful blankets that you see framing the room as well and these blankets I

20 am aware she said were also made during the 2260 hearing as well. So you have the two claims here. the Ngāpuhi, the northland claim and the mana wahine claim. My brief of evidence today concerns the framing and critical analysis of mana wahine i roto i te ao Māori in relation to the exercise of mana wahine and inherent power authority and status.

25

I want to come back to power, authority and status as the three bottom lines that we are here today to not just talk about but find some solutions for in the future. I agree with Ani Mikaere that the roles of men and women in traditional Māori society can only be understood in the context of the Māori world view.

30 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.

I have endeavoured to keep my evidence brief. However, the purpose of my evidence today 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.

5

My evidence doesn't exclude a conversation that many other women and many other people who will bring evidence before the claim will bring that evidence. So, it's not – it's not all of the tablets of stone, those tablets have been written by many other women.

10

Just a little bit of context to the claim I do in the brief of evidence and sorry for those that haven't seen my brief of evidence, I do have a photograph of the original lodging the claim in my evidence. So in 1993, the original Wai 381 was claimed, it was filed in person before the Waitangi Tribunal and
15 Dame Areta Koopu who is here today will elaborate on that and I have acknowledged all of the women that were there present signing that – presenting that claim and that today.

20

That background to the claim, just to touch on that briefly, Wai 381. 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.

25

Her displacement, as the only woman, she was on the original short form Treaty of Waitangi Commission as well, but her displacement at that time as
25 the only woman evoked a groundswell of support as well distress from Tai Tokerau, from Te Ao Māori, the Maori Women's Welfare League, and many Pākehā organisations, including Ministers of the Crown at that time.

30

Dame Mira was reluctant to consider formal action until the higher principles at
30 stake could be defined and articulated. We had been working together for many years together, and separately, on issues and projects relating to Te Tiriti o Waitangi, on issues of social justice, equality, women and humanism for many years. And to name a few, The Treaty of Waitangi Bill of Rights, 1981 Springbok Tour, the anti-apartheid and anti-racism movements,

Boys Homes, Girls Homes, you name it, we did it. Establishment of Te Pihopatanga o Aotearoa, Te Rūnanga o Waitangi in 1984, the Muriwhenua Claims, The Establishment of Te Ohu Whakatupu in the Ministry of Women's Affairs.

5

And nationally and internationally, I was either appeared with or supported Dame Mira Szaszy. I was her Speech Note Writer and Biographer. I was her apprentice at that time. And we shared a passion for "Mana Wāhine" and for the assertion of it based on ancient values expressed in a contemporary idiom.

10

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".

15

At the time, I brought together a group of key wāhine Māori leaders for discussions in Auckland and I've footnoted who was part of those discussions to frame a Statement of Claim. A research group was then established to scope a research programme.

20

The research focused on Mana Wāhine projects that engaged the discourse of reclamation and reconstruction of our political and cultural identities, and roles and relationships. Māori women and men have always been in the obvious Te Tiriti issues related 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 kāinga.

25

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 and I do acknowledge the work and that in particular of Leoni Pihama who will speak later and that today and of the woman that have brought that proud collection together. And for me it represent an equivalent of I remember reading as a young activist in the 1973,

30

(inaudible 10:46:25) and Linda can correct me, talking about it was a collection of similar writings called the Bridge called by back and it is a seminal collection of woman's thoughts and action, a lot of evidence-based research but with all of our foremost mana woman leaders thinkers, actors.

5

Some of the key themes that emerged from this project were briefly four themes that I will speak a little bit about.

(a) The whakamana of Wāhine Māori present in tikanga Māori, te reo Māori, and atua wāhine.

10

(b) The political power and leadership of wāhine Māori.

(c) the perversion of tikanga Māori by western patriarchy and the subsequent effects on the relationship between wāhine Māori, tāne Māori and tikanga Māori.

15

And fourthly the challenges of today's world on being wāhine Māori (in academia, politics, feminism, education, health, culture, law, science, and in the whānau)

20

I want to turn now just speak briefly but importantly about mana rangatira. Ngā tohu wahine and in particular the women signatories to te Tiriti o Waitangi.

Thirteen Māori women have been identified, so far, as having signed Te Tiriti o Waitangi. 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 Rangi Topeora, Kahe Te Rau o te Rangi, 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.

30

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. First signature and just a correction for the record, for the Tribunal and sorry there is R there instead of an o throughout the reference to Te Tohu a Ana Hamu.

5 Ana Hamu made her mark at Waitangi on 6 February 1840, one of about forty-six chiefs who signed that day.

It is known that Ana Hamu was the wife of Te Koki, a rangatira of Te Uri-o-Ngongo. Te Koki was a brother of Tuhikura (mother of Hongi Hika).

10 She was invited to attend the hui as the representative of Te Koki who had earlier signed the Declaration of Independence on October 28, 1838 and had since died.

15 ”With her own land interests, Ana Hamu would have signed the Treaty in her own right as a landowner”.

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.

20

Her name and tohu/mark appear on the document following Paraara and before Hira Pure of Te Uri o Hua.

A second signatory that I want to speak about is Te Tohu a Takurua.

25

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 Takiwā.

30 Takurua was the wife of Te Tai who had signed Te Tiriti earlier: And I quote from Pā Henare Tait’s work, chapter of many peaks of dictionary the Māori biography dictions of New Zealand and Pā Tait of that signatory “this may be Nganiho Te Tai whose parents were Nga-kahu-whereo and Muriwhenua”. If this

is the case, Takurua had some of the most senior lines of Te Rarawa converging on her children and held rangatira status.

5 Simpson notes and sorry a further correction in paragraph 26 that should read
Simpson notes Takurua, quote that "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".

Her name and mark appear on Te Tiriti between Kowao and Te Hinake.

10

Te Tohu a Te Marama

15 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".

20 The name and mark of Te Marama appear after Hiro and before Moenga
Herehere on te Tiriti. And last but by no means least from the north Te
Ereonora.

25 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.

30 According to Angela Ballara in The Dictionary of New Zealand Biography:
Ereonora agreed to the treaty 'in her own right... Another] 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.

My conclusion around the Womens signatories to the Treaty and I want people
to think now of these signatories as our founding mothers. These are the
mothers that sound, they are the of allow of the indigenous nation in the world

it is in all of the research that we have done definitely we would be the indigenous woman of the world would be the first indigenous women of the world to sign our own constitutional document. So celebrate.

5 **Rangatira in their own right / denial of rangatiratanga**

The signing of Te Tiriti o Waitangi by wāhine Māori is illustrative of the rangatiratanga, mana and leadership roles that women had within te ao Māori. However, it simultaneously illustrates every and early denial of wāhine Māori rangatiratanga and agency by the Crown.

10

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 that I and my colleagues here today have long been part of, the political activism of the generation of
15 Ngā Tamatoa Wāhine Toa stood up – who stood up and spoke out in the ‘70s and ‘80s has its origins in the status of the wāhine whose tohu are etched into Te Tiriti and He Whakaputanga as two of the founding constitutional documents of Aotearoa-New Zealand.

20

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
25 relationships.

30

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. 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.

Now to the cosmos. And I use the cosmos as Dame Mira did, as really providing a blueprint in terms of our Goddesses as we called them then or Atua wāhine as Māori. It provides a blueprint for Māori women leadership.

5 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 limit or permit access forbidden domains. They not only controlled the
10 power, they also had control of the resources.

As a key paragraph or issue, item that I want to highlight and I'll come back to that later in some concluding remarks but power, control over resources, authority and power to divine and design our future I think is a key theme of
15 these inquiries. It's not an ask. It's not an ask. It's a requirement. It's a bottom line of this inquiry.

The relation of the creation myth of the Sky Father Ranginui and the Earth Mother Papatūānuku and Hine-Ahu-One's birth as the first – of the human
20 race, sorry, are proof that women did hold status and knowledge as well as power.

The Māui legends give insight into the position of women as having the authority to make their own decisions, and I particularly love Kuni Jenkin's analysis on
25 these matters. The Maui legends give insight, for example the authority to make their own decisions, Taranga's aborting her last child. The ability to possess magical powers and knowledge of formula and strategies, Māui's grandmother Muri-ranga-whenua. The ability to possess knowledge of fire and energy for warmth and cooking, Māui's tupuna Mahuika, and finally to be overcome by the
30 powers of the goddess of death, Hine-Nui-te-Po.

There are tribal herstories of women who are remembered for their mana and deeds to their iwi and humankind. And my hope is that we will hear those narratives throughout this hearing. I know my niece, Keti who is presenting

immediately after me will certainly bring honour to our wāhine, our tūpuna wāhine. Women such as Waimirirangi from the north, Maieke from Ngāti Kuri, Reitu and Reipae from the North and Wairaka from the Eastern Bay and wider Mātaatua wielded immense influence, power and control.

5

They formed A BLUEPRINT FOR MANA WĀHINE

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 for our daughters and grand-daughter and our people.

10

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.

15

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. 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 as an ohu that was thoroughly based on a tikanga wāhine and inspired by the deeds of the Goddesses. It was guided by a Rūnanga Kuia, established by the first Director, Miriama Evans, and I acknowledge Miriama Evans here today as well.

20

25

And that was an innovation for the public sector. It was doing what it was doing way before we started establishing or the public sectors started wising up to the establishments of – it pre-dated the establishment of Maru Whenua, which was one of the first Māori sections of another Government department. However, it was guided by the – and was an innovation in its time. And sadly, for me, my experience of the ohu was that it was eventually disestablished and white streamed. And my colleagues here today will speak more about that as a phenomenon later on.

30

There are other examples of the establishment of ohu, or specialist Māori units or roles or strategies within government departments or Crown funded organisations. And I acknowledge the work of Patricia Johnson and Leonie Pihama and many others who 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.

Te Reo

One of the – and I’m not a te reo expert. We’ve got too many in the room here today for me to talk about that but I just say something briefly. One of the most fundamental ways of demonstrating mana wāhine is through an analysis of te reo Māori.

A starting point is the gender neutrality of the personal pronouns and possessive pronouns, ‘ia’ and ‘tana’. 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.

20

I’m to conclude with the whakataukī “He wahine, Me Papa, e ora ai te tangata”

The submission begins with this whakataukī and it was written by Dame Mira Szaszy after she had been disappointed from the Waitangi Fisheries Commission. She went to the first – one of the first United Nations working group meeting on indigenous peoples in Geneva. I want to acknowledge both Tania Simpson and Hinemoa Awatere who attended with her. And we were talking of course about her kōrero before then and she wrote me a letter from Geneva, a postcard from Geneva, talking about how indigenous people were, there were all of these indigenous people there and they were you know signing some sort of protocol as you do at those hui. It was the 12th session at the UN Working Group on Indigenous People and they were talking about greenhouse emissions then. That was you know 28 years ago, and they were talking about the impact of Greenhouse emissions on the

planet and there was a lot of talk amongst the indigenous forum, they were all talking about their earth mothers.

5 And so in this postcard, she writes to me in the postcard and she says, "Time to put Papa up there where she belongs in law." And I kept that because I think it's a poignant reminder of why we're here today really. Why we're here today is recognised that those goddesses and that set a blueprint. They set a blueprint for power, for authority, for design, for control of resources and I want to end on that note really. Because I think they are, those three or four things
10 are really non-negotiables in terms of the remedies and the outcomes that we seek from this claim.

Non-negotiable that Māori women should have power, it's non-negotiable that Māori women should have control, it's non-negotiable that Māori women should
15 have authority. But that authority which I think is a key message of this claim, that authority must be based on our tikanga, our own values, our own values of whanaungatanga, our own values of kaitiakitanga, our own values of manaakitanga. And I think that if we can get one thing right for the future, if this this claim can be a claim that premises those other really difficult claims that I
20 know that the Crown is struggling with, that we're struggling with to try and settle and solve that we would, Aotearoa would be a better place. Be a better place for our daughters, for our granddaughters, for our people.

*Nō reira, tēnei te mihi nui ki a koutou katoa i tēnei wā. Ka huri ahau ki tōku
25 niece i tēnei wā. Tēnā koutou, tēnā koutou, tēnā tātou katoa.*

[Interpreter: Therefore, I extend greetings to everybody here and I pass things over to my niece at this point in time. Thank you all.]

NATALIE COATES:

30 Your Honour, aroha mai. I wondered, we are really in your hands in terms of when the break occurs. I note that the break was scheduled for 10.40 so you may – the rākau is going to be handed to Ms Marsh-Solomon, but that can occur after the break.

JUDGE REEVES:

My intention is that we continue now through to the break for lunch so we just haere tonu.

NATALIE COATES:

5 Okay.

WAIATA (NGĀ IWI E)**(11:12) KETI MARSH-SOLOMON: (#A029)**

10 *Nā Mana Wāhine, tēnā koutou katoa. Tēnei te mihi ki ngā haukāinga a Ngāti Rēhia, tēnā koutou. Ki tōku whānau ki roto i te whare nei, he mihi aroha ki a koutou katoa. Tēnā koutou katoa.* [Interpreter: Women of authority gathered here today, greetings to you all. To the local hosts, greetings, to everybody assembled here, greetings.]

15

Firstly, going off-script. I asked my Aunty Ripeka, why me? I'm really a teina in this kerēme space. I guess I'm reflecting on the time when Aunty Ripeka came to my mum and dad when I was a young girl and she asked to take me as a whāngai. I'm probably thinking that's why I'm here. There's also probably an intergenerational rākau, an intergenerational challenge by Aunty's generation to her nieces, to our moko, for us to pick up the years of struggle, effort and sacrifice that they have made.

20

27 years. Over 27 years Aunty Ripeka has been pursuing this claim. I'm just echoing the words of our taumata, it's about time. It's about time the voices were heard and I'm super proud, Aunty, to be standing here. Usually I'd be in the background making some cool notes for another dynamic speaker, not me, that's not usually my role but *kia ora tātou kua Keti Marsh tōku ingoa.* [Interpreter: Greetings, my name is Keti Marsh.]

25

30

I am a proud Ngāpuhi and Te Tai Tokerau wahine. Like most of the women in this room, I am a descendant of tupuna whaea who were active in the building of our nation. They weren't just active in the building of our nation, like

Aunty Ripeka said, they were our founding mothers. They were rangatira, strategists, traders, merchants, mothers and partners of the men whose stories have become our narrative and recorded history. I invite you to imagine what the current state of our nation would be if our tupuna whaea narratives were reflected in a way that described the true state of our pre-colonial society. A Māori society where power, decision-making authority and the status and control of resources were transferred from one generation of wāhine to the next.

I stand in the mana of my maternal whakapapa. The whakapapa displayed on the screen. *Ka moe a Hongi Hika i a Turikatuku, ka puta Ko Rongo, Ka moe a Hariata Rongo i a Arama Karaka Pi ka puta ko Wereta Arama, Ka moe a Wereta Arama i a Te Paea Nehua, Ka puta ko Wiremu Wereta Arama, Ka moe a Wiremu Wereta Arama i a Emerina Johnson, Ka puta ko tōku Karani Ma, Ko Emerina Adams, Ka moe a Emerina Adams i a Pene Te Wāhanga Dalton ka puta ko tōku mama, ko Tui Dalton. Ka moe a Tui Dalton i a Phil Marsh, ka puta ko ahau. Ko Kēti Marsh-Solomon tōku ingoa, ko Brenden Solomon tōku hoa rangatira.*

I am a mother of two, our mātāmua, he kotiro carries the Emerina name, our Potiki Nukutawhiti carries the name of one of the captains of Ngātokimatawhaorua. I am the mātāmua of three sisters, ko Emerina te teina waenganui, ko Paremo te teina potiki. I bring into this room my sisters and my daughter who are living and residing in Canberra, Australia, a place where I spent much of my adulthood.

Today, our principal hapu are Ngāti Toro, Te Uri Taniwha and Ngāti Ueoneone, we are deeply connected to our Tupuna Maunga, Whenua, Awa and Moana. Ko ahau te whenua, te whenua ko ahau.

I tautoko the Mana Wāhine Kaupapa Inquiry Wai 2700 and all of the claims that are part of this inquiry including Wai 2260 and Wai 381 the Māori Women's Claim.

As I mentioned earlier Aunty Ripeka I know to stand and co-present with you.

When Mum and Dad had returned to live in the Hokianga from Otara, South Auckland I really wanted to come and live with you; I saw it as an opportunity to go to this flash school that I had always wanted to go to but instead I went to
 5 Ōkaihau college OC in the house. I have always seen Aunty Peka as a wahine of great mana and in reading her brief I am again reminded and inspired by her lifelong commitment to raise up the mana of our wāhine and our people.

My Atua Wāhine mātauranga and mōhiotanga is developing and I'm not going
 10 to proclaim that I am a He Whakaputanga and Te Tiriti expert. Again that is why I am surprised. But here I am walking in the footsteps of my tupuna whaea retelling the stories that show how they were and are respected rangatira in their own right.

15 I want to take the Tribunal through the wāhine stories of one of my whakapapa lines. Each of these stories illustrates te mana o te wāhine in the context and circumstances in which each found themselves. A mihi to my mum, Tui for your well-kept records that I read every time that I am at your house. Also to my uncle Benjamin Grant Dolton who called me last night probably with Whiskey
 20 at hand reminding me of the stories of our tupuna wahine.

Turikatuku was Hongi Hika's blind senior-wife and principal strategist. She accompanied him over many campaigns within Ngāpuhi and across the motu. She kept the scoreboard, making sure Hongi knew where and who needed
 25 sorting. She was literate in both languages and used this to wield great power of the terms of trade in Ngāpuhi, where she held land and resources.

Hariata Rongo. The stories passed down by my elders describe Hariata Rongo as independent and forceful in nature. Handwriting analysis of Hariata Rongo's
 30 written slate raises questions about the authorship of letters that had previously been attributed to her first union with Hone Heke. Her formidable whakapapa and intellect gives weight to the notion that she was not merely a scribe. Hariata Rongo moved freely across war parties to talk to and visit her kin, sometimes these parties were at war with each other, this shows that she carried great

mana. Her second union to Arama Karaka Pi was a partnership between two rangatira of equal social rank. Arama Karaka Pi was the son of Pi, also known as Pīhanga of Waima, a Hokianga Rangatira and signatory of The Whakaputanga and Te Tiriti o Waitangi.

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Te Paea Nehua of Ngāti Hau enters this whakapapa line through her union to Wereta Arama. Te Paea was the great granddaughter of Patuone. Te Paea had previous relationships before her hono to Wereta, this union, like that of Hariata Rongo and Arama, was a partnership between two rangatira of the same rank. Te Paea's hononga history is an example of the pre-colonial balance between wāhine and tāne, as a post-colonial belief system would describe this history as "used goods", diminishing the mana of our wāhine in heterosexual relationships.

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15 Emerina Johnson, is my great grandmother. She was the granddaughter of the Te Uri Taniwha Chief Wi Kaire. Even though my great-grandmother was unwell and suffered debilitating illness for most of her life, she had great humour, wit and an iron will.

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My Nana, Emerina Johnson, was raised in a nikau house in Kaikohekohe. Nana married my grandad, Pene Te Wāhanga Dalton, which was her second marriage. Nana was tall, dark, athletic and had the spark of life. She first met a Samoan Matai at a dance, they married. I asked her why, she said "because he could dance". She went to Samoa with an adventurous heart and an open mind. She returned home from Samoa after birthing two children. When I asked her "Nana, why didn't you stay with your first husband?", she said something along the lines of that her mana was being diminished and she was not going to have it.

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30 Nana was at one with the whenua and carried her bush living, gardening skills to the city, her urban māra was always blooming with beautiful flowers and kai. There was no bush living inside the house though, everything had its place, it was basic and spotless, she had lovely beds and hot running water and she wasn't ever going back to the nikau house dirt floor. Nana was an original Ōtara

Flea Market entrepreneur and her colourful culottes for the shapely woman were carried from South Auckland across the Pacific. Nana liked rebels, independent thinkers, whiskey, wine and singers. She was a favourite aunty of the “radicals from Ngā Tamatoa, the Otara gangs, and Whakahou – the group
 5 founded by my Uncle Benji”; quite the opposite of my conservative grandfather, very much a woman before her time. My Aunty Peka called her an organic intellect, my grandfather called her some other things, like... “fiercely independent” or “E MARA”. Nana played a huge part in the tight five upbringing – the first five moko from the children of her second marriage She
 10 encouraged our parents to be young and adventurous and re-created a traditional Māori construct for us to flourish, we were truly children “raised by a village”.

My Mum, Tui, sitting in the black and white dress, moko kauae, beautiful
 15 wahine, mana wahine. She met her life partner Phillip Marsh, my dad, my nanakia dad at the age of 14. They wed and had a child, me. By the time mum was 16 she was married with a child. She as been a star athlete and a life long top student, she’s first class. Mum left home young and like her tupuna whaea has always danced to the beat of her own drum. Mum is incredibly disciplined,
 20 an influential figure in Te Tai Tokerau, and has an unwavering belief in our people. She was raised in a household where Tuakana/Teina was a living tikanga. Being the 6th born of eight children, she has always been on a quest to be recognised by her wider kin for outstanding achievement. Her parents and siblings, particularly her older brothers, would describe her as an energetic
 25 member of the whānau not afraid to explore or test the sanctions se by her elders.

(g) I am Ketī, I am named after my father’s sister Ketī Taylor, a powerful wahine and strong advocate for te people of Ngāti Toro and beyond. A mihi to my
 30 Aunty Kaye for paving the way for her many nieces.” Also think of as she goes through her first Waitangi week without her darling Rudy Taylor.

“Over the past three years I have been fortunate to sit at the feet and walk beside Ngāpuhi leaders, my elders and my peers. I have learned from them,

listening and doing what I can to serve our people. I have helped to build a Māori and community based economic development network across Te Tai Tokerau We are all particularly concerned about the economic wellbeing of our wāhine in the contemporary context. Crown policies and processes
5 continue to disproportionately affect our wahine and this cannot be anymore.

Recently a group of Te Tai Tokerau leaders of my reanga gathered in Hokianga to develop the leadership platform 'Kākahi Whakairoiro', – meaning a pod of dolphins that engage together with purpose – to hunt for solutions. The mana
10 wāhine presence and influence at this gathering was strong. The process of consensus was fluid and this I would attribute to a 'woman's touch'. I do have to say that it was also encouraging to see that the men of our generation manoeuvring with ease and mutual respect amongst these powerful women.

15 In closing, privileging the stories of our whaea tupuna, creates a hugely different historical picture than the one I was raised with, a history where power, decision-making authority and control of resources were transferred from one generation to the next. Yes, I am proud to be a direct descendant of Hongi and of Patuone, and this whakapapa is celebrated by many of those who know it.
20 But what of our wahine rangatira, what are these stories? The ones that my sisters, daughter and I must actively seek? We all must seek. It is my observation that the women here in Ngāpuhi and Te Tai Tokerau assert our mana wāhine every day, it is inherent in nature and it is the norm. The sooner society reflects this norm the better. Tēnā koutou katoa.

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WAIATA TAUTOKO (RERENGA WAIRUA)

Tēnā koutou, tēnā koutou, tēnā koutou katoa.

RAEWYN CLARK:

30 If you could just – aroha mai, just remain there, there may be any questions from the Tribunal.

JUDGE REEVES:

There are some questions. We are going to start to my left with Dr Anderson and work our way down the panel, kia ora.

DR ROBYN ANDERSON:

5 Kia ora koutou. I would just like, before I talk to the witnesses, just to say what an honour it is to be sitting on this Tribunal and how happy I am to be back in the, what I hope is the warm embrace of Ngāti Rehia and Ngāpuhi. Yes, I have missed very much coming up here on a regular basis.

(11:31) DR ROBYN ANDERSON TO KETI MARSH-SOLOMON AND RIPEKA EVANS:

10 Q. I just have a couple of questions of Ms Evans, if I may. Can I just clarify one thing, does that very power statement at the beginning about raising the dignity and honouring the dignity of women, am I right in understanding that that was something written by Dame Mira Szaszy?

15 A. [Ripeka Evans] yes, it was. I was a bit of mantra of Dame Mira Szaszy and it not only framed like formally the kōrero but I remember at one of the earlier 19 – I've forgotten what year it is, I think it was 1982, '82 or '83, she did as I have done today, invited other younger members of the league to come and do speech notes so I became the speech note writer but she asked Sharon Hawke and Kataraina Pipi to help her present her
20 theme song at the – the theme address at the Māori Women's Welfare League conference and at that time she was thinking – we were talking about the Bill of Rights and you know Treaty education and she was thinking then about women, indigenous rights but in particular what did our women do with the Treaty. And she was thinking of a couple of things,
25 one that whatever they did was for the benefit not only of – there was no sense of individualism but for the collective benefit but also that there was a thoroughly kind of human endeavour about it, like for all people.

30 I mean if you looked at it literally you could have thought that, yes, of course she had a Yugoslav father of course and a Māori mother but she had – she was a unique character, she had been born at that time when – and went to – came from Te Hapua down to Auckland and to Queen

Vic School and then went to Auckland Girl's Grammar. But at that time, that was after the second world war, she was very enamoured from a very young age with that kind of really – with all of the human rights kōrero of that time. That was – she recalled an experience to me where she – that
5 hurt – the Dutch guy who was a first, one of the first UN Secretary
Generals, who left a marked impression on her thoughts about the human
race and the human condition. So, whatever she did in terms of her
thinking and for all of those League conference addresses was always
10 with the kind of thought in mind that what you did for our people must be
divined, it must be divined in our own thinking and one of the kōrero that
she had with the groups as she was putting this kōrero together that was
to be a partnership presentation, was that she thought that the story of
Hineahuone needed to be elevated so that it became the story of the birth
of te ao Māori, the birth of not just the Māori race individually but that it
15 was to be the birth of us as humankind, as a unique humankind.

And so, that was always a centre piece in her kōrero certainly in terms of
that conference and her putting together that particular speech, she was
thinking then that what was happening both in the league but what was
20 happening with our women at the time in our whānau in Auckland, that
was late 80s, early 80s just after Springbok Tour, was that there needed
to be a meeting of minds amongst Māori leaders about what were the
lessons of the goddesses that could teach us how to better solve the
problems that we were being confronted with by, you know, the aftermath,
25 the war without end from colonisation.

So, she was always looking at roots in our own thinking, at, you know,
that – to rediscover and to reassert our own thinking, our own mana and
our own form, for me, our own form of critically analysing the world from
30 the uniquely Māori women, mana wahine perspective. So she – yes, she
was an incredible intellect but she had that, you know, that real Māori
intellect, she thought in Māori. I mean, you know the backdrop to this
claim is very much those early conversations that I mentioned
beforehand. And so, Hineahuone and the story of Hineahuone really,

really was a mantra but it really kind of, I guess crystalizes what her instruction to me was, was you know, go make a claim but make sure it's 1) it's not about me, 2) it's not about just the material facts but it's about something that's going to benefit all people. You know, you are not doing this for me, you are doing this for all women so it benefits, it does something to make this situation regarding Māori people in that better as well.

So, Hineahuone was kind of lifted up out of the sand, she had some ethical problems around her parentage and that **(inaudible 11:38:19)**, so we had a lot of debate about, you know – she wrestled, she wrestled with the whole kind of Judeo-Christian, you know, single, you know incest story, she really wrestled with that but really at heart she absolutely was governed, her mind was governed by these goddesses who ruled the universe. Yes.

Q. All right, thank you. And just a sort of historian's question, does anybody look or do you know whether these – the rangatira, the women rangatira who signed the Tiriti, whether they were also involved in signing deeds allocating land to early Pākehā?

A. Yes, they were. I mean, you know the story of the Treaty is absolutely the story of, you know, Ngāpuhi in the north. That was an incredibly complex time. I mean, by the time the Treaty was signed, you know, colonisation was pretty much happened, it had happened by 1835, it had happened by 1840. So, the Treaty, you know, we accommodated, these women accommodated. I mean, Ana Hamu and that her husband died her land interest herself and his land interest of course came to her, they traded. I mean, our ancestor Turikatuku, she really did, she ran the terms of trade, of trading here in the early 1830s. So, you know there is a piece of evidence uncovered around – you know, there was a logbook kept by Busby and he's exchanging with the Governor of New South Wales and they are looking at – the whaling and trading ships that came into Waitangi between 1831 and '39. So, in 1831 you had there was something like 57 trading ships, they have this cute kind of – two orders where there are colonial ships which are seen to be okay and then they

have these foreign ships which are Tahitian, America, Canadian ships. So, there were 57 sail off in 1831 and 57 ships coming into Waitangi a year and so by 1839 there is something like 170. So, that means there are three whaling or trading ships a week coming into Waitangi Harbour and these women are rangatira women, not just Ana Hamu but Turikatuku – the women that came before and they are determining the terms of trade in that. So, they traded all right, you know, while Hongi and Hone – Hongi Hika was going off to war and going to England, getting the Bible, getting technology, getting the printing press and everything there, these women they maintained their land interests, they inherited their husbands and then they divvied them up. I mean, in our kete my whakapapa line alone, we know where those land interests went to out at Rawhiti, the Hokianga and in Taiamai and in Kaikohe where we are and we are, you know, we are the morehu, we are the survivors of that legacy of that really, really early legacy. You know, most of the – you know, most of the land had in fact by the time the Treaty came, it had been traded and yes our women did part trade of it, I mean, the letters and the scripts that they took and that at the time they were very literate. They went to the early missionary schools, I mean the original research that is there from the beginning of the claim were that the chiefs sent the daughters because they had to send the men off to war, get guns, get greenstone – yes, to move. So, it was a, you know, you can't have a rose tinted glass over what was happening for our women in the north between, you know, from 1817 to 1835 it was in a period of immense change and that where it was just really hard to keep on – hold on to your land, to your control of it and at the same time they adopted. I mean, they adopted the Bible. The first printing press is just down the road here. I mean, they took the word and that literately so our women were still involved in making decisions about how to survivor and how to still trade, how to keep your land but also how to grow crops. I mean, we've got stories of how, you know when honey first came here, our women took that knowledge and developed gardens and developed new crops and everything. So, it's not – it's a different history, the history of Ngāpuhi and the Treaty and the Whakaputanga is a complex different history and how our women survived that and still –

yes, how they survived that not only at that time but also how by the time we get to the whole kind of, you know, breach stories as we will and the impact in that of colonisation, the impact of colonisation was pretty white slated by the 1830s in the north.

- 5 Q. All right, thank you, thank you both for your evidence it was very interesting to sit here and listen to it, thank you.

(11:44) DR LINDA TUHIWAI-SMITH TO KETI MARSH-SOLOMON AND RIPEKA EVANS:

- 10 Q. *Tuatahi he mihi ki a koutou kua tae mai i tēnei rā. Tino pai ki te kite i a koutou ngā wahine Māori, āe, pai.* [Interpreter: Firstly, my greetings to all of you who have assembled today, it's lovely to see a room full of very strong world women.] I have three questions for te tuakana Ripeka Evans and one question for Ms Marsh. So my first question really is around the Fisheries context and really what happened to Dame Mira Szászy, but before I ask that question I just want to thank you for bringing into the room not only the women who signed the Tiriti o Waitangi, but many of those who are no longer here who are part of the claim and who some of us are old enough to remember, and Dame Mira was actually my teacher of te reo, I was useless at it, and she was not actually my teacher, I ran away from class at Auckland Girls' Grammar to shelter in her class because I did not like my teacher, and she let me stay there all day. I credit her for my success in terms of avoiding maybe some of the teaching and curriculum that was occurring at that time. So when you name her, I see her and I see her as a very strong and very firm intelligent and ultimately a loving teacher, a loving kaiako. So what happened to her in the fisheries was very public in relation to that incident and at first doubt I think because of that context around the Fisheries settlement and the controversy over it. So I guess the question I have is that sort of was a tipping point if you like or a trigger to what you and others have done in mounting the claim. How much under the iceberg do you think had been going on prior to that incident bursting out in the public domain? Like I guess my question is, was it a one-off random or was this something that just exploded because it had been occurring over the years?
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A. [Ripeka Evans] I guess it was a combination of an iceberg and a volcano, yes, and the iceberg was very, very deep. So it was a point in time where I think it was, like the claim is today, a tipping point, because I think what had been happening – and that was her instruction, you know, “This isn’t about me, this isn’t necessarily about the incident,” in the moment was pretty raw because the leadership at that time of course were leaders that she was leading with. You know, Sir Graham was suing every department of state in the country, Matiu Rata and that, but it had big layers to it. But really what was at the heart of it was that it was doing as Mira had always done, was eloquently calling out our men as well. But also, within that, for hiding under the protection of the Crown of this being a Crown appointment process and Crown appointed agency and, you know, the conversations about the disappointment, they weren’t nice conversations. The then Minister Doug Kidd, people at the centre of the issue, her own nephew matua Shane, these were people that had, you know, it was pretty much a situation, which I’ve just talked about before in terms of still being involved in the trade in what was going on at the time because of course the context to the Fisheries Commission claim was really the Muriwhenua claim. So Muriwhenua claim by the grace of the North once again and by the grace of Matiu Rata and that, that claim opened up the opportunity for all other iwi to come in behind and to join that claim so it became a claim ā motu, and it then – it subsequently became, you know, the outcome of that was the Fisheries and that, and Mira was integral to both those processes, but really what she did was make a stand. She was reluctant, you know, I mean, you know, when she got her Damehood she rung me up and she said, “They’ll calling me reluctant,” I said, “Well that’s what you are,” and you know, it was humility, it was all of that, that sort of human stuff, but she was reluctant to do anything with litigation. One of the other conversations, and I can mention it now because she’s no longer Chief Justice was with a former Chief Justice Sian Elias about how we would, and Sian and Denise at that stage were working on the Tainui claim, and they said, “Well no, it’s a Tribunal matter,” and so that’s how we come to taking the Tribunal thing, and then we kept coming back to, “Well what’s the question?”, you know,

what is the question, what is the problem we're trying to solve here about the disappointment? And the disappointment, her getting taken off the Commission in favour of her own nephew, that wasn't so much the issue, it was that didn't happen in a vacuum, that happened in a context where there was still basically, you know, for want of a better description there was still the boys club and collusion between both white male and Māori male on the appointment process. And so that was it, it was that, you know, it was that pinpoint in the process and that was the iceberg that we just kind of pierced a little hole in and it's taken 28 years and that to bring together, but that was it, at the heart of it, it was that our own men colluded with a process that was still, at that stage, being driven by the Crown.

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Q. And that leads me to my second question which was, you know, not so much whether men are complicit with men, but the way she conducted herself in navigating a world in which her own brothers, cousins, uncles, whanaunga were manoeuvring around her. So I'm just wondering if you can sort of talk to it because to me that kind of gives a sense of her mana in that she did react, she was determined, she did do things with dignity, but it's – can you talk a little bit about that? It must've hurt.

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A. Yes, yes it did. She's, I mean she's a paradox in many ways because, you know, like I've seen people get disappointed from lots of different things and that, but she kind of, you know, did what she usually did when she was wanting to kind of retreat into herself and that, and so we went north of course and that and came back and, you know, went to the marae and talked to a few people and came back and then we reset again and that in Auckland, but I think she kind of really, really searched deep within herself, you know, it's about finding those kind of reservoirs of resilience that you have in your, not just self-individual belief, but your own mana whether or not you have – whether or not the spirits are telling you the right thing, is this the right thing and that to do, and of course, you know, is doing was Ketī mentioned before about saying, you know, "Harden up, we've got a long road to go yet," and not realising then of course that she only had seven years to live, and it was at a really interesting time in her life because she was changing. Yes. And so she wanted this to be something that was going to be a legacy that she would leave and that

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for this generation and that to do something about but she had enormous resilience and I think that that's why her resilience in particular came from – you know you talk about tūpuna as a spring well. Her resilience very much came from, yes, she was devout Christian as well so you know, lived with those complexities, lived in that – in both worlds and that but really her strength and her anchor was in that enormous self-belief but in particular in what she called the divine, you know the feminist dimension of the divine. Which was for her, Hine-Ahu-One and those Goddesses that were not just a feminine dimension, she they were feminist dimension. And she had no kind of, no problems about that but enormous resilience but it came from within, ordained from above. Yes.

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Q. Thank you. And my third question for you really is around the establishment of Te Ohu in the Ministry of Women's Affairs because it seems that was an engagement with the Crown that was filled with hope and possibility. And if you could just talk a little bit more about what, I guess, what she saw in that engagement and once again, did she have views on the fact that it in the end disappeared, Te Ohu? Or was that too late in the piece?

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A. Well, the establishment happened in 19 – I got to remember the years properly. '84, '85 –

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Q. Yes.

A. – i think there was a team of us that got together, including Dame Georgie was the President then of the League. So, it was a mixture of League and a broader group of women. But her hopes for Te Ohu and that were definitely hopes that it would almost be a Māori women's development. Not – and Ohu, yes. But an Ohu that would one day have mana of its own that would be a body by statute of course, but it would be – have stronger powers of intervention that it did have other than being a policy sort of organisation as it subsequently became. She did think a lot then about – I think there's an article in Virginia Myers' book where she's talking about how really she thought that the greatest armoury that any Māori woman could have if you are going to be working, and particularly in Crown organisations, was – and it's you know resonant also of Apirana Ngata's kōrero about you know, te matauranga o te Pākehā and

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their whakatō hei tinanatanga. All of that was that if you – you know, if you've got the strength and belief in your own tikanga and own culture then you've got to have that to be able to, if you're not armed with that, then it's a difficult road as we saw. I mean, my own beliefs are that I think the early leaders and that in the early foundations of Te Ohu were set very strongly, particularly by that rūnanga kuia that was established by Miriama Evans. And then my sense is, with no disrespect to the individuals who came later, was that they lost their cultural rudder as the Ohu kind of got swamped and then, well, you know, I won't comment in too much detail although I do have views. But I think they got white-streamed jus tin summary and that they did not – they lost their cultural rudder, not just from losing the rūnanga kuia but really it's also about leadership and about having strong leaders that go in there and know who they are and are uncompromisingly Māori, are Ngāpuhi, are Ngāti Porou, are whatever. When they go in there, I mean it's a different climate now. You know that was what 30 years ago? 30 – 40 years ago but it's sort of evaporated and then next minute I turn around up to a FOMA hui and you know, there's no women standing. They're just not there. Yes.

20 Q. So, just a follow up to that then. I mean, the women defining the Ministry of Women's Affairs at the time were Pākehā.

A. Yes.

25 Q. So, I guess the question is, the extent to which Pākehā women are complicit in the Crown's actions? So, it leaves mana wāhine stranded. You know, stranded in terms of navigating – I'm trying to find neutral language – navigating these spaces but also in spaces in which there are also Māori, like the Fisheries one. Also not finding oxygen and being able to flourish. So, I'm just wondering to what extent there's sort of gender dynamics if you like and the feminist dynamics in the Ministry of Women's Affairs. You know, it's just a different kind of example of a Māori woman trying to navigate and influence and engage with the Crown.

30 A. Yes, look they're just not on the Māori calendar. They just weren't. I mean major huis of engagement, interaction, but on the Māori calendar

but also the Māori agenda so that the – you know, so – I mean you take other departments, for example Ministry of Environment and others that really got in behind and I think to be fair though, I think that having a major legislative, because the key thing that Government departments have is that they have legislation. So, the legislative levers of the Ministry of Women's Affairs and that were – well, I don't know what they were. They were invisible. They were certainly invisible to Māori whereas, Ministry of Environment you had that whole kind of space where Māori, where Shane, where Hekeia were the first Directors in those Ministries. You know, they are what they are. Very self-assured but very strong leaders but they also had a key piece of legislation that was so relevant to Māori survival that they could lever and they levered it. And I mean that whole resource management area is a – is now absolutely one of the top three pieces of legislation that Māori women need to be thinking about. But they had an enormous lever and there was a huge ground swell but again, getting back to your former question about how did our men gather around that? They gathered around, you know I've always said that our men gathered around those sexy things like land, forestry, fisheries, easy peasy to say yes there's fish, there's trees, there's land and everything. You can touch those, feel those and everything else. Women – Women's rights, no no no no. No, no they think it's just something kind of like ethereal. It's kind of, it doesn't really matter. It's not vital to our being. Whereas, what we're saying is the vitality of Hine-Ahu-One is vital not just to women but also to us as humanity. So, I think they suffered for not having a strong legislative lever and not having as I believe, the power of intervention and some of these bigger issues, they weren't at the table when it came for example, Oranga Tamariki, current claims and that now. They should have been at the table, directing traffic across government departments, directing thinking and that around key bits of legislation. But of those 19 government departments and state-owned enterprises that Sir Graham sued, and there was in every single one of them, the women's voice, we kind of like we got brought into the whole kind of push for the bigger kaupapa, we got bought off, and what we didn't do, the trade-off for that wasn't a trade-off,

it was a trade-out, because in terms of appointments to all of those boards. It's not until now like with Te Ohu Kaimoana where you have four wahine that are now, you know, chairs of the three different entities and our Chief Executive, so it's kind of like is Te Ohu Kaimoana turning a corner, but there's no central organisation that has the kind of leaver that's needed to be able to direct interventions for and on behalf of Māori women. For example, like the Parliamentary Commissioner for the environment that can, the Commission for Children, that can be an absolutely independent voice from Parliament, doesn't have to kowtow to some sort of recycled chief executive that you might get through the Public Service through State Services Commissions, but can have its own authority. You know, even the retirement Commissioner that Kathie Erwin is now working with, those sort of entities that can – they can do something, they can make something happen, they can intervene. You know, I'm sure that the Oranga Tamariki claim would not be where it's at, at the moment if you had a woman, a Māori woman, a mana wahine commissioner that had the power to and authority and resources to be able to intervene, to point directly at Parliament and make Parliament do what it's got to do around giving sufficient strength in legislation to be able to make interventions that, you know, that Crown organisations and that are continuing to fail with, and we've got to have that. We've got to have the power and the power is legislation, but you've got to have the resources and the authority to go with it over, particularly in that kind of economic development space, you've got to have something, you know, Shane's dream of three billion trees is, you know, is a dream for all of us to be fulfilled, yes.

Q. Thank you, Ms Evans. My next question is for Ms Marsh. So I just firstly want to thank you for your submission and thank you for sharing the stories of the wahine in your whakapapa. I think what that did is point to something else. We can talk about exceptional women as having mana, pointing to our stories is exceptional, you know, these are exceptional women. But I think what you did very simply is say every woman is exception, every woman in my whakapapa is exceptional, every woman has mana, and so I just want to thank you for, you know, I think laying

that out firstly. So I guess the question then I have for you is the next generations that come and what it is you think or have already started that continues that line of the girls in your whānau, the mokopuna in the whānau, how you perpetuate that.

5 A. [Keti Solomon-Marsh] Kia ora, thank you for the question and for your comments. Perpetuating that is through retelling the stories over and over again. Rather than those stories being surface level, going deep on those stories and knowing more and more stories about whāea tīpuna and even, you know, getting to re-know my nanna and my mum so that I am
10 able to tell those stories to my children and they are able to tell them to their mokopuna. I guess the mana that was shown by my line, we've carried, as I said, inherently and intrinsically. What I want that to be is overt, I want it to be spoken, I want the language on our marae and our wānanga to hold those stories of our wāhine and for them to be explicitly
15 told as mana wahine stories. So I think that's how we will carry it through the generations, I think that we will also see the changing shift that will occur in society because those stories are told.

Q. Kia ora, thank you. I have no further questions.

**(12:10) JUDGE REEVES TO KETI MARSH SOLOMON AND
20 RIPEKA EVANS:**

Q. Kia ora. I just have about three questions and they are contextual questions really in terms of the kōrero that you have both given to us this morning. So firstly, kia ora Ripeka for your evidence this morning and you have talked to us initially about the event which was the trigger for
25 the Mana Wahine claim and I guess in a sense the straw that broke the camel's back, the particular event that you have related to us. So what can you tell us about – what do you recall about the Crown's response at that time to objections that were raised to Dame Mira's removal because it was a Crown appointment process, clearly they would not have been
30 unaware of the disquiet that that caused, so what do you recall of that?

A. [Ripeka Evans] It wasn't confusing, it was ambiguous because they wanted to be seen to be doing the right thing in terms of the appointment process, but that ultimately meant that where the power was, was actually

between a few men between obviously Sir Graham, Matiu and Sir Tipene O'Regan, Bob Mahuta. A small bunch of men, all of whom Mira had worked with. The Crown's official response, Doug Kidd was a Minister then of Fisheries, he was furious but his words to me and to Mira were his hands were tied by these men, and I do recall a very robust conversation between Sir Wira Gardiner at the time, he was Chief Executive of TPK at the time, where he called Sir Doug Kidd out and said, you know, "Have some balls man. Make a decision that is respectful of this tikanga about appointing not just for mana that is – you are not appointing for mana that is going to come into the room, you are appointing for mana that is in the room already." So it was pretty kind of, yes, convoluted to say the least and quite ambiguous across the Crown, I mean, you know, TPK in those days you just did everything Wira said, and so they followed suit. But it didn't – they kind of went – everybody went silent on it, so there was this kind of wall of silence that almost like it didn't happen, and then they were waiting to see of course what Wi did, because we had about half a dozen meetings with different senior officials and that at that time and, you know, I just said, "This isn't worth it. We're not going to go down the judicial review track, we are going to go into a Tribunal claim, so we're just going to go into that space. We want to think constructively about how we can bring women together so that we can get all of our women together and everything." So the Crown really got off, yes, they got off with doing nothing because I know, I've been a senior official before, you can, you can disagree with your Minister, you can disagree with your colleagues, you can pull leavers and that to make a stand and that, but you know, Wira was a lone voice, and then everybody just basically, silence became golden and then we focussed on getting the constructive part of the claim and that together. But since then, I mean you would've thought after 28 years that they might've learnt a lesson, but in my view they hadn't. I mean, you know, the Tribunal is well aware of the whole kind of process of just bringing together the claim. I mean the fact that we're here today and, you know, I mean I just have to call it out, I mean, you know, the Crown funding for this claim is for the Crown to bring it. Not for me, not for Ketu, not for the claimants and that

to come and tell their stories, not for all of those claimants that are here that have come into the claim and that, and it's just, you know, beggars' belief really that that's a lesson of the last 28 years is that the Crown ain't got woken up yet about mana wahine and about the opportunities and that, that that presents and that, for those big issues, you know, the big –

5 these inquiries, these kaupapa inquiries and that, and that I mean we're still looking to the Tribunal as our truth and reconciliation, our ray of hope and that when we haven't got deep pockets to go and sue Sir Graham and other iwi organisations too, to be able to do things like, you know, this

10 claim, the Health claim, the Oranga Tamariki claim, those big claims and that, that means something for our mokopuna and that. So Crown hasn't learnt, hasn't learnt from the lessons of history that, you know, leave it alone, they'll go away and will just kind of forget about it and that. So silence hasn't been golden, haven't won the golden kiwi yet to be able to

15 fund the claim, so I think that as soon as the Crown pulls finger on funding the research of the claim the better, but not, you know, a couple of hundred thousand dollars. When you're funding yourself, six million doesn't cut.

Q. I have another question also around a contextual issue that you raised in relation to Ana Hamu and you posed the question I think in relation to her as to whether she also signed Te Whakaputanga. What do you know about other wahine or whether wahine signed Te Whakaputanga? I mean, if you know that would be great, but if not –

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A. Look, I'm not an expert on He Whakaputanga, there are too many in the room, and neither is Keti, but it's just a rhetorical question. I mean, if your husband signed, and Te Koke signed Whakaputanga and the Treaty, and Ana Hamu signed the Treaty, then it kind of makes sense, doesn't it? I was talking to aunty Nora this morning and she said, "Yes, that makes sense," you know, you'd be signing all right or else you'd be digging them

25 in the side and saying, "Me too." But the other story behind that of course was the whole kind of perception of Busby and his men that our women shouldn't sign. But in terms of the Whakaputanga, it just makes sense that our women would have signed, would have been part of that decision to take that stand, to confederate to be able to, yes, to be able to

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confederate I think was the more important decision and whether or not they actually signed it, but it was being authors of their own destiny that they wanted to confederate and to form He Whakaputanga, and that was an important decision because in fact that decisions premised the emergence of Te Kotahitanga which of course then led to what it led to, the establishment of Kīngitanga and all of that stuff. So the importance of He Whakaputanga in terms of where it is, where it's at now, and whether our women's voices were heard or were part of it. I have no doubt that their voices were heard in making that decision to confederate, but whether or not that has been recorded or that narrative has been recorded. So I just raise the question. The other thing is just in terms of tikanga and that and setting the tikanga for these Tūāpapa hearings is that they are not about just one person and that with a tablet of stone about the signatories, but what our intentions are is to take each of these canvases that have been made and that and present them at each of the hearings and that to the women who do whakapapa to them, who do re-own them. I mean, just this morning, you know, Bill and Ruakere talking about Kahe Te Rau-o-te-rangi, we want these founding mothers owned again and up there so that they are recognised for being, you know, the authorial voice of our constitution of the Treaty and I have no doubt that they were also a voice in He Whakaputanga.

Q. Kia ora. I mean just to give that question and response some more context in terms of my line of inquiry is if we are to better understand the scope of activity and authority of these wahine rangatira and wahine at these times then it would be useful for us to know if that included, you know, either influencing or being actively involved, not only in Te Tiriti but also Te Whakaputanga.

A. Yes, look, I think it is – I say in my brief I think it is an area of inquiry the whole, not just signatories, but I think the whole kind of constitutional status as part of that mana rangatiratanga, mana motuhake, mana wahine field of inquiry that can be led by these conversations and that, but I think it is that's a real area of urgency in terms of inquiry and particularly in terms of the research, that I'd put that up there as something because I know that, you know, there are other experts, I

mean, there are women that have one of the whānau, especially the whānau, and it's a different kōrero, but the whānau of Meri Mangakāhia for example whakapapa to one of these women as well. But there are whānau, there are women here that want to take those stories back to reclaim them and they should tell them. So this is about opening that dialogue up with the research, particularly with the research, resources and that, and for having that. The importance of having that I would emphasize though Madam chair, I would emphasize that it must be, that research must be done in te reo Māori because that is the absolute – the critical importance of aunty Miria's research was that it was done in te reo Māori, and she could understand the Māori mind, and you know, I remember a conversation between her and Mira that really sparked Mira's imagination about these being our founding mothers, and it was a conversation about the difference of interpretation between mana motuhake and mana rangatiranga, but it was really what struck me was that it was a conversation between peers that was talking the same little language and the same big language, and you've got to have that context to understand the significance, and what were – being able to have an educated understanding of what were the relationships that these women were having at the time with their husbands, with their whānau, with their peers and that, and you can only get that rich text and understanding from researches. Aunty Miria was a golden nugget, she was one of a kind, and I think that that would be a really important contribution also that this claim can make to the field of Mana Wahine inquiry, but in particular to that particular branch of inquiry.

Q. My last question is really directed to the part of your brief where you were talking about language and you made the point about gender neutrality in personal pronouns. So the question in my mind, and it may be answered later in the evidence, so if you want to, you know, pass on it, that's fine. It's really around what you understand to be the origin of the term 'mana wahine'. Is this a term which has always been in usage or is this a term which has assumed greater significance in more recent years as the focus on these issues has intensified, what is your kōrero about that?

A. Look as a term I think that it's not a term that goes in and out of vogue. For me, mana wahine is ever present. Mana wahine really the epitome of mana wahine is whakapapa and, you know, as long as you continue to have whakapapa or to be able to descend from greater beings, then that's it, you're born with it, but I think the importance is, is what you do with it, you know, what you do with your mana when you're confronted by situations that challenge your mana, not just in terms of being disappointed from an organisation, but in terms of being imprisoned, in terms of having your children taken away from you, in terms of not having a job, in terms of not being able to feed your whānau. So it's what you do with that situation to assert it, I think that is the essence of, you know, what you find in the essence of your being that you can lean into, that you can lean on, that is with you whether or not you're in or you're out of prison or in or out of dark spaces. On the reo matter, I will pass on that because there are big gods in the room that I'm sure will talk to instead, but I just make the point in terms of te reo that our research, particularly for this claim but for all claims and that must be, must be, must be absolutely it must be researched i roto i te reo Māori to honour, really to honour those original claimants as much as honour our future and that for our language as well.

Q. Okay, kia ora, and the last thing from me is just to comment just in relation to your evidence Tui, just to say thank you for giving us I guess the rangatahi perspective on an intergenerational issue. I mean, the mana wahine claim is 28 years old now, but it is not and should not obviously be set in stone. So it is very useful for us and important for us to be hearing these perspectives from rangatahi as well as we traverse through this stage of the hearings and also to the next. So thank you for setting the standard for those who will follow you. Kia ora.

(12:28) DR RUAKERE HOND TO KETI MARSH-SOLOMON AND RIPEKA EVANS:

Q. *Kōrua rā Ripēka, Ketī, he uaua anō te tuku pātai i te mea kī kē taku ngākau i te mihi. Engari anō, i muri mai o ngā pātai kua tukuna, kua ea te nuinga o ētahi o ngā mea e werowero nei i taku ngākau.* [Interpreter:

To the both of you, it is difficult to determine a question because of what I have received, what my ears have received from you today.] Ripeka, one of the things that you used the imagery about the iceberg, and it sounds quite an appropriate metaphor, but it is really around the way in which – I mean obviously there is much more that can be said about that event that occurred with the exclusion of Dame Mira Szácsy and the way in which appropriately should be recognised and acknowledged, have you got thoughts or what are your thoughts around the way in which the amount of time that we are able to give such an important point in history, historical event that is not appropriate in this context but beyond this as well and the way potentially this in the long-term within this claim can also look to recognise it. He whakaaro?

A. [Ripeka Evans] Well the Crown do Treaty Settlements with an apology, but I'm mindful of, you know, my tuahine Hilda sitting in the back of the room when we were receiving the Te Aupōuri Settlement a number of years ago, we said well – she said of the Crown's apology, Finlayson was the Minister at the time, it took him about 17 minutes to give the apology, and she said, "Well that's not bad, that's about a minute and a half for every dollar of the settlement that we get." So I think it was more of Hilda's sense of humour about the quantum rather than about the value of the apology, but I think an apology would be in order if not – yes, I think an apology would be and – but I think in a way that is meaningful for the kaupapa, yes, and then I have very firm ideas on the scope of what that apology might look like in a material sense. So sorry is one thing, but I'd like to know how sorry, yes.

Q. I think in particular the depth of information that we associate with that event –

A. Āe.

Q. – so that we understand it fully.

A. Yes.

Q. If an apology is considered, it needs to be to consider the full extent of that and the implications.

A. Yes.

Q. So pai tērā rongō.

A. Yes, no, thank you for raising that Ruakere, kia ora.

Q. *Tēnā koe. Te pātai, well he momo pātai anō ki a koe Keti.* [Interpreter: Sort of a question for Keti.] I was not quick enough to pick up the imagery around the pot of dolphins, the kākahi rānei, but I think the importance of finding metaphors that talk about our environment and how we relate them to the way in which things work in unison and it would be good to be able to capture that more fully about the imagery that is involved there and how it can be carried within the statements we make, and I totally support the kōrero that's been raised about Turikatuku and the importance of that story. Obviously, *ko koe anō, ko koutou anō ngā mea e tika ana ki te whakatakoto i ērā kōrero, engari he nui anō ngā kōrero kua puta mō Hongi Hika me ngā mahi kua oti i a ia, tērā anō ki tana wahine me ngā mea kua oti, i tuku mai tētahi wāhanga itiiti noa iho nei mōna, engari arā anō ngā kōrero e tika ana kia puta, pērā anō i ngā ingoa e whakawhirinaki nei i a tātou i tēnei rā, arā anō ngā wahine i tuku pene ki te pepa, arā anō ngā mea kāore i āhei te tuku i o rātou pene, arā anō pēnei tonu e kōrero ana mō Te Wherowhero, kōrero mō Te Heuheu kāore i whakaae atu ki te tuku pene, engari kua mau tonu tērā kōrero mō te mea te kore whakaae atu ki tērā, ki te āhua o te Tiriti. Mīharo ana i ngā mahi a Miria, tana rangahau. Ka tika hoki māna ērā momo mahi, engari e whakaaro ana, momo pātai pea Keti, ana he whakaaro anō ōu mō tēnei mea te rangahau i ngā momo pēnei i a Turikatuku me te mana puta katoa ana i ō kupu mōna otirā mō ana – he whakaaro ōu? Me pēhea –* [Interpreter: It's rightly so that you as a descendent should put that – present that kōrero but there is so much more information that could be presented about Hongi Heke and his wife, but yes there is so much more to be presented. Similarly with those whose names appear on the wall, that there is so much more to be understood about their influence, their role in those times. Everything you have mentioned about the stories that are untold and need to be resurrected, it's definitely something required and those like our kuia Miria Simpson who was a golden nugget, say as you say, and being able to analyse it and interpret narratives and that, how can we do this?] How do you think is an appropriate to acknowledge that and the way in which we can acknowledge also all of those wahine

whoever were excluded from putting their pen to paper or those who disagreed with the whole process and would have otherwise been recorded as men were? *Ka aroha, he āhua hōhonu pea tērā pātai.*

[Interpreter: Sorry, that's a question of quite in-depth question.]

5 A. [Keti Solomon-Marsh] That's a big pātai. I guess I'm going to link and lean into my aunty on this one. She's talked of apology around, you know, mana wahine and what that means, what that has meant for us and Māori society in terms of my own whakapapa and the impact of the colonial kind of imposed structures and processes on our own wahine. As I said
10 previously, those stories are still being found and it is up to me and my cousins to do the research so that we can truly give an answer to that question, otherwise it's coming from myself who is not an expert on the matter, so kia ora.

15 Q. *Kia kaha Keti me koutou anō ko te whānau. Koirā anō tētahi mahi nui kei runga i a koutou otirā tātou katoa te whakanui ērā o ngā kuia kāre i te kaha kōrerotia. Tēnā koe, tēnā tātou.* [Interpreter: Kia kaha, be determined Keti and those of the wider whānau who can bring that information to light.]

(12:34) KIM NGARIMU TO KETI MARSH-SOLOMON AND RIPEKA EVANS:

20 Q. *Tēnā kōrua. Tēnei te mihi atu ki a kōrua nā kōrua te reo tuatahi i tēnei wiki tuatahi o ngā hearings nei, so tēnā kōrua.* [Interpreter: Thank you both for being the first verses of this auspicious occasion and hearing today.] Ripeka, my questions are for you and they do circle back to these things that my colleagues have also asked about, about the appointment
25 and also about the establishment of Te Ohu, so if I can just circler back to – I just want to just pop something else into the appointment process and that is that at the time my recollection is that, as you have rightly said, Doug Kidd was the Minister of Fisheries, but he was also the Minister of Māori Affairs at the time, and in the early 90s the settlement
30 legislation, it was actually the Minister of Māori Affairs who was the appointor, and so I guess I raise this because it seems like a lot of ministerial power coalescing around what for Māori at the time was the biggest asset within their reach, and so I guess I just wanted to ask you if

you see there as being the potential for having been a different outcome if that ministerial power had been a bit more spread out and there was, you know, a bigger range of ministerial voice in the conversation?

- 5 A. [Ripeka Evans] I think there's an opportunity for looking at different ways of, yes, holding power. I mean, yes, pretty much most of my experience in terms of interaction with the Crown from an iwi or mana wahine perspective has definitely been in the whole Treaty Settlement space. So you've had really quite a – you've had quite a concentration of power around key ministers, and it's well-known of course across both the public sector as well as across iwi who the kitchen cabinet ministers are. So there's both the informal power as well as both the formal powers of appointment, and in the Māori development space it's really, really tricky and sometimes, depending on who the senior or appointing minister is, can be both a good thing or a bad thing. So I don't think it's a one-stop shop answer as to who the appointing minister might be, but from a real, if you like, inductive perspective, I would say that sometimes it takes – there is opportunity to have in having two to tango and having a senior minister that might have been able to or another minister that might've had a different lever. For example, I mean Doug Kidd was sort of, you know, hung, drawn and quartered on both fronts, and really his kowtow was at that stage to, you know, to the Māori men, and there wasn't anything – I mean he could've pulled either one of those levers to get a different outcome and that about that decision but he chose not to, and it was unfortunate that they were coupled there where you had the Fisheries portfolio and the Māori Development portfolio or Māori Affairs portfolio in the same hand was not particularly useful at that time and I'm aware now for example with different appointments that it is – there is a senior minister but there is a protocol around that senior minister also consulting with three or four key ministers. I mean, we have that now, for example, with a Ngā Puhi claim, and so that is very useful. I won't call it fair, won't call it democratic, but it is useful for Māori to have more levers than less in terms of ministerial appointment because it's just so political the whole kind of appointment process but it would help to have more than one lever particularly in terms of mana wahine to have a process

within Cabinet and a protocol around it and, you know, I'm going into territory that I have absolutely no control over, but just saying that I think it would've been useful to have that power of fisheries and development at that time decoupled.

5 Q. I also just want to circle back to Te Ohu, Te Ohu Whakatupu, and I do recall in the early 90s Te Ohu was like the powerhouse of policy, it had a huge reputation for being a very sharp end of the stick policy adviser, pulled no punches, and so you've talked a little bit about some of the features of the establishment, like the Rūnanga Kuia and some of the leadership within Te Ohu that, you know, may have contributed to that, but were there any other features that you recall of the time that might have –

A. Yes, I do, I think –

10 Q. – been material and placing it really at the top of the policy game in Wellington?

15 A. Yes, I think that those early interventions, particularly, not just with Miriama, but they were beginning to get some runs on the board in the economic development space, you know, thinking about what Māori **(inaudible 12:41:05 – women's)** contribution was to the Māori economy and to the economy. So there was some good research that was done on there. They had some early interventions I think on the Adoption Act and Billy Tait-Jones, bless her soul, and that did work with Kathy Ertel. There were some interventions that they tried to do, but I don't know where they went to around pay equity because it wasn't my particular area of expertise, and then I think with Brenda Tahī she was much, much more focussed on that whole kind of small business development area where she wanted to see deliverables. She's a hard out kind of – but she also, and it showed that in her own – where she went to after Te Ohu, but really getting that link between evidence based research and action, and

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30 I think that they were beginning to get some runs on the board around then, and then I think they, you know, I don't know what happened in fact, only from the individuals that I knew and that in there, but then they got swamped or gazumped by that huge kind of, you know, getting into the policy making sausage machine where their energies just became

dissipated over anything, and so it was – you were unable to pinpoint one area where they were making a difference. So they were just at the end of a very long queue and you know how it runs, who the lead department is and that will be able to determine where your input might be incisive, but I think they lost a lot of traction, a lot of edge by having to be, you know, sort of make a lot of sausages rather than, you know, have some prime cuts.

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Q. And just my last question and I am conscious that it is lunch time so you might just have a short answer to it maybe, but I guess I just wanted to ask if, now you have been involved in this area for a long time and I just wanted to ask in your experience and in your knowledge can you point to any kind of really watershed moments where there has been a really significant either erosion or increased recognition of te mana o te wahine? That is probably not a two-minute answer.

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A. Look, I think around the time, you know, I was the hui that Ketu organised over in Hokianga a couple of weeks ago and we were talking about that kind of period of – the 1980s actually, the time when Te Ohu was set up where there was a lot happening, you know, the change of government, the whole kind of Rogernomics period, that was a real – that was a watershed time of opportunity where a lot of younger Māori in particular got together and decided to do something in a couple of spaces around economic development and there was a lot of women that were involved in that exercise and there were a lot of kind of key focus around skills, employment, business development and training. There was a lot of energy. Board of Māori Affairs were changing, they became politicised and got engaged in Treaty Settlements, and then at that early period where I think there was, there was, there was a kind of confluence of things that were happening, but then I think that a lot of us kind of went into – a lot of women went into leadership roles, got engaged in some of the bigger settlements and really our energy, our mana wahine energy got co-opted into those roles. But at the same time, the iceberg was also still there, you know, we'd made a little pinprick and that in it, but it was still there, and I just had a suggestion around two or three areas where our women did make interventions, so definitely in the economic

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development area where the mana wahine flag was raised. CEDOR, with those early comments on CEDOR, and Te Rūnanga Kuia were part of those early comments, but at the same time almost like you had these parallel pathways happening where you had the development of, you know, the United Nations Declaration on the Rights of Indigenous Peoples, and then once again you had a whole lot of mana wahine energy that went into that, but I think the early days of comment on UNDRIP, particularly at that time because you had a government that didn't want to know about it, that said, "No, we're not going to go, we're not going to support universal declaration of – UNDRIP." And so for a lot of time our voice got buried there and the indigenous voice got buried there and lost track of what Te Ohu let alone Ministry of Womens Affairs were saying at that time. Another big issue or kaupapa at that time was Te Pūao-te-Ata-tū and we see Pūao-te-Ata-tū repeated now and then unfortunately it's getting repeated elsewhere in other sectors. So we see that happening now with that where the women's voice and that was, you know, in a sense the greater good always takes over and the greater good forgets actually that what the, you know, what the divine voices are saying, you know, what was Murirangawhenua's voice was saying you've got to do this so that it benefits all women and all people as well. So yes, so those are three kind of examples where they did. I'm not aware of other areas where they made intervention, but I think so and I think Ketī wants to say something too. [Ketī Solomon-Marsh] Just bringing it into the contemporary context and we're in Te Whare o Ngā Puhī, I guess in terms of the erosion of mana wahine, a recent example – it is probably within the current Ngā Puhī Settlement space and the lack of representation of wahine in that space. So the last round of – what do we call it? The last Tūhono Ngā Puhī mandate round was incredibly, incredibly traumatic for a lot of us involved in that process. A lot of the issues surrounding that process was actually around the representation of the leadership at that particular time. So erosion still happening two years ago. Kia ora.

Q. Kia ora, tēnā kōrua, thank you.

JUDGE REEVES:

Tēnā kōrua. Thank you for your evidence and the way you have answered our questions this morning. We are going to take adjournment now for our lunch break. Lunch is going to be served up stairs and we will be back here in 45
5 minutes, so we will resume just after 1.30 and at that time we will be hearing from Dame Areta Koopu, Tania Rangiheuea and Donna Awatere-Huata. Kia ora.

HEARING ADJOURNS: 12.50 PM

HEARING RESUMES: 1.37 PM

10 **JUDGE REEVES:**

Kia ora. Kia ora mō tēnā. Kia ora anō tātou. Kei te tīmata anō. We are now moving into session two of today's hearing and I understand we are going to be hearing first from Dame Areta. Now, I am not sure what the format is here. Kia
ora.

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(13:37) AZANIA WATENE: (CALLING WITNESS)

Tēnā koe your Honour. I would like to invite Dame Areta Koopu to speak today. We have not filed a brief of evidence, but she will be speaking to some notes that she has. Dame Areta Koopu appears today on behalf of the Wai 381 group
20 and also 2830 Ngaroimata Reid and herself. Ngā mihi.

(13:38) DAME ARETA KOOPU: (MIHI/EVIDENCE)

Tēnā koe e te Kaiwhakawā, tēnā koutou te Taraipiunara. Tēnā koutou katoa. Most of what I'm going to say today is because a lot has been happening in
25 everybody's lives and over the Christmas period, I kept thinking about how important this was going to be.

We've waited a long time for this hearing and I really have to congratulate Ripeka for her recall. Sometimes I'm looking at some people and their names
30 just go out the door and I'm at the stage when I have to say, "What was your name again?".

But it was an important time for me in my life, from 1981 when Waiariki asked me to be the area rep for them, it put me on to the National Executive of the Māori Women's Welfare League and it was a place that I never ever dreamt I would have to go, but serving on the Executive soon told you that your role was to work for those women who had come before you, and I'm just filling in that my mother was a member of the league and my mother thought that it was the most best – it was the best thing in her life at that time. For many of our Māori women it was the first holiday they ever had.

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Growing up in Ngāti Porou, or I would say for me growing up in Te Aitanga-a-Hauiti and Ngāti Konohi, when you're at home sometimes you're not allowed to really say you come from Ngāti Porou because those are our in-laws down the road, ay Bill, and so I have to be a little bit more specific in that my mother was Te Aitanga-a-Hauiti and we were brought up in Ngāti Konohi in that wonderful place called Whāngārā. But to listen to these women that this was the one holiday in their lives that they were allowed plus that they stayed in a motel or a hotel and they had the most wonderful hats and they had the most wonderful gloves, but when they came back, guess what? The work was on. The marae committees were formed, the women in the community were gathered together and all the projects began to happen.

20

Particularly in Gisborne, the League was very active and particularly in education. But I found that in the 80s, was really a time when, to me, Māori women were all in the struggle together, and as Ripeka has recalled we were doing this ill, we were doing that bill, and in a way, Dame Mira being turned down was, like she said, the volcano that set everybody off. Many Pākehā women as well came to the League and expressed their disappointment that yet again there was going to be a committee of men and no women.

30

I think that, as Ripeka said, we all got together and we all started to talk and Mira, while she was disappointed, what I saw and what I wanted to share apart from what Ripeka has said was that I saw Mira suddenly say, "Am I old? They have said I have had my turn," and I honestly will never forget the light in her

eyes that went out that day, and she said, “Maybe I have to step aside and let the young people do it.” But at that, we had so much confidence in her as a leader that we couldn’t perceive anyone who could take her place. But being Mira, as you’ve heard, she said, “We’ve got to, yes, get yourselves together, something’s got to be done.” There was a small group of women that got together and I think the thing that we discovered was that the government had no one at that time, no Māori women especially, on their boards. And then again, we discovered there was no Māori women on the delegations that they were taking to the United Nations. Now, how could that be? When some of our women had been going to the United Nations at their own cost and putting forward Māori issues on a world stage.

The visit that we paid to Doug Kidd that day to see what was wrong, first of all he looked at me because don’t forget I had only been in office about three months/four months and it was more or less a look of “what do you know about anything?”, and I said, “Well I know that you have done a really grave disservice to Māori women,” which he thought – it was sort of like “where?”. And so I’m just saying that we argued there and then we went away and we kept talking and Mira kept saying, “That’s a good idea, but it’s not about me you know,” and all of what you’ve heard that was happening in the 80s was what was coming forward into that claim, and we decided that that would be a way for all of the women, because these women had not had opportunity, apart from vocal, to tell their stories. This would be the way these women will be able to tell their story to the Tribunal, and so that was when we agreed we would do that.

25

It was a great day, and I think one of the things that gave me a shock was when we went into Sir Eddie Durie’s office to lay the claim. One of the things he said to me was, “This should have been here, it’s long overdue and it is about time someone brought this claim,” and I thought – I was just amazed at that statement and I have never forgotten it.

30

One of the things I want to say that we had been busy doing and we knew it would become part of this claim was, and it was close to my heart at that time, was we were busy supporting kōhanga reo, we were busy supporting kura

kaupapa, saying to the government, “Get the teachers ready. These tamariki are going to be going to be going to school in five years. These tamariki are going to be the future.”

5 One of the things that I also noticed was that there were many Māori women sitting out there saying, “We want to be part of this claim. We want to be part of the claim. We want to tell our stories. We want to say we want to be recognised in society.”

10 When I went to the United Nations with the government, they made sure that the Māori Womens Welfare League president was on the delegation after that, I found that I was one of the first indigenous women to go on a government delegation, followed by Canada a couple of years later. So you can imagine how those women out there asked me, “How did you get the government to
15 hear you? How did you get the Waitangi Tribunal thought of and started? How come you can do these things?”. Well I’m someone who was very much in vogue with the league in terms of being a mother and a whānau person. I was a community person. I never went to university. I never had any idea of being an academic. For me, my family was my all, and so I said to them, “Well if I
20 can do it, I’m sure we can share what we did and you can do it too,” and it was all going very well until an African chieftainess said to me, “What’s your population?”, I said, “Nearly 500,000,” and they all looked around the room and everybody went, “The size of our village.” You know, it just put a whole new light for me on how much of a role we were playing in the world. Supported
25 strongly of course because there were aboriginal women there from Australia who were saying, “Go.” So I’m really just saying that I’ve lived through the times of what it was like to be able to put this claim.

My mokopuna now have been to kura kaupapa as well, they’ve been to
30 kōhanga, they’ve been to kura kaupapa, and my eldest mokopuna is now 31, I’m going to have my first tuarua this year, but what he said when he came back from his first trip with the kōhanga reo to Mokoia Island in Rotorua, “Pāpā, the tipuna over there was Tūtānekai and they grew kūmara over here,” whereas when our children went over there in their school days, they came back and

told us, “This is where the Māori’s had a hot swim.” We noticed immediately the change in the education that was coming for our mokopunas because Māori women were making some changes. I think that the League by sort of saying things out there in the world, we’ve been able to make a few changes and recognitions for ourselves.

My mokopunas are growing up with te reo every day, all day. They are growing up with a history I was allowed to read about but not talk about. They are growing up with even a history my children were not taught in their day at school and the only time we found ourselves being Māori, addressed in Māori, talking in Māori was when we went back to our marae in Whāngārā or my husband’s marae in Maraenui. The children were enveloped in the Māori world, which became really important for all of us.

So I did not have too much to add today because of my own understanding of not reading your emails right, but knowing that this was such an important day for us and that we have waited so long that I can afford to wait for the next lot of evidence when whakapapa will matter, and while I have not talked about Ngāti Porou women being important today, you know how important they are, shall I – I don’t need to – you know, and what they did, and there will be time for us to share our whakapapa in the future.

I came to talk about Mira being such a beautiful women for all of us at that time. When you talk about – as I’m strengthening Ripeka’s and putting in the little bits that go with it – when she wrote the theme for the conference that year, a little while after that she wasn’t very well, and again she rang up and she wanted something done and she said, “Listen to this,” and she had written in her sickbed, “What now is the creed of the League?”, and these were where her thoughts were. She then presented it to the conference, and I just want you to listen to this because her words are those words we live with and I live with them now:

“My first love is my family but I know my tribe. I know my tribe but I am proud of my race. Therefore I belong to my race but I would serve my

nation. I would serve my nation but I have reverence for humanity. Because I have reverence for all humanity, I would oppose inhumanity anywhere and everywhere. It is because I have this reverence for humanity that I grieve for all who now suffer and pray for all mankind. It is because I believe in God that I have this reverence. My family, my tribe, my race, my nation. Let this be my vision of the future. My extended family, all creeds, all races, all nations, let this be my new world, a part of my own humanity. In the beginning was God. All things were made by Him and as many as were made by Him and as many as received Him. To them gave He power to become His children. This is my destiny. This is my prayer.” and she wrote that in 1977.

The interesting thing was a few years later the league came and said, “Go and ask Mira if she will write that in Māori. We want it in Māori now, we’ve got to have te reo,” so I knew it wasn’t going to go down well, so gingerly I asked her and she said, “No, I’ve done mine, they can find someone else to translate it into Māori. It’s their turn.” And I tell you that because that’s one of the things I’ve learnt. In my time, I do things, but after a while I know it’s their turn and leave people to do their own thing in their time.

I was then sent off to see Manu Bennett because when she had written this creed before she called it a creed, she had to ask the Anglicans if it was a creed and he said of course it is a creed. So the League adopted it and I said, “Well they now want it translated into Māori and Dame Mira does not want to do it.” He said, “All right, we will go and ask.” So we went off to ask the late Archbishop of Tai Tokerau Ben Te Haara who was at that time a vicar in Rotorua and he said, “No, I couldn’t do that but I will tell you who can.” So you will see in the constitution of the League today it was translated by Māori Marsden and she accepted his Māori. So that’s how it comes to be into this, but it’s again words from a woman who showed us the way forward and showed us how to leave the rope behind you so as that younger women could grab hold of it and go forward, and so I feel like that’s where I’m at now and, because you know Rob – you know that Donna and Ripeka are much younger than me, but it’s time for the younger women behind them to pick up this mana wahine claim, take it to

wherever they want it to be and tell the stories so our mokopunas can have those for tomorrow. *Nō reira tēnā koutou, tēnā koutou katoa.*

JUDGE REEVES:

Kia ora.

5 **DAME ARETA KOOPU:**

Kia ora.

JUDGE REEVES:

Kia ora mō tō whakaaro ki a mātou i tēnei ahiahi and for giving us some more context around the events which triggered this claim 381. I will just – there may
10 be some questions for you, I will just check.

DAME ARETA KOOPU:

Thank you.

(13:55) DR ROBYN ANDERSON TO DAME ARETA KOOPU:

Q. Tēnā koe Dame Areta.

15 A. Kia ora.

Q. I just – you talking about the Māori Women’s Welfare League –

A. Yes.

Q. – and I wonder whether you have thoughts about where you would like their work to – how you would like to see their work developing into the
20 future?

A. Well again I think that is something I need to leave for the next generations, but I do have a big role to play in the community now because iwi and hapū are doing a lot more things for themselves, like, not devolution, but we are evolved and over the last 10 years I have been
25 certainly back developing the young women in Whāngārā in my marae and we have renovated our whole marae, and on each trustee committee we’ve only had one man. We keep asking, “Where are the men of Ngāti Konohi?”. So the women, we have carried on, we had to re-roof and be careful about how we handled what we call Waha-te-rangi, our

small marae, because it came from around the river and was placed back at Whāngārā. Because it is a historic marae, we were not allowed to change much but we could certainly restore it, but using similar materials anyway, there are quite a few restrictions. Then Whitireia itself, our main marae needed – it had a power box about this big and it was about to explode or catch on fire was the report I got. I found that the hapū needed some – wanted some direction because I seemed to be someone that they only saw getting on an aeroplane. But I found talking to the locals at home, my cousins, they didn't know how to apply for money, they didn't know how to write an application, and because of my association on the Tribunal I really want to pay some respects to Brian Corban who saw me looking quite worried and I told him, "The hapū have asked me to restore our marae and I have not even built a letterbox or a dog kennel, I don't know where to start," and he said, "Shall I come and have a look with you?", and he was so taken with the view of Whāngārā and said, "Can I help you?", well, who is going to say no? So you know, I have been able to help the women at home now and we have got a marae committee now that has got a real live accountant, it has got a policy maker for the chairperson, it has got young lecturers and, you know, it is just amazing what has changed for our children in education and now they are wanting to give back to their own. So I see I can do that, I see I can help communities in town, you know, sharing knowledge is all that it is about. I don't need it so you can build, and then we started a little professional women's group because there is not many women out there, but the professional women living at home you find have got no support for themselves, and so all you have to do is have breakfast and then they feel like, "There is someone I can go and talk to." Do you see what I mean? So the League for me will have to find its own way today because it is about a pan-tribal which we need because we all need to work together, but it is not somewhere where I have to have a role. I would have to change my roles.

Q. You said the question was asked, "Where are the men?", where were they?

A. They seem to think that their role is to paint the fence and dig a hole and mow the lawns, not be a trustee on the marae.

Q. Okay.

5 A. But we always found one, and so we nurture him and make him the chair and then he ends up being a speaker on the marae, orator, because, you know, it just happens more for men. Not that women can't speak on our marae, not that they can't, but why should we do everything?

10 Q. I suppose what you suggested to me there when you said, "They paint the fence and what have you," I thought they might think that they were too important to be involved in this work, but you are almost suggesting to us that they didn't think they were important enough.

15 A. No, no. Another thing that probably is interesting that when we redesigned the dining room, the wharekai, we kind of did it in a little square like that. So you put your dishes in, I mean this is all – put your dishes in, rinse them, go into the dishwasher, come out, and the complaint was to me, "You are breaking up families." Well that has not ever been my intention. So I wanted to know, "How did I break up families? Well we cannot get more than three people in that little weenie...", but you know what, you would only need one or two, you do not need three. Why can't you go out the front and learn karanga? Why can't you go and learn to sit on the front of the marae, why do you have to be in the kitchen?" And some women don't even know that that is what they can do. It is different out in the regions. They are so used to being in the kitchen or my mother is sitting up on the paepae or my mother is the leader, you know, or things like that, but we have to remember that rope behind us.

20 Q. And my last question actually grows a bit out of the Water inquiry and I was very interested in Canadian women and their involvement in domestic water supply and I just wondered in your work on your marae whether there has been involvement in that particular issue or maybe it is not an issue for your marae?

25 A. No, it is not really an issue yet. It is an issue because in the day of my grandfather when Sir Apirana Ngata set up the incorporations and trust boards he kind of put us into where the rivers were. So that family went over there, this family was here and this family was there, and it was the

Paikea – Pakarae river that came down this way and Waiomoko that went this way that helped to divide us. So we were very aware of our waterways, and also it is very dry on the East Coast so we need water where sheep and beef.

5 Q. Yes.

A. And I suppose farming was the other thing that was very important for women. My mother was a little bit shorter than me, she was not as tall as me, I was taller than my mother, but she was a major shareholder on our little incorporation and she knew everything about farming. She always
10 said she never went to school past standard two, but she knew everything about farming, and sheep and beef has always been our life. Now, we farmed to the max, and I am talking about women now, because my family have been on the farm, Whāngārā Farms, forever, and my youngest sister has been the chairperson of Whāngārā Farms for 44 years or three years.
15 Again, many women on the coast are in charge of the farms. The family on the Pakarae side of the river were in debt, they were struggling, and we had farmed to the max and they said, “Could we come and farm with you?”, and she said yes, of course. So within two/three years, by joining together we got them out of debt and so we began to share the profits at
20 the end of the year. The whānau on this side of the river said, “We are tired of trying to get out of debt to catch you fellas and you keep getting further and further ahead. Can we come now debt and all?”, and we said of course. So we took them on board in 2016/17 and they are out of debt. So we now farm from just outside of Gisborne to nearly Tolaga Bay as a
25 hapū, and the history is still there and the land can never be sold because it is all on Māori land. We are just developing a papakāinga on our farms because our people have not got homes, but that takes getting through that resource consent, but it is the women that are driving it, though there is more men on the farming committee because that would be natural but
30 it is still a women that is in charge and that is the way we were brought up is to be able to be as helpful as you can for your people.

Q. Thank you, those are all my questions for today and I hope we see you back again, so thank you.

A. That sounds good to me **(inaudible 14:05:00)**. Kia ora. Kia ora.

(14:05) DR LINDA TUHIWAI-SMITH TO DAME ARETA KOOPU:

Q. E te kōkā, tēnā koe.

A. Tēnā koe Linda.

Q. I have got a couple of questions. I think what you have just talked about
5 is, you know, the role of women in the kāinga, the role of women in the
whānau and the leadership roles, the work roles, the things that they do,
and then you also talked about, you know, well, a) the incident that led to
the claim around Dame Mira, but also the League trying to put Māori
10 women forward for boards. So there is this big disconnect between what
Māori women do at home or do in their whānau, hapū, iwi, do on the farm,
and then how their leadership is recognised in high levels of governance
and of participation in both regional and national affairs, and so what I
want to ask you in terms of your role in the league and the things that you
15 tried to do to promote Māori women into positions on, you know,
significant government advisory boards and boards and that, how did that
go? I mean, was it like an uphill battle, were there lots of issues or was it
disregarded? I mean you know, that era that you talked about.

A. I do not think it was disregarded, I think that Dame Mira, all of those past
20 presidents before me had made such an impact on the government in
that role because they were in that role. If you think about Dame Whina
doing the first housing survey in 1954, you know, and I talked about all of
the issues today, how the league has been dealing with them way back
then, and when we put in the submissions, I found that quite often we
were 10 years ahead of what the government thinking was back then.
25 Today, I am not sure how it is, but because they had made such a
significant impact on the government at that time it became quite common
for politicians to turn up at the League and ask for advice. I think after
1987 a lot of things changed, but up until then we were consulted quite
widely and I also found listening to those women, don't think that because
30 you are a mother in the home or bringing up a family or whatever you are
doing, women are highly politicised and women understand the issues
because it impacts not only on themselves, their whānau and their
community. They want change and I think that that was easily
recognised.

Q. Thank you. So the Act, I have forgotten the name of the Act, but one out of which the Māori Women's Welfare League and other initiatives emerged – Māori Development Act – I think probably gave this platform for women to mobilise and begin to care for community, care for whānau, do the education work that you have talked about. So do you see it as an important role of women to look after the community, look after the whānau, hapū, iwi. Is that a role that women play?

A. Definitely because we are part of the community. I do not think that they – I think that women want to be involved in making a better life for, but I think if we go back to taking the title of – the motto of the League – look, I have even forgotten what it is now, but Tātou Tātou was what they started off with and that was what it was supposed to be because women had played a big role at home, hadn't they, during the war, and now that the war was ending, they were not sure that they just wanted to be in the kitchen. They had proved that they could handle much more. Also, we had to help start the nation again, so women began to move families – all families began to move to the cities to help New Zealand get back on its feet, and that is why you will see big contingents of Ngāti Porou there and Ngāti Porou up there and Ngāti Porou there and other tribes, but everybody went for work and everybody had work and everybody was achieving. Everybody was able to educate their children however they wanted to. So I think that that is what happened for the League during those early years and it allowed women to feel free to start talking intertribally, because if you listened to my mother who married a man from way up in the north, she would never have – she would have gone around the village gingerly because she wasn't sure if she was accepted, and that is how we get to be in Ngāti Kahu. My father was from Ngāti Kahu and there was no work and a few of them all came to the East Coast and got jobs and we all kept – they kept in touch with each other, Tolaga Bay or Gisborne, and it was sort of women then found by sitting in a forum like this they were sharing ideas and everybody was listening. And let me tell you a little story when my very first conference, my mentor within the League in Waiariki was my aunt Tai Green who was a daughter of Apirana Ngata, and she said, "You are ready dear, you will be coming to

conference.” “Yes, all right, I am going to conference.” At that timer I had been doing some social work and she said, “You will get up and talk about what you were telling me that Pākehā doctor was telly you.” Because of my position in the community, I was also working with a doctor

5 Margaret Sparrow who was up in Auckland and she had shared with me her concern of young Māori women having abortions in Auckland and not telling their partners and not telling their mothers and she was worried about the future generation of Māori babies, because a lot of our girls were gone to try and find better lives in the city. So she said, “You will

10 stand up and talk about these abortions,” and I was challenged severely for bringing such topic to the floor of our sacred conference. So I sat down and my aunt said, “It’s all right. That lady is actually – it’s all right, you are a niece of hers,” because she was from Ngāti Porou. So at morning tea we went around and we educated her on what abortion was

15 and she did, she stood on the floor after the conference and said, “We need to listen to what the young are saying.” I was young then. But I am just saying that that is what the League had in favour of it in those early days, we could bring these topics up. It was the same with gay people, we were able to bring it onto the floor and have everybody discuss it. I

20 know some organisations are still talking about it and haven’t made a decision whether they like it or not. Come on, 20-30 years later. Anyway, but that for me Madam was what it showed me women could do. They were politicised rather than...

Q. Yes. So I guess one of my key questions that I am going to be asking

25 over and over, if Māori women are standing up for all these concerns and issues, who stands up for Māori women?

A. Sorry I am not sure how to answer –

Q. Who stands up, who protects the women, who supports the women?

A. Women. Women. We have women’s organisations that – I used to do a

30 lot of work in the Women’s Refuge in Rotorua and around the country and to my horror when I was in Auckland I was part of setting up Shakti which is, yes, a Women’s Refuge for Asian women and I was absolutely horrified at how lonely these women were on their own. They did not know the language. We could not find another Korean speaking, Vietnamese

speaking, and the things that were happening in their homes, you know, I had not come across, and I had been in violence, you know, I had seen violence all over the place, but the difference was I could always go to that uncle and say, "You know, your tama," blah blah blah. You could
 5 always go to someone in the family and talk about what was happening, but these women were migrants and some of them were asked to be prostitutes so their husbands could gamble. I had never heard that before. So who looked after the women? We did, we looked after the women, and as a bonus I got a first-class seat all the way to America
 10 because these women were working in the airline. One of them that we had helped set up, you know, I am just saying you learn to share with women all over the world.

Q. So it comes back to the question that was asked about where are the men? If the women are looking after the women, where are the men who
 15 are looking after the women? Are they present in this story of the league? Are they present in the work that women are doing?

A. Well I am told that when they set the League up the men sat all around the, like we saw today, the men gave the women the opportunity to talk, they gave the women the opportunity to set the League up and they were
 20 around in support. Maybe, maybe we have to remember to do that. The League tries to honour the husbands of many members by making them honorary members, that is they can comment and I think men are best to answer that question for themselves. But I think that if you are in a whānau where the partnership is shared, I think that that is something you
 25 look after each other in a way because you have all got children to look after together. No, I think if I am very – can I just cross over to the Anglicans again, I see that they have set up a Kāhui Tāne and they are having walks and breakfasts and so no, I think we are fine, I think we just have to make sure that we work together from time to time.

30 Q. Kia ora kōkā.

A. Kia ora Linda.

(14:17) JUDGE REEVES TO DAME ARETA KOOPU:

Q. A few years ago I, in the Māori Land Court, I had a case in Gisborne which involved a large farming trust, and I will not say the name of it.

A. Right.

5 Q. And it was all about appointment of trustees for this trust and there had been a meeting and a lot of proxies were involved and it seemed to me, from hearing the evidence, that the existing trusteeship was trying to organise themselves and the members to perpetuate the existing trusteeship which was by and large a male group and the chap who was
10 intrusted with a large amount of these proxies had gone to this meeting and he had been so persuaded by the kōrero from two women candidates who were really talking about different ways of farming, different farming practices, the environment and ways of caring for the land differently, he was so persuaded that he voted all those proxies to these women and
15 they ended up being appointed to the trust and I was being asked as to whether or not this was, you know, going to hold water, and I decided he had the right to – he did not have any writing instructions and he could put those proxies any way he liked and it was all fine as far as I was concerned and that went through an appeal and that was all fine. But I
20 guess my question out of my observation of that situation is whether it is your experience that women by and large are taking on that role in relation to te taiao, to the environment, and looking to do things differently with land and with farming assets. I just asked that question given the experience that you have related to us concerning the large farming trust that your whānau are involved with, have you observed anything of that?
25

A. I suppose I can say that. I think we have always been aware of the environment. I don't think women any more than men have been less, you know, aware of the environment because if you are looking after the land you have to know what is on your land, you have to know what it is doing, you have to know how much the sea is coming in, you have to –
30 so I think the environment has certainly been something that we have always looked after whether you are male or female. I can only really talk about our incorporation because it is an incorporation, not a trust, where we have a revolving – in order to have succession you have revolving

trustees, so they only serve a term and then they have to apply again or they can stand down. We – whereas a trust like our marae trustees on the marae committee is different because we have a revolving trusteeship there, so they only hold the position for two years then they can be – but

5 I think that what I am aware of at the moment is that we were aware of how much the sea was just under the ground for us in Whāngārā and I hear the young ones on the committee now very aware of the hill at the back and restoring the maara behind the church so the village can go and help themselves. Having a village maara has become quite a thing and

10 it really is – it has made the school down the road, which used to be two teacher, it must be – they have just got nine new classrooms, so something is happening in Whāngārā, and they went across to the farm and asked the farm manager if they could come over and help restore the wetlands that are just there. So I think that by having those kinds of talks

15 to everybody is a bit aware of the environment. The only thing we are really concerned about is the water and sometimes, even city councils do not get it right in that they will say the water rights for such and such a river can be applied, and it was sort of about Christmas, so a lot of people missed it, and one particular farmer has now got water rights of the

20 Pakarae river. Now, his name is not Pakarae, his tribe is not Pakarae, so how do they do that? That is for us to legally challenge or hopefully not legally because it is costly and we do not really have that sort of money, but we need to ask those sort of questions. So I think we are all very aware of the environment in today's world. Is that what you are asking?

25 Q. Kia ora.

A. Thank you.

(14:22) DR RUAKERE HOND TO DAME ARETA KOOPU:

Q. Tēnā koe.

A. Kia ora.

30 Q. Ko au anō tērā e raruraru ana ki te mīhini nei.

A. Tēnei.

Q. He hokinga mahara ō kupu. As you were talking, I was overwhelmed with memories of kuia back home, Ivy Papakura, Kath Rangī and recently we

have lost Tuti Wetere and Mateka, and the thing that came through strongly in your kōrero is the way in which all of those kuia were in touch with reality, lived reality of what was happening on the ground and so strongly in touch that many of the initiatives and the strategies were directed very clearly to where the root of the problem was.

5

A. Yes, yes.

Q. And I had to laugh – sorry, I had to chuckle with your talk about the kitchen and the whole thing of the dishwashers and the like and that. We go through a similar thing but the challenge is usually that when you put a dishwasher in you lose that sense of everyone around washing dishes and talking and chatting –

10

A. Yes.

Q. – and that is what they argue about, the dishwashers.

A. Yes, that is what it is.

15

Q. But – and I see the connection from what I know of the work that is done in Taranaki, so much of that early work was done with fundraising and within the fundraising was so much activity and whakawhanaunga and I just really wanted to ask your thoughts around that. When you fundraise and when you gather a body of pūtea and you are in full control of it, there are no strings attached, you have fundraised, you are fully in control. It is quite different to when you go and apply for money and there are criteria and all of these other pressures that are on you, writing reports and the like. How do you see that has changed or is that good or bad, what is the situation?

20

A. I am hoping the new committee will know more about that than I ever did. I mean, I never even built a dog kennel, and if it had not been for Brian Corban, I probably would never have got another penny because while I had been the president, I certainly learnt that this is where you could get pūtea from and apply. But what he also did was he took the stress of that away by introducing me to the funding board who then said, “Oh well, we will – seeing as that you do not have a bookkeeper there,” because there was nobody at home that could handle the books, and I was not at home, I was still living in Rotorua. So I went home and I said, “Well this is my problem.” I got all this pūtea together from the people,

30

from you, I don't know what to do with it, and Brian said to me, "I will give you a CEO and I will give you a project manager." So the report writing went straight out of my hands and I could sit on the Tribunal happily without worrying about this, and they also said, "If you send the bills to us, we will pay them and can we claim the GST from the funders?", I said,

5 "Of course. I don't need it. I just need to get the roof back on the wharenuī. I just need people to be able to go back to the marae." So that was kind of how it happened. So I would say sometimes we have to walk across the board and I think sometimes some people get sent to help you and that is what happened to me. So I never had to – and I remember

10 asking them, "Do you want a rickrack in the kitchen?", because I had heard from Southern Hospitality they had these rickracks were the greatest things, so I had a lesson in that, and the marae were saying, "What are you going to do with this thing now?". It is bad enough that I

15 put in the ovens that were coming, but this rickrack, what is that? Well you have to show them what it is and I got the man to come up from Napier because I do not cook, do you know what I mean? There is lots of useful people in this world, not me. So he came and he showed them how to make a stew and how to make spaghetti Bolognese all in a rickrack

20 and then you just tip it forward, put it in your bowls, serve it out. It made the life at the marae two and three women only and two men at the most, but the rest could go out and join the mihimihi and learn to do – because we were getting short on the pae, there was nobody on the paepae and we keep losing them. So I don't know, I hope it is helpful, but I did not

25 care that they were not going to be able argue over the kitchen sink because they argued down the road anyway because they all live in the same village, but it was like move into the new generation because we have got a lot more to do than do the dishes. We have got to take our kids and give them a role too. So we have the flashes ablution block on

30 the coast. Nobody is disputing. But you know, we have really finished restoring Whāngārā, so it is really first class. We can afford to charge now to come and use it. But no, I would say keep going and try to get a committee, do not look after money by yourself. It is too hard.

Q. Kei te rongō i te aroha nui nei mō Whāngārā **(inaudible 14:28:17)**.

A. Āe, āe, mōhio koe.

Q. Mīharo ana. **(inaudible 14:28:24)**

A. My mokopuna of course from Taranaki. Ko Heemi.

(14:28) KIM NGARIMU TO DAME ARETA KOOPU:

5 Q. *Tēnā koe kōkā. Pai ki te noho tahi i a koe i tēnei rā.* When counsel for
Ms Evans opened this morning she made a particular comment that this
inquiry is not about pitting one against the other or not being a competition
to see who has been the most hard done by, and I just really wanted to
thank you for the stories you have told us today that have, you know, it
10 really brought that to life, the story of Shakti where, you know, lending a
hand to help others actually did not take anything away from you and the
way the farms brought the neighbours in, that helping them to success
did not take anything away from the farm. So I just wanted to thank you
for really bringing that concept that counsel opened with to real life in your
15 kōrero today. I also just wanted to ask just something that you said about
the League and about the impact that past presidents had had and that
politicians came knocking on the door looking for advice up until 1987.
What happened? What happened in 1987 that changed?

A. I think the government changed. I think the government wanted to look
20 at itself rather than look at the people, and for me that change has not
been good for us, and even now my wish is that the government would
soon learn they cannot do everything, they need us, and if they would
turn around and look at the people and say, "You can do this and you can
do that and we will govern or make new governing laws and get on with
25 the job," you would not be caught out by not producing as many houses
and not producing employment. But for me it was the change in the
government, but I found for me as the president from '93 to '96 there was
not a Minister's door I could not knock on. So that was the change. I
went to Parliament quite often and knocked on any door that I wanted to
30 know things. At that time, for me the excitement was that
Parents as First Teachers came into being and the only person I knew
that knew something about whānau, you know, this is my little knowledge,
was me and Donna Awatere, and I said to Donna, "I need you," and she

was, “What? No, I don’t want to join the League,” or something like that. “I’m not asking you to join the League, I just need you,” and we wrote 12 modules for Māori women to be able to do some work, and the complaints that were coming, you know, were coming forward as remits and one of the remits was from one of the nannies who said, “My mokopuna came home and I don’t know what was wrong with him. He sat on the heater and didn’t know he was burning.” Well that was the beginning of drugs, and I said we have to do something about this, we have to now ask our parents, and we are spread across eight regions in this country, surely we can make these parents do something about that in their own communities and in the way they wanted to do it. So bless her socks Donna wrote 12 modules or 18 mod – it was about eighteen months and she wrote 12 modules, you know, which the government plagiarised and we had disappeared into the air somewhere, and my term ended so the programme ended and if the next president does not want to do it well that is their business because it is their turn, but that is kind of what happened. But we really thought that whānau was about what we were about and our women already knew what it was like to be a mother and a grandmother, they knew what it was like to work in a group and so we saw ourselves as the sitting ducks to be Parents as First Teachers. I know children are paramount, but for goodness’ sake they are useless without parents. You cannot just have children, or if I had known my mokopunas were going to be so good I might not have had the parents. No, just that they do not listen to me. But I am just saying that that was what we saw the League doing and the government was quite excited about it and the then Minister Tommy, I could turn it into anything I wanted to, so that is what we tried to do and we were allowed to. But you know, if that is not what they want to continue to do, it does not happen. So I am just saying, yes, we knew.

30 Q. Kia ora, tēnā koe.

A. Thank you, Kim.

JUDGE REEVES:

Tēnā koe Dame Areta. Thank you for your evidence and your kōrero to us this afternoon. I think that has been illuminating to us to get your perspective on those events of the, you know, the 1990s but also the other experience you have related to us. So tēnā koe, ngā mihi.

5 DAME ARETA KOOPU:

Kia ora, thank you.

WAIATA TAUTOKO

10 (14:35) AZANIA WATENE: (CALLING WITNESS)

Kia ora koutou anō. [Interpreter: Good afternoon again.] Just in advance of calling our next witness, I did notice and she may have departed but Minister Mahuta joined us briefly. I just wanted to paku mihi ki a ia nō te mea Wai 318 is about the lack of representation and the Māori women's voice within decision-making and so just to acknowledge those that enter into those difficult roles and she represents that wahine Māori voice not only domestically but also internationally now in her role as Minister of Foreign Affairs, so just a paku mihi ki a ia mō tērā.

20 So I would now like to introduce Tania Rangiheuea. We did file a brief of evidence for her, that is document #A021 and that is filed on behalf of Wai 2260. So I would like to invite Mrs Rangiheuea to speak to her evidence. Kia ora.

(14:35) TANIA RANGIHEUEA: (#A022)

25 *Tēnā anō tātou katoa. Ki a koutou kua tae mai nei i tēnei wā, he mihi nui ki a koutou katoa kua huihui mai nei i tēnei wā i runga i te kaupapa nunui, he kaupapa mīharo rawa atu. Nō reira tēnā koutou, tēnā anō tātou katoa.* [Interpreter: Greetings to everybody who have assembled here today in this very prestigious event. Greetings again.]

30

My name is Tania Rangiheuea, I am from Rotorua or I was brought up in Rotorua but I am very strongly affiliated to my other whānau in Te Teko. I spent

a lot of time growing up there with my kuia and my koro, so I am Ngāti Awa as well. I am also Ngāti Raukawa ki te Tonga and I am from Ngāti Manu.

5 So I am really happy to be here to speak in the north because I descend from Pomare II. My kuia Te Rangingangana is from Ngāti Manu and she came up from Ngāti Raukawa, so I am very happy to be here and to speak. My marae here is Karetu.

READS BRIEF OF EVIDENCE #A022

10 Okay. I am the principal at Waatea School. I have been involved in teaching for some years. I sit on the Council at Awanuiārangi and have researched on Māori issues for over 30 years and written quite a bit about Māori women, so I am very happy again to be here to talk to you about some of my observations and covering some of the work that I have done.

15 I am here to support the Wai 2260. “The claimants’ view that Māori women have been systematically discriminated against by the Crown. Their resulting disaffected status has led to poor and, in some instances, devastating outcomes for them.”

20 We were asked to prepare briefs to discuss the early contact period from 1800 primarily up until the signing of the Treaty, so quite a bit of my kōrero focuses on that period.

25 “The status of Māori women during the early part of the nineteenth century and the subsequent diminution of their mana is of concern here, particularly the process and means through which that lessening has occurred,” and continues to occur by the way.

30 “There are three parts to this brief of evidence. The first part is a brief discussion of the concept of mana wāhine.” Now I have been fortunate enough to be able to read a bit about different commentators’ views, different scholarly views on mana wahine and the concept of mana, and so I have quoted that in my brief. I am also going to talk about a woman who particularly stands out and

exemplifies what, in my view, exemplifies every possible meaning of mana wahine. This is Rangitopeora and her picture is there. I brought her picture along for me to be able to stand next to her so you can see Rangitopeora. She is wearing four huia feathers. Now for anyone who wears a huia feather, that's

5 a sign of mana. For someone who is wearing four feathers, great mana, and what I found out is that those feathers are still held by the whānau of this woman here. So the Pomare, Maui Pomare's whānau holds those huia feathers, and who knows, in the course of these hearings we might be fortunate to see those feathers. I will ask. Yes. She also, you will see, wears a kaitaka, it is finely

10 woven, and she wears many taonga. So you can see immediately this is a woman of great status, great mana, and her story is worth the telling. Okay. It's important, her story, because it provides a lens through which we can understand or begin to understand how Māori women exercised leadership. The breadth of her mana, how she expressed it, and the acknowledgement of

15 her status by others is given voice through the telling of this fascinating story.

I grew up knowing about Rangitopeora, I heard many of my kuia talking about her and so when it came time to write this, I was really, really proud to be able to do so. So I have written her story in first person as if she is telling it so that

20 you can make a connection, you can imagine what this woman must have been like and what she did during her lifetime which was she lived through the most traumatic period of this country's history, in my view. Those were years of horror, particularly for Māori, so I am going to talk about that.

25 "The historical context within which Te Rangitopeora lived was the most chaotic for Māori and foreigners who came to New Zealand. According to Ian Pool, well-known statistician/demographer, the impact of European expansion on the Māori population during the three decades preceding the signing of the Treaty was devastating. Once European contact was established, it would take

30 another three generations for the Māori population to recover and reach its natural levels of increase. A full discussion on the changes to the Māori populations outside the scope of this brief, but I think it was worth noting that Māori were subjected during that time to horrific things. For example introduced diseases (influenza (1790-), dysentery (1800-), measles (1810-), whooping

cough (1820-), as well as the stresses of land sales, musket wars, and the heightened competition for natural resources which had been accelerated by the sealers, the whalers, the traders.” So you know, all in all, it was not a great time to be living and be Māori. I want to stress that the point is, must be stressed, that this was tough and this is a period when, as Ripeka has referred, our founding mothers were trying to live and provide leadership.

The whole of the nineteenth century was politically and socially turbulent, but the years from 1800 up to the signing of the Treaty in 1840 were particularly violent for Māori. The usurpation of Māori control over themselves and their land by colonial officials was a wholesale act of aggression. The British wanted sovereignty over the whole country on their terms, whereas Māori thought that they were ceding a loose suzerainty. So it's is against this backdrop that the discussion of mana wāhine is presented here by me.”

So the concept of mana. “Simply defined, mana wāhine is the prestige of women, but a more comprehensive explanation reveals a complex term, a term which is complicated, it's dynamic. Mana denotes many things, such as a power and authority which is endowed by a higher order, from spiritual gods to natural beings, which as Hugh Kawharu explains, enables them,” excuse me for quoting a Māori male, but you know, some of our men were worth quoting so I quote Kawharu, so which as Kawharu explains, “enables them to achieve their potential...to excel and where appropriate to lead’. Mana is also expressed as a social contract between the leaders and the tribe.”

Now, I want to, later on, talk about or give my view about this phrase which he says “it enables them to achieve their potential,” because I think, given all of these things that were happening in the early part of the colonial period has effectively weakened Māori women's power to have – or weakened their potentiality, weakened our potential, and I think that is a serious thing. There are others like my uncle Hirini Mead who talk about mana having been influenced by certain values and principles, and I have quoted his work because he describes mana as using the metaphor of a child suckling at their mother's breast. He says, “A child can also inherit mana based on the deeds, the social

standing or the regard that others have of their parents. An individual's achievements can enhance not only their personal mana but the mana of the collective, that is their whānau, their hapū, their iwi. The enhancement of one's mana is described by Te Rangikaheke as 'pūmanawa', and Mead points out
 5 that the term 'āhua' can also be used to refer to the character or the form or make up of a person." I like the term that Hirini Mead, Professor Mead, coins which is 'kaihau-waiū', which metaphorically describes as birth right of every child that is gained from their mother's breastmilk. Every child is born with their own natural attributes that are inherited from their parents. Every child is born
 10 with mana. Mana is intrinsic from the moment we are born, maybe even before we are born.

"The status of Māori women in pre-European society was bound up in tribal and hapū laws and protocols. Women were regarded as 'noa' or 'tapu' in some
 15 instances, not all the time, and certain practices were observed to maintain that status." And I give an example of a pre-pubescent girl sanctifying a wharenuī. But I think there is one other example that I can give here which I think is pertinent and that is given by one of my whanaunga Te Waari Carkeek from Ngāti Raukawa and he tells the story of the women of Ngāti Toa and
 20 Ngāti Raukawa and he talks about the mana that women were able to, after war, they used to bring in their captives, particularly if they were chiefs and they were made to walk between the legs of women, and that was to confirm that, and I am going slightly off-script here Natalie, but that was to ensure that the mana of that person, that captive, would always be at the behest, if that's the
 25 right word, of that woman and the people. So women had great mana, they could do these things.

"Women with high levels of mana have special attributes which are recognised by others and the complexity of mana wahine can therefore be expressed in
 30 many ways." So now I want to turn to the story of Rangitopeora. There she is. She was born about 1800. She lived during that whole period. She is thought to have died some time between 1867 and 1874. So you can imagine what she must have seen during her lifetime, and so to tell her story I thought I might, as I said, write her story in first person. All of the events that is in her story that I'm

telling are factual and can be evidence, they have been evidence, by her own tribe particularly. Here is her story.

5 “I’ve been standing here since early morning. It’s a winter’s day and my feet are cold. I’ve been sent here by my mother to count the ships that pass southwards. I let her know when I see one. None of the people on the sailing ships have landed at Kawhia, but we are very aware of their presence. They come for our tohorā, they come for our kēkeno and rākau.

10 I’m wearing a flax rain cape that my mother taught me to weave, but there are too many uneven gaps between the cords so I have to keep adjusting them to keep warm. My mother says that I must stand as still as I can so that I look like a bush from afar. It’s hard for me to stand here by myself; after all I’m only seven years old. My mother says that mine is a big responsibility and that she’s
15 training me to look after myself and my tribe. I don’t know why pretending to be a bush is looking after the tribe but my mother is a wise woman and she knows her business. I did not understand that she was training me in intelligence gathering.

20 My name is Rangitopeora. I was born sometime around 1800. I live on the southern banks of Kawhia harbour amongst my tribe, Ngāti Toa. My hapū are Ngāti Kimihia and Ngāti Te Maunu. My mother Waitohi, is an influential leader of our tribe; lots of people respect her, especially her brothers Nohorua and Te Rauparaha who are brave warriors.

25

For as long as I can remember, we have been embroiled in warfare and are constantly on the move. Life is very hard as we have to shift from one pā site to another in order to strengthen our numbers. The Waikato tribes are forever waging war against us and conversely, we with them for a range of reasons.

30 Everyone is caught up in the skirmishes and battles and even when we win, there is always a toll to bear by the whole tribe. My mother takes a lead in organising the women during times of conflict. When the men are away fighting, the women, children and elderly are left to protect the pā from invaders. Many women like my mother take part in the fighting.

My experience of pretending to be a bush came into good use when a Ngāti Maniapoto raiding party attempted to take over our pā site. My uncle Te Rauparaha in anticipation of their bid, returned from fighting and directed the women to group bushes in a large circle, to cover them with capes and light a large fire in the centre. At night it looked like the pā was full of people with a large contingent of warriors gathered around the fire. The illusion tricked the invaders and they left. We survived.

In 1818, Te Rauparaha was given his first musket when he was with Ngāti Maru in the Hauraki. From that moment, our lives changed considerably. My uncle travelled everywhere to get muskets so that he could destroy our enemies and acquire land and supporters. He became known as the Napoleon of the South, such was his prowess as a warrior and leader. I later became known as the Queen of the South, but that is another story.

For the next ten years, the conflicts between Ngāti Maniapoto, Tainui and Te Atiawa intensified. In about 1820, a huge ope taua from Waikato came to Kawhia. They arrived in seven war canoes. When they reached our pā site Ohaua-ote-rangi, my mother recognised some of her Ngāti Te Ata relations in the war party. She appealed to them to not war with us. My sisters had recently been killed by a raiding party from Ngāti Pou and some of them were now invading us now. They finally relented and left us alone; my mother had saved us from certain death; such was the depth of respect for Waitohi, my mother, and her mana. I was very young when I composed waiata tangi for my sisters and waiata kangakanga for their killers. Singing was comforting and I continued to compose throughout my life.

I was only 18 when I was married off to Ratutonu from Te Atiawa. Our marriage was arranged to bring peace between our two tribes. During that time, Ngāti Toa was on its hekenga. They were travelling south to find a permanent place for us to live.” Those of you who know this history would know that Ngāti Toa had decided that they wanted some peace in their lives and they moved. “All of my life, I have followed my parents and uncles across the

country, fought with them against our enemies and supported them to secure safe places for our people to settle. After Te Ratutonu four years later in 1822, I married Rangikapiki from Te Arawa and had my son Matene Te Whiwhi,” some of you will know Matene Te Whiwhi was the Kingmaker. “I married Rangikapiki from Te Arawa and had my son Matene Te Whiwhi who later signed Te Tiriti o Waitangi with me. Ngāti Toa had strong links to Te Arawa and they were put to the test many times during the Musket Wars of the 1820s- 1830s. I also married Te Wehioterangi from Te Arawa. My fourth husband Hauturu had an affair with a slave girl when we lived on Kāpiti Island and she died on my order.

10

My people finally settled in the Horowhenua, although we also held mana whenua over the Wellington and Upper South Island areas. Those lands were acquired through conquest during an 18-year period led by my uncle and brother Te Rangihaeata. When Ngāti Raukawa finally agreed to settle alongside Ngati Toa in the Horowhenua, it was at my mother’s request and invitation that they agreed to do so. My mother set aside a large area of land for Ngāti Raukawa and Ngāti Toa; those tribal boundaries are still in place and acknowledged to this day.

15

Intelligence from the North was communicated to us by Te Rauparaha who travelled widely to gain political alliances and resources.” I think one of the Tribunal members had asked why were Māori communities receptive to Pākehā coming to live amongst them, and they certainly were because – well in sometimes they were because it meant that they had access to certain resources and intelligence. “News had arrived about the Declaration of Independence that some Māori in the North were organising. We also knew about the trading business amongst the settlers and Māori in Auckland. We now had Pākehā traders and missionaries living amongst us and the warning that more were yet to come was clearly felt.

20

By that time I had seen too much warring. My uncle’s children had been murdered by the Muaūpoko and I fought in retaliation against them. I supported my brother Te Rangihaeata against Pākehā settlers who tried to take our lands on the Wairau Plains and the Crown who tried to deny our rights to land in the

Hutt Valley. My son's wife was killed at Wairau and my son retaliated by killing some of the settlers. I signed Te Tiriti because I wanted the British to uphold their guarantees, particularly in article 2 of Te Tiriti.

5 I was in my early forties when I signed the Te Tiriti. My mother had died the year before and I had taken her leadership role. I was the only woman to sign when the CMS Missionary Henry Williams came to Kāpiti. Te Rauparaha, his son Tamihana Te Rauparaha, my son Matene Te Whiwhi and I were they only ones to sign at Kāpiti. At the signing, my uncle gestured me to move forward
10 after I had been stopped by one of the Pākehā officials. Like my uncle, I believed that the Te Tiriti would guarantee our possession of our lands that we had won through conquest and settlement (through ahi kaa). Soon after it was obvious that the British were not true to their words. I expressed my anger to those Māori who invited Pākehā into their communities.

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My uncle Nohorua, who is the older brother of Te Rauparaha, was a chief of Ngāti Toa, also signed the Te Tiriti. He insisted that his son in law, Joseph Toms, sign as well so that if Pākehā breached the Treaty in any way, his descendants would also blame him. Joseph Toms was a whaler who
20 married my cousin Te Ua Wainokenoke. It was the immense status of Nohorua that allowed Toms to sign the Herald Bunbury copy of the Treaty in Cloudy Bay.” So as I understand, he would be the only one I think or maybe there might've been others to have signed – for a Pākehā to sign the Māori pages of the Treaty. “I later allowed a whaler to establish a whaling station on Kāpiti and
25 that caused my uncle to be very angry and he stopped talking to me.

I have lived through the enfranchisement of Māori males in 1852, the 1860s land wars and the establishment of the Native Land Court in 1865. I saw the most incredible changes to my peoples' lives. I converted to Christianity in 1847
30 and I took on the name Wikitoria. Some call me the Queen of the South. I just want peace for my people after too many years of horror.”

Rangitopeora as I said died sometime between 1865 and 1873. I just want to make a point about her changing – adopting Christianity, becoming a Christian

and being baptised. I have been asked, why did Māori, some of those really staunch Māori leaders convert to Christianity? But if, you know, and you can understand after so much time they just wanted some peace. The other thing is that the message, the Christian message was being delivered to them with words that resonated with Māori, like compassion, like trust. Some of those Christian values and Christian terms resonated with Māori and so I can imagine that becoming a Christian wasn't such a big step for some of them. Certainly not for Rangitopeora. Interestingly she converted to Christianity some time in 1847, seven years after she signed the Treaty, and then she was still raging at the marae against the Pākehā who were taking lands in the Horowhenua. She stood on the marae to speak publicly about issues she felt strongly about. She was passionate, she was compassionate, she was a composer, she composed waiata kohukohu, waiata kaioraora, cursing songs, and she sang them on significant occasions. She also – the women in her tribe also practiced the custom of whakanoa to remove the tapu from the warriors after battle, and when their captives were made – the chiefs were made to walk between the legs of the women, that was to signify their rebirth into the tribe of those who had captured them and their mana was constrained. Okay.

“Rangitopeora's story is one of remarkable leadership that was inherited and exercised during the formative period of our nation's development. During that time, Māori women were leaders, they were warriors, mothers, wives, decision makers, they were spokespersons, advocates, composers, strategists, intellectuals,” they were also the machinery that kept the tribes going. Without them, yes, and the thing is I think at this point is during all of this time Māori were losing land and so, you know, it became very, very difficult and their lives were very marginalised by the loss of those lands and I note that there were some who were agreeable to selling lands but a lot of it was confiscated and it was confiscated quickly, soon after the signing of the Treaty. We have talked about – Ripeka talked about the 13 women who have been identified as having signed the Treaty on behalf of their iwi. Although, it is difficult to decipher the signatures, even if you could decipher the signatures, some of them are of their moko and some of them are pictures, like Rere's, and it's thought that her tohu on the Treaty was her whenua. So they are drawing their whenua.

“The roles of Māori women however were quickly marginalised by European laws and norms once colonial contact and settlement took hold and flourished it became even more difficult.”

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I also hasten to add that, “Contact with Europeans was not always mutually beneficial. Māori women who married Europeans, as in the case of Te Ua Wainokenoke, provided their husbands with access to the culture and communities of Māori, but perhaps more importantly the protection of the tribe.

10 If that woman happened to be a chief’s daughter, then their lives would be protected even more so by the whole tribe. Under English law a marriage had to be solemnised by a Christian minister to be legally recognised. Most early Māori/Pākehā marriages were conducted according to Māori custom; the presence of a minister not always being available. Children of such marriages
15 like those of Te Ua Wainokenoke had no legal claim to land that she had brought to the marriage, as her interests became the sole property of her husband on marriage. The extent of divestment of Māori land through marriage to European males is not known, however it would have had a long-lasting impact on the descendants of the couple if they as the natural inheritors did not
20 receive a rightful share of their mother’s lands as was the case of Nohorua’s grandsons.”

So what happened with Nohorua’s grandsons, at the death, on the death of Te Ua Wainokenoke, the husband married again, married a Pākehā, and all the
25 land that he had taken, had enjoyed during his marriage to his Māori wife were retained by him and later were succeeded to by the children of that Pākehā marriage and the Māori children, and in the **(inaudible 15:09:54)** investigations, Nohorua fought to get some of that land back, but his appeal was unsuccessful. So we lost land that way. I just want to talk just very briefly about the tensions
30 between the private and public spheres.

Most of you will all know that, “The English view that a woman’s place was in the home and it was the prevailing view throughout the nineteenth century. Pākehā women were permitted under the largesse of their husbands to

participate in church and religious activities,” and that was the limit of their activities in the public sphere, unlike Māori women. We were in the public sphere, I mean, we were in the public domain, we had our public domain. So that was a contradiction for Māori women. “On the other hand too, the husband’s roles were extended into the public sphere and as a consequence, the founding of our nation was mediated and sanctioned by Pākehā male priorities and sensibilities; women’s views were completely discounted.

Belich describes the dual systems of Māori and Pākehā in post contact period as being separate in most respects. Some Māori communities continued in much the same way as they did prior to European contact,” look at my relations in Tūhoe, they had very little contact with Pākehās in that early period whereas in the north it was intense. “The settler government lacked the means to fully assimilate Māori into Pākehā society, so Māori were more or less left to their own devices. This explains in part why Waitohi and Rangitopeora were able to continue to exert influence in their respective leadership roles over their people. As the assimilation process advanced, leaders of the old Māori guard had to look for alliances with settler officials to secure their interests.: That is what Te Rauparaha did, he went overseas. Many others did the same. “Land was alienated at a rapid pace. The fracturing of Māori society was more apparent now that the settler population was now almost equal to that of Māori. In 1840, Māori outnumbered Pākehā 40:1 but that had more or less equalised within a decade.

25 **Male Franchise**

I think it’s worth pointing that out that although the 1852 New Zealand Constitution Act was ‘race blind’, it certainly was not gender blind. Māori men who could satisfy the property criteria, that is that they held land in individual title could vote, but there was no provision allowed for Māori women.” Māori women lost their land rights. “Given that almost all Māori land was held in common, very few Māori men in fact met the property qualification. There were some who did and it is estimated that about 100 Māori men voted in 1853. Nonetheless Māori males were granted franchise rights some 40 years before Māori women.” And of course all women, Pākehā and Māori got the right to

vote in 1893. I raise this point not to set up contest between Māori males and Māori men, but it must be noted that we were owners in our own right over our lands, owners in a Māori sense, not in a Pākehā sense. Land was shared communally, not equally but communally, and we lost that right.

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The decades of despair. There were many.

The 1860s land wars brought to a head the avarice of settlers for Māori land and the subsequent land confiscations that had a devastating impact on Māori, particularly those tribes who had fought against the Crown.” You were penalised like my Ngāti Awa people. They were penalised for raising up arms and fighting against the Crown.

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The introduction of the Native Land Court in 1865 simply accelerated the extent of land alienations and did little to protect the land interests of Māori women.

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Ian Pool described the period 1840-1901 as the ‘Decades of Despair’, and David Williams, referred to the Native Land Court as the ‘Engine of Destruction’.

These two descriptors gloomily sum up the context and principal colonising mechanism which irreversibly altered the status of Māori and as goes the saying ‘Kāhore he whenua, kāhore he mana’, ‘Without land, I have no mana’.

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To conclude, it would be easy to romanticise the status of Māori women in the golden pre-contact era by the considerable deeds of exceptional women like Waitohi and Rangitopeora. Traditional Māori society was hierarchical with power and knowledge unevenly distributed in favour of the higher-ranking classes. Most Māori women did not possess the leadership skills or the roles that these women held, nonetheless individually and collectively Māori women had mana that enabled them to effectively participate in their tribe.

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Finally, there is a move towards developing ahistorical analyses that go beyond the constraints of the dichotomies of the public vs private spheres, male vs female, Māori vs Pākehā and instead focus on the tensions that Māori women encounter when staking their claim within the public domain.” That is my argument I think, principal argument, that we must look to those tensions, the nature of those tensions, not be caught up in those dichotomies that only take

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us so far in terms of reaching a solution that is agreeable and suitable for us as Māori women. “Māori women and men do not belong only to one sphere. Any attempt to measure the status of Māori women would necessarily involve an analysis of their experiences across multiple spheres, and through a cultural lens that is appropriately informed by hapū or iwi law and tikanga. We cannot begin to understand the complexity and dynamics of mana wāhine unless we do that in my view.

I think this discussion hopefully throws into relief some of the issues that impacted on the status of Māori women during the early contact period that might contribute to the narrative that is being developed during the course of these hearings.”

I just want to add, if I may, that when we read the so-called histories, official histories of this country, and I think it’s interesting that the word history is made up by two parts, his and story, and it’s my observation of having read many, many, many academic research studies on Māori, the colonial history of our country, that the story of Māori women is either skirted around or completely omitted. So you know, it begs the question, why is that? Well we know that we are not the narrators and our stories aren’t being told. So in my view, this is a good thing that we are able to be here to tell our stories, to make those stories, and I agree with Ripeka saying that this must be a viable outcome of these hearings that we tell our stories and we create our own stories.

And I just wanted to make an observation about the inception of Te Ohu Whakatupu and you raised a question about the, perhaps, the tensions between Pākehā feminists and Māori women’s aspirations during that time. It would be fair to say that the feminist agenda in this country has been driven by non-Māori women’s views generally speaking. I know that some Māori women were very active in the feminist movement, particularly around the 1970s up to the 1990s, but if you read a lot of historical text, published text, they’re not our stories and they’re not – they don’t tell about our struggle, even though they – I mean in my view the feminist agenda didn’t go far enough to engage in the questions around racism. Questions around racism never properly fully

addressed by the feminist agenda, and I think that that needs to be discussed more within – perhaps in this forum.

I also just want to say that I am fortunate to be able to write about Rangitopeora and acknowledge that some descendants, other descendants of hers will be telling their stories in later hearings of these claims. I'm related to Rangitopeora through marriage. My tipuna, Te Akau, was the second wife of Te Rauparaha, Te Akau was from Tūhourangi, she was from our hapū. My tipuna Te Whatanui whom I am a direct descendant was related through kinship to Waitohi, Rangitopeora's mother, and my own children are direct descendants of Nohorua, so I am pleased to be able to have that opportunity to tell her story again.

(15:22) DR ROBYN ANDERSON TO TANIA RANGIHEUEA:

Q. Tēnā koe Tania, thank you for your kōrero, especially about Te Rangitopeora. I kind of hesitate to ask this question because I have read kōrero about her and I kind of bristled on her behalf, but you have invited us not to get bound by the constraints of dichotomies. Now I have read a story by a Pākehā observer where she is speaking passionately on the marae on behalf of Te Rangihaeata and a senior chief, who I will not name, basically said "Sit down girl and shut up," and she must have been 40 at that time, and I just wonder whether you have any comment to make about that incident?

A. Where was this?

Q. It would have been during the Hutt Wars, during the wars there, and now it may be in fact a Pākehā observer putting his slant on something that – in making a good story about it.

A. Could be.

Q. So that would be one possibility. Another possibility that, you know, I think we should maybe explore is that maybe the age was not quite as golden as we are hearing and that there are patriarchal elements within Māori society that could surface from given the opportunity, and I just wondered whether you had an opinion or whether that is new information and you would rather not comment, that is fine, it is, you know.

A. So can you just tell me your question again, what are you asking me? You are asking me whether I think that the status of Māori women is legitimate as –

5 Q. No, I am suggesting that maybe that there are elements of sexism within society, elements of patriarchy within Māori society that, you know, will surface, and that it is not maybe totally a colonial construct.

A. Fair point, I agree. I mean, I am open to that. I don't know what your evidences are. I'm sure that is – I mean ours was not a matrilineal society, so therefore I can imagine that women would have been sat down. I mean look at Topeora, she was pushed aside. I'm sure we could come up with a number of examples to show sexists that there was sexism. I'm not saying that there wasn't. In fact, that golden, that described golden – that golden pre-contact period is not my –

10 Q. Yes.

15 A. I should have said that it is not my description.

Q. No, you are questioning it, in fact, I think in your evidence here. So no, I am not accusing that. I suppose my little anxiety is that in trying to bring out the mana of women and these spectacular women –

A. Yes.

20 Q. – that may be we ignore sort of the other side and whether that does service to this inquiry you know I would question that.

A. I don't think that Māori are any different. You know the telling of Māori peoples stories is any different. I mean when you're looking back in history it is always those standout people –

25 Q. Yes.

A. – whose stories are told and the examples you know we could probably find in many, many examples where sexism occurred in our society, no doubt about it. These people were living to survive. They were trying to survive in very difficult situations and so some women were doing horrific things. I mean I talked about Rangitopeora condemning to death a woman who fraternised with her husband, had an affair with her husband. You know the point I was trying to make is that she actually could do that. She had the mana to do that whether it was good or bad.

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Q. I suppose when I was reading some of the evidence not only of you but of others who were going to be presenting, I agree it is incredibly important to bring these people, these women into the public knowledge. But I look at white feminist history and we spent quite a bit of time bringing

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A. Yes.

Q. – and even though those people are brought to light, it doesn't mean that the society that those women had power or you know that it was a situation of equality even though they existed.

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A. Yes. Well I mean we all like a good story in the end.

Q. Yes.

A. You know we all like heroines and heroes and that is what we get. We don't tend to read about this, the less, the mundane and the less exciting I guess, but we all know that those might be perceived as mundane roles are nonetheless important to keep –

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Q. Yes.

A. – the tribes intact and active and viable.

Q. All right. Well thank you very much for your evidence and for your –

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A. Thank you.

Q. – answering my difficult questions. Thank you.

(15:28) DR LINDA TUHIWAI-SMITH TO TANIA RANGIHEUEA:

Q. A, te tuakana tēnā koe. Thank you for your submission. It was really great. I enjoyed reading it for the I guess I really appreciated the time you took to spell out the different dimensions of mana and the way mana I guess worked in a dynamic context. And then I think what you demonstrated with the story is, in this tumultuous time this particular women kind of exercised mana as a means to be resilient, to survive, to make decisions, to thrive, to engage, to participate. I think it is an excellent example that points to the turbulence of the time and what you know in this case one woman but I'm sure many other women were having to survive and basically to survive. I am not sure if basically, to pick up some of your questions Robyn, is whether that time in itself is the

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truest indication of the world view that existed before a single Pākehā set their eyes on New Zealand. You know it would still have been a time of change, it would still have been dynamic but there wasn't this outside force that was facilitating this inner destruction. You know so I think that story is really powerful. But what I want to do is just go back and have you track out what you think the different dimensions of mana that were exemplified –

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A. By who?

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Q. – by her. You mentioned some. Like she had power over whenua and then she had power over the life of someone who transgressed. Yes, so I just think can you kind of pull some of those other threads out?

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A. To answer your question I think it would be useful to look at it from two different perspectives. At a personal level she had a great mana. I think any woman not just her living during that time of horror, those years of horror, as you said we would've been self-resilient. They were thinkers. You had to think quickly to survive so they were thoughtful. They were keepers of our culture because we still know things about Rangitopeora and through her songs and we know about certain events that went on because she was a great composer and her waiata are still being sung to this day. She was a communicator. Having mana means that you can talk and you are able to talk. She never gave up you know that's to do with her self-resilience I think. So she had great personal qualities that exemplified mana in many respects. I mean you can imagine she lost her sisters in war. She saw her sons children being murdered. She was there when her uncle's children were murdered. These were people close to her. She still had the resilience to be thinking strongly about how the tribes would be protected. So at a personal level I think she had great mana. I've got some talks about how mana can wax and wane depending on different factors and principles so it's sometimes when she could have made a bad decision like ordering the death of a woman is not a great decision but in her view it might have been. You know so I don't know she might have lost some mana through that deed. So I think you know she was able to –

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Q. Well maybe in te ao Māori that deed was –

A. Pardon?

Q. – that’s what you do. Maybe in te ao Māori mindset what she did is perfectly valid.

A. Perfectly valid.

5 Q. In fact, she should have done it. You know if you are thinking about a different world view and a different mindset –

A. Yes.

Q. – her story shows that change that was occurring I think during someone thinking as a Māori –

10 A. I think that’s an interesting point because we’re looking at it from a post-colonial –

Q. Yes.

A. – position thinking back and making some judgments about what she did, whether it was right or wrong, whether it was a good thing or not a bad thing whatever, whether it was in the interests of her tribe. I think you are right because it may have been their tikanga.

15 Q. Yes. So a lot of food for thought in that example.

A. Yes, at a collective level, at a collective level the tribe you know the people around her worked together and so I think there are different attributes that the collective has in terms of demonstrating mana.

20 Q. And I think as you said, there’s mana that a person can have but it’s pointless if others don’t recognise it.

A. Recognise it.

25 Q. And it’s also speaks to the mana of a person that their iwi remember and tell their story –

A. Yes.

Q. – generations afterwards and bring that story into this forum.

A. Thank you.

Q. So, thank you very much for that kōrero.

30 **(15:35) LISA SIMPSON TO TANIA RANGIHEUEA:**

Q. I just want to ask a question just relating to paragraph 6 of your brief where you refer to the tensions that women encounter when staking their claim within the public domain.

A. Yes.

Q. Are you referring there to historically or in a contemporary sense?

5 A. Well, the classic example of that has already been given today with Dame Mira. She was put up at that time during the Treaty settlements process, the Fisheries Act. They had decided to establish the electoral college and of course the Māori Affairs – sorry the Maori Women’s Welfare League had a position on that electoral college and the electoral college was expected to put up their people, their representatives on the Fisheries Commission, and of course it was 10 Dame Mira and she was gizumped at the 11th hour dare I. So, I think that’s an example.

Q. All right. Can you elaborate in a general sense about some of the other tensions that you see in this space as well that Māori women would be needing to balance?

15 A. We talked earlier, Dame Areta talked about the establishment of the Maori Women’s Welfare League in 1951. There was an organisation that was set up that preceded the league and that was the Women’s Welfare Leagues, the Women’s Health Leagues in Rotorua. Yes. The Women’s Health League 1930 – when was that, 1937. So, 20 they had been going for some time and they did great work but you know, when you are working in an area that is deprived of resources, when you’re dealing with issues around survival, i.e., not being – having a lot of unwell people you have to speak out and that’s what happened with the Māori Health Leagues. They became political. See Ruby Cameron, 25 Nurse Ruby Cameron who set up the health leagues was charged with organising some of the Māori native nurses, Māori nurses and my kuia was one of those nurses and they did great work but they did work in areas where Pākehā nurses didn’t go. You know, it was thought that they’ll send Māori nurses out to work with Māori people because they can 30 work better and I think those are some of the tensions with Māori working in the public sphere that they have to address. These women went out with very little resources working in often quite rural areas and under very trying circumstances but you know, ultimately, there is a time – a time comes when you have to speak out and say you know and tell the

government this is not right, you need to help Māori people, Māori people are in need. And that's what they did and of course, their penalty for doing so was that with respect Rangī Royal was a welfare league, sorry a welfare officer in the Department of Māori Affairs at that time and he was

5 charged with coming up with another Māori organisation that wasn't too political and that's how Maori Women's Welfare League came about in 1951. I should say though that the Women's Health League still exists today despite not being – not having the resources given to them and despite being superseded to a degree by the Women's Health Leagues

10 they managed to survive because they're doing great work and work that is needy. But they got Rangī Royal and Rangī Royal worked with the health leagues. He sat and he observed what they were doing and so a lot of that ground that the Maori Women's Welfare League was founded upon came from the women's health leagues. The health leagues were

15 all around the country, they were in Whanganui, they were in the east coast, they were in Rotorua, they were up north and they – and so that was the basis of the league and I often hear people saying, oh the league, they started everything, but they didn't. They did not start everything, there were – Māori women were organising in their own organisations

20 before then. Well, before. In fact, Whina Cooper, who was the first president of the league was the first, one of the first organisers of the women's country institute here in the north and she started – the Māori branches started in 1928. And Whina was a woman, a wife on a farm, alienated. She got talking to some of her Pākehā women neighbours,

25 found out about the country women's institute and she joined them and what she learned from there she transferred to the Maori Women's Welfare League in 1951 so there is a continuity of leadership. Number of Rangī Topiora's descendant's you will see, you can track them down, there's a continuity of leadership. So, I think you

30 know that despite what Māori women have been in the public sphere have been doing great things but they face challenges and there are tensions between their role and of course what happened with the league, what happened with the women's health leagues also occurred with the Maori Women's Welfare League. Soon after they were set up in 1951 it

only took about four or five years and the government was saying, oh these women, they are getting too uppity, they're getting too stropky. They've got far too much to say for themselves. We better get rid of them so they introduced the New Zealand Māori Council. So, you know every time we try and Māori women have tried to do something and they were doing something well, they – another organisation that was organised dare I say it, by the Māori men would come over the top of them. So there were those tensions, just some examples.

(15:42) DR RUAKERE HOND TO TANIE RANGIHEUEA:

10 Q. Tēnā koe, Tania.

A. Kia ora.

Q. **(Māori 15:42:39)** Kei te tika tōu, Rangitopeora he wāhine rongonui, ana waiata whānui anō ko to aronga –

A. Āe.

15 Q. – me te mōhio tonu ara nō ngā kōrero mōna. I think the – in terms of the evidence you have provided it has made me think of the need to be more clear about the concept of mana and the way in which we sometimes use the word mana, mana whenua, mana wāhine, mana tangata, mana Atua, and the concept of mana is sometimes simplified into quite a so broad that sometimes it means many things to many different people. And in particular I mean the evidence that you have provided is the concept – well firstly, the kōrero of Hirini Moko Mead around this concept of kai hau waiū and the idea that you are born with mana. When in actual fact, the evidence that you've provided is that people weren't born with mana. If they were born as slaves they had a completely different sort of mana to others and there are – there were processes where mana was removed from people and so there was this fluctuation of this concept of mana and I think we need to understand more clearly, where is this concept that everyone is born with mana when in actual fact there was, and Tuhiwai is absolutely correct, there those were times of extreme turmoil and to base our concepts of mana in those times of harsh realities of change and turmoil is quite a difficult thing to comprehend but I wonder what your thoughts are around this concept of kai hau, waiū and in particular this

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concept that we can – we've now reached a point where everyone born has a concept, has a level of mana and are we really talking about mana or are we talking about mauri? And do we need to include within that the concept of Māori, the right to be who we are and those sorts of things.

5 Sorry, that might be a bit too deep and that's got me thinking just as much.

A. No it's surely worth a debate I think you know and the discussion, I wanted to make the point that there are certain standout aspects of our discussion on mana – and I tried to write it here – that I think there are some things that we need to talk about and when we are trying to tease out this concept and as I said, it's complex and it's dynamic and it's complicated and it can wax and wane depending on certain instances and certain events and principles. I started writing down a few words that stood out when I was thinking about mana and one of them was recognition and Linda had mentioned about acknowledgement of your one's mana by others. Inclusivity, I think that's a term that some might say is discounted as being normative – highly normative but there is this concept of being intact, your mana being in tact and that it might – in order to be in tact it might require others – other people's mana as well and thinking about it on a collective level that you would have to be necessarily inclusive. The other standout word I think which might inform mana and one's thinking about mana is potentiality. See, what I think happened to our women in the early period is of those years of horror is we were robbed – we were robbed of our potentiality – of our potential. You see, those women were living day to day. I mean it could be argued that some of our women now they're potential – the potential that they might have or could have is impacted you know and those are some of the tensions we talked about. They're impacted not always positively. So –

Q. Kei te pai.

A. I hope I've answered you question.

30 Q. No no kei te pai.

A. I do think that.

Q. I don't know whether I was expecting a full response about it. Obviously there needs to be a lot more work done in that area in particular I mean being through many claims of many iwi and the coming to terms with

those who are landed and those who are landless and does that mean, you know, the whole idea of those who had mana, those who had no mana, and the point at which we start to being to recognise people's potential is really what we're talking about here and to recognise it, what do we need to put in place to guarantee that that potential isn't dismissed.

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A. Well, I certainly hope that that might be one outcome of these hearings that we address Māori women's potential and seek ways of enhancing our potential as women.

Q. Ka pai. Tēnā koe.

10 **(15:48) KIM NGARIMU TO TANIA RANGIHEUEA:**

Q. Tēnā koe, Tania.

A. Kia ora.

Q. I almost wish that your evidence had come a bit later on in the hearings as we kind of built our own understanding and context around this huge kaupapa that we've got before us and my question kind of goes a bit towards my colleagues as well as what is mana and it's really. So, we've heard about erosion of mana but is it really erosion of mana or is it people's or government's doing things that take away the acknowledgement of mana rather than actually eroding it?

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20 A. I think people are – when Māori are disenfranchised, whether it's by denying them the right of vote, denying the right to organise, denying them what ever and by the government, it does have an impact on mana, it does impact on the way people feel about themselves, the way they react and respond to those things. You know, we can come up with an
25 endless list of different examples of tensions that might impeded, it might implode, it might destroy people's mana. You know. If you think it – if – I'm not an expert at all on mana. I've read you know, I'm like most of the people in here in this room who have read about mana and have experienced mana but I – you know if you were to take to look at it in a
30 kind of systems way you know. If one's you can be impacted by external factors and your mana as a person can be affected both negatively and or positively. If you – if something really terrible happens to you as a person, that could lead you to totally entrophise you know until you exist

no more. So, and I think in Hirini touches on that phase of being no more so I think we can look at it in a number of ways. We can look at it in a systemic kind of way and we can look at it in a cultural way. I think it – all of those ways actually lead us – will lead us to the – to a very clear understanding I think of what mana is and it does require people to be able to – if you apply it to a person – personal mana – it requires them to be intact. To be intact to be resilient, to be viable in many respects. To withstand both external influences and even internal influences for example, if your rongoā, if your hauora is not right, if you are unwell you will implode, you will entrophise and your mana would be affected in my view.

Q. Ka pai, kia ora. Thank you.

A. Thank you.

JUDGE REEVES:

15 Thank you for your evidence to us this afternoon and you have given us a lot of food for thought.

TANIA RANGIHEUEA:

Thank you for the opportunity. Kia ora.

JUDGE REEVES:

20 Kia ora.

TANIA RANGIHEUEA:

Tēnā anō tātou katoa, he mihi atu tēnei ki a koutou i whakarongo ki tō mātou – ki tōku kōrero.

25 **WAIATA TAUTOKO**

JUDGE REEVES:

We are going to just allow for a 10-minute change over jus to allow a leg stretch and toilet break for those who require it. The timetable has fairly much gone out the window, let us be honest. We are going to be a lot stricter tomorrow,

we have got more to fit in. Pi as a weaver expanded to fill the space so anyway, we are going to take a 10-minute break and when we come back, we will be hearing from Ms Awatere Huata.

HEARING ADJOURNS: 3.54 PM

5 **HEARING RESUMES: 4.04 PM**

(16:04) TUMANAKO SILVEIRA: (CALLING WITNESS)

Tēnā koutou. Ngā te whakatau ō tāku rangatira ka tū au ki konei, a hika te mana ō te wāhine. Otirā, ēnei katoa mai a Te Arawa, o Horouta ki mua i a koutou ko te – ko Ngareta i runga i tāna pepa ko #A020. Kei konei ia hei māngai mō Wai 381 otirā Wai 2494. Heoi ka tukuna ki a ia a Donna Awatere Huata hei tōia i tāna waka ki uta. Kia ora.

(16:05) DONNA AWATERE HUATA:

15 Āe kia ora tātou, everyone. Just before I start, I wanted to just take you up, Areta, where you left off on our story. Because really this is – this was mana wāhine at its finest and we managed to persuade, Areta and I, we managed to persuade Jenny Shipley and Margaret Baisley to set aside Parents as First Teachers and instead invest in our little program and Areta and
20 I worked for a year and we interviewed 80 kuia kaumātua to ask them what is traditional parenting? What would you like to pass on to young families that haven't had access to this kind of information?

And we wrote it up into modules but very tikanga based, very whakapapa based
25 and we were so proud of them and we persuaded Margaret to give us 3 million over three years and the job was to prove that we could do better than Parents as First Teachers. Now, we knew we couldn't miss because Parents as First Teachers was standardised on a white middle class sample in Missouri. Was it Missouri? Anyway somewhere in the mid-west of America
30 and it hadn't even been adapted for Māori at that stage. What an appalling miserable little program it was to inflict on our poor families. The language was

so appalling that even I could barely understand it but that – and it made you feel like you're a failure just before you got started.

5 So Areta and I hatched up this idea that we could do better and we got the money and our thinking was you know we're sick and tired of our league members doing everything for nothing. We wanted to get them paid. You know, for once in their lives to actually come out to be rewarded for all of that brilliant knowledge that they have and we had a great pilot, stunning. Anyway, unfortunately, this is the bad part. Is that Areta's term as president ended and the next president sacked me. What. And then blinking social welfare hijacked our program and it just went into nothing.

15 But you know, Areta I think about that because Jenny Shipley she said if you can prove that you can do better than Parents as First Teachers and fortunately Leonie I think who is here had written this devastating critique of it and I had done a critique of it so we were like in to win. In it to win it, Areta. And anyway when I got sacked, the social welfare took up the program and really made a hash of it and really what a pity but I just wish the person who came after you, please God no one give her a damehood. Because for what she did to young parents I think they would have loved this program, I think the women of the regions would have loved it and we could have got that 27 million that Jenny promised us if we could do the job.

25 Anyway, Areta, it was just lovely to see you and your sidekick, Hinepuru, you two are magic and in all of the jobs that I did through my career with Ihi, working with you two was joy. Just pleasure.

30 I'll just give you a summary of what I tried to do in my brief of evidence, you know which I can – I am shuddering when I think Linda reading this because an academic she will realise that this is pure stream of consciousness, pure last minute, pulling it all together and just hoping it makes sense. But I am just going to try and tell you what I was trying to do and it was this. I recognised that all of our whakapapa now it was patrilineal so that's just how it is and the stories of our Goddesses have just been re-written are framed and so that's just how

it is and so what I'm saying is why don't we go back to those – to our
ancestresses who are still there?

And I use the example of my husband's whānau when Aunty Hira went to the
5 water claim, the first hearing and she gave their whakapapa. And this
whakapapa is not recorded. It's not like you know Te Rangikaheke's and others
who have been you know it's been there, it's been translated and it's been
mauled. This is – comes from you know Uncle Ozzie, Uncle Wi and it came
10 straight to the family to Uncle Cordrey who was their whakapapa man. He is
the tohunga for the whole of Kahungunu and the stories of their ancestresses
and ancestors has come to Aunty Hira who is their water tohunga. She is the
water tohunga for the whole of Kahungunu and she told these whakapapa and
what I loved about it, in that moment when she flashed up the first slide was
15 that she took the whakapapa from the ancestors way back from you know the
nothing became the nothing with a bit of light and the nothing with a little bit
more light and she took it down and down and down right through.

And then she went down and then she went that way laterally and over the
course of 60 slides she gave the whakapapa from the nothing the their water.
20 To the Paritua Karewarewa River and then to their I can't remember the name
of it but their aquafer, this huge aquifer that fires the economy of the
Hawkes Bay and the pip and stone fruit industry which is their biggest export
that is really – the whole of the Hawkes Bay relies on it but their water comes
from the aquafer and from their rivers and Aunty Hira did a whakapapa from
25 their to their rivers and then she took it to them. Then she took it right down to
their marae, Mangaroa Marae, and right outside their thing and I thought what
a tour de force.

And it reminded me, Linda, of that time when we had the PhD conferring for
30 Ngahuaia at Tamatekapua and the old fella that got up and did about a 50 minute
– he gave her whakapapa the same thing, from the cosmos swirling around, up
and down and sideways and out and I just wished that someone had recorded
it in those days because he's long gone but it was that kind of a moment and
anyway, the Tribunal's got that because they've filmed it and we have all of her

slides. And I want to persuade Aunty Hira at some point to come in and give that because it puts it in context and all of the women Goddesses, there are women Goddesses, there are male Goddesses, but the take you have at the end of it is that there is a balance to the order, that our old people who
 5 constructed or who repeated it, who captured it, they knew what they were doing and they were all about that essential feature of our life, which is utu. It is about the balance, the mana wāhine and the mana tāne and that is true in our Goddesses. So, that's one thing that I just wanted to put out there and I did a little bit of it but others are going to do it better than me so I'm not going to go
 10 through that today.

The second thing is that I went back and had a look at Api's PhD thesis on the whakapapa of Ngāti Porou showing the – how often they went down the matrilineal line and how many women led hapū and then I looked at oh my
 15 goodness I'm related I can do a direct whakapapa. In actual fact, I can do a direct whakapapa to just about every one of them because my father was a whakapapa – he was passionate about it. Him and Arnold Reedy and others from Ngāti Porou, that's all they did when they met, was sit around and have a great old time debating whakapapa and it was quite an esoteric in coming down
 20 that line or you could come down that line and that is the thing about whakapapa is that it is flexible and it is flexible to be inclusive, to include who ever is in the room or whichever marae you're on and that's what I know about whakapapa is that it is – it isn't in concrete as some people would like us to believe. No, no, no no. It is flexible and it is also competitive because that's the way you
 25 one up. You know, you and if you want to say that I am the Ariki rangatira of this tribe then you just better know your whakapapa and you can bring yourself down lines to pull it together.

Yes, so, now this is my point. My point of doing that, of bringing Api's work here
 30 is because I don't believe that it was only Ngāti Porou that went down both the matrilineal and patrilineal lines, I think that most tribes did it, and the example that I use is te reo. You know, we've got one language, you know, te reo Māori, and they say, you know, everyone gets all uptight about their little dialectical differences and, you know, they are getting squeamish and irritated with you

when you make mistakes and one not, but in actual fact it's one language and we can all understand it, but you do have these important variations that speak to the mana of that hapū or that tribe that has it, and I believe whakapapa is the same.

5

I believe that our cosmos story is there is similarities. We're going to have differences, but there is a similarity in that story and I think that the freezing of our cosmos story into a patrilineal line headed up by Io, I mean, God, does it take any imagination to see where He came from, HE came from? That is not a Māori way. A Māori way is to have a balance of ancestresses and ancestors. So this is just what I'm saying that others who know whakapapa better than I, but I really want to challenge you scholars who are out there to look for those matrilineal sequences and to bring them over the next year to the Tribunal.

10

15

And the third point that I wanted to make was really relying on Anne Salmond's stories, you know, she got the six of the numerous Pākehā that came early between 1807 I think and – anyway, in the early years, and they just talked about, they described the family life, they described pā life, and the picture that you get, and perhaps – and you know, selected them to reinforce her story, because she was really doing – punching Allan Duff in the face, that's what she was doing, she was saying, "What an egg you are. Look, you don't even know your history. 'Boom' look at this, and then 'Boom', read this, and 'boom', here's another one for you. And Allan, this is only half a dozen of the dozens that I could've thrown your way if I so chose," and I think the importance of that is something that we know instinctively. You know, I know as someone that trained as a Psychologist but who was fascinated by Māori psychology the way that we interpreted the psyche. Is that – just, it didn't sit right to me that we were brutal, that men were brutal to women and that we had the same model of ownership of children and that women didn't have mana, which I interpret as power.

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25

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Now, it mightn't be like sovereignty or rangatiratanga power, but it is a form of power that is given. People give it to you and they can take it away, that's for sure, but everyone has a little bit and your job is to build it up so that you are

responsive to your people and they recognise that and they give you the mana in return. Yes, so I think that's important and I would really love for, you know, our researchers to delve into that work, to work with Dame Anne, to explore the research that she spent, you know, years pulling together, and tell our story of what we were like.

Now the other thing that I read was about our – so there is us as parents and the gentleness of our parents, and then what happened. And so I think the next part of that story has to be about what was the story that was brought here, and I talk in number 5, I say, you know, “The 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’.” But there is thousands of them in the *Bible*, you could pick anyone, and so the idea of the superiority of men and the inferiority of women comes from the Missionaries and of course its twin is the superiority of white people and the inferiority of Māori, that's its twin. So the Missionaries carried that, the Military carried it, enforced it, and then the bureaucracy enshrined it.

So one of the things that I believe the inquiry needs to do, and I just tried to make a start on it, was to bring back that balance of our ancestral gods and goddesses of our cosmology, our cosmological stories from tribe to tribe. Because, you know, I can remember saying to one of my nephews, “I'm not that keen to take my shoes off when my mokopuna are sitting up there with their blinking boots on I'm their nan,” nearly 70 and I'm sitting on the floor with my blinking feet tucked under me without my shoes on. I mean, what paradise did you men create for yourselves that your nan is on the floor and you, a bloody 10 year old are up there, and he says, “You know aunty, it's really about us, we've got to protect you ay because you're the whare tangata and we've got to make sure that you're always behind us and, you know, it's all about that. It's not about putting you down or minimising your role. That's what it is.”, and my answer to him was, “We have paedophiles on your pae, known paedophiles on your pae. What are you doing about them? Can you protect women from them

and children from them? And we have abusers here, you know, serious abusers. Men that violently bash women up. What are you doing about them? I don't see you guys doing anything about them, you know, actually tangibly walking your talk. So if you want to protect me, you get out there and actually

5 do the job where I need protection which is from the violence and the rage of our people who have been so disrupted and traumatised by colonisation.

So one of the points I wanted to make was we got colonised, the patriarchy came in, and I just wanted to say that it happened early, and I think Peka made

10 that point, that really by 1840 it's all over. That the, as I say in 6, "The patriarchal partnership between Maori and Pākehā men enabled the Crown to co-opt Maori men to influence other Maori 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

15 rights and Pākehā superiority over Maori. And to begin the process of aligning our ancestors stories of our whakapapa to those of the colonists."

Yes, and you know, I would love it if our young people could actually look at the zones of power, look at the pae. Now, you know, I'm living – I live in Arawa and

20 I'm Arawa, I'm born and bred, and yet I'd make no effort, because I don't have the reo, to get up there, and nor do I promote young women to say, "You fellas get on the pae," you know, because – and I was thinking, "Why is that? Why do I not do anything? Why do I not say to, you know, our senior wahine who looks after our Tamatekapua, why don't I say to her, "You know girl, it's time we

25 all take our shoes off or we all leave them on, you know, let's do it that way, and we all should sit up or we should sit down, or the elderly should sit up and the young should sit down." But do you know that her life is a construction? Her life is all around that, and I have to ask myself, "Am I ready to step into her role? Am I ready to get up there and do the karanga and look after the marae like she

30 does?". Well, no, I'm not, and I think it's because subliminally we think actually it doesn't really matter. You know, it's lovely, and I look at our – we had a big welcome, we had the B Company, we had a march from the railway station to Tamatekapua, re-enacting the return of the B Company from World War II, it was 75 years, and when we got into that meeting house the men all got up to

5 speak. And you know, the thing is, we know who they are, and they're lovely, like really, really lovely, and I think, why not? You know, if it means that much to you, you can have it. But where I draw the line is when you put up some dud for a job in let's say Corrections as the number one person, and you really are
 10 a dud, now I object. Or when you put up someone for the Rotorua Lakes Council and you've got an all-male selection panel who picks someone who is just really away with the fairies and you think, "Honestly, how can you men live with yourselves?", and of course within a year he's gone because he can't do the job. Any fool could have told him that. Now I draw the line at that because
 15 those are meaningful position and it is, you know, we're entrenching the patriarchy, we're entrenching racism, we're entrenching white power in positions where we really need women to be, yes. Yes, anyway, so I just wanted to say that.

15 Is the leadership of Ngati Porou better now that no one has stepped into Whaia McClutchie's shoes? Well I don't think so. She brought a life to that marae. She just lit it up. 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? Well I don't think so. You know all of the – the
 20 Te Arawa Trust Board that went into, you know, they put it down in 2006 and you know who was on that, and apart from Tania's dad – I have to make an exception or she'll growl me – they were really just warming the pan, you know. So I don't think they were and I think that Kathy, who runs an exceptional kura kaupapa, would have really added to it and so some of our other stunning
 25 Arawa women.

Okay. So one of the key issues that bothers me a lot about colonisation, both in, you know, slithering us into this idea that male superiority is normal and that white superiority is normal, and that a few people owning the **(inaudible**
 30 **16:27:39 means of)** production and only the capital and the banks is a good idea and the rest of us can just be poor, and I think – I just wanted to unpack that notion because it really is important. Unless the Tribunal and we come to grips with the underpinning, the things that keep this stuff in place, then we're not going to be very successful in pulling it apart and restoring mana

wahine/manā tāne. And so one of the things I think is the philosophy of dualism, I think that that is a critical concept, because it really is the dumbest thing I ever heard, but the way Pākehās talk about it and talk about their system of capitalism, of separating out the spirituality from the human and nature from man, and so it's some great idea, and the result of it, as I say here, the result of it is simply that with patriarchy, that has led to – the legacy is violence towards women and the lack of the flowering of women's potential. That's really the thing.

10 It is, you know, and I always talk about – I'd been to the Tribunal, I don't know, three or four times, and I always manage to squeeze in about the genius of Māori and I keep saying it because, you know, if I keep saying it often enough, someone else is going to listen to me and say, "Wow, why does she believe that our people are geniuses?" I was the first Māori psychologist and I was
15 struck when I was a child by the people around me who were such intellectual giants and they were people like my father and Pei Te Hurinui Jones and – what's their names? Anyway, I can't remember all their names, but – the old man Reedy, Arnold Reedy was always at home, and these – the way that they talked with one another, the big issues of the day, the politics, the land
20 development, they really were, and their recall of – you know, if you went onto a marae with them and my husband can do this, you know, this is why I'm still with him after all these years because I'm always – I feel like fainting when he does it, because he can take his whakapapa to any marae in this country, and I've seen him do it to 80 marae and they were random marae. Now that ability,
25 that's an intellectual ability that comes straight from our ancestors, that ability to memorise not only that way, but that way, long, long, long, long out and then down. It's a magnificent ability and that's real genius, you know, not the ability to invent a machine that does something that, you know, that destroys the planet, but something like that that's all about connecting people to one another.
30 That's the genius of our people. Whakapapa is blinking genius. All whakapapa is, is saying how we connect to one another, how we connect to nature, and it takes us all the way back up there to tell us that simple tale. That's all it is, is just how we connect together, and it also looks after the environment by saying, "You're responsible. This is your relation. You're related to those trees," and

you, it's more than kaitiakitanga because in my opinion the environment is our kaitiaki, you know, those taniwha look after us. Don't be so arrogant as to think that we're the kaitiaki. I'm so amused by Māori saying we're the kaitiaki. Look here, you're pathetic. They're the kaitiaki. When they decide they've had
 5 enough of you, you're done.

Okay, I just make this point because no one else is going to say it, so I'm just going to pick on the bits that only I would say, and this, at number 19 is, "I wouldn't mind exclusive Maori male leadership if it did the job." I don't mind, it's
 10 all good. You know, this is not a dichotomy, it's not us versus them. We're all in this together, and if you can do the job. "But it was in the main Maori 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
 15 about us, about colonisation, about themselves. Lies that swirl around every Maori from birth to death," look, I was enjoying myself, "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 Maori into its vortex." Well I can just imagine myself saying, "I deserve a cup of coffee after that."
 20 Yes, I stuck it to them, sitting there going like that.

But you know, our leadership was co-opted. We were pushed to one side as though our contribution was of nothing, and we weren't – not in every tribe, but in most tribes of the people that I knew were not valued or honoured for the
 25 work they did in bringing the Treaty out of where it was in the darkness and into the light. We were pushed aside as I call it 'into the rubbish bin of amnesia'. Yes, and they say, and this is such a Pākehā thing, "We agree with your message, but we don't like your method." What they really are saying is "we don't like you".

30 So we really do need to reset ourselves because we're, as a result of this, I'm at 21, "The result is that the Maori 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.

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.

5 Child Welfare. 46 years of hearings and settlements with a combined value of two months' worth of superannuation." I mean, come on people, give me a break. Two months' worth of superannuation. You know, you think of all the incredible rangatira who have sat on our, you know, and put up with us howly bagging away at them Year in, year out, writing these beautifully written

10 exquisite reports that go to government, and all that's come out of it is two months' worth of superannuation, and not only that, still believing that they're superior to us, and that's really why I got – that's where I want to end today. So I will just try and move on more quickly to that.

15 Okay. So I think I will just leave my brief of evidence because it's pretty, you know, self-explanatory, and just turn to some thoughts that I had that I didn't put in the report and I thought, you know, one of the questions is what is mana wahine, and so I had a burst about what this claim is about.

20 So the mana wahine claim is a claim about power, about the power we once held, about who took that power away from us and how they did it, and ultimately the claim must concentrate on how we get that power back. Maybe not quite the power we once had, but its contemporary equivalent. We should be under no illusions that this fight will be won any time soon. If we follow the

25 settlements of the past 46 years, we'll be lucky to get 2% of what has been the brutal transformation for Māori women, and in that case, I have to ask us, is all this trouble worth it? When Māori women will achieve that and more against the Crown's active resistance under their own sting, and I know that because I look at these wahine – when I'm in a bad mood I call them ragdolls jumping to

30 the assimilationist agenda of their agencies, and then when I'm in a good mood I think oh my god, they're stunning, they're the future of our people and they're going to lead us into – they're going to help us reclaim mana wahine, they're going to redefine it for us, it won't be the same as what it was then, and maybe it's a combination of both. Maybe every ragdoll is also a tino rangatiratanga

mana wahine person and maybe we all got bits and pieces as we go through life.

5 But I do believe that this hearing should quickly extrapolate what the elements of mana wahine power were and how we were transformed into the nation of Māori women we are today. So that is where are we in the contemporary scene? And you know, someone is going to put all those statistics together for us and it's not a good read, and as someone who brought the Corrections claim along with Tom Hemopo because of the way that our people are treated in
10 prisons and the prisonisation of our people, you know, I can tell you that for Māori women we are suffering under the regime and our Minister knows it, he is making attempts to do something about it, but this other beast that I mentioned, it's the Missionaries, the Military and the Bureaucracy. The beast is mobilised against change and it needs help, and that's where I believe the
15 Tribunal and we, wahine Māori, can do something because regardless of what the Crown responds to your recommendations, there's one thing that we've got control of, and I'm going to get to it.

I think that we should spend a lot of time hearing from as many Māori women
20 what the restoration of mana wahine and mana tāne looks like in practical terms for them and to hear from them what kinds of planning and actioning needs to be taken to restore mana wahine to future generations of unborn wahine and tāne, and I'm putting this out there because what I wouldn't want to happen is that we just end up saying, "Look this is our magnificent path. These are our
25 magnificent goddesses. They are our brilliant matrilineal whakapapa. This is our stunning child rearing methods," and you know, not that we're going to romanticise it because a lot of it is actually true, and this was what a mana wahine women could look like and here's maybe 10 or 20 versions of it. I think that what we need to do is move on. We have a duty of care in this. Having
30 delayed and dragged our feet for so long, we now have to get on with it so that the – you know, my mokos, the little ones that are coming out now, my little moko who is – I think she is three or four, we make the changes so that they actually do inherit a different world and it's possible. It is so possible.

These are confluence of events happening that I believe can take us to a tipping point provided we are clear about what we need to do and those are just some of them. Is actually the kaupapa Māori hearings themselves. I think these are a challenge for the government because you've got the whole of Māoridom coming and beating on the Tribunal's door and saying this is our experiences with housing, this is our experience with house and it is a very grim story and what it is saying is one simple thing. It says the Crown cannot deliver to Māori and it is setting the stage for that tipping point where they do look at co-governance. What is a Treaty partnership look like? Not just the principles and their tick the box but really what does co-governance look like in a way that's going to be effective for our people?

And I believe they are starting to ask that question and the big tipping point on that is Oranga Tamariki. It is. It is you know the Rawiri Karena's and the Paora Moyles and the Huia, Jean, Te Huia's. These powerful stories and the people coming up and telling their stories of what happened to them 34 years ago and it's just saying there is no other answer. You have to now look at the Treaty and get a Treaty solution. That in itself is a tipping point and once all of these kaupapa Māori stories come out they are powerful and they are on the record and it doesn't matter that all of the recommendations may not be implemented. What's important is that we have a vision and eventually we ourselves can push to get that vision implemented.

Another one is the work of Matike Mai. Now, you know we all can complain about Margaret. You know, oh my God, Margaret 2040, are you mad? But there's method in the way that they've gone about it, iwi Chairs have gone about looking at co-governance and constitutional change and what they've done is built up a lot of research like I don't know there's thousands, 11,000 people have been interviewed and they're on the record. There's a rangatahi consultation that's taken place. It's happened over a number of years and it's building and the argument between the kaupapa Māori stuff, between the stuff that's going into Matike Mai, and the conferences that they are holding this year. I think that just opens it up.

And then there's one other factor and that is the growing assertiveness of our people. The growing assertiveness. You know when I was young, I was considered to be quite assertive but in actual fact, I never spoke. You know like
5 in my – you know Linda and I were in Ngā Tama Toa and I wasn't a speaker. I was a performer. I was an opera singer. There's a big difference. My job wasn't to speak, that was for Hana and Syd and Titewhai and Taura Eruera and you know, others did the speaking and I had no voice. But what happened is that they all got burnt out and then I just got pushed forward and there there
10 was a new generation with Hilda and Peka and they were like me, they didn't have much of a voice but my goodness we found it because we were in that position and we just had to open our mouth and let it come out.

And so I've become an orator when I was never, I was silent as a lamb. My job
15 was to listen and to write and I wrote terrific you know – terrific submissions, I wrote the submission that got us legal aid into this country, not knowing that one day I'd use it. And others in education and a lot of other things but what I'm saying is that now we have legions of writers, we have legions of researchers, we have legions of orators. We have so many lawyers we can't
20 employ them all, they've got to go off and do policy work. But they're there and they're skilled and they're confident. And what I love about them is that their whānau have given them a sense of their own rangatiratanga and I was going to – I promised that I would put together a slide because I got these slides of these stunning women that I look at, because you can just look at their faces
25 and you know, man, they're not going to take any nonsense from anybody. And my crowning picture is of my three or four-year-old moko who is just – her mother said to her, "Awatere, take a pose for mummy," and she just looked up and her blinkin' eyes do a pūkana and her body is like this, and I thought, "Get that kid." And that's what we've got, that's the legacy that we leave. We might
30 not have achieved all the things that we wanted to and we didn't. We failed in so many areas, we failed in te reo, we failed to get settlements that we needed, we failed to challenge the bureaucracy, we failed to get the Treaty implemented. Yes, we failed in a lot of things, but we succeeded with these new generations, and I think this is I call it the confluence of these things coming together is what

gives me hope that if the Tribunal can focus on remedies and how we achieve this and deconstruct it and then put it back together again, then I think it can be a light that we can walk towards.

5 I say – so I just wanted to say that’s the good news. Now the bad news is, just let me raise these because I thought of a number of questions last night that I thought you might not think of until much later and I’d quite like you to start thinking about them now, and it is:

- 10
- How does a community, a society, a nation tackle patriarchal power when the levers of power are held by men?
 - How do Māori tackle racism when the beneficiaries of racism, indeed the perpetrators of racism hold the levers of power?
 - How do Māori women tackle patriarchal power when half of the Māori
- 15
- How do Māori women wrestle power away from white men in New Zealand when those white men are part of an international cabal of hundreds of millions of white men in the most developed and wealthy countries in the world?

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Now, in my brief of evidence I say just imagine if there were 3 million Grainne Mosses and 1 million Don Brashes, that pretty much sums up what we’re up against. But just imagine if 1 million Don Brashes is a disturbing thought, what about half a billion of them? And what the events in the capital

25 on January the 6th showed and what the fact that of the 24 times that a council has voted for a Māori ward, 22 times that has been voted down, and the swiftness through which the Don Brashes are able to collect sufficient signatures to get a vote to be held, to get a referendum to be held, and the fact that 22 out of 24 times the Don Brashes and Grainne Mosses voted to get rid

30 of the Māori seat, that tells you what we’re up against. So I don’t want to minimise what we are all facing in terms of achieving mana wahine, but it does us no favours if we just bury our head in the sand and go ‘La la la, weren’t we wonderful. Look at all these ancestresses, look at matrilineal, look at child

rearing and aren't we great'. No, no, no, no, no. We're great, but we have to step up and be greater because what we're up against is they've been doing it for a long, long time.

5 Okay. I'm just about done. I've got one more point to make. Okay. So I just wanted to say – I've said it, but I'm just going to repeat it. The good news is that much of the changes that need to happen are ones we can make a start on ourselves. We don't need the Crown to do it for us, and this involves making Māori aware and fully committed to the fact that racism is maintained by two big
10 fat lies that underpin that justification for white power and privilege.

The two lies are:

1. Firstly, that white people are superior to anyone who isn't white; and
- 15 2. Secondly, that white culture is superior to any culture that isn't white culture.

And that's it. It all breaks down to those two things. Now, if you want to throw another one in or three or four, that's fine, but you know, in my 50 years in this
20 space, I would say it boils down to those two assumptions, and I've got some clear examples. It's time we started – we did start beating our own drum about what an amazing culture we have, and if you have seen that speech I did at Waitangi last year where I call them 'piss pot Pākehās', which is what my dad used to call Pākehās because they threw their piss pots into the rivers where
25 we collect our food. So it's not necessarily the piss pot, but they go from the toilet into the stream, under the channel and into the water, and that's what Motunui was about, that's what Manukau was about, that's what Kaituna was about. All the early claims were actually about effluent going into our sacred waters.

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And another one is the systematic oppression violence to women. It just doesn't make sense to have such a cruel system. And thirdly, is the climate emergency, and I think if you just looked at those three things alone you would say, "Well no this is not a culture that is superior to ours."

Okay. So now I just want to say that when she left me last night to write my introductory remarks, Annette says to me, “You should end on Māori sovereignty,” and I couldn’t quite see the connection at the time, in fact it took
5 me a while. So I thought what I’ll do, because you’re probably never going to hear me speak again, is I will tell you the story of how I got to Māori sovereignty and why Māori sovereignty is actually critical to the success of this claim, and it starts when I was 14 and I worked as an egg packer in Wellesley Street Egg
10 Distributor and I noticed that the men were hopeless at packing eggs, they were clumsy, but they got paid more, much more than the women, and the women, like my mother, were very fast and efficient and it just grated on me. But more than that, I was a superb egg packer. I was very competitive and I worked out a system to be the best egg packer, and it didn’t matter how fast I went, how many eggs I safely packed, I never could get to where these men were because
15 they automatically got paid more than me. So when I got that, I went to see the manager and I told him how unfair this was, “Are you aware of this?”, was he aware? He was so aware. Anyway, the result was that I was asked to leave, I got the sack.

20 So let’s jump forward six years and the Equal Pay and Opportunity Bill has come out and I read some stuff about it and people were complaining that what it did was it allowed managers to give a job, a man’s job a different title, but they did the same thing and still paid them more because it’s got a different title, and so I was outraged. I was outraged. So there was an ad in the paper, in the
25 *Auckland Star*, and it said, it was called Women For Equality and it’s calling all women to rise up against this injustice. And so I went to the meeting and there I met Bruce Jessup who was the first feminist man I met and actually the most feminist person I probably ever met too, he was an incredible chappy. But he introduced – anyway, we lost, you know, long story short. We went all over the
30 place and we lost the case. But what he did was he introduced me to two writers who really set me on a different path to those with whom I was activating, you know, with Hana and Sid and Titewhai and everybody really, and this is, and it was – he gave me this book, it was called *The Origins of Totalitarianism*, and it was written by Hanna Arendt, and in it she described 2000 years of racism, of

persecution of the Jewish people, and the conclusion she comes to at the end of the first section is that the persecution and racism that they endured was put down to one thing, and it was a lack of sovereignty. What? It was a lack of sovereignty, one, and it was about the place that where they were, there was no one to protect them. Well it galvanised me. I thought, "My God, that's right." So Ngāti Porou up there, they're in their place, they've lost their power to rule themselves and they're powerless, and so they're subjected to racism and, yes, because of the lack of sovereignty, and then same with Arawa, and I looked around the country and I thought, "My goodness, Hannah, you're on to something." So that was the first thing that she said that really

So that was the first thing that she said that really – she said the Jews lacked their own government and had no authority to protect themselves where they lived and there was no institution willing to protect them. In other words, they lacked sovereignty. So I was struck by how our own experiences were the same as those of the Jews. Our right to govern ourselves where we lived was gone and there was no authority to protect us. The nullifying of the Treaty meant that each tribe separately lost their right to govern themselves and therefore lost their ability to hold on to their assets which led to poverty, grief and trauma. The key issue being the refusal of the Crown, Tiriti partner, to acknowledge Māori sovereignty, and the impact of that then on mana wahine.

So in the first article of Māori sovereignty, I wanted to point out that what we were fighting for when we went to Waitangi to protest or when we held a protest, you know, on education or on immigration or something else. Every problem that we had stemmed down to **(inaudible 16:56:05 - paliceness)** from the loss of rangatiratanga, from the loss of sovereignty, and in the second Article I asked the question, who would be our allies? We can't do this on our own, we're only half a million. Who is going to help us? And I said, will Pasifika people help us? And my answer was definitely not. Will Trade Union people help us? Absolutely no way, and after what they had done to Peka about a week before I wrote this when they had trampled her as a representative of the Trade Union Movement, it just sheeted home to me that we can't look there because all they're about is jobs for Pākehās.

And what about the feminist movement? Because my cousin Ngahui Te Awekotuku and I were the only two Māori who were part of the feminist movement in the early days, like 1969/1970/1971. And so the answer that I came with, okay, so Māori women – this is what I wrote in Māori sovereignty as a result of this thinking. “Māori women have long sought alliances with white women since we share an oppression as women. This oppression requires a political, economic, social and philosophical upheaval to advance its goal of eliminating all forms of inequity based on race, sex and class. Feminists have concentrated on the sex oppression part of it and are fixated on the fallacy that is possible to achieve goals for women without making challenges to white superiority and capitalism. Justice for Māori women does not exist without Māori sovereignty.” And I’m just thinking, wow, I wrote that 30 years ago and it’s so on the button I could’ve written it for today’s hearing. But I rummaged in the draw and found my beaten-up old copy and I copied it directly from there.

Now, here’s another thing I learnt from Hannah Arendt and it was this comment, and I actually used to know it off by heart, but it was, “Laws that are not equal for all revert to rights and privileges for a select group.” It ran true to me. I was aware of those laws that hurt Māori and benefited Pākehā. I lived through the trauma of the 1967 Māori Affairs Amendment Act that it stripped my mother and so many others of their land shares through the 1967 – and the 1967 Fisheries Act where Rangi Walker, Te Ringahuaia, he in a speech said that the submissions for Māoridom piled two metres high from around the country to get part of that money and not a single one got it, not one. All white. So I was aware that what she was saying, it reverts to the rights and privileges for a select group and it was just so true.

And what had occurred to me was that New Zealand laws promoted as what is right is really what is good for Pākehā. That’s it. They say, “It’s right.” No, no, no, it’s just what’s good for you. And Hannah’s observation that without rights the darkest evil becomes possible. The Jews, she says, were dehumanised and it produced a silent consent that ultimately allowed the Nazis to create the

gas chambers solution and six million of them dead, and that it was silent consent from Pākehā that allowed the brutality and cruelty to our people through criminalisation and prisonisation of Māori, the uplift of our children, the ongoing taking of land and privileging education, health and social services to benefit
5 Pākehā.

And so the last point that she makes that I think is a message for us is that, is that she says that colonisation, which she calls imperialism, was made more effective through racism being entrenched by being transformed into a scientific
10 bureaucratic way of running a state, and this was all around me in South Auckland where I worked. By the time I read the chapter on the role of the bureaucracy and maintaining white power, I was a child psychologist working in South Auckland and was already making a name for myself in terms of challenging the racist mode of operating in psychological services. In
15 essence, psychologists rubberstamped social workers' recommendations to remove children from their whānau and police recommendations to send children to Borstal. Their other role was to put Māori children into special classes, that's for those who are learning delayed, and my horror was the reasons the children were removed from their families, it was so pathetic, it was
20 playing up in class, getting into mischief in the community. You know, things that I would take from my own children, but definitely not things that anyone should be taken from their children, you know, for, and that's where I saw it, my God, these bureaucrats, they are stripping our families of their children and I'm expected to play a part. And when I said on TV once, I'm the most, you know,
25 suspended public servant in the history of the public servant, it was over that, it was about challenging them to say "No I won't. I won't do what you want," and I got 20 suspensions, and on the 21st I resigned.

Anyway, I tried to challenge these agencies at a regional level, but I didn't get
30 anywhere, and at that time I was the only Māori psychologist. Maria, the number two psychologist, was still at varsity. So I decided to start a business whose goal was to change that racist agenda, those racist attitudes. It was called Ihi Communications. We worked with 33 government agencies and it proved to me that it is possible to reduce racist attitudes and behaviours, and

the next time I appeared before the Tribunal, I wished to place the outcomes of that work before you and to outline the reasons the achievements were quickly unravelled because there is a lesson to be learnt from it. In fact, many of the successes that we as activists had, one of them was the closing of social welfare institutions with Dr Oliver Sutherland and Accord, we managed to shut
 5 down social welfare institutions. Within five years, they were all back up again. So you win some and you've just got to watch it because they're going to come around.

10 It's like, you know, *te mātauranga o te Pākehā, he mea whakatō hei tinanatanga mō wai rā? Mō Hatana*, because it's a snake, they slither right back up. And the other writer who influenced Māori sovereignty was Walter **(inaudible 17:03:08)** who wrote *The Story of Ordinary People*, and why that struck me was because up until Walter, history was the story of conquerors and of the wealthy
 15 and of the whakapapa'd, and what Walter did was say no, ordinary people have a story, and what I loved about it was a very Māori thing, every Māori has a whakapapa, every single Māori, and every Māori, I don't care who you are, can find a rangatira line because that's what we do, we find our rangatira line and we argue like hell that that's what it is. And so I incorporated a lot of that into
 20 Māori sovereignty. I won't go on about it now.

Now, I just wanted to finish on this note and that is that I had the opportunity of being mentored by, you won't know her, but Sue Te Tai was the great leader of the north before Whina. She was a magnificent specimen, she was a scary
 25 woman, more scary than Whina, and no one, no man stood up to her, and she mentored me, she took a liking to me because I'd sing. She was a Catholic and I'd sing Ave Maria and all of those things that she liked. I was mentored by Dr – anyway, our first Māori PHD, her name escapes me, but you know, it was just – what was her name? Pare, Ngapare Hopa. Ngapare Hopa used to take me to
 30 flash lunches. That's where I became a hedonist. Every Monday we'd go to lunch and she spoilt me, she listened to me and I felt important. But also people like Hana Te Hemara mentored me without knowing it. Now, I'm going to tell you this about Hana. She was the bravest person I knew. She was the bravest

person, and I've known some blinkin' brave woman I tell you that, and two of them are in this room today. But I will never forget it.

5 In three days' time it's 50 years since the first time we went on to Waitangi, and so the order goes out. We have to walk around the outside of the field, you're not to try and take the flag down, we had to be dignified. We're all wearing black with our korowai on and slowly we'll walk around. Okay, all right, got that, and on the bus coming up I was very scared, I was nervous, very nervous, was the scarest I've ever been in my life and I've never been scared like that again, and that's when I wrote that song How Much Longer Must We Wait? And I'm thinking can you fellas get on with it because I couldn't live through this terror again. But as we went around, Hana bolted. She leaped out like this, like that, and she flew to that flagpole on her own. This tiny little beautiful woman with her korowai on, and she didn't care that all of these sailors were around and all the kaumātua, she was just going to go for that and attack the Governor-General because he was telling lies about how they honoured the Treaty. He was lying and she wanted to confront him about – anyway, I think you might've heard me say this, but it was a lesson to me because I made up my mind that I would never be left behind again. I will never be the one standing
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20 there with my jaw open while someone else...

Yes, but she was a brave woman, and I've got the two other brave women with me. Hilda, if you've ever seen that picture of her, there's the engineers and then there's this tiny little woman with jeans on, tiny little hips she had in those days, big fuzzy hair, and she's standing there like this. Her little legs a splayed and her things like that, and she's fronting up to these big tall engineers, and I've since met one of the engineers who was in that front row and he told me he was terrified of her, and I think she's shorter than me. But anyway, but what she gave out that day was pure – she was out. If body stance could kill, they
25
30 would have all been dead.

And the other one is Peka. This is not a great story, but I think it took incredible courage. It was Peka and Mereana. We had to draw straws at Gisborne for the Springbok Tour who would go and put the smashed glass on the field to

stop the game, and I was so relieved that I didn't get... And Peka and Mereana got the long straws. Mereana, another brave sister down there, and they actually went out and they did it, they got the bottles, they smashed the glass, they drove to the field. They put the glass on the field. But anyway, it failed,
 5 we never stopped it. But can you imagine what act of bravery it would be to do that in the dark? And that's what Peka did. So I've been around a lot of courageous woman. But you know, I just want us to remember in Waitangi that's in two days' time those of us who walked around that field that day, and just imagine how little we've accomplished in all this time. A lot of what we go
 10 through is window dressing, it's just theatre, and so we've got to do better and we've got to be really – we've got to analyse how well we're doing and be a lot more – we need to measure how well we're doing better and we need to be much more vigilant and we need to review how we're doing and we're not very good at that.

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Okay. Anyway, so on the way up, I wrote this song How Much Longer Must We Wait. So can you come and sing with me?

UNSPECIFIED SPEAKER: (17:09:31)

Yes, she sung this at the Pakuranga Art Centre, yes, and the only Māori in the
 20 room. We went there under stealth.

WAIATA (HOW MUCH LONGER MUST WE WAIT)

TUMANAKO SILVEIRA:

Kia ora. Would you like to adjourn tonight? I'm aware of the time. Would you
 25 like to adjourn tonight and ask questions tomorrow or ask questions now?

JUDGE REEVES:

Well I'm just aware that it has been a long day. I have just been advised dance practice is going to be starting up shortly next door, so we may have some competition in terms of some noise, but we may have some time just for a
 30 couple of questions. So I am just aware that we are in the moment now, it would be good to get those questions away today and so no need to come back

tomorrow and try to re-enter the space again. So I will just check with my colleagues.

(17:12) DR ROBYN ANDERSON TO DONNA AWATERE-HUATA:

5 Q. Tēnā koe Ms Awatere-Huata. I am not going to ask a historian's question, but I would like to ask at some point the Tribunal is going to have to make recommendations to the Crown –

A. Yes.

Q. – and I wondered whether you had like a top three recommendations that you would advocate that we would make.

10 A. And that is that you ask women, you ask Māori women what they would like – what mana wahine means to them and what they would like restored and then you might want to ask them, “And do you see a pathway to do that? You got any thoughts?”, and I think you will find that that way you get a diversity, a range of views because it's, you know, it's not just
15 about having people on boards for example, that's, you know, we need more Māori women on boards or we need a fund for Māori economic development that really is about that, or we need to have a different – we need to get rid of the current land ownership of land trusts and put it into hapū ownership because some people in the hapū got missed out
20 because of the way that the names were recorded. So it's an unfair system that – it's a colonial system and it's time that Māori agreed to make these lands the property for, you know, everyone can benefit from. So you know, there's just so many we could think of having quotas, you know, the number of – my moko has just graduated as a pilot. We want
25 to have Māori woman pilots, we want quotas for this, that and the other thing, but I think you're better off to just ask women what are the things that they want and let them drive the story forward.

Q. Thank you very much for your evidence and I greatly enjoyed reading this and listening to you, so thank you.

30 A. Kia ora.

(17:14) DR LINDA TUHIWAI-SMITH TO DONNA AWATERE-HUATA:

- Q. Tēnā koe e te tuakana e Donna. I do not really know how to ask a question actually. Of all the sort of points that I think you have made which, you know, hopefully will also come through in the research and in the work that is going to evolve during this hearing, but I guess what I want to do is just draw out those aspects of your submission which I think raised questions for me. So you know, you began talking about the cosmos, talking about these magnificent whakapapa and posing some I guess questioning about whether those stories in the end are going to be as relevant for restoring the balance and resolving many of the inequalities –
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- A. Yes.
- Q. – that Māori women face. So I thought I heard you say that and I thought you know that is quite a big challenge because we are asking why the history, our history, our positioning, –
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- A. Yes.
- Q. – our cosmology is important. Is it important to the remedies?
- A. Yes.
- Q. Is it the important to the solutions? So one way I've thought about it, and sorry it has taken me a while to spit it out, you know we can think about inequality around the sort of the issues of citizenship inequity that are guaranteed for everyone and for women included, and then I guess our Article II rights around tino rangatiratanga and the taonga of our ancestors and really it is the location of what you have addressed today across both those articles in a sense. They are addressing our historical legacies, our cultural rights as Māori women and then our rights –
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- 25
- A. Yes.
- Q. – for equality –
- A. Yes.
- 30
- Q. – as Māori women –
- A. Yes.
- Q. – and so those, to me, that is quite a significant sort of two sets of work –
- A. Yes.

Q. – that need to be linked. So my question too is about the remedies then and I'll put it really as simply as I can. Can you restore the balance of Mana Wahine and Mana Tāne without restoring the balance of Mana Motuhake or sovereignty of our taiao, our environment of all these other parts of our cosmological –

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A. Yes.

Q. – understanding of the world? Could we even achieve anything if we just focus on Mana Wahine?

A. No, not a hope in hell. What do you call it when you are pulled to do something, you know, there will be an urge to actually do it because it is lovely, it is discreet, but that fragmentation is exactly that is the Pākehā way of thinking and we have to think not in a dual system, we actually have to think one. And so as difficult as it is going to be, we need to intertwine them all together. But what I was saying also was that it is not

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all hopeless that we have spent so much time in the Treaty arena telling a different story that that story is now I believe the tipping point to break through. And so it might not be sovereignty as they might have known it back in 1840 but we are going to get a level of co-governance and what that looks like is going to be up to us. I think our problem is that those who are at the writing table are too assimilated. They actually think linear. They think you know the ragdoll thinking. It is assimilationist thinking. What I think would be a better more productive is in fact step back and then look at how do we want to do this. So let's just take Oranga Tamariki. Now we've got one big group a national organisation's that are saying:

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“Give us the money we'll look after it,” and I would be opposed to that because they have got a model, they have got a mode of functioning that it was already defined by Oranga Tamariki so where is the Māori part of that? Where are we going back to something that really is about whānau and empowerment of whānau? Where is the whakapapa base of that?

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So it is not going to work. They are going to bureaucratise whakapapa. You know they will get people who are whakapapa and people whose job it is to contact you know an aunty that have got the whakapapa chart, rather than having something far more organic that is – and what it is, we need to have that conversation. Now we have three members of the

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Te Arawa Health League come; we have a tribal meeting Whare Wharuruhau o Te Arawa meets weekly and we have a delegation come from the Health League. Every week they never miss; there is three of them and they have very clear vision of how they would want Whānau Ora to run; how Oranga Tamariki. Just no one ever asked them because they're not on the money tit. The ones who have the loudest voice will be the ones who are already in the money because they have got the profit and they have got the lawyers, they have got the smarts, they can use the media and I don't think that that's the way we need to go. We've actually got to trust ourselves. We have to trust that if you whacked Pou Temara and Bill Kaua in a room with Areta and a few others that actually they might come up with something that surprises us. We're not asking them and we need to.

(5:20) DR RUAKERE HOND TO DONNA AWATERE-HUATA:

- 15 Q. Tēnā koe Donna me ngā kōrero nunui nei, your broad strokes this afternoon that covered much ground –
- A. Yes.
- Q. – and we don't have much time to drill down into some of the things that I'd like to ask but there is one thing in particular I'd like to zero in on. That is, your statement, because we talked about it earlier, Mana Wahine you said: "Mana Wahine is about power," –
- 20 A. Yes.
- Q. – and at the same time you were discussing the concept that the effect on Mana Wahine is a process of disempowerment and that there is a whole set of narratives that each iwi has as well. It is not just about the Crown, within our own iwi there are narratives that are built around an ideology of disempowerment.
- 25 A. Yes.
- Q. What I'd like to ask you, your thoughts around a process putting this Crown aside for a moment and just focus in on a process for challenging these narratives of disempowerment ourselves among ourselves –
- 30 A. Yes, yes.
- Q. – in our iwi and in our own hapū and ultimately in our own whānau.

A. Yes.

Q. Can you make comment around that, around the processes that you think may be appropriate –

A. Yes.

5 Q. – to include please?

A. Because we have amazing women that I have you know worked with for many, many years and we let it happen because our focus has been on what the Pākehā you know a nullification of our rights rather than the issue between men, so it has been a conscious decision to park it, but
10 may be the timing is coming when we don't want to park it anymore. You know I asked Cathy Dewes the other day, would she have done things differently and she said yes she would have, but at the same time she felt that she had to respect her rangatira and the timing wasn't right. But I do think the timing is, you know, it is all about timing and you know may be
15 there is a reason why this claim has taken 28 years. I think that because we didn't have this claim and we didn't sort out Mana Wahine, the claims process in some tribes has been dysfunctional and is still dysfunctional to women but nevertheless let's you know move on. We have to take it from where we are and wherever we are is a good place. The other thing I will
20 say is that, you know, I don't actually think that mana is only give. I think there is some mana that you got. You got it by virtue of just your whakapapa. If it is mana whenua or mana tangata people regard you highly simply because of your whakapapa and if you have it, then you have it and you can't do much about it. And if you don't have it you don't
25 have it. The best you can do is rewrite it and try and push it on the people and that has happened too. I've seen that happen and I've seen that happen in Ngāti Porou. A low-ranking whakapapa pushed to the top mainly because of the skill, the prowess, you know the talent, the gifts of the person pushing for the tribe to acknowledge let's revise my
30 whakapapa and they've done that. But I think we've got to say I like to think that we've all got mana. You know we got mauri but I like to think we've got mana because I like to think – you know my children are horrible, they say: "I'm the worst mother," and they competitions about it because I'm a neglectful mother because the woman I wrote about

Who is not the mother that's myself, so they have competitions about you know who got neglected most. And then on the other hand people say they are the most spoilt children they have ever met and that's because, as far as I'm concerned, they are rangatira. Totally. And so they are obnoxious. You know they are – they lack social skills. They're pushy and opinionated. And you just, as parents, you just got to put up with it. That's our job. But what comes out when they move on to that platform, whatever it is, whether it's a job or a thing, they're magnificent. You just go to sit there in awe and that's what we do and this is why when I was a young psychologist, I was so motivated to change the system because those little boys could have been my sons. Those little girls could have been my daughters. They were just as intelligent, just as bright, just as funny. You know our children are so much better than we think and they've got the seeds of a great life in them. Now, they're not all going to be academics but they've got seeds of greatness and all they need is one person to believe in them, whether it's their grandmother or an aunty, or coach and then those kids fly and what I saw happening in South Auckland was these psychologists and social welfare people had made a decision about our children that they had no potential, they were nothing. Just they could have eliminated them off the face of the earth so when I read what Hannah Arendt said, that silent consent it builds and it allows cruelty to happen. It was happening to our children in front of my very eyes. You know and we – we ourselves have to believe in one another. You know when I was young, I used to re-tell negative stories, someone would tell me something. "Oh she's having an affair" or something. You know oh she can't cook. I would repeat it. And then it came to me, why am I doing this? This is actually a phenomenal person and I am damaging a Māori person, I must stop. And so I made a decision, one, I don't want to hear and two, i will never repeat it. And I think it's that thing of having belief in one another. You know, you hear oh no she's – oh he's terrible in business. Well, it's only hear-say, why don't you check it out for yourself. I think it's about saying, oh no, no, no, that's a Māori. I'll have a go. I'll give you a go. So, it's all of those things need to come in. That's how we recreate mana and it's in our hands. We

5 don't need the Crown to do anything. We can do this. We can tell our story. If they can get how ever million Americans to believe that Donald Trump won the election, we can get 600,000 Māori to believe we have a superior culture and they are not superior and just talk about piss-pot Pākehā's. And just talk about what's happening with the climate emergency. You don't have to go too far to find examples of where we, not to over you know – to put rose-tinted glasses on but there's a lot to be said for our system of the way that we interacted together.

10 Q. This isn't the question as such as just acknowledging hearing your message around focus on remedies.

A. Yes.

15 Q. And I think certainly particularly in this stage of the hearings you know we will be asking repeatedly you know what mana wāhine means to the various people who appear before us and you know what they would like to see, what does restoration of mana wāhine look like?

A. Yes.

Q. So, you know those are messages that we have certainly heard from you and we will pay heed to. So, thank you for your evidence this afternoon and that nearly brings today's proceedings to a close.

20 **JUDGE REEVES:**

But before I ask for karakia to close the day, I just want to check with counsel whether there are any matters that you wish to raise? Okay, all right. I just guess, just one cautionary message from me and that is, we managed to expand a half a day today to a full day and that was absolutely I think the right thing to do however, we have a pretty full schedule for tomorrow. So, we are just going to have to be asking witnesses just to have a mind to those time estimates that have been given and certainly we also will have a mind to, in terms of the length of the time of the questioning as well. But we want to ensure that we are able to leave the building tomorrow before 9 PM. So, it has been a tremendously I think interesting day and a really positive start to our inquiry so thank you everybody who has appeared today and given their evidence. I am going to adjourn today. Today's proceedings until we are due to commence

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tomorrow with a karakia at 8.45. So I am just going to ask now for a – kei a koe, Matua.

KARAKIA WHAKMUTUNGA

5

HIMINE (HE HŌNORE)

HEARING ADJOURNS: 5.33 PM

10

AUDIO MISSING FROM 11:24:21 – 17:30:44

HEARING ADJOURNS: 5.30 PM

HEARING RESUMES ON THURSDAY 4 FEBRUARY 2021 AT 8.54 AM

KARAKIA (HAUKĀINGA)

5 MIHI (HAUKĀINGA)

HOUSEKEEPING

(08:58) TAVAKE AFEAKI: (APPEARANCE)**(Microphone off 08:58:14 – 08:58:44)**

10

Kua taea te rongoa? Okay. Tū ake mō Wai 700 Te Hikutu mō Wai 2278 ngā kōrero o Tracey Waitokia mō Whanganui. Hoi anō, aroha mai kore taea te haere mai inanahi i au e Kōti ana ki Tāmaki Makaurau e Rangī. I tēnei rangi e mihi atu ki a koutou, ki a koutou ngā kaikōrero a koutou katoa, tēnā koutou

15

katoa.

[Interpreter: Apologies I wasn't here yesterday. I was in Court in Auckland, but here today. Thank you.]

20 **(08:59) JUDGE REEVES:**

Tēnā koe Mr Afeaki, well, if there is nothing further for counsel at this point, I will pass over to Mr Tupara, ki a koe.

(08:59) TE ATAIREHIA THOMPSON: (CALLING WITNESSES)

25

Tēnā koe e te Kaiwhakawā me ngā – te rōpū te mana whaka – o te Tiriti o Waitangi, tēnā koutou. Morena, morena tātou.

[Interpreter: Greetings to the Judge and the panel of the Tribunal.]

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May it please the Tribunal, *ka tīmata i tēnei ata, ka tū ngā kaiwhakaatu o te kerēme Wai 2473. He mokopuna rāua a Ngāti Torehina ki Mataure o Hau, he mokopuna hoki a te tupuna Taotahi.* [Interpreter: This morning we're going to have presentation from Mokopuna of tupuna related to this inquiry.]

The witnesses we are calling are Mrs Beckmannflay and Mr McGrath who will speak to the document number #A028(a). Mrs Beckmannflay will talk about the role of puhi ariki in accordance with the tikanga of Ngāti Torehina.

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And Mr McGrath who will present his evidence viva voce which leave has been sought will speak about the tikanga of mana. So I would just like to touch on the point that was made by Ms Coates yesterday that this is not about putting wahine Māori against tāne Māori and therefore I seek leave that the witnesses may present as a panel this morning and answer questions as a panel together for Ngāti Torehina. Also I seek leave that it was extremely hot yesterday and quite uncomfortable and if counsel may be able to take their jackets off throughout the day, ngā mihi. So I can call – If I can ask Ms Beckmannflay if we could start at page – Ma'am is it all right for them to sit?

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15 **JUDGE REEVES:**

Yes I am happy for you to remain seated if you wish. The other thing that I should add is that you can take the briefs as read and highlight to us the important points that you want to make but there is no need for you to read out your brief of evidence to us.

20 **TE ATAIREHIA THOMPSON:**

Ms Beckmannflay, I would just like to bring you to page 5 and you talk about well first of all your whakapapa. The pedigree of your whakapapa is a direct line to the ariki and that brings you here today as to be able to talk about puhi ariki and their role and meaning of mana wahine. Would you like to tell us about that?

25

(09:02) RITA BECKMANNFLAY: (#A028(a))

Kia ora ko Rita Beckmannflay taku ingoa. Ngāti Torehina ki Mataureohau. I thank you for giving me the opportunity to share on behalf of my hapū and iwi Ngāti Torehina. We are an iwi that has literally been almost disappeared and invisibles by the Crown and we are having the opportunity to speak here in fact gives us the opportunity to share our voice and hopefully an insight into what it

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could have been for us women today through as you know all the processes of colonisation has taken away from us and I hopefully will represent how today we can still remain very similar to how it was when we had tikanga very much a real entity and living force for us as Māori before 1840. So please I look forward to your questions.

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 wahine in my whanau, hapu and iwi through my brother Wayne Taotahi who is not present here today because unfortunately he had to go to work. He is 70 years old yet he is a living ariki, paramount rangatira, quite possibly the only real deal rangatira in Aotearoa today. Wayne called me this morning just to see how things were going and one of those out workings of having to look after, after all of your hand has been taken is, you still have to work for your whānau and again I am sure we have a number of our elderly still working for their whānau. It is not natural for us as wahine even to be sitting in a courtroom sharing about how we lived before 1840 even.

By right we really should have been able to still be living with similar tikanga to what we had before 1840 that tikanga has now been watered down to literally a plastic tikanga and I am not afraid to say that and I have worked through a number of not just positions of serving others if you want to put it that way for Oranga Tamariki whom I am still employed by on a casual basis and recently represented our whānau and young tamariki in the urgent inquiry. But also the fact that it is not natural for us as women to feel as though we have to be on our own unsupported by our rangatira fortunately seven years ago I learned of my tātai. And all through the years I have battled with what I thought I knew to be true. It was impartial sort of partial truth. Not realising I am not actually of an iwi that actually that only goes back to 1875. But today I know who I am.

30

The important of tātai is that I in recognising who I am and I think when we all want to feel as though we belong somewhere I would say even up to seven years ago I didn't fully connected with where I came from because I wasn't actually sure and it didn't feel like where I came from actually was true for me.

I come from a little place called Matauri Bay known today but its actual name is Matauri o hau. That name was changed, not with the approval of our rangatira so as a puhi ariki and as a princess of our people it would be important for me
 5 that those things be put back in place so that our next generation can actually enjoy and bathe in the glory of our rangatira who still live today. A lot of our rangatira have not been able to prove that they are rangatira in a sense how it would have been in terms of war fighting for your land because the land was removed through confiscation. That confiscation to me has taken away so
 10 much of from our men to the point that they have resulted to doing things the white man's way. And that would probably be a lot to do with the why of how found ways of trying to still survive in today's society. Some of them not so well. Some of them resulting to drugs and alcohol and to say that they make life much more difficult for us.

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So if you have read my brief of evidence you will know that I lost pretty much a lot of the male influence. Now that I know who I am, the one thing I won't have taken from me again through the Crown, tick of pen, stroke of a pen and decision making through adoption and whāngai is have the rangatira removed
 20 from me again. I will hopefully enjoy bathing of my rangatira. So I hope I have given you a little of where I am coming from.

TE ATAIREHIA THOMPSON:

Ms Beckmannflay, if I can just direct you back to your kōrero about the role of wahine under Ngāti Torehina. Can you tell us about that?

25 **RITA BECKMANNFLAY: (CONTINUES)**

But as a wahine I guess we all want to be good examples to our children, our tamariki and I will say this that my children grew up with probably even less of knowledge of the fact of where we come from. So it has not been that easy for them especially my daughters to, the elders now 28, India and to have heard,
 30 hey, what's this all this ma, why have you gone through this journey of – it is very hard to explain what colonisation can do to a young person whose sort of finding their way in life. To all of sudden have you find out who you are. And I

take my hat off to my children because they are an example of who we are hopefully reflection of who I am. And so as I learned of who I am I made sure I taught them in the whare wānanga, Māori that way before 1840, where wānanga home schooling and when you have that home-schooling taken away
 5 you literally have to go into a classroom and learn a totally different way not natural for Māori, perhaps a lot of the reason why a lot of our tamariki falling through the cracks in the system.

And so for me it was a lot of years of just catching up, catching up on the
 10 knowledge and again thankful that I have rangatira to fill me in, in the gaps. I didn't ever get to know my mother. In fact I was called to her side as she passed and I didn't know my whāngai mother, she died when I was two. I have had some pretty good male role models. So none of them trampling on who I am if that's the right word to use. None of them taking away hopefully adding to and
 15 so I am I able to speak from the perspective of the fact that it is quite easy for me and I say it again bathe in the glory of my rangatira. I have experienced that to a great degree of having amazing people, men, actually lead me. And my women that I know in my life haven't had a lot of that. So it is I am sad for them in that regard. I hope I answered that.

20 **TE ATAIREHIA THOMPSON:**

You Ms Beckmannflay talk about the tikanga of mana and in your evidence, you talk about the tikanga of mana wahine. What does that mean? What does mana wahine mean to you?

RITA BECKMANNFLAY:

25 I hold the man on behalf of all the wahine of my hapū and iwi through my paramount rangatira, Wayne Taotahi. The reason I say it that way is we have never been conquered. Today we still exist and today he is still living and therefore through him because of that and he holds mana atua, the taputapu korowai of rangatiratanga which is in itself – well it is sovereignty and
 30 sovereignty to me in a sense we are on an equal level to the Crown in terms of the queen and therefore I can hopefully represent our hapū, our women in terms of the mana through my brother. I don't actually hold any land as such. It is

only occupational rights for women through the rangatira. And none of my wahine in our whānau signed the Tiriti or the Treaty. And I also want to say that wahine of course being female is who I am so the term mana wahine it feels as though in some ways it has been a term for women to grab hold of to be able to build themselves just to hold on to something, to feel good that we have mana. Can I just state that if you have been hapū in an iwi that was conquered you don't hold mana. And mana is not something that you can actually handed to you. It's my birth right. So I hold that through my brother, I have mana, and that's the only way you can hold mana. Mana if you are wanting to know what it means before 1840 is the understanding of that.

TE ATAIREHIA THOMPSON:

Thank you. Matua Richard perhaps you might want to share about the tikanga. Pēhea and te tikanga?

15 (09:17) RICHARD MCGRATH:

Kia orana, pēhea koe. I am Richard McGrath. I descend through the four main ariki lines which most Māori here present descend through it. I will just give you one of them and that is the ariki route. Te Taora, Rauru, he is my many great grandfather and his waka Ngāpuaariki o Ruu, the waka of the King Ruu. He was the founder of Aitutaki and the Cook Island and Niue. My family are the only family that hold these four titles. We also have a connection through the my aunty Caroline Cameron who was the first wife of the king of Samoa and cousins are still alive, one of my cousins through his marriage is still alive. So **(Mic off – 09:17:19 to 09:17:25)** only be held by the ariki and rangatira. Through these titles is that also comes the kura.

Now the kura is not special knowledge of healing. And as you know back in the day you use weapons and most of them struck around the head. And I can give you an example of how my family can still do the rongoā, the healing over them. His son in-law got run over when he was putting out the spikes. He went up in the air and come down on his head and after five or six weeks, he come back home and he was told to go back to work back in Police force and then he started talking to himself. And thing it to my brother, and what we did, we took

him into the room and we did a healing process of and the healing process is when he looked, he looks through the wairua and he realigns the brain and it took about 25 minutes but within an hour he came back out and he wondered what he was doing there and then now he is completely healed. And this use
 5 to happen all of the time at Motukawanui in the Cavalli islands, and that is when after wakatoa, they would take all the wounded there and all the other soldiers there, all the warriors sorry and then they would get them to tell all of their stories and everything and then they were taught to venerate the people they had killed and then the tangi for them and tangi for the ones they already lost and they
 10 through this, through this process and the tohunga which were Rita's family.

Her rangatira whānau. They were the ariki, rangatira, tohunga, *matakite* [Interpreter: foreseers.] And there's so much power that they had used, through this they could do amazing healings. Even when Te Taotahi got badly
 15 wounded and they thought he was going to die. One week out there, they come back and he was walking and he lived for another year or two before he died. Oh no, sorry, another eight years before he died. But the hereditary titles of mana are a gift from IO from mana Atua, conquest. And to prove that, comes mana whenua, rangatira, puhī ariki tūpuna, *wāhi tapu* [Interpreter: sacred
 20 places.] then mana over Tangaroa's moana. And yesterday I hear people talking a little bit and it's sad that they didn't know very much, I can't give too much because that knowledge has to stay with te ariki lines and I have to ask permission to actually speak on the little bit that I did to see and it's real sad that people can say that you can go on a marae and you know give a
 25 whakapapa you want but it's not. When you go there you say, who you are, where you come from. Not who you want to be and what whenua you want. That's tikanga and it should be observed. And there's quite a bit more that I can keep on going because I know you've got a time restraint. But that just gives you – just an outline but if there's any questions, I'll answer them right
 30 now.

TE ATAIREHIA THOMPSON

Just one more. Just one more question if I could come back to Mrs Beckmannflay. You talk about ownership and succession to whenua. Can

you – can you tell us about that in terms of puhi ariki and wāhine of Ngāti Torehina?

RITA BECKMANNFLAYD:

I think I mentioned earlier. We do not – women do not hold occupational rights
 5 to the land and through my eldest brother, hold mana. It's really at his discretion
 as to whether you have land or not. And so, for me, I don't feel as though I'm
 lacking because I don't have land. It's good that I have someone else taking
 care of it for me. We don't have land by the way. We've done it through the
 white man's way of doing it, my husband and I, Richard Beckmannflay, of
 10 purchasing a piece of land. Thank fully it's where my mother is from in the
 region of Raukawa and Tainui, but I do have, through the ability of belonging to
 the land as my ariki chooses. If that's what you want me to answer.

TE ATAIREHIA THOMPSON:

Thank you.

15 **RITA BECKMANNFLAY:**

Succession comes through – sorry, the land that we were supposed, have been
 succeeded through the ariki line has in actual fact been, not just confiscated but
 sold illegally to today. In fact, Kerikeri is one of them, but we still under tikanga
 own the land. So, my brother by right should have been the man who decided
 20 who, and my great-great – my grandfather, great-grandfather, great-great-
 grandfather would have had the rights to say who got to own the land. And
 that's not happened. So, through Crown collusion I would imagine most of our
 land has been sold illegally in the region of the rohe Mataure ō Hou, which
 extends from Mangonui all the way up to Motukokako down through to Ruakākā
 25 and beyond and internally as well, a lot of regions. Motukokako by the way is
 my many greats, six greats. Te Kōkako was my great, many greats grandfather.
 So, Te Puna was one of the smaller regions of the rohe and Te Puna would
 have been in the hands of our whānau today had it remained as it should have
 under occupational rights.

Back in 1814, my great-great-grandmother, Waihorihī Katautahi. I say it that way because she's the older sister of my great-great-granduncle, Hongi Hika. Rangatira Hongi Hika had to see permission to sell land, and unfortunately, Te Puna he did not from my great-great-great-grandfather Te Tautahi who was
 5 the paramount chief of Ngāti Torehina ki Mataure ō Hau. Waihorihī Te Tautahi was the younger sister of Kaingaroa Hīkaka. Kaingaroa Hika of Ngāti Tautahi. Kaingaroa Hika was the ariki, not rangatira. My great-great-granduncle Hongi Hika and therefore, the paramount chief of Ngāti Tautahi. Waihorihī Te Tautahi was the first to karanga Samuel Marsden, Te Pōtatau on our marae at
 10 Te Tautahi Marae in – it's probably known as Waiheke, thank you. Just beside there is our maunga Te Pīkipuke o Te Tautahi. It's got a different name.

It's not correct and my marae up on the hill at Tāpui. Tāpui is Taniwharaurangi. It has a name up there at the moment; it's not correct. The pou still remains
 15 there Taniwharaurangi was my great-grandmother, great-great-grandmother's tupuna, Ani Puhipi Tautahi. So, you're talking about some real knowledge of why today we are not how we are, and I guess some of you may not have seen that in your brief of evidence because it was redacted but I just wanted to share that important information, yes.

20 **TE ATAIREHIA THOMPSON:**

Thank you, I am aware of the time, we are on 9.30, so I am going to hand the rākau to you if there are any pātai. *Ki a kōrua, ngā mihi kōrua. Ngā mihi nunui kōrua mō to kōrero, mō to whakapapa*, for sharing your voice, and for stories. I am going to hand the rākau to the panel if there are any questions. Ngā mihi.
 25 [Interpreter: To you both sincere greetings due to you having shared your wisdom with those who gathered today.]

JUDGE REEVES:

Tēnā kōrua, I am sure we have some questions for you.

(09:29) KIM NGARIMU TO RITA BECKMANNFLAY AND RICHARD MCGRATH:

- Q. Tēnā kōrua, thank you for joining us today and for bringing what I think is probably a fairly different perspective from others that we have heard. I just want to clarify just a couple of things that you have said in your presentation today just to make sure that I heard you correctly. So, when you spoke, you spoke of representing the wahine of your and whānau through the mana of your brother who is rangatira, and you reflect that you don't hold yourself and that for people who are from a conquered iwi cannot hold mana, all those things. So, I guess if we then add all those things back together, do you believe that wahine who do not hold lands or hereditary titles cannot hold mana?
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- 10
- A. [Rita Beckmannflay] In the sense of tikanga, I do believe so,
- Q. Okay. So, do you think that over time, the mana of wāhine has been eroded?
- 15
- A. You cannot – you can erode the whenua but you cannot erode mana Atua, which is what my mana rangatira holds through raupatu conquest. So, mana can never be eroded if you still hold that mana rangatiratanga.
- Q. Okay. So, for an inquiry that is you know really looking closely into what is mana wāhine and how is it being maintained or eroded and what needs to happen to restore it.
- 20
- A. Mmm.
- Q. What remedies would you be seeking if you don't think –
- A. Thank you for asking.
- 25
- Q. – wāhine hold mana?
- A. Thank you for asking. So, firstly, I don't know what understanding of mana you might have and I don't want to take that away from you. What I am doing is bringing to you tikanga mana. So, please don't take it as that. For me, as a mother in particular is, is being ported that we are good examples firstly, I think that's a very simple thing for all of us wāhine to do hopefully is be good examples to our next generation, our tamariki. So, when you're talking about putting things right, I think it's being a good example is one of them. It's really key for the next generation and two, the role of the – the role of our – and I'm just bringing to light the things to
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highlight here, #20 on our brief of evidence. You've taken that. Sorry. Excuse me. I've just highlighted just a number here. Someone's taken it. So, no role on the hapū and iwi is considered less value, more value or anything, it's just that it holds value and that it's significant. There's no measure you can place on it. All it is, is it's part of being and living today is being a good role model and it wouldn't matter what role we're in. I don't tend to want to be – in building my mana up or enhancing mana term to me doesn't make sense. It's being a person, a human doing your everyday living. Being a good example to me. I don't think being a well-known person to have fought even for anyone allows for us to say that you've got great mana in that sense because I think we're all in a position to be able to speak with a sense of value. We bring value, we're significant and I guess the misunderstanding about mana in that it's been used as a term of trying to get it and trying to enhance it and I don't – I think that's where it's – it's sort of misunderstood if I can be honest with you with you is the mana is that it's not something that I think you can build up. It's hereditary. It comes through the male line. Through mana Atua, through raupatu conquest and therefore, being of the male line and being a descendent of the – a direct descendent of the male line, gives me the ability to hold mana because we have not been conquered. And therefore, have I answered that question?

Q. Yes, thank you. I have no further questions.

A. Thank you.

(09:34) JUDGE REEVES TO RITA BECKMANNFLAY AND RICHARD MCGRATH:

Q. Tēnā koe, Mrs Beckmannflay.

A. [Rita Beckmannflay] Kia ora.

Q. I just have a question for you and thank you for your account of your journey to discovering your identity and obviously all that that means for you. My question for you is, can you tell us a bit about, in what ways do your people of Ngāti Torehina acknowledge and recognise and support your role and status as puhi ariki?

A. I feel like that is a question that – I think trusting me with the ability to represent is a very big one and for that reason, allowing me to speak on behalf of our wāhine in our hapū is important, some of our wāhine probably aren't aware yet of the reality of me speaking on their behalf.

5 And I feel that that as pūhi ariki, I'm not afraid to speak either so I know that you probably think that it might seem like I've got no voice, well, I'm speaking today, I have a voice. I haven't had any of the rangatira so to speak say you shut up woman. So, for that reason I feel as though I can represent and have the voice to speak for our wāhine and feel supported.

10 There is the idea that feminism in itself is taken, to me, is taken away from our wāhine. In that sense because there's no understanding what our men actually went through with the loss and stuff and I feel that that in itself has, in its sense, trampled on our men to be the men that they should be today in that sense, for our wāhine. And I'm not going to diminish

15 anyone else and say or speak in a way where it feels that that might be what it is. I just happen to be blessed if I want to put it for a better word, with good strong, men leaders. And I've only really in the last few years realised the importance of that. The – there was thing that I didn't add to the question of what we could bring for a solution and I think it's holding

20 our leader, Andrew Little, to account in terms of his words at the 2019 United Nations conference where we simply states and I'm going to quote it from his words, "Under the Treaty the Government has an act of duty to protect the interests of Māori and their lands and taonga, treasured possessions including culture and language. The Government must also carefully weigh Māori interests in light of other policy factors". Can I just say that honouring the Treaty is really important.? Honouring the Treaty is what Māori have never seen, we've never experienced truly to today. And in honouring the Treaty, I don't think you'll find that Māori will have an issue being – we will sort things out from there but they've never been

25 honoured. So, as I speak to the Crown today, being a good example comes from us, I'd like to see Andrew Little be a good example and actually follow through with his words. I heard the other day that he is allowing for a hapū that existed from 1875, you know, and I personally think that that's in the sense of honouring the Treaty. We still hold

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rangatiratanga, Ngāti Torehina ki Mataure o Hau and so for that reason, I think honouring the Treaty is an important thing. And we can to today, speak on behalf of our hapū and iwi with that knowing that we do hold that.

- 5 Q. All right. Thank you. I think you have moved on to a different issue from the question that I put to you but we will leave that there. Are there any other questions?

(09:40) DR LINDA TUHIWAI-SMITH TO RITA BECKMANNFLAY AND RICHARD MCGRATH:

- 10 Q. Tēnā kōrua. Thank you very much for your submission and also, I want to acknowledge in the written submission the journey and story that you talked about. My question is whether you think tikanga as you've described it, holds true of all hapū, all iwi of Aotearoa, or whether you are talking about your specific hapū, iwi?

- 15 A. I am speaking in regard to our hapū and iwi first and foremost. I don't know if there are any ariki lines in existent today. That's why I said quite possibly my brother's the only real deal rangatira, paramount rangatira. And I apologise for speaking – it might seem that I was speaking out of alignment with your question before but we're talking about an example
20 here. So, I wanted to say that there was no other, I think I answered your question. Is that right?

Q. Yes, yes.

A. Thank you.

JUDGE REEVES:

- 25 Tēnā kōrua. I think that's all the questions from the panel so thank you for your evidence this morning.

WAIATA (KO TE WHAEA)

- 30 **(09:44) TUMANA AKO SILVEIRA: (CALLING WITNESS)**

Tēnā koutou katoa, tēnā koutou o te tēpu, ana tēnei ka karanga mai ki tō tātou whaea, kia pā mai tōna rewa aroha ki runga i a koutou i tēnei wā. Ko te ingoa

nei, ko Hinerangi Cooper-Puru. Ko tana tāpaetanga, ko ngā reta #A27. Ana kei konei ia te whakakanohi i ōna kāwai whakapapa o ōna hapū, o ōna iwi o Te Tai Tokerau mō Wai 2933. Anō e tuku mihi ana ki tana hoa rangatira, a Moka Puru i konei te tautoko i a ia, āe, ka tukuna te rākau ki a ia. Kia ora.

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[Interpreter: Good everyone and to the Tribunal. We're going to hear from Hinerangi Puru-Cooper, related to Wai 2933 and has Moko Puru here to support her at this time.]

10 **(09:45) HINERANGI PURU-COOPER: (#A027)**

Tēnā koutou katoa, tēnā hoki e koutou te Taraiipiunara, te Tiatī, tēnā koutou, me te Karauna. [Interpreter: Greeting to the Tribunal, to the Judge and the Crown.]

15 You forgot to enter my Kahungunu side, which is Te Rongomaiwahine. I must make sure that Te Rongomaiwahine, which my dad comes from, the Cooper side, from Nūhaka, Māhia round Wairoa.

20 The whirls of Māori women and I think it is the right time for us women to stand up.

Ko Papatūānuku, ko Papatūānuku te whenua, te whenua. Te wāhine tino hirahira, te wāhine Atua, te ihi, te mana, te wehi. Ko Papatūānuku te tino whaea ō te taiao. Whakamana i te wāhine o te ao mārama, te ao kikokiko, kia toa, kia toa. Te whare tangata hei whakamana i te taiao. Hī auē, hī auē, hī auē. He aha te taonga nui o te ao. Māku e kī ake, he tangata, he tangata, he wahine. Tihei mauri ora.

30 [Interpreter: Papatūānuku is Papatūānuku, the land is the land. The women are important, the women are – Papatūānuku is the supreme mother of the environment. Uplift women in this world for them to be upstanding and strong, women who give birth; is that of the environment of the world. What is the biggest treasure of the world? It is people, it is people, it is wahine]

My name is Hinerangi Cooper-Puru. This man here gave me that name, Puru. I am of Ngāpuhi and Te Rarawa and Rongomaiwahine, Ngāti Kahungunu. My hapū are Te Waiariki, Ngāti Manawa and Ngāti Kaututahi. I currently live in Panguru in the Hokianga. I am sweet 84, the other way around, 48.

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I was born in Panguru and attended the confine school there. I was quite a good catholic girl. I was raised by my mother by the late Dame Whina Cooper and was often called to assist in whatever activity she was involved in. I can remember her words, kia oho, kia mataara, be awake and be alert. I don't know whether I am there yet. I am not sure whether there yet at 84. My mother was leading the 1975 land march. I don't think I would have tried that. My mother was a great believer in the abilities of Māori women and would encourage women to develop their full potential and beyond. I am so proud to be here. It has been a long wait for us Māori women to get here. why does it take that long for Māori women? I am happy that I am still around. And I happy that there is so many beautiful Māori women of te motu not just from Kahungunu.

My family, my brother and I are still around. He is my mātāmua. We have just gone through a film with Whina and it was on her love life. I thought I would just share that with you. I have gone off my – Apirana Ngata had got my dad to leave Kahungunu or Gisborne to come to the north and saw this beautiful wahine who was my mum. Both had spouses and that is what the film is about. Some of you may think you know, how personal, I think she is a bit like most as you know with all these chapters. So we choose the one chapter as her life of meeting my dad. That is what I call wahine toa. So I want to add too, she would say that I women is the prime minister of her household. She is the minister of health, the minister of finance, the minister of education and the minister of children. So women fulfil these roles on a daily basis. It is not just please yourself. So you know we do these things and us women carry on with nurturing our children.

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I want to share with that we just had her unveiling on the pakoko, her memorial stone, and on the stone, we have put there what she quoted. "Take care of our children, take care of what they hear, take care of what they see, take care of

what they feel. For how the children grow will shape Aotearoa.” We must be good gardeners. So can someone put their hand up, are we really there? Good gardeners. I think the women have you know looking through the nation, Aotearoa. I think a lot of our women have been good gardeners.

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This is the role of women we are the keepers, the nurturers of man. Just like our atua, whaea, Papatūānuku who provides us with shelter, substance and protection. It is women who are the gateway or the portal that has abilities to bring forth life into the physical realm from the spiritual dimensions. Her body was made for this and prepared over the years for the demands of her pending motherhood and beyond. So each one of us sitting here, us women, we have I say we are the prime ministers. I was interviewed this morning by someone who compared Māori women to the prime minister. I cannot compare a prime minister to a Māori women. My mana as a women, mai rā anō, it is not only for the three-year period.

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I have got to be sure of this. My mana as a women comes from my whakapapa because I belong to Kahungunu, Rongomaiwahine. I belong even to Taranaki on my grandmothers side. So you know te wahine continues the mana. But people that’s been appointed as a prime minister is only three years. The Governor General has only three years. But me as a wahine, mō āke, āke tonu.

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A mothers job only ends when she takes her last breath. Until she will endeavour to care for her descendants and those around her to the best of her ability all the while thinking of her future descendants. And I am here today thinking about mokopuna, my mokopuna, my mokopuna and that is what women are all about. They are thinking and thinking about their mokopuna, we can’t help it. We are the mothers.

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I was fortunate enough to have been raised by such a strong role model as my mum. She was a great believer in education and development like myself she was born and raised in Panguru. My grandfather the late Heremia Te Wake was approached by Sir Turi Carrol who while he had no issues of his own could see the potential in the mana wahine role one day. He offered to pay her

tutoring costs to attend Hato Hohepa down in Hawkes Bay. Where she attended for five years. She would later send her own older me and my brother Joseph to Hato Petera and Hato Hohepa.

5 I was cheeky enough you know at that age to say to my mum, "Mum, I don't think I need to learn about Māori, I need to go to more academic school." Where do you want to go to? And I said, I would like to go to a top school in Auckland. I know Te Reo Māori, I know my tikanga, I need to go somewhere. And she said, all right. I will send you. So I ended up at St Marys college in Auckland.

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Continuing in her role of developing Māori women. My mother became the first perehitini of Māori Women Welfare League. When it was launched in 1951. I was still at Hato Hohepa then. Based in Auckland at the time the Māori Women's Welfare League would be proactive in the care and manaaki of Māori women, mothers and children. The kaupapa of the league was never to distract or detract or takahi the mana of our men. No. It is to empower women so that they can contribute to the wellbeing or the whānau in a healthy manner. Just as the mothers job doesn't end at the birth of her child, it is only the beginning. I find with Māori Women's Welfare League my life with Māori Women's Welfare League, we put submissions to a conference but then that process gets prolonged. I find it really not a good process of putting submissions and it sits there and so it goes to ministries and then it sits there. And how long has it taken to get here? I think we need a real smarter and quicker way of getting our take of our mana wahine issues. I am sorry I have been told I haven't got much time so I better hurry, I have got another two pages. I may have to jump in the page.

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The Māori Women's Welfare League identified earlier on that Māori families who had left their homes in the district were struggling with the challenges of city life. They endeavoured to provide ongoing care and support to these families. And I would suggest maybe if these ongoing wrap around services were made more readily available to whānau from birth that maybe, just maybe, we would not need these agencies such as Oranga Tamariki and the life which have become really an ambulance at the bottom of the cliff. After leaving Hato

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Hohepa I finished my education in Auckland, this ensured that I would be able to assist my mother with whatever project she would entrust me to attempt from the Māori community centre. I think some of you may remember in downtown Auckland, o Te Unga Waka Marae in Epsom as well as attending numerous
 5 Māori Women's Welfare League hui. And my great friend Areta, Dame Areta here today. I work with her with Māori Women's Welfare League. I am glad she is here and we were everywhere. My mother just wasn't a lady that sat home and thought she was just a cook. She was everywhere.

10 "Ngā atua whaea, me aro koe ki te hā o Hineahuone". Pay heed to the dignity of Māori women. This whakataukī was later chosen to commigrate Women's suffering. Celebrating the fact that New Zealand was the first country in the world to give woman the right to vote. Merimana Kahia or Mere Te Tai comes from where I am living now. She is also buried at Pureri just a cemetery pass
 15 my home with a huge driving force behind the fight the women to vote it would be really Kate Shepherd, who is recognised publicly. Not Mere. So it is time now that we recognise our Māori women who actually did the spade work for us.

20 Hineahuone was formed in clay of Papatūānuku and brought to life when Tane blew into her beam, she sneezed and was awoken. She began the first women and it was during her creation she conceived a child, Hinetitama. Tane would later take Hinetitama for his wife and together they would parent many daughters. After some time passing Hinetitama would question Tane, who is
 25 my father? To which he replied, put your question to the posts of the house. It is soon revealed that Tane her husband was also her father. With great shame and anger, Hinetitama chose to leave the world of life and as she fled she told Tane not to follow her, that she would go ahead to the dark world and prepare a place for their children in afterlife. She would change her name to
 30 Hine-nui-te-po. The great women of the night. The goddess of death.

These are only a few examples of ngā atua whāea. There are many more however it is obvious that women are the creators and nurtures of life itself. Even western stories proclaim mother nature is indeed a women. You know I

want to just quickly share with you my mother is also the name on the tumbling machine in Auckland, Dame Whina and they believed that the saint to tunnelling is Saint Barbara, a women. So we went passed putting here there, it was the nation that voted for her to be that person.

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When a women is pregnant, with second meaning as a collection of closely related families or whānau. When baby is born the placenta or whenua, after birth is taken home to be buried upon their home territories essentially staking claim to your tūrangawaewae. Giving your mana strength to your whenua, land and the ability to talk for set lands. The lengths between woman and land are numerous.

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Gosh, I have got a two pages, sorry about that.

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Over the years many of our traditional stories have been reconstructed. Some more than others. It is though through the retelling of these stories that we continue to gain lessons and further insight into our culture and the understanding of Māori at that time. These stories help to provide a blueprint on how we as Māori woman are viewed today. In regards to the role of wahine Māori, pre and post colonisation our traditional narratives acknowledge tales of bravery and leadership that complement their main folk. It is these stories that inspire our wahine to be capable to handle whatever life brings.

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THE RELATIONALITY AND BALANCE OF WĀHINE AND TĀNE

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In life, we have many opposing forces. Life/death, black/white, dark/light, male/female. These elements are not considered to be opposites but rather complementary of each other – one could not exist without the other. Mana Tangata – both sexes have their roles to fulfil. The presence of women brings noa to a situation (whakanoa, to remove tapu, or make normal). However, you know when we have our mate, women are considered very tapu, due to the tapu associated with blood. There are certain areas women are not allowed to enter during this time to avoid ‘breaking tapu’ or make these areas noa. For example, women were not permitted in the maara kai (garden), shoreline (to

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gather kaimoana) and other food storage areas – so not to spoil these areas. Men are considered to be tapu, and their mana needs to be maintained so not to be rendered as neutral.

5 Our traditions can be very male dominating. I want to really stress that. It has been a long time a lot of our hui Māori are male dominated, where is Ngāti Rēhia. I find you know when we come into a building like this and I said this earlier on with the lady that interviewed me. This is a Pākehā building. My kawa I wouldn't like my kawa to be brought here. Let us woman run our hui our way. Let's have our women have that role of being welcoming themselves. That is how I feel. We don't need the taumata, we us women, as Papatūānuku has now put to you in front of us the mana of the wahine. These two people over there right that down. The mana of you know, me.

15 In most tribes, women are not permitted to speak because of the battles fought – I can understand that on the marae. You know the marae a tea. I can understand that. But here I have my āwangawanga ki a Ngāti Rēhia. Women fulfil many roles in life – we are more than just a karanga and poi bearers for entertainment and it is time to pay heed to the dignity of women otherwise you are going to drive us women to all these places like this or else we will build our own marae with our women because I can share with you Te Awataha Marae in Auckland have their own taumata of women. So if that marae can build their marae and their tohunga Ana Wilson who comes from Tūhoe, from Ruātoki, he supported his wife, Rangi. You know so I think we can even respect our men.

25 We are more than just a karanga and poi bearers. We pay respects to the dignity of our men – but it has not been balanced. Today we have a Prime Minister and a Governor General who are woman leaders, but when are we going to have a Māori woman in those places? *Tēnei whenua, he whenua Māori.* [Interpreter: This land is Māori land.]

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I recall my mother at one hui she attended. She sat and waited all day and half the night for the floor to be open for women to speak. I was there, I was only a young girl. And in the early hours of the morning, she had spotted this carving of a woman, a tupuna. She used this carving as an opening for her to kōrero,

which was largely supported by many in the whare. I woke up to, must have been about one or two in the morning, it was at another hui where my mother had become so frustrated by the numerous male speakers and I find this at Waitangi. I find this at Waitangi.

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The lack of female speakers, where she stood to speak, lifted her skirt and said to the speakers, dominating the hui, "*puta mai i tōku teke.*" [Interpreter: I birthed you.] She had enough. Women of that era were unafraid to show their mana wāhine. It's something like what Dunn Mihaka did eh, showed his buttocks. So, they'd also become very frustrated, the men. Māori men I'm talking about. It's, for example, the kōrero a Muriwai, "*Me Whakatāne ahau i ahau.*" [Interpreter: Make me like a male.]

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Later, in order to observe tikanga and save many hours, waiting, my mother would take my dear husband here to a hui. "Would you open the floor for me please and allow me to kōrero?" And he would do as he's told mind you, otherwise she had this big stick.

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It is time to whakamana, uplift our young Māori women. That's what I believe in with our young Māori women. We now – I'm 84. I'm starting to get to that stage of Ngāti wareware. I don't like being said, you know, dementia and all that kupu. *Koretake tērā. Engari mō te wareware, āe, whakaāe ana au.* [Interpreter: Wareware, forgetfulness.]

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Traditionally when you grew up it was at home surrounded by kaumātua who were there to teach and guide you, today however, it is not so and it is even more worrying that in future a young Māori woman and men will have even less kaumātua on hand to assist in the passing of traditional knowledge. There is one marae in Auckland I mentioned that earlier on. And this, their fiend there's pay heed to the dignity, the hā of Māori women. We need others to embrace these concepts and whakamana, uplift our women.

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And I mihi to Arnold and Rangi Wilson, who had – Arnold has passed one. I wish to finish my kōrero with a lament composed by my mum.

Haere rā ngā manu kōrero whakatōpū ki tua o te ārai, ka mimiti te whenua e, pakipaki kau ana ngā tai o te uru e.

5 So I leave you with that and *tēnā koutou, tēnā koe te Tiatī and koutou noho mai nei, ngā wāhine toa and also ngā rōia and my handsome lawyer here, nō reira tēnā koutou, tēnā tātou katoa.*

[Interpreter: I conclude by acknowledging again, the Judge, the panel, the
10 Crown, the audience.]

Hilda, haere mai.

WAIATA

15 **JUDGE REEVES:**

He mihi atu ki a koe, Hinerangi mō tō kōrero ki a mātou. Pātai? [Interpreter: Thank you, Hinerangi for your kōrero today.]

(10:16) KIM NGARIMU TO HINERANGI PURU-COOPER:

20 Q. Tēnā koe, whaea. It's not really a pātai but I did just want to thank you and say what a privilege it's been having you with us today. I did just want to just clarify what I think you said on a couple of things just so that I've got it properly sorted out in here. So, you talked about different forms of mana, mana that you get whakapapa or like you described from the PM, mana that attaches to her position. That is obviously very timebound.

25 So, with these different types of mana, can other people take away your mana that belongs to you through whakapapa? Can they actually take that from you or is it more that they can erode it by not recognising it and limiting how you can exercise it?

30 A. I believe the mana that I hold comes from my whakapapa, I can never lose that mana as a woman. It remains there as Hinetītama who went down into the – to death, her mana remained from birth till death and that's who I see the mana of a woman. From birth till death. And that's

how – if that mana is taken away from you, I cannot believe that could happen. My mana as a Māori woman will remain, my daughters have their mana, my daughters-in-law have their mana and so have you. And so have every Māori woman in this room. No one can take that mana away. That's who I see their mana.

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Q. Kia ora, whaea, thank you. Kia ora.

(10:19) DR RUAKERE HOND TO HINERANGI PURU-COOPER:

Q. *Ko te whakaaro i a au, he nui te maumahara o ngāti wareware me te nui anō o te māramatanga i roto i ngā kōrero mō mana wāhine.* Thank you for shedding quite an in-depth perspective, a range of perspectives around mana wāhine, which I found very valuable. Tēnā koe. And I look forward to seeing the film that you spoke of. I was wondering about the film, whether the decision to choose that part of the book of Moses to present whether it was about the concept of mana wāhine, the ability to make decisions and not be overly concerned about the way others would judge you and to make decisions that were appropriate for your position. Is that – and I wondered how do you see that within the concept of mana wahine in particular I would like to hear your thoughts.

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A. When the film – when the producers that talked with my brother and I, it was more to how I saw our mother with her as the mana wahine but I want to say this to you. Some people as I said were very maybe opposing about us having her meeting my dad and because the Pangaru people are very catholic you know, they talk about (inaudible 10:20:53) because my mum had her own hoa tāne and my dad had his wahine and so in the film it just shows how they went about it. It is a film that will show people and share with people how become and kōrero that had gone to meet each of their spouses to talk about how they could part. And it was her idea to my dad. She was very strong on making sure that happened with her and making sure that things were going to be right but her people didn't accept that. So we actually lived in Otiria. And she married my dad there at Ngāti Hine. So you know that kind of – it is personal but it is there how you could overcome instead of having a big punch up and saying you have got my wife and you have got my husband and you are going

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to get a black eye, they didn't do that. They actually went and a hui with that spouse and hui with my mother's husband and so everything was okay because my father William Cooper who had – who married a lady Pawai and they didn't have children so he was very happy that at last he is going to have a child. So it was all good. I was their first daughter, my mother's first daughter from the Cooper family, yes. So I hope that – e mārama ana tēnā.

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Q. *Pai, ki a au nei he tauira pai tēnā o tētahi mea uaua engari anō i te mutunga ka noho te mana i waenga i a rāua nō reira kia ora mō tērā tauira.*

[Interpreter: That is a perfect example. That is an example of how they retained each other's mana.]

A. Tēnā koe.

(10:22) JUDGE REEVES TO HINERANGI PURU-COOPER:

15 Q. Kia ora anō whāea. Thank you again for the evidence that you have given us this morning about aspects of your life and experience but also obviously insights into the life of your mother who is a women presented that the consciousness of the nation and I think your evidence gives us some different insights into perhaps that public very property in the sense that she you know she has become. So thank you for that perspective. I just have a question about just about some evidence that you have given
20 on page 4 of your brief around the Māori Women's Welfare League. And if you were here yesterday I am not sure if you were here the whole day but we had some evidence yesterday it might have been from Dame Areta but correct me if I am wrong. That the Māori Women's Welfare League
25 with the work that they were doing, being very active in these realms as you said the challenges of city life and the challenges that face Māori whānau when they move to the city and it was said that they very quickly came to be seen perhaps by some in government as being too political and inconvenient to deal with, to assist in perhaps on some of the take
30 that were involved in and the kōrero yesterday was that one of the responses to that was the establishment of the Māori counsel as an alternative voice for government to engage with on issues affecting you

know the Māori people. So do you have – what is your view on that, that kōrero do you have anything to add on that?

A. Tēnā koe e te Tīati. I don't know whether my friend Dame Areta will agree with me but I think now Māori Women's Welfare League have done their job. And they done it well in how many years now, 51. It is over to us the hapū and the iwi now to get on with their work and we have really strong women in our hapū that can continue that work. We don't really need any more organisation, Rūnanga and all that kind of people anymore. I think we need to just look at our women taking ourselves and our areas. We have strong women, we have strong – even the lawyers and so you know. We don't need organisation anymore. That job is finished. We are not babies. We are like saying to the Treaty of Waitangi, we are not babies anymore, leave us alone. We want to show our tino rangatiratanga. I have asked a lot of the hapū in Ngāpuhi. How do you see yourself as carrying tino rangatiratanga and I find it is time now. These organisations are in our way. So until that happens e te Tīati, by the stroke of their pen that this happens and because my mum was the founder I must say to Māori Women's Welfare League I now say hand it over. You know. This time 2021 we need to do things, we know how to look after our children. We don't need all these other organisations. That is rangatiratanga for me. You know I went to a hui and my good friend also Ipu of Mahurehure. I went to their hui, my husband is partly Mahurehure too. I asked this gentlemen who was the facilitator he had a nice diagram on the white board showing the Māori their tino rangatiratanga, I really enjoyed that hui. Because it was telling me it is time now that we do take on our tino rangatiratanga. So there are hapū out there who are looking at and Māori women out there who is announcing I want to take that role. So that is how I feel and that's it.

Q. Kia ora.

30 **DR LINDA TUHIWAI-SMITH:**

Tēnā koe e te whāea. I don't have a question I just want to say I love your expression. My mana as a women in not for three-year period. Kia ora.

(10:29) DR ROBYN ANDERSON TO HINERANGI PURU-COOPER:

Q. Tēnā koe Ms Cooper-Puru. I was interested in I think it is your mother's saying, "Take care of the children, take of what they hear," and so forth and I think that many Pākehā women would adhere to those principles as well. And so I was wondering there are intrinsic differences in the roles of Pākehā women and the roles of Māori women?

A. I can't talk on behalf of Pākehā women. I can never feel like a Pākehā women. But I can feel like a Māori women, yes. I am pretty good with – although my grandfather is a Pākehā guy buried in Gisborne Rob Cooper. But you know I am Māori and they have been leading the way all the way, Pākehā women has really dominated us Māori women. So I feel now they need to step aside. The counsel of Women Affairs, you know, it should be us Māori. You know I am hōhā, when I turn on the television and watch the news, that is what I am interested in is the news and how my people are. When I see Pākehā people talking on behalf, hōhā. DOC you know DOC, Department of whatever, you know, we don't need them. We will look after our own environment. We are the people who cared for our land in the first place. Our moana, we looked after it. The women, although we have our own tikanga with tapu and noa. Our women understand all that so you would have to ask another Pākehā lady for that answer, I can't answer. But come and learn but we are busy really.

Q. Well as part of your education of a Pākehā women, I may be asking a question that every Māori in this room will know but these beautiful words, strong words you opened your kōrero with. Can you tell us where they came from and who said them and sort of the context?

A. Sorry can you repeat that?

Q. I was asking about the words you opened your kōrero with about –

A. Papatūānuku?

Q. Yes the world of Māori women. And I was just asking who spoke those words first, do you – is that known knowledge? Are these traditional words or?

A. You know for a long time now a lot of our women have had their wānanga and how they saw Papatūānuku so it's a lot of this kōrero has come from women themselves who believe and talked about Papatūānuku and the

whenua you know. What the Māori women were trying to build up is their dignity as Māori women. To whakamana te wahine and also believing also out there in the taiao so that is come out of one of our great women had this wānanga and so you know Dame Mira Szaszy was one that also
 5 was one of my mentors. So she spoke a lot on Papatūānuku and dignity of Māori women. I don't know.

Q. All right thank you very much. Those are all my questions.

TUMANAKO SILVEIRA:

10 *Āe e mōhio ana ki ngā āhuatanga o te wā. Heoi mēnā e whakaae ana te tēpu ka tīmata tēnei ki te kōrero anā ka haere ki te whakatā?*

[Interpreter: I am aware of the time. If it pleases the panel it may be appropriate to adjourn.]

JUDGE REEVES:

15 We have a few minutes. So maybe if we can make a start with the evidence but we have morning tea ready at 20 to –

(10:34) TUMANAKO SILVEIRA: (CALLING WITNESS)

20 *Ka pai. Tēnei ka karanga atu ki a Lee Harris. Ko ngā nama i runga i tana tāpaetanga ko #A023. Anā, kei konei ia mō te kerēme o Wai 2933 e whakakanohi nei i ngā hapū, i ngā iwi o te Tai Tokerau. Heoi he paku tono tēnei i roto i tana tāpaetanga i āpiti atu tētahi wāhanga ki a ia kāre i te tika, ka mutu, kāre ia i hiahia kia uru tērā ki roto ana e tono ana tēnei ki a koutou kia tango i tērā wāhanga, te wāhanga paragraph 14, ana, e kōrero ana mō te
 25 *tupuna a Ruu. Ka taea te tuku i tērā tāpaetanga tika a te pō nei, mēnā e whakaae ana koutou. Heoi tēnei ka karanga ki a ia, kia tuku i ana kōrero, kia ora.**

30 [Interpreter: At this point Lee Harris to present. Further relevant claims. Within his evidence. He has identified there is a section that he wishes to withdraw, or to ignore, section 14 of his evidence related to the ancestor Ruu. We'll correct that as part of the official documents this evening]

(10:35) LEE HARRIS: (#A023)

Tēnā koutou, e kui mā, e koro mā, e rau rangatira mā. [Interpreter: Good morning, senior elders as we have assembled, good morning.]

5

Just before I start my brief today, I just want to acknowledge you, Judge Reeves, and I just wanted to mention that I was one of the few to be chosen to give evidence in the Tuhoronuku deed of mandate for the urgent hearings here in Te Paparahi o te Raki. I just wanted to mention that today.

10

That was the fight for a hapū struggling to have a voice to be heard so we could tell our stories in our time and thank you for your judgement on that and we were able to realise that dream of having a forum to air our grievances so thank you for that.

15

And I just want to acknowledge the 28 years that it's taken for the mana wāhine claim to come through. Such as the urgency was the cry of the hapū, today is the cry of the wāhine and it's taken a long time to eventuate. I understand the veteran's hui have already come through, which is predominantly a male field. No doubt they have wāhine there as well but we have had to wait a little bit

20

longer, engari, kei te pai.

Also, I would like to mihi to Whaea Dr Robyn Anderson, herself and esteemed member of the Waitangi Tribunal panel here is Te Paparahi o te Raki. I've also given evidence in that hearing's week as well. So, I just wanted to acknowledge your presence here today, whaea, kia ora. And again, another courageous tribunal panel, we were very grateful to receive the stage 1 report for Te Paparahi o Te Raki and we were all sitting back in eager anticipation for the stage two report. No pressure, Whaea.

25

30

Although, in saying that, I just want to quickly mention that we do have serious concerns about the talks of negotiations still going through at the moment, especially prior to having any deed of mandates established on the table but that's a story for another day. Kia ora tātou.

Well, mum was always going to be a hard one to follow but I'm very grateful to have such powerful mentors, kia ora, mum. So, getting back to the brief now.

5 Ko Lee Harris tōku ingoa. I was born and bred in Tamaki Makaurau however, my whanau originate from the Hokianga, Te Tai Tokerau and my grandmother's whanau are from Raetihi, Te Tai Hauauru.

NGĀ ATUA WHAEA

10 Our traditional creation stories are filled with examples of wahine toa. Papatūānuku, Hinetītama and Hine-Nui-Te-Po - just these few atua whaea who tell the story from the beginning of time, birth and creation through to the afterlife and thereafter. These stories are all closely associated and entwined with childbirth, fertility, manaakitanga and kaitiakitanga- such is the role of wahine.

15 If we look further, and I refer to the Maui stories now. We have Taranga - whose magical topknot kept him alive. Murirangawhenua, whose jawbone Maui used to both snare the sun and fish up Te Ika a Maui, the great fish of Maui. Last but not least, Mahuika, who as the goddess/kaitiaki of fire. Maui tricked her into giving him all but one of her magical fire nails, the last of which she threw into
20 the trees so that the gift of fire could live on in the world today.

The Maui stories, these all tell the stories of magic- a topknot, a jawbone and the gift of fire - all possessed by women. In these stories the woman characters are magical kaitiaki who assist Maui in his desired escapades. Maui uses
25 trickery in order pursue his intended deeds, goals. However, it is in his pursuit of eternal life that would prove to be his undoing - as he was crushed to death by Hine Nui Te Po as he set out to destroy her in his pursuit for eternal life.

30 The ladies in these stories are all powerful and magical beings, all of which provide us with inspirational tales that empower women. While the stories predominately stay the same over the years - the way the stories are interpreted seem to change with time. A recent and contemporary example of this is the stories of Maui which have reframed him as an entrepreneur, due to his outgoing and experimental behaviour.

As mentioned earlier, in the majority of stories, Maori women are mostly perceived in the role of a kaitiaki of some sort. Their roles mostly seem to be the less dominant role and they play the supporting or side roles to the main –
 5 to most stories. Also, upon reflection there are strong emotions surrounding our wahine - often feelings of shame, mamae and heartache.

I'm very aware of the timetable so I am just going to cut and dice my brief, kei te pai tēnā? So just moving along.

10

Traditional waiata acknowledge women of high rank or those who have accomplished some feat worthy of re-telling. From our ancient of Ngā Atua Wāhine, our tūpuna whaea who signed Te Tiriti and even those who continued to strive for Maori rights post-treaty.

15

From a Māori worldview, te whare tangata is the womb of the wāhine and the first home or the birthplace of mankind. There are numerous references about women and the links to the land, Papatūānuku being herself being the mother of us all and provider of life. The placenta is referred to as whenua and buried
 20 at home to bond then tangata to the whenua. It is this birth-right that gives whānau, Māori whānau, the authority over our ancestral territories.

Māori – a women have been chosen to be the carriers of the next generation, te whare tangata. It is strictly a women's domain and while she cannot conceive
 25 without the help of a male, equally so a male's body is not designed to carry a child. Again, te ira wāhine and te ira tāne are complimentary to each other rather than adversary and one cannot work without the other.

MY TUPUNA WHAEA AND TE TIRITI

30 **JUDGE REEVES:**

If you don't mind, I think we might pause there because morning tea will be ready and we will take up your evidence after morning tea break.

LEE HARRIS:

Thank you. Kia ora.

JUDGE REEVES:

Okay. Kia ora. So we are going to break now until 11. I hope morning tea is
5 being served upstairs so, thank you.

HEARING ADJOURNS: 10.44 AM

HEARING RESUMES: 11.11 AM

JUDGE REEVES:

Kia ora anō tātou. I think it is time we continue. Just before do I have been
10 given a few housekeeping notices. The first one is, because there is air
conditioning in the room, apparently, it is better to have the door at the back
closed because that is fighting against the air-conditioning but for myself, I quite
like to see a patch of sunlight so anyway.

15 The second notice is just a reminder to any media present just to – just in terms
of noise levels, I understand there were some concerns earlier on about
someone who was being quite noisy so I am not sure if that person is still here
but that is just a brief reminder.

20 But for now we are going to continue on with the evidence from Ms Harris and
I think you were at paragraph 13 of your brief.

(11:13) LEE HARRIS: (CONTINUES)

Kia ora, Judge.

25 **CONTINUES READING #A23, PARA 13**

MY TUPUNA WHAEA AND TE TIRITI

My own tupuna whaea, Ngahuia from Ngai Tupoto, Hokianga has our whare
tupuna in Motukaraka and it is named after her in her honour. Her parents Hua
and Ruu were both signatories of Te Tiriti o Waitangi. Ngahuia was the third

wife of my ancestor Christopher Harris and had approximately 14 children together. These children would go on to further populate the region which provides the Harris whanau with a huge legacy of whakapapa today. Of course, this legacy continues to increase with every new marriage and the further
5 additions of descendants from those said unions.

I often remark when we met whānau especially from the Taitokerau, “kia ora whanaunga.” I say, “you know us Harris’s we’re at home wherever we go, you know why?” “Why?” “Cos you fellas are all our in-laws. Kia ora.”

10

Other local wahine signatories include, Ereonora Panekareao, the wife of Nopera Panekareao, and Marama who signed at Kaitaia.

15

Obviously for wahine to be signatories to Te Tiriti, their mana as wāhine was recognised and acknowledged by their male counterparts at the time. However, while Henry Williams has been recorded as accepting of female signatories, and thereby acknowledging their status accordingly, not all other signature gatherers shared the same respect. One story recorded about the daughter of Ngati Toa Rangatira, Te Pehi is that she was not permitted to sign and her
20 husband took offense and refused to sign as it was taken as an insult to both his and her mana. Misunderstandings and culture clashes were no doubt very common at that time, especially when one race imposes their beliefs over the top of another.

25

I’m just varying from my brief again. I just wanted to say that I’ve been very fortunate to be part of the Paparahi for the duration and over those years I have worked alongside our kaumātua and kuia which I take as an honour and I’ve learnt so much in that time working with our kaumātua, I just wanted to acknowledge the kaumātua in the room today and the level of knowledge and
30 mātauranga that we have present. I always – we were just having this conversation with my two kaumātua yesterday that they are the last of te ao kōhatu, our last links to te ao kōhatu. After that we’re all te ao hou after that. So, I’m deeply humbled by being able to sit in and mahi alongside such great leaders.

And also, just wanted to defer here as well, I completely related to
 Keti Marsh-Solomon's brief yesterday just like herself I am completely in awe
 of the calibre of ladies presenting this week and our kuia and however, just like
 5 herself, I am very fortunate to be ārahi'd by our kaumātua and I do see that as
 succession planning, which is again, as a nurturer that is the role of the wāhine.
 So again, I think our kaumātua here for sharing their knowledge while we have
 you. He taonga, taonga nui tātou. Kia ora. Kia ora tātou.

10 Just getting back to my brief and at point 19.

GENERATIONS OF FIGHT

Looking back through the generations, it was imperative that Māori women
 participated in decisions which affected them, their lands and their rohe.
 15 Meri Te Tai Mangakahia from Waihou, Panguru, Hokianga, and others were
 key figures who helped to lead the struggle for women to not only have the right
 to vote, but to be able to sit in the Maori Parliament as members. It is largely
 due to these Mana Wāhine that New Zealand women are able to participate in
 voting since 1893. However, such as the Maui stories mentioned previously -
 20 the role of Maori women in this achievement has been largely overlooked and
 it is Kate Sheppard who is publicly recognised for this achievement today.

Years later in 1975 another great Hokianga matriarch Dame Whina Cooper, at
 the age of 87 years old stood up and led what turned out to be tens of thousands
 25 of people from Te Hapua although only a small group started, the march
 continued to grow as they continued south, to Wellington in protest against the
 Public Works Act which allowed for the Government of the day to continue to
 take Maori land for public purposes. With only 5% of Maori land still in Maori
 ownership in 1975, Nanny Whina had decided enough was enough and her
 30 catchphrase would later become famous and is still in use today - 'Not One Acre
 More'. Nanny Whina would later be called 'Te Whaea o te Motu' the Mother of
 the Land acknowledging her fight for Maori land rights.

Just deferring again, I attended a mana wāhine wananga a number of years ago at Otatarau in Waima and unfortunately, I don't have the material to quote directly but in it was a table of the order of hierarchy which goes in this order, European male, European female, Māori male, Māori wāhine. So that is the struggle of the voice of Māori women to be heard, we are in the bottom rung of that ladder and I often say to other ladies, you know, women have to work twice as hard for half of the recognition. That's my whakaaro anyway.

These examples of Mere Te Taimanga Kahia and Dame Whina Cooper are just two 19th Century examples of Mana Wahine and the fight that has endured for Māori women who set out to exert their right to be heard and included. These fights have not been for their own individual gain or interest but for everybody to be included as a collective and as Māori. These examples of mana wahine have also contributed to the development of te ao Māori today. Names also worthy of mentioning here are Dame Mira Szaszy, Katerina Mataira, Whaea McClutchie, Hana Jackson – the list goes on as does the fight.

Just before closing today, I just wanted to say, I've chosen to wear the colour teal today which is a nod to a largely unseen disease called/referred to as PCOS poly cystic ovarium syndrome, which obviously affects women. It affects 1 in 10 women and it's largely unseen. But I thought it was fitting to mention that here in the first week of the mana wahine hearings because much like other wahine issues it's not really catered for today. So I just thought that was appropriate to mention here today. Thank you very much for your time. Kia ora tātou.

VARIOUS SPEAKERS:

Kia ora.

WAIATA TAUTOKO

30 JUDGE REEVES:

He mihi atu ki a koe mō tō whakaaro o tēnei ata. Kia ora. [Interpreter: Thank you for your presentation this morning.]

LEE HARRIS:

Kia ora.

(11:22) KIM NGARIMU TO LEE HARRIS:

Q. Tēnā koe.

5 A. Tēnā koe.

Q. Thank you for joining us today and for your evidence. I just want to pick up on some of the very last things you said about struggle and for the fight to get Māori, wahine Māori voices heard. What are the things that you think need to happen to tip that over and solve it?

10 A. Well that's a big fish to fry that one. I guess as mum had alluded to earlier you know we need to recognise the hā of Hineahuone and of course that – well, it was greater communication with our men. You know we're not here as a threat. You know all women understand women hold up half the sky you know and we just want to be recognised for that. In the

15 patriarchal dominated sphere obviously it's with the manaaki and the tautoko of our men so these are conversations that need to be had and there is no other place like the Taitokerau to stir that pot up. You know there has been a number of challenges from our other matriarch Titewhai Harawira who has previously challenged the right for our Māori

20 Prime Ministers to speak on the marae you know when our Māori women aren't allowed. So you know when you make exceptions for one well then we need to have that conversation because it's not fair to takahi the mana of Māori women in favour of a three-year term. So obviously these are discussions that need to be had with te ira o tāne te ira wahine moving

25 together to work together complimentary rather than adversary with each other. I hope that answers your question. Kia ora.

(11:24) DR RUAKERE HOND TO LEE HARRIS:

Q. Tēnā koe Lee –

A. Tēnā koe.

30 Q. – me te tika anō tāu kua noho tuarā mai nei a Hinerangi i o kōrero. Ka pai hoki kia kite atu tēnei te taiohi, ahakoa ehara i te mea taiohi rawa, engari me kī he whakatupuranga anō e tū ana me ērā kōrero. [Interpreter:

Thank you Lee for your presentation today and very much supportive of Hinerangi's evidence too.] Yes, I think you raised a couple of really important points and I loved the way that you explained the way in which wahine in those narratives carry a kaitiakitanga role protecting the wellbeing and the people of those times. But also make note of the people you list. I mean you have spoken about is it Meri Tetai –

5

A. Tetai Mangakāhia.

Q. – Mangakāhia and you have listed others there, Dame Mira Szaszy, Katarina Mataira, Hana Jackson. They were all quite different, aye?

10

A. Yes.

Q. I just wondered whether you had any common themes that sort of link them through, I mean so that we can sort of start to gain/find a common thread around this concept of mana wahine?

A. Sure.

15

Q. Do you have comments?

A. Yes. For myself the common thread is just said mana wahine. These are ladies who have endeavoured to stand up –

Q. Ka pai.

20

A. – and kōrero on behalf of not just herself on te ao Māori, on behalf of te ao Māori. So you know these are ladies who have sat back and thought: “No, our reo needs to be nurtured. The fight for kohanga reo must go on.” You know ladies that have just beyond frustration. Nanny Whina says the story herself. She was sitting back waiting for somebody, waiting for somebody to take the lead. At 87 she decided she had enough waiting and that's what prompted her to help go and lead the march because what is she waiting for. There you go she was the leader and that's what I see as the common thread of these mana wahine that found their voice.

25

Like Nanny's story earlier, she owns her history regardless of what other people's judgment may be for her actions. To me that's the sign of a mana wahine. You know no skeletons in her closet. She flings the door open and shines the light in because that is her story. If you've got a problem with it, then that's your problem. That for me is a mana wahine, someone who is fierce and not scared to voice her opinion. Because as we have established, she is not speaking for herself. You will often find

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these women in roles it is for the larger collective and I guess that is what gives them the strength.

Q. Sounds very much like a kaitiaki to me.

A. Absolutely.

5 Q. Ngā mihi,

A. Kia ora.

(11:27) JUDGE REEVES TO LEE HARRIS:

10 Q. Kia ora anō. Just a couple of questions from me. At paragraph 13 of your brief. You refer to your tupuna Whaea Ngahuia. And the house, the whare tupuna is named after her in her Honour and you mentioned that she was the mother of many children.

A. Yes.

Q. But what were the qualities of your whaea tupuna that led to that honour?

15 A. Okay. Obviously never met the lady herself, personally and actually I skipped over the part where – well I mentioned that I am born and bred in Tamaki. Unfortunately in the role of a urban Māori you don't get past a lot of these stories down and my understanding was that she was chieftainess like I said, her father signed te Tiriti and so with her being the third wife of Christopher, I understand that he had one child to his first wife. No issue to the third, well 14 children I guess that makes a women a – yes, so that is a mana wahine right there so you know that is like I said you know the Harris whānau we enjoy a great number of descendants because of our wahine, whaea you know at that time. So I guess at that time too they are very – well I won't say pioneers because
20 our people had been here all those years but obviously, she was born of some rank to be acknowledged.

25 Q. Okay, thank you. And my second question is just in relation to the information you have given us in the following paragraph about your tupuna Whaea Ruu having signed te Tiriti. So why is it that she isn't widely acknowledged as a signatories, what is the reason for that?
30

A. Thank you for raising that point actually that was one of the point that I wanted to withdraw I did a last minute request if I could amend my brief because I have since found out since filing and having that kōrero with

my whānau that, that was actually incorrect which is why I have chosen to write over it but however I would love to resubmit an amended brief while I thought that was true at the time of submitting this brief. I have since come to learn later that it is not so accurate so thank you for bringing me up to acknowledge that point.

5

Q. Okay well I mean that was my hope too, you know kei te pai.

(11:01) JUDGE REEVES TO LEE HARRIS:

Q. Tēnā koe. Thank you very much for your submission. My question is around the complementary nature of te ira wahine and te ira tāne that you talked about and I was wondering I you could elaborate on that a bit more. About how that sort of complementary relationship if you'd like is exist in the creation of a child that is the context in which you raised it. But how is that socially enacted in life? That complementarity?

10

A. Yes. I guess you know as a mother you endeavour to teach your children to the best of your ability however as a mother, I can speak from experience you know. You give your children the look and you hope that is good enough but they are just like whatever, you are just mum. Dad walks in the room, hey, and its sorted, just like that you know. And I have come to appreciate you know you hear this scientific explanation, it is the lower baritone voice, you know, whatever, whatever, but I have come to appreciate that you know that men have their roles and there are a lot of characteristics and skills and knowledge that only a male can pass to his sons. As a mother I am not able to deliver that to my sons for the fact that I don't know the realm of the men. So I guess that is the complimentary nature, we need them to nurture the next and so on and so forth to keep that balance.

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Q. Just extending from that. Is the complimentary nature this way or that way? Is it hierarchical or lateral?

A. That is interesting because for myself I have always said the crucks of every Māori problem, my whakaaro again L-O-R-E verses L-A-W, and that is what I just saw just then was L-O-R-E verses L-A-W, so I guess such as mum was hesitant to speak on behalf of Pākehā women, you

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know, it is a balance that we continue to strive for. Some days we get it better than other. How it is what it is. I hope that answers your question.

Q. Thank you.

A. Kia ora.

5 DR ROBYN ANDERSON

Tēnā koe lee. I actually haven't got questions for you but I just wanted to thank you for the warmth of your kōrero and for a bit of encouragement for Te Raki panel to wear a different hat, so tēnā koe and thank you very much.

LEE HARRIS:

10 Kia ora Whaea, thank you for that. And I hope you didn't mind me taking the slight opportunity I had just to put it out there so kia ora. Ko mutu, ko mutu, kia ora.

TUMANAKO SILVEIRA:

Kua mātua i tēnā. Ngā mihi. [Interpreter: That is it from us.]

15

(11:35) KALEI DELAMERE-RIRINUI: (CALLING WITNESS)

Tēnā koe e te Kaiwhakawā. Tēnā hoki koutou e te tēpu otirā tēnā tātou kua whakarauika mai nei i raro i te kaupapa o te rā. Nōku kē te maringa nui ki te karanga atu ki ēnei ika ā whiro e whai ake nei. He kerēme nā Dr Leoni Pihama,
 20 *Angeline Greensill, Mereana Pitman, Hilda Halkyard-Harawira, Te Ringahuia Hata i raro i te tāwhaitanga Wai 2872. Ko te kaikōrero tuatahi ko te Rangihuia Hata whai muri ake ko Ani Mikaere.*

[Interpreter: Kia ora Judge, the panel and everybody assembled today. This is
 25 indeed my fortunate today to introduce the speakers or presenters for Wai 2872.]

To my understanding the timetable it says Dr Leoni Pihama but with your leave
 Ma'am we would like to have Ani Mikaere first. Just so that she has travel
 30 arrangements this afternoon so we just want to be mindful of those times.
 Engari kua reri? That is all from me now, thank you.

(11:36) TE RINGAHUIA HATA: (#A030(B))

Ko te wehi ki Ihoa, ko ia te tīmatanga me te whakamutunga o ngā mea katoa. Kia whai kororia ai ki tōna ingoa tapu, āmine. Kei aku taumata kōrero, koutou

5 *ngā urupā o rātou mā, e pārirī tonu nei, e toropā atu ana ki ngā pakiaka kōrero ā kui mā, ā koro mā, e te iwi whānui, me kapo mai a au ngā kāmehameha i mahue mai i ō tātou tīpuna. Ko rātou tonu kei te ārahi i a tātou i tēnei rā, haere, haere, haere atu ngā mate. Kei wareware te hononga ōku ki a koutou te mana whenua. Ko te takotoranga o tō tāua waka o Mātaatua tēnā. Nō reira Puhi*

10 *tangata, mihi mai ki a Toroa e tū nei. Mihi mai ki a Muriwai e tau nei. E te mana whenua, Ngāti Rēhia, me ngā tini kaupapa kei mua i a tātou, nō koutou kē te mana kei runga ake. E mihi ana ki a matua e whakapuaki ana i tō tātou hui, ia rā, ia ata, tēnā koe. Ki taku koroua nō Ngāti Ira o Waioeka, o Te Whakatōhea, e koro Moka, e kore e mutu aku mihi ki a koe. Hei taituarā mōku, mō taku*

15 *whāea, mō taku hapū e mātakitaki, e whakarongo ana mai te maunga o Mātiti o Ngāti Ira o te Whakatōhea e kore e mutu taku aroha ki a koe.*

[Interpreter: Reflection on the lord, the give and take of all things. General mihi to those assembled but also who have passed on who are guiding us today.

20 Refers to the local people of Ngāpuhi where the Mātaatua Waka settled to those of Toroa, myself standing here and today I acknowledge you as the hosts. Just addressing different people who have supported the presenter over the years in different activities, it is greatly indebted.]

25 *E te kaiwhakawā wahine, Reeves, kāore au e mōhio mēnā he ingoa Māori tāhau engari ki a ahau ko Hera Riha. Tēnā koe. Tēnā koe e whakarongo ana ngākau, tēnā koe e whakarongo ana ā taringa. Tēnā koe e whakarongo ana ā manawa ki wā tātou kōrero. Ki a koutou e te Taraipiunara me ngā Pūkenga matua a Kim, matua Ruakere, Ahorangi Tuhiwai, whāea Robyn, tēnā koutou*

30 *katoa. Me ngā kaimahi kei muri i a koutou e noho ana. He uri nō te tapairu a Muriwai. I haere mai i te motu o Mauke, e kī ana te kōrero he motu ariki puhi wahine. Ko ngā ariki matua o te motu rā, katoa he wahine, he ruahine, he tohunga, he ariki. Kāore i paitia e Toroa rāua ko Puhi ki a noho tapu ake ko tō rāua tuakana ira wahine. Koira i haere pēnei mai te waka o Mātaatua, heoi anō*

he kōrero anō tērā, he wā anō mō tāua kōrero. Ko te putanga o te whakataukī, te whakataukī a Muriwai “Kia whakatāne au i a ahau.” Nā tōku tipuna a Muriwai arā e whakaari ake ana te kupu Whakaari nei i te whakakitenga o tana pāpā i Rākewa. Me tana mōhio mā Muriwai anake te mauri o Mātaatua Waka e tiaki. Taka mai ēnei hai pāpā ki a au e tū ake nei i te whakareanga i ētahi wā me whakarongo atu ki a Rongo. Me whakarongo a Rongo ki a Tū. Te ira tāne, ki te ira wahine, te ira wahine ki te ira tāne e puta ai ngā hua pai mō tātou katoa te iwi Māori. Kia tīmata ai tāku kōrero kua tukuna au i mua i te aroaro o te Taraipiunara ināianeī ka huri au ki te tērā kōrero ināianeī.

10

[Interpreter: To the female Judge, Judge Reeves, greetings. Thank you for listening holistically to the words and views during this occasion. All of the panel addressed individually and to the workers of the Tribunal. I come from the motu of Mauke as many women are identified is paramount is superior. And in the case of coming of Mātaatua Waka, females have always been very paramount in activities. But in the saying by Muriwai, “Kia Whakatāne au i au,” So, Te Ringahuaia Hata will now turn to her evidence submitted to the Tribunal.]

My name is Ms Te Ringahuaia Hata and I am a direct descendant Muriwai. I have been given the honour to introduce the key speakers of our claim at this hearing, my own evidence will actually be given at Ngāruawahia when my people of Te Whakatōhea give their testimony. The claim we represent has been filed by a group of women who have long provided the intellectual force for the struggles of the Māori women’s movement.

25

We will hear today from three of those women whose untiring efforts since the 1970s until the present day turned academia on its head, forged key initiative like Rape Crisis, like Women’s Refuge in our communities as ways to provide a safety for women’s suffering from sexual violence and the battery of oppression many Māori women were born into. They are leaders in the revival of knowledge bases consistent with Tikanga Māori and that have formed the basis of a 40-year process of decolonisation of the practices of State hegemony that denies and invisibilise the power and the dignity of women. It would take a lifetime to recognise all that they do.

30

However, before I introduce the first speaker, I'd like to preface my introduction with a brief perspective and address the pou tuatahi and the pou tuarua of the Te Arataki document distributed by the Tribunal. So, I will go into two parts –
 5 two to three parts here and begin briefly with the te ao Māori section which is at page 2 of my opening presentation.

As we know, tangata whenua of Aotearoa have had an intimate and enduring association with, and connection to our whenua, our moana, our waters and all
 10 animate and inanimate objects between the sky and the sea since time immemorial. Our whakapapa to Te Ao Māori world can never be severed by dint of Crown policies, however the rights to govern, manage and own what we have always been a part of – can be disrupted but only for a moment in time.

Our association with Te Ao Māori is both physical and spiritual and sustains our way of life, our culture, our political and economic identity and it ensures our survival as distinct peoples, our fundamental interrelationships with the earth, the sky, the wind, and the rain, links our past to our future. As wahine Māori it is our duty to protect, nurture and find peace, all these elements left in our care,
 20 because we are the whenua and the whenua is us. We can't escape our destinies. We were born into it. Māori women in the claim we present are survivors of every strategy of disconnection and denial that has confronted us in Te Ao Pākehā and sadly in some places in Te Ao Māori because they have followed the philosophies of erasure and denial. We stand as survivors; as
 25 nurturers; as repositories of knowledge; we are all sisters in the struggle to challenge the imbalance and to seek rectification for those entrenched abuses of our status and of those of our grandmothers our mothers our daughters and our grand-daughters and our grand-daughters yet to be born.

30 **PAPATŪĀNUKU**

In the Māori world view, land gives birth to all things, including humankind, it provides the physical and spiritual basis for life. Papatūānuku, our powerful mother earth figure who gives many blessings to her children. She is a mother earth figure who gives birth to all things, including humankind.

Through the retelling of the connection to Papatūānuku by many of the witnesses you will hear such relationship manifests itself into ways that contribute to the unique intricacies that differentiate Māori to Pākehā. Such nuances supplement the distinctive identities of the Māori peoples and underlie the uniqueness of the indigenous nation that is Aotearoa. Such distinctiveness is deserving of being treasured just like many varied species of birds that together bring harmony to the domains of Te Wao-nui-a-Tāne and Hinewao, the spiritual guardians of the forests. It's fundamental to our wellbeing.

10

TE IRA WAHINE

According to Māori historical narratives, Hine Ahu One was the first mortal woman. She was moulded by Tane, from different elements and parts of his mother with help from his brothers. Red ochre clay and soil taken from the sacred lands of Kurawaka.

15

As Tane breathed life into her physically and spiritually chanting '*Tihei Mauri Ora*' – a common term used to open a whaikōrero in acknowledgement of the first breath that created humankind, a woman.

20

Tānenuiārangi is the eldest son of Ranginui rāua ko Papatūānuku. Atua, Tāne, and Hine Ahu One, Ira Wāhine. They had seven daughters, and the eldest was Hinetītama as you have heard previous speakers talk about. Tane had four more daughters to Hinetītama, until she discovered the real identity of her father who fathers her own children, she descends to Rarohenga to take refuge to welcome mokopuna, who to come down to Rarohenga as they move into the next world, she took the mantle then as Hine Nui Te Po.

25

A Tāne ka moe ia Hine Ahu One ka puta ko Hinetītama, ka puta ko Hine a Tuaira, Hine te Uira, Hine Mihirangi, Hine Wehirangi, Hine Kapua, Hine Wairito. Hinetītama here, as I've mentioned, took refuge to Rarohenga. Ki ahau nei ko ēnei te wā tuatahi o te wāhine ka haere ki te – ehara ki te huna, engari ki te whakaaronui he aha tōna – kei roto i tōna ao. Ko Hine a Tuaira realised – had children as well to Tāne, she eventually committed suicide.

30

Whakamomori ko ēnei te tīmatanga o te whakamomori. Ka moe ia Hine te Uira, ka whakatahea a Hine Uira i ōna tamariki. This was then the first of abortion. So, just he whakarāpopoto noiho. He maha ake ngā kōrero mō ēnei āhuetanga.

- 5 Ka moe a Hinetītama ia Tāne ka puta mai ko Hine Rau Wharangi, ko Hine te Ahorangi, ko Hine Rau Angiangi, ko Hine Manuhiri. He Atua wāhine katoa ēnei. Kāore anō kia whānau mai he tama. Kei te kite koe ka moe a Hine Rau Wharangi a Te Kawe Kairangi ka puta ko Hine Moana ara ko te moana tonu tērā. Ko Hine Moana rāua ko Papa Moana, *anei he uri a Hine Moana e tū ake*
- 10 *nei kei mua i a koutou nō te Whakatōhea me te Whānau-a-Apanui.* [Interpreter: Who is a descendent of Hine Moana standing before you from Whakatōhea.]

WHARE TANGATA

- All wahine Māori are honoured and acknowledged as *te whare tangata*, the
- 15 house of humanity, and the ability to create life. The concept of kaitiakitanga is imbued within that responsibility that permeates throughout all forms of life, survival, protection, and guardianship and therefore treated with the same respect as Papatūānuku. You will often hear indigenous land protectors and
- 20 activists say, “You desecrate and disrespect mother earth, you disrespect all women”. After childbirth, it has always been common practice to bury the whenua and pito back into the earth at a significant place to the mother. Birthing practices are significant places on the whenua and in some iwi in the water or in the ocean.

- 25 Birthing practices take place, a very common practice today i roto i a Tūhoe me te Whakatōhea, whenua ki te whenua. Women are associated with the land because the eland gives birth to people and so do women. The mana, spiritual mana of and strength of wāhine Māori is such that they are highly respected and revered and have a strong influence over men and land hence the saying,
- 30 *“He wāhine he whenua ngaro ai te tangata.”*

[Interpreter: Through women and land, men will perish.]

Te Tau a Mātaatua.

Ko wai ra, ko wai ra te tangata tūtū taua?

Kāore koa ko Hau.

Ko Nuiho,

Ko Nuake,

Ko Manu,

5

Ko Weka,

Ko Toroa,

Ko Ruaihona,

Ko Te Tahi o te rā.

Tēnei te maro, te hurua;

10

Huruhuru nui,

Nō Manu, Nō Weka.

Ka tū tapori atu, ka tu tapori mai.

Wero noa, wero noa, ngā rakau whakaiaia.

Na ngā tupuna i tīkina mai i rā wāhi,

15

Hei homai mō taku waka, mō Waimihia

Te mata o ngā rakau a Tūkariri,

Te mata o ngā rakau a Tūkaniwha,

Te mata o ngā rakau a Tūkaitaua.

Whano! Whano! Haramai te toki!

20

Haumi e! Hui e! Taiki e!

[Interpreter: Genealogy of the 'God Tāwhaki. Te Ringahuaia reciting different ancestors.]

25 The whakapapa below traces my ancestress Muriwai and her whakapapa from Papa rāua ko Tama-nui-te-rā who married Mārama Taiahoaho and begat Uira.

Ka puta i a Uira, ko Whaititiri Mātakataka, ka moe i a Kaitangata. He kōrero anō mō Tai tangata, ka whakapuaki i Tūrangawaewae.

30

[Interpreter: From Uira is Whaititiri Mātakataka who married Kaitangata.]

Ka puta ko Hema-i-te-Rangi

Ko Tāwhaki, ko Arawhita

Ko Wahieroa

Ko Tapuārangi

Ko Tapunui

Ko Tapuroa

5

Ko Taputiketike

Ko Tapuwhakaihi

Whakihinuku,

Whakaihirangi

Ko Hau,

10

Ko Nuiho.

Ko Nuiake.

Ko Manu.

Ko Weka.

Ka moe a Weka i a Irakewa

15

Ka puta ko Muriwai

Ko Toroa

Ko Puhi.

[Interpreter: Te Ringahuia is reciting whakapapa as presented in her evidence.]

20

Ko Muriwai te mātāmua. Ko Muriwai i runga i te waka o Mātaatua. Ko Muriwai i tiaki i te waka o Mātaatua.

[Interpreter: Muriwai is the eldest with the guarding of the Mātaatua Waka.]

25

Ko te whakapapa tuatoru, ko taku whakapapa mai i a Muriwai ki ahau. Ka moe a Muriwai, ka puta ko Hineikauia. Ko Hineikauia i moe i a Tūtāmure nō te waka o Nukutere.

30

[Interpreter: Now I'll continue reciting whakapapa from them to myself.]

Ka puta ko Manutaurehe

Ko Rongoteake

Ko Urekākā

- Ko Ruawharo
 Ko Kōpā-ā-Ruawharo
 Ko Upokohapa,
 Ko Hopukanga
 5 Ko Marutataka
 Ko Te Uru
 Ko Tamakauwhata
 Ko Te Puinga
 Ko Pākihi
 10 Ko Kāwhata
 Ko Māwe
 Ko Te Aporotanga, nāna i haina te Tiriti o Waitangi.
 Ka puta ko Mākawa
 Ko Te Riaki
 15 Ko Te Hata
 Ko Porena
 Ko Te Waiwhakaruku taku Pāpā
 Ka puta ko ahau.
 20 Koinei taku whakapapa mai i a Rangi rāua ko Papa ki ahau.

[Interpreter: this is my whakapapa from Ranginui and Papatūānuku to myself
 42 generations.]

- 25 Forty-two generations from myself to Papatūānuku and every wahine Māori can
 whakapapa to Rangi rāua ko Papa. All wahine Māori trace our ancestral roots
 back to tūpuna, tūpuna who either landed here on a waka or through a deity or
 through the cosmos. As wahine Māori we see that there is alternative view of
 the land and the sea to the western one. So, the linear concepts of time in the
 30 western fashion are of no consequence to te ao Māori. There's an ebb and a
 flow of continuance in te ao Māori which link tangata whenua to the horizon.
 Just as Tangaroa and Hinemoana move in perfect motion together, romantically
 merging their energies of Tangaroa and Hinemoana to the people to be able to
 harken back in time and a galvanised forward. They are not however split into

that which has happened or that which historical narratives lead us to believe. Hence the ability for Māori to remain grounded, rest upon the holistic worldview which definitely underpins the perceptions just as they do with Papa Moana.

- 5 Her ubiquity is evident in her link with Hawaiki. Hinemoana and Papa Moana join Aotearoa with the ancestral homelands of her children in Hawaiki and therefore provides a continuation of energy pathways for the living and the dead. The point at which she meets with her spiritual gods, Tangaroa and Hinemoa, it is not her commencement or her conclusion. It is a part of a never-
- 10 ending continuum of relationships that cement her and her histories and her herstories to this part of the world with obligations for future generations that can never be denied or severed. Our inter-relationships with the peoples of the Pacific therefore cannot be denied by a non-indigenous colonizing system.
- 15 Wahine Māori bore witness to traumas inflicted on them as a result of colonisation, dispossession, and paternalism.

The evidence submitted by my co-claimants in this Inquiry echo a predominant theme – that of the degradation of wahine Māori, both figuratively and

20 metaphorically but more so, the disruption of their mana wāhine but never the erosion and never the loss. Alongside the theft of wahine as trophies of the coloniser's wars, women also bore witness to the theft of Papatūānuku, our whenua. We still do today. The vulnerability of women in the face of daunting military might was immortalised in many of the waiata that were recalled from

25 Tūhoe and Taranaki.

The rejuvenating cyclic nature of the links between Papatūānuku, and her children were momentarily disrupted, and the people likewise were unable to cloak themselves again and to weave their cultural connection with their tīpuna.

30 Knowledge was lost for a moment or worse, rewritten and retold through a colonised lens underpinned by Christianity and Christian ideologies. Our Māori histories have become transmitted through western lenses and paradigms – they then became Māori mythology. We need to change that.

The witness's testimony which commences at these hearings are poignant reminders of the misdeeds and crimes that they Crown and its practices have committed on Māori women and our daughters and our granddaughters. Māori Women are reminded throughout their testimony to set the framework of the weeks of testimony that will follow. And I've set out there 13 bullet points which I won't read out. I'll have those taken as read.

Creating a genuinely post-colonial society is not simply a struggle to be waged by tangata whenua alone. It is also the responsibility for others of us who call this country Aotearoa. However, our herstories recounted as part of these proceedings are a tribute to the Māori women leaders in resistance who continue to weave threads of hope and light in the depth of the night. People like Dame Whina Cooper, Dame Mira Szaszy, Te Tuaiwa Eva Rickard, Mereana Pittman, Nganeko Minhinnick and many more. Those who have hope and commitment and who suffer threats but who obstinately persevered with their task, for being arrested, beaten, battered at the front line, at great danger to themselves and their whānau.

Those who are the freedom fighters of their lands and their peoples and too often the martyrs of protracted struggle. But those who have persisted to weave magic in the hearts of the generations like me to follow. Me aro tātou ki te hā o Hine Ahu One. Kia ora tātou.

And it with further, my honour to introduce now, the Queen of the South, Ani Mikaere.

(11:58) ANI MIKAERE: (#A017)

Tautoko ana i ahau ngā mihi kua mihiā, e Te Ringahūia. Ki te Haukāinga, ki Ngāti Rēhia, ki ngā mema o te Rōpū Whakamana i Te Tiriti, ki ngā kārangarangatanga maha kua tae mai i runga i te karanga i tēnei kaupapa whakahirahira. Tēnā koutou katoa. He uri tēnei nō Ngāti Raukawa, nō Ngāti Hūia, nō Ngāti Pareraukawa, nō Ngāti Porou anō hoki. Tēnei e mihi atu ana ki a koutou.

[Interpreter: Support what has been said by Te Ringahuaia, te Ngāti Rēhia, the Tribunal panel, people of the motu who have come, tēnā koutou. I'm from Ngāti Raukawa, Ngāti Pareraukawa, and Ngāti Porou and I greet you all.]

- 5 I know time is short so I'm going to – I have cut little bits and pieces out of my brief but you have it before you. I wanted to start by talking about the themes that underpin Māori theories of creation.

10 People everywhere share a common urge to understand who we are by explaining where we come from. Understanding how we fit within our world in a universal human need, while questions such as who are we, where do we come from, where are we going, how should we live? These questions are universal, however the way that they answered is not. In fact, no two peoples respond the questions in quite the same way. The way a people answers these
15 questions is formative. It shapes their identity by capturing the essence of what makes them unique in the global mosaic.

Now, we know that iwi Māori are distinctive—each iwi has its own particular way of making sense of life's great mysteries. However, there are common themes
20 that emerge from the multitude of iwi accounts of creation and these themes convey really important messages about the way our tūpuna understood the significance of women.

A central feature of iwi explanations for the beginning of the world is
25 whakapapa, which binds humanity to the spiritual forces from which the world was created. We've had a really lovely example of that from Te Ringahuaia just a minute ago.

One of the most obvious characteristics of whakapapa is that by necessity it
30 encompasses both female and male: “Kotahi anō te tupuna o te tangata Māori, ko Ranginui e tū nei, ko Papatūānuku e takoto nei”. Without male and female, there can be no whakapapa.

Our tūpuna conceived of the world as coming into existence via a sequence of generations, each born from the one preceding it. Te Kore is very often described as being like a womb, a womb-like state, a space of limitless potential. Te Pō is born from within the infinite realms of Te Kore. Rangi and Papa are conceived within Te Pō and themselves conceive many children, who are eventually born into Te Ao Mārama, the world of light.

Now, what does this tell us? Well I think what it tells us is that the progression from Te Kore, through to Te Pō and into Te Ao Mārama reveals that our tūpuna relied on the recurring cycle of conception, gestation and birth to help them explain what might otherwise have been inexplicable.

And it makes perfect sense for our tūpuna to have turned to the everyday miracle of birth in their search for answers to the greatest wonder of all—the fact of our existence. Birth is an occasion when the ordinariness of life is juxtaposed against the wondrous; an event during which the line between mortality and immortality is blurred; it's a moment when the physical and the metaphysical seam – merge seamlessly. While the process of birth is familiar to us, it never fails to remind us of the mysteries that lie beyond the limits of our human comprehension. Utilising the metaphor of conception, gestation and birth to help us make sense of the fact that we exist enables us to accept our limitations while engendering a profound respect for life, despite, or perhaps because of, those elements that we find unfathomable.

Now, the centrality of birthing to our theory of creation also serves as a constant reminder of the spiritual potency of the whare tangata. The process that brings each and every one of us into being brought the world into being. Our very existence is centred around the sexual energy of women.

This basic truth is reinforced, indeed amplified, by the story of Hine-nui-te-po and her mokopuna, Māui. The way that Māui met his death confirms, in no uncertain terms, the unassailable power of the whare tangata.

Māui's chosen strategy to achieve immortality—attempting to reverse the birthing process—is also significant. It clearly establishes the birth canal as a two-way conduit between Te Pō and Te Ao Mārama.

5 So, our creation theories establish the centrality of women to whānau, to hapū and iwi, positioning women as agents of transition: between the physical and the metaphysical, between the unconscious and the conscious, between tapu and noa states, between life and death.

I'm just going to stop to have a drink of water.

10

In light of this, it is not surprising, to find women featuring prominently in iwi traditions. Within my own iwi, Ngāti Raukawa, it is evident that women were empowered, not limited, by the fact of being female. And in this regard, they were merely following the pattern of female strength and diversity laid down by
15 our atua wāhine.

In considering the status and the role of women within my own iwi, I have found the Matene Te Whiwhi manuscripts extremely helpful.

20 Now these manuscripts record material that was dictated to Matene Te Whiwhi by his uncle Te Rangihaeata during the 1850s, known to the outside world primarily for his military prowess and for his steadfast refusal to submit to the Crown. Te Rangihaeata was also a spiritual leader within the iwi well versed in karakia. As the son of Waitohi and as the brother of Rangitopeora (about whom
25 you heard a bit yesterday), Te Rangihaeata would've considered it completely normal for power and influence to be wielded by women as well as by men.

These manuscripts contain a wealth of stories about both men and women who exhibit a wide range of abilities and who perform all manner of roles.

30

Hineteiwaiwa plays a pivotal role in a number of Te Rangihaeata's accounts. She is revealed not only a woman with an exceptional array of talents, but also as possessing the wisdom to utilise those talents to maximum effect.

So what I'd like to do is now is to focus on the accounts from Te Rangihaeata about Hineteiwaiwa as a way of exploring the implications of our theories of creation for mana wahine.

5 When Hineteiwaiwa is in labour with her son Tuhuruhuru, Te Rangihaeata recalls that the birth is difficult and that a karakia is utilised to help facilitate the process. The person who recites the karakia is not identified by Te Rangihaeata but the words of the karakia clearly indicate that it is Hineteiwaiwa herself.

10

The account of Tuhuruhuru's birth is brief but instructive. The magnitude of Hineteiwaiwa responsibility to bring new life into the world is matched by her absolute confidence in her ability to do what is necessary. Her sense of her own power is palpable.

15

It is also apparent from the words of her karakia that the act of giving birth is regarded as no mere bodily function. It is an event during which the forces of nature lightning, storms can appropriately be called upon. It is a time when the tūpuna, when the atua associated with fertility Hinetengaku, Hinemateiti should
20 rightly be summoned.

Giving birth is a process during which the mother is united with tūpuna through the ages fully immersed in a spiritually charged life and death act of drawing a human being out from te pō and into te ao mārama.

25

Hineteiwaiwa's ability to formulate and execute a complex and potentially dangerous strategy in order to achieve a desired goal, also reveals her as a woman with formidable political skill and significant leadership qualities.

30

Hineteiwaiwa's husband was Tinirau. In the very well-known story of Kae who killed and ate Tinirau's pet whale Tutunui, it is Hineteiwaiwa who takes responsibility for capturing, or outwitting first and then capturing Kae.

Accompanied by a carefully selected group of women, Raukatauri, Raukatanga, Itiiti, Rekareka, Ruahau a Tangaroa and others, Hineteiwaiwa devises and implements a daring plan. The women travel to Kae's village intent on kidnapping him.

5

Now they're not sure what he looks like, other than he has distinctive overlapping teeth. In order to identify him it is necessary that the women induce him to laugh. They are generally regarded as the first ever kapa haka and this tells us that they are very well equipped for this task.

10

Kae does prove difficult to please and it requires them to redouble their efforts and it is clear from the account that they were an amazingly talented group. Their determination is eventually rewarded when Kae finally discloses his true identity by laughing.

15

Now the story of how Hineteiwaiwa kapa persuades Kae to laugh provides a graphic illustration of the life and death significance of the *whare tangata*. Te Rangihaeata's main account of the story doesn't go into too much detail of how the women eventually resolve the problem of identifying their prey, but

20

Timoti Kāretu provides the words to their haka along with a translation which might help to explain why Kae was unable to contain himself.

Here are the words of the haka. First in Māori and then at my peril in English:

25

E ako ki te haka. E ako au ki te ringaringa. E ako au ki te whewhera. E kāore te whewhera. E ako au ki te kōwhiti. E kāore te kōwhiti. E kōwhiti nuku, e kōwhiti rangi. E kōwhiti puapua, e kōwhiti werewere. E hanahana a tinaki, e!

30

Or in English. I learn to haka, I learnt to explore with my hands. I learn to open wide, not open wide. I learnt to twitch, not to twitch. Pulsating upwards, pulsating downwards, my vagina throbs, my vagina fibrillates a haven of lingering warmth.

Such is Kae's delight at the women's most intimate revelation of themselves that he bursts out laughing, thereby sealing his fate. The parallel between what happened to Māui and the means by which Kae is identified before being conveyed by the women to a certain death is unlikely to be coincidental. As

5 Māui presumptuously approached the vulva of his kuia, believing himself up to the task of unilaterally reversing the birth process, and as Kae feasted his eyes on the genitals of the women before him, each of the men was confronting his own mortality.

10 The story of Kae's demise also reveals women as expert in karakia. In order for their mission to succeed, Hineteiwaiwa and her companions not only had to trap Kae into revealing his identity by making him laugh; they also needed a plan that would enable them to kidnap him from under the very noses of his relations. The strategy for dealing with this second dilemma is karakia, which

15 puts their hosts into a sound sleep:

“[K]a rotua te whare e ngā wahine ra, ka whakamoemoeā; kia tupuatia a Kae e rātou, ka warea te whare katoa e te moe, me Kae hoki”.

20 It is plain that Hineteiwaiwa and her party know how to utilise the relevant karakia to good effect. So soundly does Kae sleep that even when he awakes the next morning to find himself in Tinirau's house, he does not immediately realise the trick that has been played on him, thinking instead that he is still in his own house and imagining that Tinirau is visiting him.

25

Kae's iwi, Te Aitanga a Te Pōporokewa, eventually retaliate by killing Tūhuru. Once again, it is to Hineteiwaiwa that Tinirau turns in order to ensure that their action does not go unavenged. Realising that his own iwi cannot defeat Te Aitanga a te Pōporokewa, Tinirau asks Hineteiwaiwa to seek

30 out the legendary Whakatau for assistance. Throughout the preparations for and execution of his assault on Te Tihi o Manono (the home of Te Aitanga a te Pōporokewa), it is Hineteiwaiwa with whom Whakatau liaises. He tells her to return home and make certain preparations; he travels there to ensure that the preparations have been carried out; and he appears undeterred when she tells

him that Tinirau's ope remains there, too afraid to launch an attack on the enemy. He sends word to her to watch the sky above Te Tihi o Manono: when she sees it glowing red, she has the satisfaction of knowing that the death of her child has been avenged.

5

Te Rangihaeata's accounts of Hineteiwaiwa are entirely consistent with the messages that are coded within a theory of creation which is founded on whakapapa and which identifies the whare tangata as a site of power.

10 Hineteiwaiwa is acutely aware of the particular strengths that she brings to any given situation and she is adept at utilising those strengths to achieve her desired outcomes.

A perusal of Ngāti Raukawa traditions confirms that my own kuia were similarly
15 conscious of the unique qualities that women brought to any role; and that they knew exactly how to employ them effectively.

Waitohi illustrates this point very well. Her father was Werawera (Ngāti Toa Rangatira), her mother Parekōhatu (Ngāti Huia, hapū of Ngāti Raukawa). Her
20 brother, Te Rauparaha, settled on the Kapiti coast during the early 1820s and wanted his Ngāti Raukawa relatives to join him. He made repeated invitations to them, without success. On one occasion, when a visiting group of Ngāti Raukawa were about to leave Ōtaki and return north to Maungatautari, Waitohi issued the following invitation: "Haere ki aku werewere. Haeremai hei noho i te
25 whenua mai i Whangaehu ki Kukutauaki". In response to her invitation, a series of Ngāti Raukawa migrations subsequently occurred over the next several years.

Given the significance of what was being asked and given the fact that earlier
30 requests issued by her brother had been unsuccessful, one would expect Waitohi to have chosen her words carefully. To Ngāti Raukawa, the literal meaning of the word "werewere" is "pubic hairs". An example of the way the term is used is the tikanga: "Tai-tamatāne whai i te ure tu; Tai-tamawahine/tamāhine whai I ana werewere", which suggests that sons typically

follow their male side while daughters follow their female lineage. It was Waitohi's choice of this term that is said to have swayed her Ngāti Raukawa relatives. According to my uncle, Iwikatea Nickolson. Our elders would say it was her use of the word, werewere, which stirred their emotions. Now there is
5 no doubt that Waitohi fully appreciated the power of that word to pursued and she also knew it was a word that could only be wielded with suitable effect by a women.

In later years, Te Manahi of Ngāti Huia stressed that it was Waitohi's statement
10 that had swayed them: "[N]a Waitohi kē te kupu ka whati mai, ehara nā Te Rauparaha". This evidence supports the suggestion, noted by Wakahuia Carkeek, that many of Te Rauparaha's strategies and military successes were attributable to "the genius of his elder sister", with few major undertakings being entered into "without her advice and counsel".

15 Waitohi's political authority is illustrated by the fact that she was responsible for allocating land to the various hapū of Ngāti Raukawa who responded to her call to come south. She also marked out the boundary between Ngāti Raukawa and Te Āti Awa, both important allies of Ngāti Toa Rangatira. Determination of
20 such rights was crucial for the maintenance of stability within the region. The fact that tensions between Ngāti Raukawa and Te Āti Awa boiled over into armed conflict at Te Kuititanga, shortly following Waitohi's death in 1839, might well be taken as an indication of the extent of her authority and of the political uncertainty that her absence precipitated.

25 As the example of Waitohi shows, Ngāti Raukawa recognised that women have their own, quite distinct (and distinctive) source of power. The potency of the whare tangata was an acknowledged fact of life.

30 This is reflected in our mōteatea, which indicate that our tūpuna understood the birth canal as a conduit between Te Ao Mārama and Te Pō. When facing the imminent possibility of death, for example, they readily employed imagery that

reinforces the significance of the whare tangata as depicted in the stories of Māui and of Kae. The ngeri “He Oranga Nei Hoki Tātou”, composed by Te Rauparaha, provides an excellent example. It finishes with the lines:

5 Kūkutia! Wherawherahia! | So hold tight, then open wide
Ki te tohe mai ia he
aha te kai | Should he persist in asking what the food mā te niho kehokeho | for
the vulva’s teeth is He keho anō! | Tell him it is vulva!

Tū ana te kehokeho! | Long live the vulva! Ngaua ki ō niho, he mamae poto |
10 Sink in your teeth! The pain is short! Kei pakoko kei tua tērā whaitua | Lest that
region wither Tihē! | So let there be life!

While there is much about the ngeri that current generations may struggle to fully grasp, I suggest that the image being conveyed is clear enough. The toa
15 are being urged to confront death squarely, to not only face it down but to charge enthusiastically towards it, to attack it with a degree of fearlessness that would surely make formidable foes of any force. The magnitude of what is at stake—the sense of being poised on the cusp of one’s mortality, no less—is articulated with spine-tingling force.

20

Te Rauparaha also makes highly effective use of the image of the birth canal as occupying the transitional space between Te Ao Mārama and Te Pō in “Kīkiki Kākaka”. The story behind this composition is well-known. While being pursued by a group from Waikato, Te Rauparaha asked for Te Heuheu’s
25 assistance and was sent to Rotoaira with instructions to seek help from Wharerangi. Wharerangi hid Te Rauparaha in a kūmara pit and placed Te Rangikoea over the mouth of the pit. When Te Rauparaha’s pursuers arrived at Rotoaira, Wharerangi told them that Te Rauparaha had been and gone. Doubting the truth of this statement, the group from Waikato searched
30 the village, their tohunga reciting karakia as they went. It is generally understood that the power of the karakia was counteracted by Te Rangikoea, her whare tangata preventing Te Rauparaha from being detected and thereby saving his life.

The description of Te Rauparaha crouched inside the kūmara pit while Te Rangikoea straddles the mouth of this small, enclosed space, conjures up a powerful image of the pit as an extension of the whare tangata. It is the ability of the whare tangata to remain intact in the face of potential intrusion by the karakia that determines Te Rauparaha's chances of survival.

From the words he used, it is clear that Te Rauparaha understood very well that his fate lay in the hands—or, perhaps more accurately, in the genitals—of the woman who sat above him. He was fearful lest the barrier between himself and his would-be captors be interfered with; he knew that if the karakia were able to upset the spiritual potency of the vulva, its power to protect him would be nullified. It would become a “tara wāhia”—it would break open, disclosing the contents of the dark pit beneath. Instead of the kūmara pit acting as a whare tangata, enabling him to be reborn into Te Ao Mārama (as eventually occurred, once the Waikato ope had moved on and he climbed triumphantly back to the light of day), it would become a pit of death, the place where his life would certainly be brought to a swift end.

There are many more examples that could be cited to illustrate the way that our theories of creation have laid the foundation for the acknowledgement and celebration of mana wahine within the traditions of Ngāti Raukawa. While I do not presume to speak for other iwi, the degree of commonality between our creation theories and those of others suggests that others will have plenty of examples of their own. Now before I finish, I just want to say about Whakapapa, Hierarchy and The Phenomenon of Mana Wahine.

Whakapapa is central to the way our tūpuna understood their place in the universe.

Reliance on a whakapapa framework to make sense of our existence requires us to value every person as part of an endlessly expanding whole. This is not to be confused with some feel-good notion of equality or sameness; rather, it recognises that the particular qualities of every person contribute to the vitality

of the whakapapa network in its entirety. Whether female or male, young or old, teina or tuakana, each person plays their part in establishing the precedents that are bequeathed to later generations. Without the unique characteristics of each and every individual, the strength of the collective is diminished.

Whakapapa necessitates a focus on relationships: between people; between people and their non-human relatives; between past, present and future generations. It reminds us that relationships must be carefully managed because everything in our world is connected. Failing to nurture key relationships will result in imbalance which will ultimately be to the detriment of all.

Whakapapa is inherently non-hierarchical and I know that is probably a controversial to say but I truly believe it is driven by the logic of inclusion.

For the British colonists, hierarchy acted as a social cement. Their conception of a well-ordered society was one where every person understood and accepted their place in the pecking order, willingly submitting to some while demanding submission from others.

Whakapapa is inherently non-hierarchical and is driven by the logic of inclusion.

For the British colonists, hierarchy acted as a social cement. Their conception of a well-ordered society was one where every person understood and accepted their place in the pecking order, willingly submitting to some while demanding submission from others.

The success of colonisation relied upon the notion of hierarchy becoming normalised amongst the colonised. This is because of what it taught the colonised about the inevitability of domination and its corollary, subordination.

Andrea Smith has rightly pointed out that the introduction of patriarchy is a crucial first step in achieving the colonisation of peoples whose societies are not hierarchical. Patriarchy provides a powerful incentive to half of the target population (men) to accept the logic of hierarchy because of the benefits that
5 accrue to them.

The missionaries played a crucial role in introducing patriarchy to Māori. With the gender and colour of God (who sits at the top of the hierarchy) beyond dispute, Christianity is premised on the belief that maleness and whiteness are
10 inherently superior to femaleness and colour. Māori were encouraged to accept their “God-given” place on the lower rungs of creation, Māori men accorded an automatic advantage over their female relatives by virtue of their genitalia.

Colonisation has been an unrelenting attack on the whakapapa foundations of
15 Māori philosophy. It has sought to disrupt and to sever relationships, both between people and between people and our non-human relatives.

The introduction of patriarchy is just one aspect of this process. Because it drives a wedge between male and female, it is designed to destroy the fabric of
20 Māori society—and therefore, to destroy the fabric of Māori resistance.

To some extent, even the very concept of whakapapa has been colonised. Since the arrival of the written word, we have been encouraged to think of whakapapa as a series of charts, beginning with a tupuna at the top and
25 descending in a direct and straight line to subsequent generations. When combined with Western understandings of hierarchy as representing the natural order of things, we tend to associate names appearing at the top or to the left of the page as being more significant than—as being “senior” to—those appearing further down and to the right. The higher up the chain a name
30 appears, the more super-human they seem to us; the further to the left a sibling sits on the page, the more important they must be.

Overlaying this privileging of hierarchy is the drive for simplification, which frequently results in the rationalising of information so that the names of those

deemed “less important” are omitted. Women’s names are often the first to be erased from the record.

5 The way that whakapapa is written has affected the way that visualise and speak about it. Indeed, speakers regularly use terms such as “ka heke iho” when talking about a subsequent generation, as opposed to “ka puta mai”, which identifies birthing and, by clear implication, women as integral to the process.

10 It should be noted that the very term “mana wahine” is a product of what I refer to as the “petrifying” of Māori thought and practice. Our tūpuna, truth be told, are most unlikely to ever have felt the need to refer to “mana wahine” because it was simply the case that all people had mana. It is only because the colonists regarded “mana” as an exclusively male characteristic—and because of the
15 enthusiasm with which some Māori men embraced that belief— that it has become necessary now to identify “mana wahine” as a phenomenon.

*Koirā tāku mō tēnei wā. Now, nō reira nā Te Rangihaeata te nuinga o ngā kōrero mō Hineteiwaiwa i kōrerohia e ahau i tēnei rā. Nā runga i tērā whakairo
20 e tika ana pea kia kīnākihia taku kōrero ki tētehi waiata nā Te Rangihaeata i tito.* [Interpreter: That’s my presentation to us today. Te Rangihaeata was the source for most of the information about Hineteiwaiwa. Perhaps I should also finish this presentation with a waiata composed by Te Rangihaeata.]

25 **WAIATA TAUTOKO**

I titoa tēnei waiata i te wā i kāwhakina a Te Rauparaha e Hori Kerei. Nō reira tēnā tātou. [Interpreter: This was composed by Te Rangihaeata when Te Rauparaha was captured by Governor Grey.]

30 **(12:29) JUDGE REEVES TO ANI MIKAERE:**

Q. Tēnā koe.

A. Kia ora.

Q. You've given much food for thought in your kōrero this morning and I'm sure that there are some discussion and some pātai for you.

A. Kia ora.

(12:29) KIM NGARIMU TO ANI MIKAERE:

5 Q. Tēnā koe.

A. Kia ora.

Q. *Kāre he pātai but tēnei te mihi atu ki a koe otirā ki a kōrua tahi ko Ringahuaia. He pai ki te rongō ki a kōrua i te ata nei. So tēnei te mihi atu ki a kōrua mō o kōrua mātauranga mō o kōrua kōrero. Āe, pai ki au.*

10 [Interpreter: This is not a question, but acknowledgement of both yours and Te Ringahuaia's kōrero this morning. Thank you for what our understanding is and the information you shared with us today.] I don't have questions.

A. Kei te pai.

15 Q. It's just the way that you have brought life to some of the things that we're talking about. I did just want to give just a small signal ki a koe. One thing that you said that when you do actually present evidence I'd be really keen to hear more about, and that's you said: "Mana has been disrupted. Never eroded, never lost," and so just sending a signal I'm really interested in hearing more on your views about that in due course.

20 Kia ora.

(12:30) DR RUAKERE HOND TO ANI MIKAERE:

Q. *Me au hoki e tuku mihi ana ki a kōrua me ngā kōrero i whārikihia. Ani, he pai kē atu te rongō i ngā kupu i tō waha i te pānui noa iho nei i ngā kupu i runga i te whārangi.* [Interpreter: Similarly for me my greetings and thanks for what was presented today.]

25

A. Kia ora.

Q. *Kei te rongō atu i te wairua o tō ngākau i te wā e puta nei tō waha, a, me te nui anō o ngā whakautu i ērā pātai i puta inanahi i runga anō i ngā whārangi nei nō reira tēnā kōrua.* [Interpreter: Ani, your thorough explanation of this area of inquiry in raising the issues that are pertinent to this inquiry.] *Ana, āhua pēnei au i te kōrero a Kim that concept of*

30

disruption of whakapapa but you introduced as well other concepts such as privileging, simplification and all these other elements that have now become a part of how we potentially perceive whakapapa but also use whakapapa and so it sometimes becomes a tool for colonisation.

5 Something that is inherently, should be inherently ours. I always come back to the question and challenging us to understand what is the process or do you have ideas around a process in which we can look back at these concepts of our whakapapa being disrupted and finding a way to restore some level of integrity. Because it seems to me we can't answer the
10 question about mana wahine until we restore some of that integrity in that whakapapa that you're referring to and illustrated so well in the examples you gave. Tēnā koe.

A. Kia ora. Just in response to a kaupapa of disruption, Dr Pihama goes through that and gives some examples of that so that's one thing. But
15 yes pai tēnā whakaaro. Kua tuhi kē au ngā whakaaro e pā ana ki tērā kaupapa so I'll present that at Tūrangawaewae e pā ana ki te taha o te ao Māori he aha tēnei mea te disruption. Because for me I'm not in agreeance with kupu like loss. We didn't lose anything. So I really want to get back to the histories that should have been told in the first place
20 because a lot of the narratives and the kupu that are being used are kupu that have come from a Pākehā definition of a Māori concept and it's permeated right throughout our language. Unfortunately, those are the things we have to now rewrite back and get back to our original definitions from a te ao Māori lens and not from a colonised western paradigm lens
25 through a Pākehā dictionary translated into Māori. So I cover that a lot in my actual evidence but Dr Pihama also covers some of that too, so āe.

Q. Ka tāria atu ērā kupu ki Ngāruawahia. Tēnā koe, kōrua.

(12:33) DR LINDA SMITH TO ANI MIKAERE:

Q. Ani tēnā koe. Thank you for the submission. I just felt you went into areas
30 that I think this claim does have to go into in a great deal of depth. And thank you for setting out the sort of philosophical ways in which the words that were used sit better in a more balanced way. So thank you very much it was a very substantive submission in my view. I want to just

stretch out the concept of whare tangata. So I guess you know in some levels all women have the potential of whare tangata but some women can't produce children. So did that mean they had no value in the community? Can you just talk a little bit more about that because often people take whare tangata to a literal sense and if you could elaborate much more on the concept of whare tangata?

5

A. I'd have known I was going to get a curly question from you, Linda.

Q. Means you got it.

A. It's not something I'd thought about actually but I think – I think the answer feels for me quite easy, is that all women have a whare tangata, you know. And I just think it's as simple as that so I would not have occurred to me that someone who doesn't actually utilise that whare tangata to literally produce children is of any less value than any other wāhine. It just seems absolutely obvious to me. Yes. And I think that you would still fulfil all of those roles that any other wāhine would fulfil, yes.

15

Q. Well, thank you for that. My other question is, I guess the extent to which sort of transition from a spiritual domain, the sort of essence of female essence, essence of male then starts to translate into the body form, the human form and you talk about that metaphorically but also literally in terms of the birth canal, birth passage. So, in thinking about us as women now in our physical form. Do you think that sort of concept of te ira wāhine, te ira tāne have become sort of lessened in terms of the idea of the sort of essences of women? The female essence, the male essence, that they get reduced to this sense of a stereotype of what a female is and a stereotype of what a male is?

20

25

A. Okay. Another very good question. I think one of the consequences of colonisation is that yes, we've become potentially distanced from our own philosophical foundations so what happens then is that you're right, we've become in many ways, we risk being reduced to kind of caricatures of what a wāhine might be, of what a tāne might be. And that's what happens when you try to cut people off from their foundations. You're kind of – the links back to those foundations become more and more tenuous and so I mean one of the – I think one of the important things that I would hope would come out of this exercise is that we recommit

30

ourselves I suppose to repairing some of those links so that when you walk around as a wāhine you're not just kind of a wāhine floating around from those foundations, you actually know what it means to be a wāhine Māori, you actually understand that. I mean the account I gave of Hina-te-lwaiwa giving birth is just – you can't read it without feeling electrified, I mean you can actually feel her power. She knows exactly what it means to be a wāhine in that moment, she knows exactly where her power comes from. She's kind of you know, the full complete package if you like. And I guess for lots of very good reasons I think you're right we probably struggle with feeling that sense of completeness now but it's still there though. It's just up to us to – and often it's right underneath our noses we just don't see it, we just have to kind of look at it with different lenses, I guess. I don't know if that's an answer to your question.

Q. Thank you. That's all for now.

15 A. Kia ora.

(12:38) DR ROBYN ANDERSON TO ANI MIKAERE:

Q. Tēnā koe, Dr Mikaere.

A. Ehara au e te Tākuta. Sorry, I'm not doctor, I'm just Ani.

Q. Well, kia ora. I just wanted to talk to you a little bit about Waitohi and the knowledge that has survived of her and what was being said in the Native Land Court and – this kind of suppression I guess to a certain extent of her name and so do you have comments on what was happening in the Native Land Court and the long term significance of that for both the position of Māori women and our understanding of Māori women?

A. Do you just want to elaborate what you mean by what was happening in the Māori Land Court with reference to Waitohi specifically?

Q. Well, I was thinking that a lot of the kōrero in the Native Land Court was about Te Rauparaha.

30 A. All right, okay.

Q. You know, allocating land and so forth.

A. Yes, it's – I mean. Yes, it's kind of a matter of some frustration that you know the whole world knows about Te Rauparaha and there are still

people out there who actually haven't heard of Waitohi which astounds me because she was really a force to be reckoned with very clearly and I think it's just that that same old story that the women became invisibilised as the men – the Pākehā men who recorded our stories spoke to Māori men, listened selectively, recorded selectively and then that became kind of the – you know. The truth. Within Ngāti Raukawa though, you know we know exactly who she is and we know how important she is because we would not be where we are now but for her. Not only because of her tono but because she also said, when you get here you go you go there. She just – her word was absolute law. So we know how important she is but you're right but the Māori Land Court – well, what can we say? What to describe an engine of veritable destruction but not only in our relationships with land but also of whakapapa and it was also really pretty patriarchal too. And that's probably a pretty – I think that's a safe thing to say so yes, she became marginalised in that process.

Q. Yes.

A. But not within our memory.

Q. Thank you and I suppose there are lessons for people using Native Land Court minutes to be – they're cautious about how we interpret them in our reliance on them.

A. Yes. Yes, definitely we do have to. I mean there's some stuff in there that's helpful –

Q. Yes.

A. – but you always have to be careful. Yes.

Q. All right. All right, I'll leave it there for the moment. Thank you very much for your kōrero.

A. Kia ora.

(12:42) JUDGE REEVES TO ANI MIKAERE:

Q. Kia ora, just a couple of questions from me.

A. Sorry, anxious to get off the stand, just running away.

Q. This question is prompted from Linda's question and it seems to me that much of the kōrero we've been hearing has been about the balance between male and female and it's a fairly – the kōrero we've heard so far

has been fairly binary. Where does fluidity of gender fit into this kōrero around whare tangata?

A. I might have to think about that question. I mean I don't think I actually talked about male and female. I just talked about female today.

5 Q. Yes. No, I am just reflecting on –

A. Yes.

Q. – what we have heard already during the course of the hearing and then you know, I'm just floating that and I mean obviously I am interested to hear your thoughts on it but –

10 A. Yes.

Q. – you know as we move through the course of this hearings from other's as well.

A. I think, yes, my go-to person, he might have an answer for that but I must say that when Linda was having the discussion about if you have a whare tangata but don't have children you know, what is your role then? It does occur to me that in these days, we probably have some interesting discussions to be had about trans gender and there's a whole array of possibilities now that our tikanga may not have had to deal with but you know what, our tupuna were adept at adapting tikanga to meet the needs and always I think the main is to remember the underlying foundation is whakapapa, that we are all related, that whakapapa is driven by the logic of inclusion. And that also brings me back to something that Ruakere said about the way we use whakapapa. I'm currently working on a project to do with whāngai and adoption of Māori and it's really interesting to see the number of whānau now who sometimes use whakapapa to exclude and I mean that is completely the wrong way around as far as I'm concerned because whakapapa is all about a logic of inclusion. We always lived for ways to pull people in to become part of our world so yes.

25 Q. All right, now one more question, in your evidence you talk about the whare tangata as a site of power –

30 A. Yes.

Q. – and it occurred to me just in the course of some of those stories that you related to us, I hesitate to use the term, but the whare tangata being weaponised to it, you know, in certain situations.

A. Yes.

Q. But I guess what I'm reflecting on is that present day tikanga and kawa around the ability of women to enter into certain realms of activity such as speaking on the marae often seems to be what is referred to as the requirement to protect the whare tangata as if it is something vulnerable –

A. Yes.

Q. – which really is not –

A. Yes, it's kind of odd.

10 Q. – consistent with what you've told us; we've heard from you today. So you know I just really would like just your views on how and why we got to this point?

A. Yes. I mean the construct of the whare tangata as something requiring protection is pretty clearly a colonised construct and I think it's probably you know convenient for us to be kind of rendered powerless and requiring male protection. Those stories are very clear to me, we don't require a protection. We require men to behave well and properly, as all people should, as we should as well but that's a different matter altogether. Yes I just think you're right. Yes, it doesn't make any sense to construct us in that way.

20 Q. Yes.

A. It's nonsensical.

Q. I mean it seems to me that we often hear accounts or views expressed where whare tangata or the concept of whare tangata has become somehow domesticised –

25 A. Yes, yes.

Q. – or sentimentalised –

A. Yes.

Q. – as opposed to the account that we're hearing from you today.

30 A. Yes, absolute. I mean the whole thing of us requiring protection, we know our women went to war as well. I mean I'm really hoping at some stage in this inquiry you hear the amazing work of Ngahuia Murphy who talks about the role of Māori women specifically in war. You know so again they had a distinctive – different but distinctive role. Yes, totally agree.

Q. Okay, kia ora.

A. Kia ora.

Q. Thank you.

A. Kua mutu?

5 Q. Kua mutu.

KALEI DELAMERE-RIRINUI:

Kia ora. I'm sorry, I omitted to mention the ROI numbers for the evidence of Ani Mikaere and also Te Ringahuaia Hata. There was an opening statement filed on behalf of Te Ringahuaia Hata on the 2nd of February, so I believe that
10 you have received that hard copy. And then also she had a PowerPoint to accompany her presentation which will also be filed later this evening.

JUDGE REEVES:

Thank you. Kia ora.

KALEI DELAMERE-RIRINUI:

15 And then the evidence for Ani Mikaere was #A017.

(12:48) KALEI DELAMERE-RIRINUI: (CALLING WITNESS)

Ka pai. The next speaker is Dr Leonie Pihama and her evidence is #A019 and #A019(a). She also has a PowerPoint that will be coming up and will also be
20 filed this evening.

JUDGE REEVES:

Ka pai, okay. We have got to the point in our timetable in where it's actually lunch time –

KALEI DELAMERE-RIRINUI:

25 Ka pai.

JUDGE REEVES:

– so I am going to adjourn for the lunch break. So the timetable is telling us that we are coming back from lunch at 1.20 pm, we are now nearly at 10 to,

yes. So I am going to adjourn for lunch. Let's just see how that goes. If I tell you to come back at 1.20 pm we will be here at 1.30 pm.

KALEI DELAMERE-RIRINUI:

Thank you Ma'am.

5 JUDGE REEVES:

Kia ora.

HEARING ADJOURNS: 12.49 PM

HEARING RESUMES: 1.35 PM

JUDGE REEVES:

10 Tēnā tātou. We are ready to go. There is you know possibly going to be streams of people kind of walking in at various stages behind you, yes.

Okay, kei a koe.

15 (13:36) PROFESSOR LEONIE PIHAMA: (#A019)

I kī mai a Te Ringahuia: "If judge says start, start," so ka start ahau.

WAIATA PAO

Mate koe i te aroha titiro ki Taranaki

20 *Kite koe i te auahi nāku e tahu e*

Mate koe i te aroha titiro ki Taranaki

Kei Purekohu ko au ki raro e

Kei runga i a Taranaki e ngā puna wai mātao

Kei roto i aku kamo ngā puna wai wera e

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[Interpreter: That's a pao about her origins from Taranaki.]

Tēnā koutou. Tuatahi au ka tautoko au i ngā mihi kua mihi i te ata nei. Tuatahi ki te haukāinga Ngāti Rehia tēnā koutou tēnā koutou e manaaki mai i tiaki mai

i a mātou katoa i roto i tēnei o ngā huihuinga whakahirahira, nō reira ki te haukāinga tēnā koutou. [Interpreter: First she would like to acknowledge Ngāti Rehia her hosts for this event.]

5 *Ki a koutou Te Taraipiunara tēnā koutou. Tēnā koutou i raro i te mana o te mana wahine. Tēnā koutou mō o koutou tuwhera i tēnei kaupapa tēnei kerēme kaupapa mō ngā wahine Māori, nō reira tēnei te mihi atu ki a koutou katoa. [Interpreter: To you members of the Tribunal, tēnā koutou. Greetings for this particular inquiry about mana wahine. Thank you for commencing this claim of*
10 *mana wahine and I pay tribute to you the panel.]*

Ōku whanaunga ki a kōrua tēnā kōrua, ngā whanaunga o te maunga i titohia anei tētahi a o whanaunga ngā mokopuna o tō tātou maunga e mihi atu ki a kōrua. [Interpreter: So who are relatives of mine from Taranaki.]

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Ki a koutou katoa tēnā koutou, a, huri noa i te whare tēnā koutou katoa kua tae mai i runga i te karanga o te mana wahine. [Interpreter: To everybody in the working group, greetings. Those who have assembled for the purpose of this inquiry mana wahine, greetings.]

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He mihi hoki au ki te mihi ki ngā māreikura i tīmata ai i tēnei hīkoi haere tēnei haerenga tēnei mahi i mua i te tau iwa tekau mā toru. Engari rātou i whakatakotohia tēnei kerēme i mua i te aroaro o Te Taraipiunara i taua wā, ā ko ēnā kuia kātahi kua mate a tēnei te mihi atu ki a rātou mō a rātou kaha ko

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Mira mā, ko Mira Szaszy ko Whaea Rose Latimer te katoa, te katoa o ērā kuia i tīmata ai i tēnei mahi i mua i o koutou aroaro. [Interpreter: Of course it's appropriate to acknowledge those of our founding mothers who began this journey of this claim of the Mana Wahine Inquiry. Those who have passed on and those who are still with us it's important to acknowledge them. Those of

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significant importance who have passed Lady Henare, Latimer, Szaszy the founders of this great effort, I always wish to pay tribute to them and acknowledge their efforts.]

Ka huri au ki te reo Pākehā nā te mea he āhua he aha te kupu Māori mō nervous i tēnei wā. [Interpreter: I'll switch to English at this point.]

5 *Well, tuatahi, ko wai tēnei e tū atu i mua i o koutou aroaro? He mokopuna nō te maunga Titohea me te awa o Waikato. A, ko Taranaki ko Karioi ngā maunga. A, ko Waitara ko Waikato ngā awa. Ko Te Atiawa, ko Waikato-Tainui ko Ngā Māhanga a Tairi ngā iwi. Ko Ngāti Rāhiri, ko Ngāti Māhanga ngā hapū. Tēnā tātou katoa. Ko Leonie Pihama tōku ingoa.* [Interpreter: So firstly, who is this who stands before you? A descendant from Taranaki and Karioi on the
10 waterways of Waitara and Waikato, Ngā Tai o Rehua and Whaingaroa. The iwi of Te Atiawa, Waikato-Tainui, Ngā Mahanga a Tairi. The hapū of Ngāti Rāhiri and Ngāti Māhanga.]

I just rang home to Tutamawahine to talk to tētahi o ngā wahine i reira a
15 Ngaropi Cameron e pā ana ki tērā pao because I wanted to begin this kōrero from my own position as a wahine from Taranaki and then close this session nō taku taha Waikato so I feel encircled by those tūpuna. One of the things she did want to say was: “Please acknowledge Ripeka for when you went to Parihaka to speak about the claim.” She said Aunty Marge was there and
20 Mahinekura Reinfelds was there, to acknowledge that you had gone to see them in Te Niho o Te Āti Awa to talk about the claim with others but *tēnei tana mihi, taku mihi hoki ki a koe.* [Interpreter: Thank you for that Ripeka.]

I want to acknowledge too standing on this whenua of Ngāti Rēhia this whenua
25 Te Manako the hononga between our hapū o Te Atiawa ki tēnei wāhi o Ngā Puhi ko Ngāti Rāhiri tēnei e mihi atu ki Ngāti Rāhiri, tēnā koutou.

So I wanted really to follow on from all of the kōrero prior but particularly to kind of continue on from where Te Ringahuia and Ani have taken us. I've given quite
30 a big brief into the Tribunal and I do take it as read. There are some parts that I want to speak to particularly and then really focus on questions.

So part of what I want to have taken as read is the notion that we have all of these pūrākau ā-hapū ā-iwi that tell us of the roles and the positions and the

mana and the contribution and the influence and all those things of our tūpuna wahine and that they have come down to us as their descendants in the form of all of their accomplishments that they have done. When I look around this wall and I really do want to acknowledge Tania and the team that put these
 5 together so that we have these tohu mana hanging around the walls and encompassing this kōrero. When we look down we look at the different iwi and I looked at Waikato heads you say and I saw Ngāti Te Ata and I thought immediately of Naneko Minhinnick who wasn't here in 1840 but was certainly here in the 1980s in force and all of the work that came from there, and Waitara
 10 and all of those ones. There is just from all of these signatories and from all of the other signatories we have generation upon generation of whakapapa kōrero of our involvement in kaupapa Māori really, in kaupapa Māori and so I wanted to acknowledge all of these tūpuna wahine.

15 I've heard different things around whether the Crown allowed women to sign and I feel like to date the Crown's had a pretty easy run in this hearing and that's about to stop. We're going to put an end to the ease of the Crown listening to us talking about what it means for us and start talking a little bit about what the Crown have done to interrupt, to disrupt, to interfere with the
 20 mana wahine that comes from all these tūpuna wahine and from others.

When I hear terms like whether the Crown allowed wahine, our tūpuna wahine to sign, it immediately conjures up the patriarchal gendered notion of who allows someone to do something you know. We have been using terms, even
 25 ourselves, we were given the opportunity, we were allowed to you know. And actually when we hear what Ani has just talked about in terms of Waitohe and ērā atu wahine nō Ngāti Raukawa, I don't think they asked to be allowed to do anything. They asserted what was their fundamental right to do particular things. And I think that that – we will find that in all of our iwi. So, the English
 30 language does not serve us well when we speak to these kaupapa, the English language does not serve us well when we talk about mana wāhine and yet it is the language of dominance that we currently speak through. So a lot of questions have come through around what is mana.

So, I put together a few – just a few small – these are you know, I know no means exclusive, I just put together a few quotes from different speakers who happened to write the, around mana and so – and then mihi atu ki tēnei o ngā kuia, Whaea Rose Pere, *nāna i para te huarahi e mōhio a koutou katoa mō tēnei kaupapa a te mana wāhine*. [Interpreter: I acknowledge Rose Pere, her contribution to this.]

And so I wanted to talk about and think a little bit about the concept of mana because mana wāhine is fundamentally about mana and about the denial of the influence and the actions and the practices of mana to wāhine. So where it may be, as Ani said, a contemporary use of the term. Because I do think we didn't have to differentiate mana wāhine mana tāne in the way we've had to now and we've had to since colonisation disrupted those relationships.

And when we look at a definition of mana from someone like Rose Pere, it is always connected to Atua, it is always connected to those things that go beyond the tangata. Are we born with mana? Tērā tētahi o ngā pātai. Āe. That's my – that for me that is inherent because it's inherent to the mana of my tūpuna. It's inherent to our kāwai whakapapa. It's inherent to our kāwai tūpuna.

I – for me, what happens when we live this life and how mana is asserted or expressed or -practiced or actioned or influenced in this daily life is a whole other story in terms of human relationships. I think we've become very humancentric believing that we rule over these things. That we can know what is mana on a wairua level beyond what our tūpuna have in their minds for us or have in their path for us or have in their plans for us. And I know that for me, this idea that I have total control over my life. I was taught a very big lesson around my view that I could control my life. When I first went back to university and I decided I'd have a baby and I'd just have a baby, throw it over my shoulder, go to university, do a Masters, do a PhD, easy. I mean I come from a family of 12 so one child was like *ngāwari noiho*. [Interpreter: Easy peasy.]

My iwi and my hapū, Ngā Mahanga a Tairi and Ngāti Mahanga, guess what I got? *Mahanga*. [Interpreter: Twins.] And in that moment, I realised I had no

control over what they decided for me. So, you know when we think about people like whaea Rose Pere who talks about mana and she says it's being beyond translation in the English language. I think we need to be careful about reducing being reductionist and reducing it to single words because it's not
 5 single words. However, in a dominant society, it can be expressed through power relationships but it's not only about power but it is expressed.

So where, when does mana become disrupted? When the Crown disrupts our ability to exercise, to exercise rangatiratanga, to exercise what comes with
 10 mana, the power, the influence, the opportunities, the practices that come because we are wāhine. That's what this claim is about. The Crown has done all of these things over the last 200 years to do certain actions that have denied us our expression of our mana as wāhine in those contexts. It does not mean I don't have mana. It means that all of these things have been put in place to
 15 disrupt the action and the expression of that.

Okay. Tēnei mihi nei.

JUDGE REEVES:

Where is the computer?

20 **PROFESSOR LEONIE PIHAMA: (CONTINUES)**

So, while we're waiting for that I want to talk a little bit about how I see mana in terms of how – when I think about mana and it's paragraph 8 in the brief. When I think of mana wāhine, I think of ancestral connections. I recall my connections to the mountains, the rivers, the oceans, to our human ancestors, and to our
 25 ancestral territories. When I think of Mana Wahine, I think of the strength and power of our tūpuna who held key roles in the defence of our lands, language and culture. When I think of Mana Wahine, I think of those who today lead many of the grassroots developments that are central to our cultural regeneration movements. When I think of Mana Wahine, I am deeply grateful
 30 for the deep ancestral knowledge and practices that remain intact to guide and inform us on our journeys. When I think of Mana Wahine, I think of the deep-seated connections that ancestors before us and ancestors yet to come have

to these places, these sacred spaces, these people. I am deeply grateful for those who have held to those sacred relationships generation after generation so that I am able to stand as their descendent and as the mother, auntie and grandmother of generations yet to come.

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So, when we talk about mana wāhine within this Tribunal context and I'm talking really because of Tūāpapa here. We're talking about mana wāhine that we carry as Māori women, that we have as Māori women, that we connect as Māori women. Our mana wāhine and then we have an expression of mana wāhine that has been denigrated, degraded, and interfered with and disrupted, the practices by the Crown and they are not the same thing. Māori women are not saying we don't have mana. For me this claim is saying we have 200 years of evidence of an intentional, deliberate, degrading marginalisation and denial of that mana because we are wāhine.

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Change it. Next slide.

I looked at the report, He Hīnātore ki te Ao Māori, which is a Ministry of Justice report but was written by Māori. And when they talk about mana they talk about mana as deriving from, being sourced from our kāwai tūpuna, from our kāwai whakapapa and that it's been there all of the time. And I really wanted to talk about this because I'm kind of answering questions from yesterday I guess, the notion that in a hierarchy in society does everyone have mana? Does everyone have the same mana? Well, we can't possibly have the same mana if we don't have the same kāwai tūpuna. If mana is sourced from our kāwai whakapapa – if mana is sourced from Atua, beyond that if mana is sourced from our kāwai tūpuna then the mana that we carry is the mana that is from them.

And then the way in which accept or are imbued with mana is also related to tapu. So, the tribunal in the next hearings, I believe needs to look more deeply at tikanga more broadly in terms of mana, tapu, noa, all of those things that associate with mana and the way in which they have been articulated by Māori and disrupted by the crown.

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Māori Marsden talks about social relationships as being central to mana, so not only do we source mana in terms of kawai whakapapa but that can be enhanced or diminished by our own behaviour within our collective social relationships. So within social relationships things are bestowed upon us to do in terms of our mana and those social relationships are the human part of mana. The human way in which we enact mana, in which we practice those things. Because when we hear from Mereana we'll hear around the sexual violence, family violence that within those contexts of takahi mana, those contexts of transgression of tapu things were done. We have tikanga that meant that things were done to perpetrate this in order to show them that collectively that was not acceptable in order to shift the dynamic in that social relationship.

So mana for me in terms of this when we think about mana from these kind of kōrero is both—and I think it's something in Api Mahuika's thesis I think if Donna is here—he talks about in anthropological terms both the inherited and ascribed one. So *inherited* kawai whakapapa, *ascribed* what happens in your interactions and your social behaviours and your social relationships, and those social relationships are determined collectively. They are not determined by an individual saying: "I have mana." They are determined by the collective relationships that determine the relationship that you have in terms of mana.

Mānuka Henare e mihi atu ki tēnei o ngā koroua kātahi anō kua nehu mai konei mai te nōta nei. [Interpreter: I'd like to acknowledge Mānuka Henare today who has recently passed away.] Mānuka wrote, it was actually the Royal Commission in 1988, he wrote a whole lot of kōrero around mana around tapu and he says: "Mana is for quality that cannot be generated for oneself. It's not possessed for oneself. It's generated by others. It's bestowed upon both individuals and groups." That virtually every activity in te ao Māori has an association with mana. There is a link to mana that is essential to the integrity of the person and of the group.

So mana is not just this thing that we as individuals believe we possess but it is always about relationships, the social relationships that determine how we move in the world and how we are considered to move in the world.

So in terms of mana wahine, coming back to the mana wahine frame in terms of this claim, mana is central to the concept of mana wahine. Mana is something that engages us conceptually, culturally, spiritually, emotionally and in material ways of being. It encompasses the essence of the power of being that we are reminded by Rose Pere is beyond any single translation.

So I would urge that moving forward we don't get caught up into: "What is a definition of mana," because that will reduce us to a place that we don't want to be. I would also say that as tangata we may never know fully ā-wairua and what atua have in store for us in terms of what the expression of mana is for us.

So Rose Pere talks about mana waxing and waning. It would wax and wane depending on the context, depending on the social relationships, depending on how you were, but it never disappeared.

Mana cannot be disappeared. However, we have examples particularly in the area of sexual violence where our tūpuna ensured it was diminished or removed individuals and their relationship of their mana to the collective by isolating them elsewhere or in the act of sexual violence killing them, because that was the extent to which we saw the transgression of mana wahine when the whare tangata was transgressed. Mereana is going to talk more about that.

So mana wahine in terms of a broad, broad definition – and I do want to say mana wahine is what wahine Māori say it is. We say what mana wahine is and we say it in the context of our whānau, of our hapū, of our iwi, of our relationships, of our context. And so when we say to the Crown: "You have done all of these things that have transgressed that mana," we are calling to account 200 years of oppression that was imported here through colonialism.

There was a question yesterday around: "Does that mean there was sexism in te ao Māori?" Sexism is not a Māori word. *Ehara tērā i te kupu Māori.* [Interpreter: It is not a Māori word.] Sexism is grounded in a patriarchal white feminist notion of relationships, so we can't reduce this claim to a claim of

sexism because actually that let's white women off and we ain't going to do that. Because just as some of our men may have colluded, and I do say some because not all have, so have some white women, in fact probably more white women.

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So when we have a white Prime Minister, and the kuia brought this up this morning, and a white Governor-General women, we should not really be clapping our hands as wahine Māori that Pākehā women are in these roles because he whenua Māori tēnei. [Interpreter: ...this is Māori land.]

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So mana wahine affirms the mana that we hold both individually and collectively. It affirms the mana of our tūpuna. It provides us with a culturally defined way from which we will reclaim our place as Māori women in te ao Māori. It provides a grounding for distinctively Māori approaches to restoring the balance that has been disrupted by colonisation.

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So what are those disruptions because I really want to get to that. Because there are a lot of wahine in this room that can talk more specifically to mana wahine within their own hapū, whānau, pūrākau, whakapapa kōrero.

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So colonisation brought with it ideologies, amongst other things, but clear ideologies of race, gender and class. They were being constructed in ways that intersect to mitigate against the positioning of Māori women within society more generally.

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I wanted to do—I think Lee said this morning I didn't bring a picture—so I brought a picture. Just in terms of the ideologies because actually this is the crux of the kind of disruptions that have happened to us. They didn't happen last year. This has been deliberate and intentional for 200 years. The way in which race, hierarchy and social hierarchies of race have been constructed with indigenous people of colour and black people at the bottom in terms of race, in terms of race hierarchy and in the brief I talk about different ways in which that has been expressed and practiced.

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This is white supremacy. This is the basis of white supremacy in this country. It is this fundamental hierarchy of where our people were seen and we can name all those things: savages, cannibals, blah, blah, blah, all the rubbish terms that they called us: barbarians. Alongside that is the notion of gender, a male/female notion of gender, binaries. Binary to dualistic oppositional notion of gender where men and women are in social relationships that are dominated by men. So patriarchal gendered relationships and with that comes the class system of capitalism because we can't leave that out because most people sitting in poverty are Māori women. The numbers of Māori women and whānau sitting in poverty because of this system is phenomenal.

So, colonisation in terms of the positioning of Māori women have brought all of these things to play and they don't come to play, in terms of Māori women, they don't come to play separately, they come to play collectively. So, we are collectively dealing with these things in our daily lives and the structures that have been built on these ideologies.

So I want to say really clearly, colonisation was not an event that happened with Captain Cook. If we keep talking about colonisation as some even that happened in the past, rather than something that is an on-going structural issue today, then all of these things get denied. Every institution in this country needs to be taken to task around the denigration of mana wāhine. Every institution, there is not one institution. There is not one institution that should not be dealt to so the Crown is going to have a lot of work to do to defend all of their institutions because every one of us here has examples in education, in health. The Tribunal report in terms of hauora is a clear indication of health, education, corrections, the most famous Ministry for children they should have our Māori and should not have a Māori name on it, is a prime example of the intersection of all of these things, these ideologies, these western viewpoints that have been imposed within Aotearoa.

And I just think this is – this is very brief, I mean many of us have a lot of other things we can add to this but when we look at te ao Māori and we look at a colonial context we can see, you know, very clear distinctions in terms of who

things operate within the world. Whānau, hapū iwi, whakapapa, whanaungatanga, tikanga reo, mātauranga and rangatiratanga. I agree with the last statement that Donna made yesterday, the real kaupapa in the – you know a critical kaupapa in the middle of this is sovereignty. Is rangatiratanga.

5 If we were in a place of asserting our rangatiratanga in a decolonised context as Māori we would not need a mana wāhine claim. So, rangatiratanga and what constitute rangatira which is what people have talked about in the last two days is a really critical concept.

10 The colonial context we live with, is nothing like this context. The colonial context we live with is one of invasion. Is one of dispossession. Is one of racial hierarchy. Is one of gender patriarchal relationships. Is one of class. And the class positioning when we – actually someone talked about this earlier in our conversation, is that we have mana and we can have people doing karanga on
 15 our marae, doing whaikōrero on our marae, doing waiata on our marae that carry the mana of their tūpuna on our marae or in other places, other spaces, who clearly hold mana within their collective well-being. But, in their workplace, can be treated like a second-class citizen in their class position. Can be living in poverty. Can be not being able to affect that mana in any material way for
 20 the well-being of their whānau. So, class is actually really important, the English language, fragmentation, western belief systems, the dominance of western knowledge and the dominance of colonial ways of being and colonial practices.

And what do these colonial invasions, dispossessions, murders, ethnocide.
 25 We're very polite. I feel like we're very polite our Māori nei. And I know there are some people in this room that are not going to be so polite today and tomorrow and some yesterday weren't. But you know, we really just need – we need to be kind of laying this stuff out. There are clear disruptions that happened by the imposition of colonial belief systems and by the denial of the
 30 mana of ngā wāhine. Colonial invasion, violence, disease and war. And I know Tania talked to it yesterday about Paul's writing around the way in which population decline happened and he talked about a whole range of things around what happened. But that was intentional, this was not by mistake. When you intentionally arrive somewhere diseased, you are intentionally doing

a disease invasion. And actually that's applicable to the pandemic in 1917 and to the pandemic last year. Pandemics are not new to us, they are part of a wider colonial invasion thing so they're brought to our shores that with detrimental and severely decline the population not to mention war, not to mention all of those other things.

Ethnocide, genocide and on-going colonial violence. And people say genocide didn't happen here. Well, the Taranaki Tribunal report tells you something very different. So, we can look back to our earlier Tribunal reports for the evidence of these things. The imposition of racial ways of being so we are lesser than. We are lesser than Pākehā. We are lesser than white people. That is what race tells us continually. Class, patriarchal. The establishment of colonial political systems and I know that at the moment we're trying to play the game as best as we can but those political systems are never going to meet the needs of us. They're never going to meet the needs of Māori. The denial of tikanga and this is what in terms of Ani and others who have been talking about the denial of that knowledge of tikanga, the denial of the knowledge of te reo Māori, the denial of mātauranga Māori, the denial of rangatiratanga.

We – you know, we may have our issues internally as Māori but we did not do this stuff. The Crown did this and for me, that's what this claim is about. The Crown did certain things and sadly some of my men collude with it. But actually the Crown initiated these things. The dispossession of whenua. If we say you only have mana if you have whenua, we have major issues. Because where I'm from, we have no whenua. But you would be very hard pressed to convince me that I have no mana. And I remember Huirangi talking around some of the Te Ātiawa claims at one of the hui, yes, and people like him we do miss deeply for these kinds of definitions around the settlements claims and it was around the Te Ātiawa one, that when you remove land like that forcibly, if you sign, I remember him saying something like, to the panel that we were talking about including Margret Wilson and others, if you sign this document it's like cutting off the knees of my mokopuna because they will have nowhere to walk. If we don't have whenua, where do we walk?

So, the relationship, we know the relationship to whenua. We know that the dispossession of whenua has been critical in our relationship to our own lands. The degradation of whānau, hapū, and iwi is really central. The degradation of whānau, when we look at Treaty settlements, we have to ask why did the Crown

5 go to the level of iwi for Treaty settlements? Why did they create in the fiscal envelope this idea of the largest natural grouping that never existed prior? Is as Ngāti Rēhia would know, because they don't want to deal with hapū or whānau. At the level of iwi we know that that was an alliance. Iwi was an alliance mai rā anō, where we came together as hapū as needed. It kind of

10 waxed away when I think of it like Rose's definition of mana. It took precedence in sometimes and not in others. But actually, the first colonial attack in this country was on whānau and at the centre of that attack was the attack on Māori women. The changing of our roles. The changing of our definitions. The idea around marriage. They only made the point around the *kōrero ka heke iho*

15 *rather than ka puta mai*. [Interpreter: Descend from rather than coming out.]

That languaging of how we think about things when we say in our own whakapapa, so and so married so and so. We did not have a concept, a western concept of marriage in that manner. We did not have a western

20 concept of a nuclearized domesticated family in that manner. All of those things within the public and private sphere are the things used to deny the influence, the position, the status of women and in this case in terms of the mana wahine.

Christianity is a huge one that I know people will go into in more depth.

25 Ethnographic distortions and lies, which is what Ani was talking about. The way that Ethnography has distorted and lied about the position of Māori women. Intentionally, assimilation, ideas of gender, nuclear family, denial of collective wellbeing, removal of Māori social systems particularly in terms of whānau. The individualisation of land title. I have a remedy for the Tribunal and for the

30 Crown. De-individualise Māori land title. Give it all back to the collective. Stop making Māori land adhere to a patriarchal idea of land ownership. The individualisation of land title was the beginning of the dispossession of Māori women from their whenua. It meant that the collective land got put in the hands of 10 or 12 people and then when gender relationships started to impose

themselves in terms of how we understand ourselves, this idea that the first-born son inherits the land became prevalent in many contexts.

5 So, a remedy I believe is to de-individualise all of this and give it back to the collective from whom it was stolen which is whānau and hapū. I know that's not a popular remedy. I knew through all these things but someone else – what are the kinds of disruptions? And, these are only some of them.

10 Hegemony, the belief system that we take on board the colonial understandings and ideas and we talk about them as if they're ours. We believe that they're ours. That's the power of this kind of thinking. That's the power of colonialism. And, the normalisation of behaviours. The normalisation of family violence. The normalisation of sexual violence. The use of sexual violence as possession. The use of sexual violence as war, as denigration of family violence as denigration. The family unit being used to keep a house as a man's castle so that no one could then intervene in family violence.

20 All of these things, this is the depth I believe of the disruption. It's the depth of the impact that we're dealing with and they are things that must be dealt with and must be changed. So, what is the others remedy? Do we have another Māori Women's Ohu in the Ministry of Women's Affairs? No, we don't. Why? Because everyone you say talked about how that worked until it worked so well it got taken out.

25 We have to dismantle all of these structures. We have to dismantle the Ministry for Children. We have to dismantle the current obsession with incarceration. You have to dismantle all of these things and actually re-build in a way that aligns to the tikanga that we know will work for our people. That was tika for our tipuna and can be tika for us, for now and in the future.

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And, I just want to end here because there's a lot in this stuff and this is a Tūāpapa hearing, so we're not digging down into all of them. Though just with Cathy Irwin's quote and – which is really about honouring ourselves as wahine Māori. Honouring out tupuna wahine. Honouring all of those wahine toa that

continue to fight this fight, that continue to be a part of all of the movements that we're doing. That continue to assert rangatiratanga, that continue to assert man wahine. That continue to assert wahine as rangatira, that continue to move forward in ways in spite of the Crown because I do want to say that everything, we've done a Māori nei, whether it be Te Reo, whether it be tikanga, whatever it is. We have done in spite of the Crown. We should not be thanking the Crown for 40m years of revitalisation. That old programmes that have been done from our people. Kōhanga Reo, came from our people, primarily wahine. Kura Kaupapa Māori, Wharekura, Wānanga.

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The work we're doing on our marae. Our Whānau Ora, all of those things have come from our instigation. So, we know that even if the context that the Crown chooses to do nothing, and I've got my bets on that. Sorry but I do. We continue to do it and we will continue to do it and we will continue to make the changes.

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But that's not the remedy, the remedy is not that Māori women and allies of Māori women forged us ahead align. That's not the remedy. We know we can do it and all the speakers have said the answer lies with us and it does. But at the moment the resourcing lies with you. So, if we're going to forge ahead it has to be done in a way where 50% of the Crown's resources in terms of anything to do with wahine are handed a Māori women's organisation or to Māori women, a hapū, a whānau.

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That's the level of what we're talking about. We know we can make changes; we know we have mana. We're not here to as, "Do we have mana"? We have mana. Ira kati, full stop. That's it. What we're asking is that the Tribunal look at those things that have disrupted our capacity to express that in JV ways, in living ways, in material ways, in opportunities, in influence, in position. All of those things that come with the expression, and the practise of that mother. Nō reira tēnā koutou, tēnā koutou, tēnā tātou katoa.

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WAIATA TAUTOKO (WAIKATO TE AWA)

JUDGE REEVES:

Ngā mihi ki a koe Leonie. He kōrero?

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Ngā mihi ki a koe Leonie. He kōrero?

(14:25) KIM NGARIMU TO PROFESSOR LEONIE PIHAMA:

5 Q. Tēnā koe. I really don't know what to ask you because there was just so much in there and I've found both your evidence but also the things you brought emphasis on today really, really helpful for helping me to sift and sort things in my mind. Thank you for bringing that really strong focus on the disruptions. You've probably picked up that this was an area that I
10 had a particular interest in. I do just want to return to that a bit because I don't think you quite got to where I was wondering if you would get to with it. So you kind of took us to the place where the Crown has the ability to disrupt mana –

A. Mhm.

15 Q. – by its actions and to limit the expression of mana by wahine. I guess my question is kind of the next point in that, is that because the Crown doesn't have the power to take our mana?

A. What I'm saying is no the Crown doesn't have the capacity to take our mana. If we go back to the Hīnātore kōrero around kāwai tūpuna and to
20 Rose Pere's kōrero around kāwai tūpuna and around mana being sourced in the whakapapa in atua, then actually no one has the capacity to take it. I think that we have human relations that can diminish our ability to operationalise it or to practice it, or to live it in certain ways. So the Crown's actions deny the mana. They don't take mana. They can't take
25 mana. The Crown can't take mana. Why, because Pākehā don't have mana. Pākehā do not control mana. The Crown does not control mana. Māori control mana. Māori determine mana. Atua determine. But there are actions that have been done that are denigrate it, that have degraded, that have denied, that have marginalised the mana held by wahine
30 because we are wahine Māori. Restricted mana restricted the assertion of mana. But our mana is sourced in other ways. So I guess it's in that social relations part that Māori Marsden talks about, when he talks about

the social relationships and Rose Pere does too in terms of how mana moves and shifts within those social relationships but the actual existence of mana is inherent to being Māori. We know that there are hierarchies. There were hierarchies within traditional Māori society. People talk about *taurekareka* and people talk about all these things that happened in terms of the hierarchy that happened particularly through war. [Interpreter: ...slaves...] Where those people and someone called them slaves, someone talked about slaves – actually someone talked about Rangitopeora being able or choosing to take out a slave girl. Why could she do that? Because she had the mana to do that. But also that mana was framed within a particular tikanga, within a particular tikanga within which mana can't sit alone in the social relationships. I mean Ani may have other things to say but I would say that within that tikanga in a tikanga Māori way when we think of things like sexual violence, when we think of things like Puremu/affairs, which is fundamentally what we're saying happened right with a slave person, there were tikanga that come to play around the assertion or the...

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...Why could she do that? Because she had the mana to do that, but also that mana was framed within a particular tikanga, within a particular within which mana can't sit alone in the social relationships. I mean Ani may have other things to say but I would say that within that tikanga in a tikanga Māori way when we think of things like sexual violence, when we think of things like pūremu/affairs, which is fundamentally what we're saying happened right with a slave person, there are tikanga that come to play around the assertion or the transgression of mana in that context. So not only would she have had the mana to be able to do that within her own kawai whakapapa and her own standing, she also had the tikanga that would have said her mana was being transgressed, and this is the way you deal with this: utu, muru. It's like the transgression of tapu.

So when we think about and talk about mana, we can't talk about it outside of the wider context of tikanga. So when we talk about family violence and the

transgression of mana, the takahi mana of the whare tangata, there are things that happened in that transgression that we had tikanga through which we could deal with that and we did deal with it, we did deal with it, and Norma Bells in her report in 1997 around family violence says very clearly it was very swift and
 5 rapid, the dealing with it, so that that would not actually occur to another person, to another woman.

So if we're looking at what have the Crown done? Because I'm all about really what the Crown have done in terms of the restrictions of that capacity to enact
 10 our mana now. Could Rangitopeora have done that today? No. Why? Not because she didn't have the mana and not because our tikanga does not allow for it, but because she would've been arrested, she would've been put in jail. All these other things would've happened. A whole Western ideology of thinking would have come to play. Do we want the capacity to do that now? Well you
 15 know, maybe, maybe not. I mean, I'm saying that truthfully. I think our tupuna were very clear about how they dealt with those transgressions, but it wasn't only mana, it was also tapu, and then you have utu and then you have muru and then so I did write a list of rangahau I thought that the Tribunal needed to do.

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Actually, can I have that last slide? Just because – well, I do, and one of them is to actually really investigate tikanga, not just mana, but all of the tikanga that is connected to all of those things. They might take a very long time if we're going to do it ā-whānau, ā-hapū, ā-iwi, which is actually what is necessary, but
 25 yes. If we're not enabled in our own lives to live our tikanga, it makes it very difficult to walk in parts of the society without having our mana denigrated, yes.

(14:32) DR RUAKERE HOND TO PROFESSOR LEONIE PIHAMA:

Q. Tēnā koe e te karangarua. [Interpreter: Tēnā koe my relative.]

A. Kia ora.

30 Q. Ngā Mahanga Tairi tāua. Kia ora.

Q. Yes, *he nui ngā kōrero, engari he poto te wā. Kotahi te pātai e āhei ana.*
 [Interpreter: There's plenty of things you have said today and all I can conjure up is one questions for you.] I cannot help thinking – sorry, I just

cannot help but make the comment that Rangitopeora and the feeling for the wāhine who probably had no say over the matter and it would have been far better to kill her husband than kill the woman.

A. That's – yes, I did think that too, yes.

5 Q. That is the issue. That is what I struggle with, with that story, because –

A. *Āe, whakaaro tērā hoki au, he whanaunga tāua.* [Interpreter: I thought that too.]

10 Q. But *waiho atu tērā kōrero hei wānanga atu anō*, and there are many things that – and I would like to have a discussion with you later as well, or maybe there is opportunities for us to have broader discussions. [Interpreter: But we will just leave that for another time.] I can take your point that if we search for definitions of mana wahine, we definitely move towards limiting the scope of what that is and at the same time my concern I suppose ultimately is sometimes one person can say something and mean something and the other person looks at it and does not really see that perspective at all. So it is not so much, I suppose, for me about defining it as much as being able to find some commonality so that we understand where we are talking from. So I will leave that for another time too, but the main thing I suppose I would like to put to you and see what you think, and my background with a lot of work around reo Māori and the thing and for so long our mantra was '*Nā te Kāwanatanga i tango, mā te Kāwanatanga anō e whakahoki*', and yet we know the government has no part to play in restoring our reo ultimately other than ensuring that it doesn't get in the way of allowing our whānau, our kāinga, to be empowered ourselves – ourselves to empower ourselves to take control of the future of reo Māori, and I wonder whether the – many of the things that you raise here in relation to the actions of the Crown in the past is very much at a national macro level around the country. Whereas, in actual fact, what happens on the ground in our daily lives is really the realm of where we have influence and I get the impression, I just want to know, whether you're thinking it from this perspective? Whether that is not a place for Government to be in at that very micro level of our interactions and our relationships and yet there is a role for looking at the broader sense; and reo Māori we have sort of divided it to a certain extent

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with Mātāwai and Taura Whiri. I'm not saying that that's the best model completely, but I'd just like to be able to differentiate between the role of the Crown and ultimately what is the role of our own whānau, our iwi and hapū?

5 A. I mean for me I see it quite simply in terms of rangatiratanga and
 kāwanatanga. So rangatiratanga our day-to-day determinations is ours.
 However, that requires the kāwanatanga to not get in the way, to not
 continue to create legislation that is oppressive of that system; to not
 continue to ciphер resources that are Māori which is in my view 50 percent
 10 in a Treaty relationship. Of anything that comes from Māori land or
 anything associated with Māori land is Māori resource in a Treaty
 relationship. Prior to that it was a 100 percent. So there are issues with
 the resourcing. It is not for the Crown to tell us how to be and how to
 make some of the changes we need to make inside of our own context.
 15 However, it is for the Crown to refund 200 years of theft of resources to
 enable us to do that pērā ki te reo Māori, yes. But within those structures
 within in our frameworks whether it be whānau, hapū and iwi we need to
 determine that, but we also need to determine it on a national level. So
 it's not an either/or. It's a kind of both/both. But what we see is that we
 20 see the Crown continue to implement legislation and acts and ways of
 being that continue the denigration, that continue racial hierarchy, that
 continue white supremacy, that continue poverty, that continue class
 systems. All of which mitigate against the overall wellbeing of Māori but
 in particular inside of Māori the overall wellbeing of Māori women and
 25 tamariki, who by virtue of the way in which gender has played out,
 generally are nurtured by wahine.

Q. Yes.

A. But it is not the role of Māori women alone to nurture tamariki. It is the
 role of whānau to nurture tamariki. I whānau mai te pēpi mai i te wahine
 30 and kātahi ka uru ki roto i te whānau, whānau/whānau. Pērā ki te
 whenua, whenua ki te whenua. We talk about the return of our whenua
 o ngā pēpi kia hono ki te whenua right whenua in that return and pito, but
 actually what we forget is the whenua is actually a part of the māmā. The
 whenua is the woman's body. The pito is the part of the pēpi. So when

we are returning the hononga of the whenua ki te whenua it is connecting that child through their kāwai whakapapa to the whenua. I mean just the whole way we language things and that stuff we need to do and we need to do through you know the exploration of our own tikanga, of our own reo

5 how do we talk about things. The pātai around gender fluidity. Gender fluidity āe pērā i ngā wā ināianei but gender was not our construct. As Māori, we didn't construct ourselves around gender. We had our relationship wahine/tāne. We had our ways of being within those constructs. We had those ways of being within whānau. But the notion

10 of gender, if we look at the definition of what is gender, it is the social relationships placed on biology of being either male or female. It is a western notion. If we look at the term wahine and I know a lot of people don't like to break up kupu Māori but there are some clear distinctions wā and hine, a time of female essence. Rose Pere would say: "Men have a

15 taha wahine and taha tāne. Women have a taha wahine and a taha tāne." So when we think about that it's not in opposition. It is actually a fluidity already. There is already a fluidity. But within te ao Māori for wahine, wahine is only one term. I whānau mai koe he tamaiti, he tamāhine, he kotiro, he kohine, he taiohi, he rangatahi, he wahine, he ruahine, he kuia,

20 he tuakana, he teina, those relationships within whakapapa. So if you move it from gender relationships to whakapapa relationships and return to some of the fundamental tikanga imbedded in those within our own whānau, hapū and iwi, then we shift the dynamic from being about gender, and gender in a western frame, in a dominant colonial patriarchal

25 way has been about him and her. Well, we already have the kōrero yesterday from Ripeka around the term ia, ia, tāna, tōna, wērā momo āhuatanga, but they are not the only kupu. I have been on marae where I have heard people say: "Tēnā koutou ngā rangatira me ngā wahine," and I'm like: "What, what, what? What happened?" You know how did

30 we not become included in that rangatira? How did we become excluded? How, from colonial hegemony because it's not imbedded. It's not the language, it's the way in which we utilise it. The way in which it is translated and defined. He aha te mea nui o te ao, he tangata he tangata he tangata, and for many years that was translated as it is man, it is man,

it is man. You read a lot of translations, you know, tangata man, tangata me ngā wahine, well tangata as we know is person, so the gender translations which ethnographers and anthropologists did all the time shift the social dynamic between us and within us. We need to not get caught up in the dualisms of colonial thought that are binaries where it is either/or. Rather see the kind of spectrum of relationships. There are some people in this room that could go into legislation tomorrow and point it all out and say: “That has to go, that has to go, that has to change.” Could go into ministries and do that; there are Māori women in this room that could do that tomorrow. There are people in this room that could work on decolonising the way in which we translate te reo today. We have the capacity to do it. We don’t have the resources to do it and we get all these barriers put in front of us in the doing of it. I mean the other thing about gender fluidity is that when we talk about wahine we are also talking about takatapui you know and we often don’t talk about that. It’s like saying the word vagina there are just certain words we just don’t say because they become real when you say it. When I try and say I’ll just say vagina well just say vagina. This morning our kuia said teke and everyone went: “Oh, teke.” I mean we come from a place near us called Urenui I mean hello, eh. Our tūpuna weren’t afraid of those things. Our tūpuna were not afraid of sexuality. We were not afraid about talking about our bodies. That is a domestication, so domestication of sexuality it is a domestication of our relationships and we just need to... Some of those things we can just say no to now and that’s the control that we have.

25 Q. Ka pai. Kia kua au e kī tēnā koe –

A. Āe, āe.

Q. – e te wahine toa. Me kī atu tēnā koe e te toa.

(14:44) DR ROBYN ANDERSON TO PROFESSOR LEONIE PIHAMA:

Q. Tēnā koe Dr Pihama.

30 A. Yes.

Q. I hope I’ve got it right thing time. Ani clearly doesn’t need to be a doctor so you know her kōrero was extremely strong and engaging and

interesting as is yours. Look, I'm not here to fend white feminism right that's not my job –

A. Excellent.

5 Q. – and I think there would be far better spokespeople if that were the job to do. But I suppose when I read your brief of evidence I see many things that white feminists would say about the imposition of public and private spheres. Capitalists, patriarchy, Judeo-Christianity and the impact, right.

A. Yes.

10 Q. And I suppose my question is clearly those tools have not been adequate to just– to assess and address the experience of Māori women, and I suppose really my question is how can Pākehā feminists do better and do you think we have a role to play in assisting you to get the sort of society that you want to see Aotearoa become?

15 A. No, Pākehā feminism could not adequately engage or explain the experiences of wahine Māori, and in terms of the role, it's like any ally. For me, it is no different, whether you are a Pākehā feminist, whether you are a socialist, whether you are a Marxist, all of those things that have tended to focus on singular oppressions that have not been able to engage with the kind of issue that we are talking about, which are not only
20 about race, class and gender, but they're about cultural oppressions as well, about land dispossession, all those things. So you know, for me, I see in terms of anyone whether they be Pākehā feminists, whether they be Pākehā with no other label, that to be a good ally I would say is to be a good manuhiri. So how do you be a good manuhiri? Well part of it is
25 that the Crown is a part of that cultural frame of being Pākehā, that's the kāwanatanga. Whether there are 50% Māori or not, they're still kāwanatanga. We love our people in there, but they are still kāwanatanga and they are still bound by kāwanatanga, and so there are a whole range of things that need to be done. There needs to be a challenge to white
30 patriarchy. There needs to be a challenge to institutional racism. There needs to be a challenge to systemic oppression. There needs to be a challenge to the way in which successive governments marginalise, even the Māori inside their own parties. Yes, I'm not in a party, but that's my view. So there are always things that allies can do, but fundamentally it

is about being a good manuhiri and, in my view, since the signing of Te Tiriti o Waitangi and, you know, today, all those years ago, on Tau Rangatira the kōrero was happening right now in terms of Te Tiriti o Waitangi, and prior to that Te Whakaputanga. So in my view

5 the Crown has never been a good manuhiri, the kāwanatanga has never honoured its position and its role, and I'm talking about as a collective. Individuals have, but as a collective, and so at that level, and you know, gosh – Ripeka, Donna, Ngahuia, Linda, Cathy Erwin, I mean the list goes on of wahine Māori that have critiqued the failure of Western feminism to

10 deal with these issues and the need for us to construct our own approach as wahine Māori that is grounded within our own tikanga, that's informed by our own reo, and that's why Pākehā feminism cannot do this because it's not grounded in tikanga, it's not informed by te reo Māori. When we talk about mana, and I do stand to this position, if mana comes from kāwai

15 whakapapa which goes to Ranginui and Papatūānuku and goes through all of those atua to Te Kore, that is Māori. Pākehā do not have mana in that concept. Pākehā have other things; status, positioning, whatever the frame is in a Western frame of what that is for Pākehā. But if mana comes from atua Māori, to have that form, that mana, you must whakapapa

20 Māori. So Pākehā feminism will never, ever be able to do this, but will be able to be good allies. There are many allies in this room, there are many allies outside this room; allies for te reo Māori, allies for Māori women, allies in institutions, and challenge those things. One of the things, and I seem to hark on about the Ministry for Children because it's been so

25 destructive, not only to tamariki but to whānau, to hapū, and particularly to Māori women and the Māori men who have had children removed. That when we fought that fight, I did not see any Pākehā people standing for us, apart from the Commissioner. I didn't see any Pākehā feminists yelling for that, Grainne Moss, you know. So what does that tell us? It

30 tells us that often in these fights, these struggles as Māori, we have to do it whether anyone else wants to ally or not. I would've expected some Pākehā feminist social worker to come out and say, "Yes, get rid of her." All the Māori are saying, "Get rid of her. Dismantle it," and I didn't hear any, and we were pretty close to the action on that kaupapa and that led

the claim. So you know, in that sense, the question is actually not to ask what can Pākehā feminists do, the question is to Pākehā feminists, why are you not doing anything? You might ask them that question. Ani has got a response. Kia ora.

- 5 Q. Well you and I are talking and they are not, so you know... So thank you for that, and maybe, you know, if you could – I mean the truth is and the reality is Pākehā are here and we are not likely to be going away. So in your vision of society going ahead, would you – can you elaborate a little bit as to what you want to see? Do we have to start, like, constitutional
- 10 change or –
- A. We have to have constitutional change, absolutely.
- Q. Yes.
- A. Yes, absolutely. Absolutely we have to have constitutional change. There is no doubt in our minds. Rangatiratanga to be expressed requires
- 15 constitutional change. Not reform, but dismantling and change, something that is based on Te Tiriti o Waitangi, and you the – I'm trying not to engage too directly in the word thing around this, but Moana Jackson would say if anyone starts something like the reality is –
- Q. All right.
- 20 A. – it is probably not a question we should answer, you know, because what that does is that it limits the possibilities for the future and it limits the capacity – this is my interpretation of when he talks about terms like the reality is, it limits and restricts our capacity to think beyond what we have, and it's an interesting notion that Pākehā are not going away. Our tūpuna
- 25 actually could've put every Pākehā back on a boat in 1840 because there were only 2000 Pākehā here. We chose not to. We chose to engage; we chose to be good tangata whenua. We chose to manaaki, we chose to tiaki, and I think that continues and I think a part of this claim is actually our capacity to do that, to hold – to have the ability to exercise mana in a
- 30 rangatira way, in a rangatiratanga way where we can manaaki all of those Pākehā people who choose to live with us as good manuhiri, and so when I think about that in the future, that is the relationship. Te Tiriti o Waitangi has defined that relationship in my view. The claim that noted that hapū did not cede sovereignty is a defining claim because it reasserts that we

never ceded rangatiratanga, which we know to be a fact, and all these tūpuna knew when they signed, and all of the tūpuna tāne that signed knew that too, and so I think, you know, that kind of engagement. So if we are thinking about a vision of a future going forward, it also does mean that Pākehā people living on Māori land, and I'm talking about Māori land philosophically, not whether someone has got an acre or section, which is not of our thinking, but Pākehā people living on Māori land, which includes my mother, have to think about what it means to be in relationship with rangatiratanga. So that change is actually for Pākehā to do as well, not just for us to do. And actually, even that idea that Pākehā will be here forever, man, I see lots of Pākehās going – they decide to live in Australia next week and then they go and live in Canada and then they go and live in, you know, they don't have the same routes. So I am not so certain about that all Pākehā will be here forever. All Māori will be, because this will always be home no matter where we live, this will always be our whenua. That's kind of a roundabout way of not really answering your question, because you know, what I would not want this Tribunal to end up doing is us having to prove ourselves as mana wahine. If Māori women are having to prove that we have mana, well we know we do. This, for me, this Tribunal needs to be the Crown proving that they didn't denigrate it, because we've got like 200 years of proof they did, and that's really what I think is really important, because a deficit approach puts the thing back on this as Māori, you know. Pākehās are going to be here, so what are you going to do? Well actually, I'm going to be here, so what are Pākehās going to do? So a kaupapa Māori approach requires us to turn those questions around.

Q. I suppose part of the function of the Tribunal though is to make recommendations to the Crown, right?

A. Yes, yes. Yes, that's true.

30 Q. And we can make – I think it is helpful if we can make recommendations that are practical and that can be put into place and, you know, maybe we leave that there. I am going to get myself into hot water.

A. Well I guess, I mean my approach has been it's a Tūāpapa hearing.

Q. Yes.

A. So just kind of laying out some things that I think maybe you could turn some of that thinking around and think about a little bit differently as a Tribunal member when you're thinking about those things and that's in line with what Annette said to do which is around what are some of the whakaaro to share with the Tribunal to move forward from a foundational hearing through, and I do think that is one of them, I think one of them is to not necessarily put the focus on this. I give the definition stuff, I get all of that, but actually if we say, by evidence, all of these wahine had mana and so what has happened since then, I think that the – it's the Crown to provide evidence that they didn't do it, rather than us provide evidence that they did. I think that's just a different approach. But I did quickly want to, before I go off, just quickly indicate some of the rangahau areas that I thought might be useful in that, and I was picking up on yesterday's talk too and I added them in. You know, in terms of moving forward, setting a research agenda, you know, the ethnographic descriptions and positioning of wahine Māori I think need to be looked at in a lot of depth. The documentation of the policies, legislations and Acts that the Crown have done, both historical and contemporary I think need to be looked at. The roles of successive governments and their role of kāwanatanga in the denial – so this is all actually about the Crown. The imposition and the impact of Māori women across all sectors, because this is not a singular sector claim, this goes across all sectors. The way in which, you know, race, gender and class and colonisation has played out in communities. Contemporary forms of institutional racism classes in sexism and homophobia. A whole range of statistics that give proof to the evidence of what we are talking about in terms of what has happened for Māori women across sectors. Can I turn – and then I'm thinking more about us in terms of Māori, and this is picking up from yesterday's kōrero, *ngā kōrero e pā ana ki ngā tūpuna wahine*. [Interpreter: About our ancestresses] So our whānau, hapū, iwi stories. Some of them will be in briefs. *E pā ana ki ngā wahine o tēnei rā. Rangatahi, wahine, ruahine, kuia*. [Interpreter: Information about women of today, of this time.] Wahine of this time and, you know, how do you draw the distinction between historical and contemporary. So the Māori women's movements

of this time, Māori women within Te Kotahitanga were talked about and, you know, Tania's done extensive work on that. But also, Māori women who led the Māori Women's Movement, who led the Black Women's Movement, who were a part of Ngā Tama Toa all of those people. And

5 in our daily lives and tikanga and te reo, the role of tikanga and te reo in terms of mana and mana wahine. What has been the impact of not the loss but the deliberate denial of te reo Māori. Wahine Māori and whenua which I think is really critical, the way in which the lands, the Native Land Court, the land individualisation all those things have

10 impacted on the way in which we walk our land and tiaki our land and the land as kaitiaki to us. Our rōpū wahine Māori across the board, Māori in social political movements, wahine Māori views, and I actually think these last two are two of the most important alongside tikanga and te reo. What are our views on the restoration of balance because to some degree it is

15 actually if we don't hear a broad range of our views on the restoration of balance, the restoring of our order ā-Māori nei, then I don't think what you're going to hear in your Tribunal hearings is going to be enough. I think we'd be well served to do some whole range of kōrero ā-hapū, ā-iwi with wahine Māori around what needs to be done those remedies and our

20 views on rangatiratanga and its assertion and practice and also our views on Māori and sexuality because I think that's really tied up in the way in which patriarchy works within the systems. Kei te pai?

Q. All right. Well thank you very much for your evidence and your answers. My head's just crammed with ideas and perspectives that I need to think

25 about and digest so thank you very much.

A. Kia ora.

(15:02) DR LINDA TUHIWAI-SMITH TO PROFESSOR LEONIE PIHAMA:

Q. Tēnā koe Leonie.

A. Kia ora.

30 Q. Thank you for both the submission and then the presentation today. So I've been going backwards and forwards when I ask this question I'm going to ask it. So you talk about the relational dimensions when we look at wahine Māori, tāne Māori those sorts of things and then I think you say:

“Mana wahine is what Māori women say it is.” All right so that is a really clear statement. But I guess what I want to push on is, if it is all relational then what is the role of tāne Māori in negotiating mana across relationships if you like?

- 5 A. I think when we’ve seen people speak to their whakapapa kōrero, I think yesterday Ketī did that around her whakapapa and others have done it in terms of tupuna wahine, what we see is that in that historical process the way in which tikanga negotiated mana in relation to those relationships and in relation to their whānau, hapū and iwi. So I think that what we
- 10 have in the disruptions is that balance has been disrupted. It has been interfered with. It has gone out of balance on the whole, not always but on the whole. And so the role I think in terms of Māori men are similar in terms of Māori women but there is a critical role around ensuring that
- 15 within ngā mea tāne the reproduction of those things stops; the reproduction of colonial belief systems stops. Māori men have roles to work with Māori men. Māori men have roles to challenge Māori men. It should not be constantly the role of Māori women to challenge our men around these things. When Ripeka talked about what happened you know in terms of the appointment with Whaea Mira, yes I think that was
- 20 a tipping point of a culmination of relationships where the collusion of many of our Māori men – because I mean, gosh, who wouldn’t want to be told you’re more important than someone else and therefore you have more options and you have more benefit and you will be escalated. And if mana becomes something that people think is about individual ego,
- 25 then that’s easily generation. So there is a whole lot of decolonising that has to happen in my view within the relationships. Not only in terms of Crown relationships but we have to decolonise the way in which Māori men have also been positioned and see themselves. The kind of warrior bullshit. You know the *Once Were Warrior* stuff we’ve got to stop
- 30 believing in that. In the term of a warrior as a destructive violent being. You know war happened in a context of war. There is no evidence that war happened in the context of whānau in terms of family violence. So all of those things become the role of Māori men in the same way that they are our role in terms of defining our own. Yes, and when tāne are

elevated over and above Māori women because they are men they must be challenged and Māori men must challenge that themselves. So I think in the end we do come back to whānau. For me everything comes back to whānau, our whakapapa relationships. The way in which we think about those whakapapa relationships. The way in which we decolonise these belief systems that this is what men do and this is what women do. Stop believing that Elsdon Best told us that's the way it always was so when we read those writings – and not reproduce it, yes. When I wrote a section in my thesis around the reproduction by Māori men of these discourses and one of the things I wrote in there – and I chose to use Ranginui Walker's work and I worked with him – my knees were knocking because I had to tell him that I was doing it because I have a supervisor that kind of indicated I should, and so I said to him: "Look, I'm looking at this work and there are some of these things," and we didn't disagree because in Rangi's work you often see *the wife of, the daughter of, ariki tapairu* are an exception to the rule, these kind of things that continued. But his discipline with anthropology he came out of ethnographic context you know. And so when I wrote it, I was very careful to acknowledge all of the incredible mahi that Ranginui had done, but that also if academics were going to keep reproducing this it's not going to bode well for Māori women because it is actually more believable if we write it about ourselves. It becomes more believable. So to stop reproducing those exact ways of being that are actually not ours and we will all benefit.

25 Q. Thank you. There were a lot in your submission that I think is really valuable and I think laying out a research agenda is also valuable. I think it might be worthwhile thinking about some of these principles that you're laying down and that others have to about relationships and relationality and you know maybe as part of the research is how those principles actually will inform remedies. How does the principle of relationality inform remedies? So that would be good to think about in the research programme too is to test maybe some of these core principles out in the research agenda and it is really helpful to lay all these ideas so tēnā koe.

30 A. Kia ora.

Q. Thank you.

(15:09) JUDGE REEVES TO PROFESSOR LEONIE PIHAMA:

Q. Ngā mihi Leonie.

A. Kia ora.

5 Q. I've got one eye on the timetable because I'm conscious we have two further –

A. Yes.

Q. – witnesses to hear from today so I'm going to close the session now.

A. Ka pai.

10 Q. So ngā mihi ki a koe mō tō whakaaro ki a mātou –

A. Kia ora.

Q. – i tēnei ahiahi.

A. Kia ora.

Q. He tino pai.

15 A. Tēnā koe. Tēnā koutou.

JUDGE REEVES:

It is actually I believe afternoon teatime, yes.

KALEI DELAMERE-RIRINUI:

I'm sorry. Did you want to break now?

20 **JUDGE REEVES:**

Yes, we are going to break now.

KALEI DELAMERE-RIRINUI:

Okay. Thank you Ma'am.

HEARING ADJOURNS: 3.10 PM

25 **HEARING RESUMES: 3.32 PM**

KALEI DELAMERE-RIRINUI:

(Audio begins at 15:32:48)... speaking notes yesterday evening which has also been handed to the panel I believe. Kei te pai. Thank you.

(15:33) MEREANA PITMAN: (#A018(a))

5 *Tēnā koe. Tēnā koutou katoa ngā rangatira o ngā hapū, Ngāti Rēhia me te Karauna hoki. Ko Mereana Pitman tōku ingoa nō Ngāti Kahungunu, Ngāi Tāmanuhiri, Ngāti Wai me Ngāti Porou hoki.* [Interpreter: Greetings to everybody assembled, the home people Ngāti Rēhia, the Crown, everyone. I am descendent of Ngāti Kahungunu, Ngāi Tāmanuhiri, Ngāti Wai and
10 Ngāti Porou.]

I just want to begin by paying my respects to a few people before I get into this. Firstly, to Irihapeti Ramsden, Dr Irihapeti Ramsden who was responsible for mentoring me for a number of years around Treaty and decolonisation work.
15 To Jan Dolson, my cousin, who for years supported almost everybody in this room who is an activist to come to Waitangi and stayed by us, helped us, manaaki'd us over that time. Also to Dr Moana Jackson who also became, over the years, a mentor and a co-facilitator, co-trainer in Te Tiriti and decolonisation work, and just to my contemporaries over here, thank you so much, I really
20 appreciate the fact that you left me with all this stuff to clean up. When I came in this morning, I was first on the list, and now I'm number four, and I said, you know, "He aha ai?", and they said you can clean up the stuff as we get through.

READS SUMMARY OF BRIEF OF EVIDENCE #A018(A)

25 "I have been working in decolonisation and Treaty work for over 50 years. The impacts of colonisation here in Aotearoa in terms of Christianity and capitalism have had devastating impacts on our tupuna whāea who were all Rangatira in their own right long before this land was colonised." I would skip number three.

I am also a proud Māori activist and have been to every single land occupation,
30 hiko and protest since the 1970s and walked alongside some of the greatest Māori activists of my time, Eva Rickard especially, Hana and Syd Jackson, Ngā Tamatoa," and many more who are no longer here; Ngāneko Minhinnick, yes, Te Miringa Hohaia from Parihaka and all of those ones. I pay enormous

respect to them. We spent hours and hours and hours talking. “I probably will keep going until I can no longer walk, which is probably quite soon, because direct action, protest and occupation for me are the only forms Māori have to challenge the status quo and make transformative change – we don’t talk, we don’t negotiate, we don’t compromise – we just do.”

The Mana Wahine Kaupapa Inquiry hearings will investigate claims regarding the specific Te Tiriti violations of the Crown that have led to injustice against wahine Māori across social, physical, spiritual, economic and political and cultural dimensions. What I really want to focus on in my brief is sexual violation, family violence, sexual violence, sexual abuse as a tool of domination and colonisation. This hearing has been a long time coming, having first been filed in 1993 and led out by the Māori Women’s Welfare League and by Dame Mira Százy and then initiated as an inquiry in 2018. While it can be said that all Waitangi inquiry hearings are traumatic, frustrating and difficult, it is expected that this one in particular will reveal a specific history that is as foundational on a national scale as it is disturbing.

The hearings are taking place against a backdrop of social extremes for wahine Māori who are at once recognised globally for their leadership in indigenous academia, business, justice, environmental advocacy and education, but there are also significantly – but are also significantly under paid for their work. Experience numerous barriers to adequate health care and social assistance – Excuse me, I’m just getting used to slowing down a bit – and are incarcerated at a higher rate than females anywhere else in the world. In order to understand the role of the Crown in the injustices faced by wahine Māori, we must first understand the roles held by wahine Māori prior to European contact.

Aotearoa New Zealand is often praised as a global forerunner in women’s rights, praise which is usually rooted in our parliament securing the women’s vote before other nations, in 1893. Around the world, it was lauded as ground-breaking, a new pinnacle in women’s rights. What is so often missed in this accolade is in fact that wahine Māori were, under the colonial regime, suffering greater political oppression than they had at any other time in history.

Pre-colonial Wahine Māori were landowners, spiritual and political leaders, fighters, navigators, and repositories of ancient knowledge. While the acquisition of the vote was a relative step ahead within the colonial context, Wahine Māori have nevertheless struggled, and still struggle, to recover the political rights that were stripped through colonisation. In fact, even within the suffrage movement, Māori Women were racially oppressed, having to sign agreements that they would never take on their ancestral sacred markings if they wished to join the Women's Christian Temperance Union which was led by Kate Sheppard and spearheaded the suffrage moment. Indeed, the introduction of colonial land tenure systems disproportionately impacted upon Māori women landowners, as colonial misogyny inhibited the already fraught process of the Native Land Courts, economically and politically disempowering Māori women all over the country.

I just digress here into a short story. One of the woman I am descended from, from a little place called *The Centre of the Universe, Whakaki* is a woman called Kararaina Rawhi who was my great-grandmother. In 1867 and for the next 30 years after the individualisation of title to Māori land, 167 women and their whānau were left off the title to those lands. My great-grandmother Kararaina petitioned Parliament for 30 years from 1867 to 1907 and finally a Commission of Inquiry was convened on our land at Pātangata at Whakaki and the 168 women and their families were put back on to those titles. So you know this is at 1867 where it was considered that Māori women had no mana, were illiterate. She had great mana of her own. She was an extraordinary leader and could write better in English than anyone in the village at that time. So she just wrote and wrote and wrote and persevered until she got the Commission of Inquiry to put everybody back on the land titles.

The status and roles of wahine Māori were, in many ways, an anathema to colonial Britain and Europe at the time of contact. Where sexual expression was condoned or celebrated for Māori, it was condemned by colonisers. While Māori female elders were repositories of sacred knowledge, women were restricted from even attending school in Britain and Europe. Even though women were significant landholders and political leaders at the time of te Tiriti,

they were in many cases disallowed or discouraged from signing by men who were charged with collecting signatures around the country.

Okay. Much of the discourse around the roles and respect for Wahine Māori prior to European contact have been obscured through early white anthropological perspectives who either misperceived, deliberately misrepresented, or simply erased altogether the presence and importance of Wahine Māori. As scholar Aroha Yates Smith has noted: “These early ethnographers predominantly focused upon Atua Tāne – male gods – and ignored a multitude of Atua Wāhine, resulting in a male biased perception of our pantheon.” Anthropologist Elsdon Best – who provided much of the written material upon which we would come to base our understandings of precolonial Māori – literally referred to our most sacred centre *Te Whare Tangata* as: “The house of misfortune, of ominous inferiority, is represented by this world, by the earth, by the female sex, and by the female organ not generations, which holds dread powers of destruction and pollution.” The colonial lens is indeed a misogynistic lens, in addition to being a white supremacist lens, and so the policies and legislation which stemmed from this view naturally placed Wahine Māori within crosshairs which continue to shape our destinies, and that of our children, for years to come.

This is no unfortunate coincidence but a deliberate feature of the colonial project. The disruption of social organisation was a vital step in the colonial process, and the oppression of women was the fastest route to destabilising that unit which sat at the heart of Māori social organisation. Such practices were seen around the world, where-ever colonisation took place. At Wounded Knee, officers noted that the women and children were specifically targeted because they would “make up the future strength of the Indian people”. Colonial conquest is, at its heart an act of war and act of violence.

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I just want to put in here too, all violence has whakapapa, all violence has whakapapa, everything has whakapapa but sometimes we neglect whether it is military, whether it is structural racism, whether it is domestic violence,

whether it is state violence, legislative violence all of it has whakapapa. All of it has an origin.

5 Rape featured in the colonisation of Aotearoa throughout its history. It occurred in Aotearoa at the hands of Cook's crew. It occurred in Aotearoa as a tool of the land wars at Rangiaowhia, at Parihaka, at Maungapōhatu. Our tūpuna were further exposed to wartime sexual violence in the battlefields of Europe and North Africa during World War II, returning home without any support from the Crown that enlisted them, and the trauma of war was then visited upon the
10 women and children at home.

One of my aunt's Keita Walker from Ngāti Porou talked about that at length in the first Māori television portrayal of ANZAC Day and I remember seeing her sitting in the whare tupuna Porourangi, and Derek and Monty were interviewing
15 here, Monty Soutar and Derek Fox. They asked her: "What was it like when the men returned home," and I remember her saying and being riveted: "It was absolutely terrible. They came back, they were drunkards, there was incest, there was violence, there was domestic violence," and it became an intergenerational problem for our whānau, for whānau Māori.
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And compounded by a State system that alongside the absence of effective support is significant more likely to uplift Māori children than non-Māori children and subsequently significantly more likely to visit further abuse upon those children whilst they are wards of the State. We have seen that in this inquiry,
25 the current inquiry.

All of this must be taken into account when considering the specific ways in which the Crown has impacted upon outcomes of Wahine Māori. The care and wellbeing of mothers, in particular, is termed a "circuit breaker" in
30 intergenerational patterns of harm precisely because of the role they play in the wellbeing of families. Te Tiriti justice cannot be achieved for Māori families without te Tiriti justice for women, and the imminent hearings, while overdue, will carry painful and powerful histories to the surface for Aotearoa to bear witness to. Like all te Tiriti issues, these truths, once heard, must be responded

to with actions that will restore justice. Only then can we hold our heads high as a progressive nation for women's rights.

As a Treaty educator, I was advised earlier this year to stop talking about the Treaty of Waitangi so I have stopped talking and I have stopped teaching about the Treaty of Waitangi which has absolutely nothing to do with te Tiriti o Waitangi. None of our tūpuna, none of these women pictured up here that we talk so highly about signed the Treaty of Waitangi. They all signed te Tiriti o Waitangi. None of them ceded their sovereignty. None of them ceded their mana. When they came to put their names on those paper they had mana, they still retain mana afterwards. So we understand that we need to stop talking about the Treaty of Waitangi it is so confusing and it's a load of rubbish.

I want to talk about something that I've come to know and understand in the last two years. When I work in decolonisation, up until the last two years I would only talk about the last 200 years of our colonisation. But on Mona's return from Europe – he went over the Europe to visit the monasteries in Spain and Portugal to look at the Doctrines of Discovery, and then – the Doctrines of Christian Discovery, and he then came back, and after many nights and days of talking we incorporated that into our work, and so I've incorporated it into this brief as well. So it kind of like starts out there and comes back to Aotearoa.

“It is, perhaps, a mark of the year that 2020 has seen the creation of a new ministerial portfolio for the prevention of family and sexual violence sailed past the bluffs of the election media without barely a mention. Aotearoa has some of the highest rates of family and sexual violence, and it is a cornerstone issue – it impacts upon multiple other spaces of mental health, the rights of women, youth and children, crime and incarceration to name just a few. It is a cornerstone issue in the social ecology – and while its impacts upon Māori communities are distinct it should not be understood as a Māori problem. It is, in no small measure, a colonisation problem, and like all stories of colonisation it requires a thorough understanding of the history of sexual violence in a colonial context. Here are just a few important considerations for us to keep in mind in considering the role of sexual violence in a colonial context.”

Here are just a few important considerations for us to keep in mind while considering the role of sexual violence within a colonial state.

5 **“Sexual violence is a tool of conquest and colonisation**

We should, first, understand sexual violence as a primal act of domination which features across species, and certainly across cultures. It is used to punish, humiliate and destroy. It is used as a tool of war and conquest and domination for as long as war, conquest and domination have existed. We then, must understand imperial expansion as acts of war, domination and conquest, and colonialism as the maintenance of domination. For nations that have undergone colonisation, sexual violence is one of the many tools that has been used to establish and maintain domination – and it has been an extremely effective one.

The Doctrine of (Christian) Discovery is an international legal and social concept which created sets of entitlements for European monarchs to expand their empires throughout the world. In the words of the papal laws, these entitlements included the right to:”, this is the Dum Diversas Papal Bull. A Papal Bull is a Christian law issued by the Catholic Pope. It literally was a little gold bull, and if he wanted to pass a tenant or a law, he would put the law in the bull and send it out to the cardinals. So these little bulls were named just as we name Acts of Parliament today. That was the Catholic Church’s way of naming. So this Papal Bull is called the Dum Diversas. There’s probably another way of saying that, I’m just not really trick at it. So this says your entitlements include the right to:

“invade, search out, capture, and subjugate the Saracens [Muslim] and pagans [Non-Christians] and any other unbelievers and enemies of Christ wherever they may be, as well as their kingdoms, duchies, counties, principalities, and other property [...] and to reduce their persons into perpetual servitude.

It's important to note that even though these laws are ostensibly about the right to claim land, the first rights accorded are the rights to 'invade, search out, capture and subjugate' Saracens and pagan people, followed by the right to then take their property, including their lands. This comes as no surprise within
5 the context that these earliest of papal bulls were primarily aimed at establishing a slave trade.

However, within a very short period subsequent papal laws then expanded the entitlements both in scope of the geography (moving from the right to invade and claim West Africa, to the right to invade and claim the 'New World') and in
10 provisions (increasing, and clarifying, what could be taken and done).

Under the likes of Christopher Columbus and Francisco Pizarro, the application of the Doctrine of Discovery utilised sexual violence from the very outset. One
15 of the documents utilised in the process of applying the Doctrine of (Christian) Discovery was called El Requerimiento. It was read out as a proclamation of discovery to the natives of the lands being claimed (of course it was never understood and was in many cases read as a formality upon sighting the land, just before invading it and waging war upon the natives of those lands)." So
20 sometimes the people actually never got this read out, it just was said as they were sailing into the local bay. This one says:

"... We shall powerfully enter into your country, and shall make war against you in all ways and manners that we can, and shall subject you
25 to the yoke and obedience of the Church and of their Highnesses; we shall take you and your wives and your children, and shall make slaves of them, and as such shall sell and dispose of them as their Highnesses may command; and we shall take away your goods, and shall do you all the mischief and damage that we can, as to vassals who do not obey,
30 and refuse to receive their lord, and resist and contradict him; and we protest that the deaths and losses which shall accrue from this are your fault, and not that of their Highnesses, or ours, nor of any of these cavaliers who come within us.

Here we see, in the tools of the Doctrine, the explicit entitlement towards women and children, the intention to make war in all ways possible, to ‘do all the mischief and damage that we can’,” and if you look at Aotearoa, we have the separation of our people from our lands, from our atua and from each other really early in the piece in the raupatu, the raupatu that took place, the confiscations that took place. So separation of each other from each other has been a really important tool of colonisation and it still occurs today, the inquiry. The inquiry we have just had is all about separation. One of the worst Acts of Parliament was the Children’s Act that said that Māori children were paramount, and in those simple words separated Māori children from their families. That they were paramount, therefore, the Crown making them paramount meant that the Crown could then come and take them legally from their parents and make them state wards. It was one of the worst Acts of Parliament and I remember standing up at the time, but everybody at the time Anne Tolley put that through, everybody that I spoke to was all about – it’s all about, they had James Whakaruru, **(inaudible 15:59:08)** and all these hangovers from a number of child abuse cases at the time. Everybody was, “Yes, we need to make our children safe.” But what the Crown did was it made them paramount, it took the children out of the whānau unit and said, “These ones are really, really important,” and thereby gave themselves the right to punish women and families and men and come and take the children, and that still exists today. I mean, the video that you saw, what happened at home at the Hastings Hospital was a classic example. That young woman had been with a young man who had a history of family violence. On that premise only, they stood and waited like vultures for her to birth her baby and at the point of birthing her baby walked into the room and said: “Yip, we’ll have that, thank you. That now belongs to the State. Your baby now belongs to the State,” that’s the sort of thing. So you know we might look at colonialism and say: “But that was then and this is now.” What happened in Hastings, what happened to the State wards are enduring acts of colonialism brought upon our people.

Here, in the tools of the Doctrine *El Requerimiento*, the explicit entitlement towards women and children, the intention to make war in all ways possible, to “do all the mischief and damage that we can”, and importantly, that all blame

for this will be upon the victims themselves. Unsurprisingly, the mischief described consistently involved sexual assault. Franciscan monk Bartolome De Las Casas recorded the events in his journal regarding Columbus's invasion of Haiti:

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This was the first land in the New World to be destroyed and depopulated by the Christians, and here they began their subjection of the women and children, taking them away from the Indians to use them and ill use them... And some of the Indians concealed their foods while others concealed their wives and children and still others fled to the mountains to avoid the terrible transactions of the Christians... They behaved with such temerity and shamelessness that the most powerful ruler of the islands had to see his own wife raped by a Christian officer.

10

15

De Las Casas

Further accounts are provided by crew members of the orders given to rape women, and in the instances of crew such as Miguel Cuneo, where native women were "gifted" by Columbus and subsequently raped. Sexual trafficking and sexual violence against women, children and youth featured throughout what has become known as the "Age of Discovery" (better termed the Age of Genocide). It featured in the voyages of Magellan, of Pizarro (and indeed of all the conquistadors), and of James Cook as well.

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In the case of the British colonisation of India, not only was the colonial rape of Indian women widespread, but colonial laws were adopted which placed a heavy standard of evidence upon rape victims only for cases where the accused was a British officer.

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That whole burden of evidence still exists today that women have become so conditioned to this whole way of thinking that we end up blaming ourselves for those rapes and for the sexual violations that take place. I have worked in sexual violence and family violence for 40 years now and I have seen a lot of

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things, including Māori women take on the victim, take on the fact that they had thought that they were at fault. That when they were raped they must have done something.

5 **Sexual violence is intended to strip the sacred**

Sexual violence is a form of consumption, and so, in consuming you, it attempts to de-sanctify you making you not only property but consumed, defiled and defecated property. In making you non-sacred, this legitimises the entitlement to take whatever is required of you because you do not matter. It is the most
10 powerful expression of you not mattering, along with extinguishing your life.

Sexual violence is a form of dehumanisation. It dehumanises you. It takes everything away from you. When I first began working with men and women and children around sexual violence, I noticed one thing—and in all the Pākehā
15 training that I had none of this was ever mentioned but I came to understand it as a Māori—that when I looked at those people and at those women and children and men they weren't in their bodies. They were not at home. They weren't there. You couldn't grasp them ā-wairua. You couldn't measure whether or not they were in here. They were blank. They had blank eyes, the children often.
20 I can now still go to a school and walk around the playground and identify children who are possibly being sexually abused because they don't live inside their bodies. So that whole thing about wairua, sexual violence strips away the sacred.

Everything in a Pākehā world is a commodity, everything! You can sell and buy
25 everything. You can sell and buy children. You can sell and buy women. You can sell and buy men. There was a young man a week and a half ago jailed for trying to buy a child in Auckland for sexual violation purposes. He wasn't a paedophile or he was but that's the label that he was given. But in the world of
30 capitalism everything is up for sale—nothing is sacred. We have to remember that when we're looking at sexual violence and family violence nothing is sacred and so everything is a commodity.

The whare tangata (the womb) for me has always been seen as a sacred repository for Hine, in the form of Hineteiwaiwa who oversees the female reproductive cycles. It is the space where that which is divine and human comes together. It is a portal for souls to enter this world. The assault upon
 5 this aspect of our sacredness is one intended against not only the victim but the line which continues through her.

We've talked a lot this morning about whakapapa. Violence distorts tikanga Māori. Violence distorts whakapapa. Sexual violence is an attack on
 10 Te Whare Tangata and in fact on our whakapapa. What I do want to say though, it is not only an attack on the whakapapa of the women, it is also an attack on the whakapapa of the person who is doing it. If you go and you enter this place without the consent or without the will of the women, what are you doing to yourself? What are you doing to your own generations? What
 15 messages are you sending to those who come after you that it's all right to go and do that? It is all right to go and treat women and young girls like that?

I was talking to a koroua this morning when I was sitting here and we were talking about you know I remember when my daughter brought her first
 20 boyfriend home and I was in the kitchen cooking and he came screaming in this really stunning car and he was a very handsome young man which was perfectly normal because my daughter is really beautiful. She came in and she said: "Oh, mum I'm going with so and so tonight," and I went: "Wow, wow, hang up a minute there. Who is he? Who is he?" She said to me: "Oh." I said: "Go
 25 out and ask him to come inside. Come and have dinner with us. Come inside. At least come and say hello for goodness sake." So she went out and she came racing in and she went: "He doesn't want to." I said: "Go and ask him again. Go and tell him this time don't ask him, tell him that I want him to come inside. I want to know who he is." She went out and she came back in and she said:
 30 "He still doesn't want to," and so I went out. So I said to him: "Kia ora I'm Mereana, Marama's mother. What's your name," and he said: "Oh, so and so," and I said: "Oh, are you the son of so and so and so and so who live down by Tākitimu Marae in Wairoa," and he said: "Yes that's my mother and father." I said: "Well come inside." So he came inside and Marama was all kind of hedgy

and she wanted to go and he was kind of tripping around he didn't know what to do with himself and I said: "So what are you two up to tonight," and she said: "Oh, mum, I'm going to go and stay with him tonight." I said: "Oh, okay. So it is all right for you to sleep with my daughter and impregnate her but it's not all
5 right for you to get out of your car walk across the lawn come inside and introduce yourself to me?" "Oh, oh, come on Marama we better go now." The result though, magnificent result at the end of the day is my 29 year old grandson Matuakore who I promptly took from them and raised myself. But you know that kind of no respect, that men have little or no respect often for
10 Te Whare Tangata. They see it purely and simply as something property for them to take and to use however they want to. I'm not all men but it's very hard to identify the men who aren't.

Sexual violation and commodification of Indigenous women is also associated
15 to their hyper sexualisation and subsequent cultural appropriation. The "Dusky Pacific Maiden", and "Squaw" tropes are two examples of how the indigenous feminine is hypersexualised, commodified and consumed for colonial entertainment, through literature, through pornography, and through costumes. Today, still, the true story of Pocahontas which obscures and erases colonial
20 rape is made all the worse by the continued commodification and hypersexualising of her story and image, primarily through the likes of Walt Disney, which then drives subsequent hypersexualised costuming every single Halloween.

25 Furthermore, the rape of children in particular is a stripping of sacred innocence that feeds a colonial compulsion to acquire all that can possibly be acquired of a people. Nowhere is sacred when even the innocence of children can be taken. As we have seen in the cases of children taken and then abused through the State system both in Aotearoa, in Australia and on Great Turtle Island, the
30 deep and psychological and spiritual damage that is done through sexual violence passes on intergenerationally, and after the first instance, the colonial perpetrator becomes the indigenous vector.

Healing sexual violence necessitates spiritual healing.

I want you to know I've heard a bit of kōrero while I've been here about what can the Crown do. The Crown could actually, do you know that out of every 100 Māori women that go to court to the police to report and issue of sexual violation only four cases ever get to a prosecution level in a criminal court. Only 5 four out of every 100. What is that about? That is about a systemic and structural issue within the Justice Department.

10 The other issue too is that some of the laws surrounding family violence and sexual violence are appalling. The ways in which Corrections as well as the Ministry of Justice and the police respond at varying degrees throughout this country.

15 There are policing districts in this country. It takes, last time I was up here, it took the police three weeks to respond to one domestic violence case. If you go down the East Coast, if you go down the coast where I live, it takes three weeks for the police to respond to a domestic sexual violence case: in Te Araroa, in Wharekahika, in Ruatoria. It takes quicker time in Counties Manukau and in West Auckland it takes lesser time. There is no response that 20 is consistent throughout the police force. Those are some of the structural things that could change.

25 Some of the help that could be afforded women could be right at the beginning when they report. Māori women are not supported in this country to report sexual violation and family violence cases. There is no one there. You have to go in and tell a white policeman about these things whose attitude towards women is as varied as their response to domestic violence is.

30 I was chair of the Women's Refuge twice. We had to undergo huge training programmes with the police around their singular individual attitude towards women and family violence to get a much more consistent approach by them. They resented having training with us. It took us a year and a half I think. Cilla Moore was involved with that, who was from up here. She at the time was

the chair of the Women's Refuge National Māori CEO and I was the National Māori Chair.

We have had inconsistent legal response and those things are things that the
5 Crown can change. You know those are the things that the Government can
do something about. Do something about your people.

Sexual violence is synonymous with environmental violence

As outline above, sexual violence is a powerful tool to facilitate the taking of
10 land. Making you insignificant is an important step in the legitimising of the theft
and abuse of your land and waters. In particular, the aforementioned assault
upon the womb is one which, with its many associations to sacred land and
waters, extends to the entitlement to own and abuse the natural indigenous
world. This is not only historical but also contemporary, and is further evidenced
15 in the correlation between oil pipelines and missing and murdered indigenous
women on Great Turtle Island.

As pointed out by Dr Dawn Memee Harvard, Native Women's Association of
Canada in her United Nations submission:

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A 2014 report by the ILO estimated that 21 million individuals are
being trafficked for sex or labour globally per year and showed that
sexual violence and trafficking is exponentially higher near points of
extraction and worker camps, or "man camps" than it is in locales of
25 similar population. Destructive, resource-intensive, and often forced
practices of mineral extraction are primary ways that colonialist
conquest and genocide continue today, through simultaneous
violence against the land and against indigenous peoples,
disproportionately affecting women and girls.

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Indeed, at Standing Rock, at the Alberta Tar Sands, in Peru, parts of Africa and
around the world, environmental exploitation is synonymous with gender based
violence. In all of these places, historically and in a contemporary sense,

indigenous peoples are subjected to sexual and gender based violence as a response to their efforts to return and protect their indigenous territories.

5 Sexual violence and gender based violence must be further understood as a precursor and facilitator of environmental harm that disproportionately impacts indigenous peoples. Environmental colonialism must also be understood as an issue which increases the likelihood of sexual and gender based violence against indigenous communities.

10 **Sexual violence dispossesses/displaces us of our bodily, emotional, spiritual territories**

15 It is a commonly seen consequence of sexual violence that survivors disconnect themselves from their bodies/emotions/spiritual selves in order to survive. This displacement can remain lifelong, and can then lead to behaviour that is symptomatic of the heart, mind, soul, body and collective being displaced from each other.

20 I just want to break off here a little bit. Just a personal story I'm not quite sure if I want this to go over in the livestream. Can I have this bit taken out or do you kind of just do that stuff anyway? Can I have this little bit of kōrero excluded from the live stream?

JUDGE REEVES:

Okay, let me find out. Can we flick the switch on the live stream? Yes.

25 **MEREANA PITMAN:**

Just for a minute, I'll be back in a minute.

JUDGE REEVES:

Done.

MEREANA PITMAN: (CONTINUES)

Yes, my daughter was one – I've never really spoken about this before. My daughter was 11 years old. We were on a hīkoi here up north and she was raped by a young man in that hīkoi. She never told me for a long time until she was probably about 20, but increasingly had problems through her teens years, which I just put down to being a teenager really. My daughter is 47 years old and has been methamphetamine addict for over 20 years. She layered and layered upon. She left her body and never came back and then continued to layer on top of that what we call propaganda for the pain. Became an alcoholic, became a heavy drinker, heavy drug abuse and now is in her 14th or 15th year of methamphetamine addiction. I love my daughter immensely and would never abandon her to that. So I stayed in that relationship with her despite the fact that many of my whanaunga have tried to talk me out of, you know, have discarded her and called her rubbish. We manage now and her saving grace at the moment is the fact that she has six grandsons and they keep her occupied. So the – we're kind of at a switch point of we hope that the methamphetamine has kind of lessened because the mokopunas have come along which is really good. But I just want to say that's what happens when you leave your body and you're violated, you begin to layer it, the propaganda, you begin to find ways to escape. To escape from the pain from the rape, from the incest, from the smashing, from the beating, from the humiliation. It's easier to get drunk, it's easier to get wasted to not think about it. So hauling your child back from the brink of death is a really real thing for me in terms of sexual violence. Yes, I did go down when I found out and I did visit this young man and actually I gave him a hua of a hiding, but it did nothing. It did nothing to help her, it did nothing to help her. Giving him a hiding, that whole punitive kind of going after him thing didn't work. It made me feel really great, it made him feel really terrible I would imagine because there were two or three of us giving him a hiding. But it didn't make her feel any better and she still continued to take large amounts of methamphetamine. So that beautiful daughter who came in with that beautiful handsome young man when she was 18 is no more. She is still beautiful in my heart, she is still a beautiful young woman, but she has lost a lot, wairua, ā-wairua, ā-tinana, ā-hinengaro she has lost already and I can't get her back. But anyway.

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“This displacement can remain lifelong and can then lead to behaviour that is symptomatic of the heart, mind, body and soul and collective being displaced from each other.

5

Their pathological selves are disconnected from community, through the shame associated with sexual trauma. The shame of being defiled. The shame of sexual dysfunction. All of these things drive victims of intergenerational sexual trauma away from the community. In some cases, the community finds it easier to ignore what is happening, or attack the victim, than deal with the sexual violence itself, and in other cases it is the victim who perceives the shame and never raises it to the community.

10

Hurt people hurt people. Our patriarchal, heteronormative, Christian society does not allow for deep discourse on sexuality. Where all sex is seen as a sin, open intergenerational discussions about sex are limited and consequently our ability to differentiate between natural, healthy sex and sexual violence is also limited. It vilifies the intergenerational vectors of sexual violence, forcing them underground, away from healing, so that the harm continues in our communities. The depth and scale of trauma created by sexual violence, coupled with the lack of effective support, underpins the “state-care” to prison pipeline and is consequently linked to a wide range of harmful outcomes for individuals, whānau and communities.

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Healing sexual trauma in Māori communities necessitates processes that reconnect us to our physical, emotional, spiritual and communal selves. It needs to be connected to our work on suicide and addiction and understood as a major contributor to hyper-incarceration. It further requires a range of healing approaches for both victims and vectors of intergenerational sexual trauma, as well as our communities.”

30

I want to kind of – no, right. I was going to – pardon? Right, āe, fine, okay, all right. I just want to – sorry. I will just go on to Colonial Sexual Trauma past 37 onto 38.

“Just as there is a poverty industrial complex and a non-profit industrial complex – colonialism also exists, itself, as an industrial complex. Many billions of dollars is spent on the social fallout of sexual trauma, through Corrections, through counselling services,” I just want to add something here. “Through Corrections, through white counselling services, through white social service providers, through white Oranga Tamariki, through white women’s refuge.... and the vast majority of the funding either cycles back through the State or is paid out to white social service providers. Numerous studies and experts have concluded that the subsequent services are not geared for Māori and fail to provide the appropriate healing required for spiritual, physical, emotional, and communal wellness.

One doesn’t have to impugn the motives of the individuals and non-profits working in this industry to observe that, in the aggregate, they consistently behave like other industries: working closely with elected officials and government agencies to preserve the government funding that supports their work.”

I find it really sick actually, really – it’s a, you know, psychologically, socio-pathically really sick that the people working with our people as a result of colonisation are white people that you are working with and you are starting to list our disorders and our dysfunction psychologically. I find that an extremely sick way to do things, a very diseased way to do things and that the money, over \$4 billion a year is spent in this country on family violence and sexual violence. More than 90% of that, it doesn’t go back to the government paying itself for God’s sake, it goes to these NGOs. Less than 1% of that money comes to Māori for healing. I’m not talking about counselling, I’m not talking about, you know, anything like that, therapists, therapeutic care. I’m talking about healing. The opportunity for us to heal our own is not funded. I have to finish soon.

“When you look at how the complex is facilitated, through relationships of privilege and social opportunities that are built out of a background of education

and qualifications that are also acquired through socio-economic privilege, it is easy to see how Pākehā turn a profit from the colonial harm visited upon Māori. This is not uncommon within the framework of the Doctrine of Discovery, where the extraction from Indigenous peoples and their territories underwrites the global imperial economic complex.

Therefore, dismantling the Doctrine of Discovery within the sexual violence-social work sector means primarily resourcing Māori services to provide multi-level healing services from the colonial legacy of sexual violence.

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Kia ora. Kia ora. Kia ora tātou.

WAIATA TAUTOKO

(16:33) KIM NGARIMU TO MEREANA PITMAN:

15 Q. Tēnā koe whaea. He paku pātai noa iho. Engari tuatahi he mihi tēnei ki a koe and I did just particularly want to thank you for sharing your very personal experiences with us. I can't imagine the difficulty of having to live with that and through that so tēnei te mihi atu ki a koe.

A. Thank you.

20 Q. Also for your experience and mātauranga around sexual violence you know just the level of expertise that you bring is you know very helpful for us to understand some of the things that sit behind the causes and harm so thank you for that. There is just one thing that I wanted to ask you which is about linking what you talked about today about the paper balls and the whole kind of you know āhua of those and how they you know affected colonising approaches. If you can provide some kind of bridge for us between the paper balls you talked about today and in the evidence that you had previously filed about the influence of the church in positioning wahine Māori as subservient to men. Can you kind of draw links between those sort of two parts of your evidence, one of which is you know clearly hundreds of years before the other part?

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A. When the paper balls were constructed in the 15th Century the rulers of the people in the land were the monarchies and the church together so

laws were made by both of them, it's only I think since the time of Cromwell that the that the whole notion of the people being represented is what occurs now, you know. But the influence of the church is coming down so that when the missionaries came here Marsden was very clever I think. First of all, Marsden learned to speak te reo Māori, it took him a year or something, it took him less time than it's taken me, I'm almost 70 and then he opened institutions called Mission Schools and began to teach the values and beliefs that emanated from Christianity and the people most influenced in those Mission Schools I believe because the first, in Ngāti Porou the first person to come back to Ngāti Porou that's Māori was a gospeliser, he came back, Piripi Taumata I think his name is, came back to the coast and began to preach the gospel.

So, when you look at the values and beliefs of Christianity and the ones that were taught by Marsden, often there they teach dualism, you know, there's good and there's bad, there's black and there's white and that became, over the years, began to influence our people and they began to convert to Christianity in huge numbers.

So, where was the place of women in that? Where is the place of women because in that, in Christianity who stands next to God, men. Men stand at the righthand side of God, well where the hell are we? Where are the women, the handmaidens of the men and of the church?

I was brought up in a pretty schizophrenic Christian upbringing, I had a Ringatū mother, a Catholic stepfather and the rest of the family were staunch Mihinare, so you know, you can kind of pick your Sunday about what was going to happen and where you wanted to go but in all of them the women were handmaiden, they never took a prominent role in the church, they never took a prominent role in the karakia, they got the vases of flowers ready, they made the tea. You know, and when the minister, when the Anglican minister came to our house we were all booted outside but before we did that we had to get the china out of the cabinet. I think everybody's got this kind of story – so, he got the best china and got all of those things, who was the servant? Our mothers and our aunties and our grandmothers were their servants.

I am not having a go at your beliefs, I don't want anybody to get upset about that, but I am just saying that there was no role for women really, it's only recently that women have had a prominent role in the church, that's why I think the Fundamentalist Churches are so successful.

5 Although – so, for me at the beginning it's about those Christian beliefs and value systems began to impact on our own constructs, our own cultural constructs and we began to judge each other about who was a believer and who was a non-believer and who was going to go to heaven and who was going to go to hell, and who was sinner and who wasn't a sinner and that's all left over still today. I'm gay and so you know this whole thing about sin has featured prominently in my discussions with various relations about: "But Mereana you know homosexuality is a sin." I beg your pardon. I beg your pardon. "It's a sin in the eyes of god. It's a sin. You're never going to make it to heaven." "No I already am in heaven. I don't need, you know, I don't need that." But you know those things have impacted on all of us and so it's really those whole the inter-generational values and beliefs by which we have begun to judge each other. For me that's the impact. I hope that goes a little way.

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Q. Kia ora whaea and ngā mihi anō ki a koe.

20 A. Kia ora.

(16:40) DR RUAKERE HOND TO MEREANA PITMAN:

A. Kia ora Ruakere.

Q. *Mereana, ko te mea nui nei e mihi ana mō tō kōrero mō tō kuia Kararaina Rawhi.* [Interpreter: Thank you for your information about your kuia, Kararaina. Giving that little anecdote sort of explains a little bit about the kaha that you have, 40 years of fighting for those names to be included on those land titles.

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A. Mmm.

Q. It sort of speaks a bit about who you are as well.

30 A. Kia ora.

Q. But in looking at your kōrero prior to this and then hearing it today, I thank you for taking us down a path that needed to be walked. The only thing I

suppose a little bit disappointed is that there wasn't the amount of time that potentially should have been given to a kōrero like this.

A. You have to talk to these guys. I wanted to go first this morning.

5 Q. Yes, kei te pai. *Me whai pirihiimana anō pea māu. Kāo ko te wā nē koirā tō tātou hoariri ki ēnei āhuatanga.* [Interpreter: Time is our enemy.]

A. Āe.

10 Q. But I in particular focused in on your kōrero around the way in which sexual violence, while we may deal with the immediate impact and the immediate effects of sexual violence and the ways to respond to that, you also talk about changing the wider community environment and that is the ultimate solution, –

A. Yes.

Q. – rather than just dealing like maybe a doctor gives a prescription –

A. Yes.

15 Q. – for dealing with the symptoms of what the illness is, –

A. Yes.

Q. – there is a much wider context to that –

A. Yes, there is.

20 Q. – and once that's dealt with. Can you just talk about, I particularly wanted to hear from this is maybe other examples of that? But I mean we don't have enough time to go into other things but just some comments maybe.

A. I think that one of the things we need to do is move to 'by hapū for hapū'.

Q. Yes.

25 A. We need to go back to the hapū base. To the not far away from the whānau. To the hapū and the whānau base to facilitate the intergenerational healing that needs to take place. There is organisations that have existed for 20 years or more in this country that are Māori like Tū Tama Wahine in Taranaki with Ngaropi Cameron and company that have fine-honed all that work down to working with our own in our own
30 hapū. I think until then we're just a commodity to be traded between NGOs. Counselling they're Pākehā therapy and Pākehā white counselling and white therapeutic models are not healing. They are not healing models. They're not healing our people and yet we have them running all over the place. So I think the government needs to, and I think

they probably will because I've had some discussions recently around it, look at how do we fund hapū and whānau either directly or indirectly through the facilitation of healers that are Māori in their work to work with the intergeneration. I think that only we can do it Ruakere. I don't think that other people can come in and do that for us because we have the intimate knowledge around the profoundness of relationships and the importance of maintaining and sustaining those relationships, and keeping whakapapa intact, yes.

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Q. But, ko tētahi o ngā tino māramatanga i puta i tō kōrero, we'd use the word whakapapa but it's actually genealogy of violence, sexual violence – [Interpreter: ...one point of clarity in your presentation today...]

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A. Yes.

Q. – in maybe a (inaudible 16:44:04) sort of perspective of what genealogy is, –

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A. Yes.

Q. – where it comes from and its essence, so thank you very much for your kōrero. *He mea nui tēnei kia takoto ki mua i a mātou.* [Interpreter: It's very important to have presented that today.]

A. Kia ora.

20 **(16:44) JUDGE REEVES TO MEREANA PITMAN:**

Q. Tēnā koe. **(Microphone switched off – 16:44:21)** the question I'm going to go with and it's sort of similar to the question that Kim put to you around I guess you've set out for us I think your view of giving us a genealogy of violence on both the domestic level and as part of the colonisation process. In response to the question from Kim you talked about the role and power of women in the church and you know I have a little hesitation because of course I bring my own baggage to this discussion –

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A. Yes.

Q. – you know as the daughter of –

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A. We've all got baggage, judge.

Q. – you know, but you know it is what it is.

A. I forgot who you were for a minute.

Q. So you were setting out for us what I understood to be your view of a doctrinal basis for sexual violence committed against Māori as part of the colonisation process. I guess for me your discussion the dots didn't quite join up for me in that discussion.

5 A. All right.

Q. I'm sure that you know there is evidence of systematic and sexual violence committed in the colonisation process against women, but I'm not quite sure that what you've identified for us is the source in our experience here in Aotearoa necessarily. Perhaps it's more nuanced than that. And I guess I say that with my – just with the observation that our colonisers were English, the head of the church was Queen Victoria, the Pope, you know, really probably wasn't, you know, front and centre of – and those kind of paper bills. So yes, I am dropping down into some detail here but there is an explanation but I am not convinced that, that is necessarily all of the story for us.

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A. Okay. I hate big questions like this. I have to think – I have to reflect and think on them for a long time before I can answer them.

Q. So just a response you know –

A. Okay so the dots are not joining is what you are saying in terms of the catholic paper ball thing and the –

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Q. And our colonisers here in Aotearoa.

A. Right. I would like to ask you a question but I am probably not allowed to?

Q. No.

25 A. Is that because of the Mihinare thing? Because you are Anglican?

Q. No, no, I am just saying that –

A. Because your father was an Anglican priest bishop?

Q. No I am just saying that, that maybe a perception that I might have some use about that because of my Anglican background but I am trying obviously hard not to.

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A. When the Mihinare did come, when Marsden did come. He instituted, he began the institutionalisation and doctrinarian of our people in terms of Christianity. He began to preach the value and values and belief system that didn't belong to us and the consequence of that is that we turned on

each other and misjudged each other. I think with Cook, you know when Cook came and took the two children. I often messed about this over Tuia 250, Cook took the two children from Gisborne and released them in Ngāti Kahungunu at Cape Kidnappers, he released these children and when I was thinking about going up to Tuia 250 and protesting I thought why would a grown man in charge of a ship with over 300 men on it pick up two children and take them, kidnap them and take them on this journey if not for his own satisfaction. For the satisfaction of his crew. I don't have any antidote or material around that though. But it asked those big questions so you know when Cook did come he didn't – he just claimed, he proclaimed this land for the king without any discussion or kōrero at each place he went to he murdered people. He murdered nine people in Gisborne. He went on, on a trail of murder and destruction and claiming of lands by himself you know under the authority of the king.

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15 Q. Yes. So I guess what I am trying to put to you is where is the difference between what can be described as abhorred, deviant, entitled behaviour by these colonisers or invaders. What does that got to do with the paper bills is really –

A. The template is the paper bills. The paper bills set out 600 years of colonisation, 600 years of colonisation and by the 16th, 17th century, everybody in every country in Europe was into it. It didn't matter whether they were Catholic or Predestine or Lutheran or whatever. Every country, every Monarchy and every country in Europe had adopted the tenants of the paper bills. They had thought it was their right to go all over the world and to do what Columbus and Vasco Da Gama and the rest of them did, the conquests did after two or three hundred years it wasn't only the Portuguese although the Portuguese were the first to go out and colonise large tracks of the world followed by the Spanish and then after that come the English, the French, you know the Dutch, the Germans and they all adopted. So by the time they arrived here in Aotearoa and you have to understand that – kind of getting into a lesson here but you have to understand that in the beginning of this whole process of colonisation if you take 1492 then the paper bills were issued as the beginning of that time, it was an agreement between the Church who held the divine right

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from God, and you know gave it. It was private enterprise so you had the traders going out into the new world and you had the monarchy who made the law. So you had the three of them, you still have those things today in Aotearoa. You don't have the church because the church has been replaced by the – I think by the forth the estate, by the press. But we still have the monarchy who is still in charge and has the ultimate power of life and death and this super sovereign in Aotearoa and you have the parliament which makes the laws but and that has been transferred you know the down to the secondary institution of the parliament but what I am trying to say is that the process was the same. It might have switched countries and switched churches along the last 600 years but the process they all used was the same. And they all came and they used acts of domination over us, you know. I could get into specific acts of domination but I doing really want to talk about those things here in terms of our communities because that is for another hearing. But I have been partied to other hearings like Maungapohatu where those things occurred on mass and was partied to anecdotal evidence from Te Miringa Hohaia about the children who were hidden in the eyes of the houses after the soldiers of Parihaka were really frustrated because nobody retaliated so it just went on this burning looting, rampant, raging out of control violence. And the kuia hid their grandchildren in the eyes of their houses to protect them from the sexual violence of the soldiers. So what I am saying is that the processes, just – I mean, it might have switched churches, it might have switched conquerors, but it remained the same all the way through. And continues today and the attitudes that have formed from that privilege position people who still think that they can do that to us and they still do practice those things. You know, Oranga Tamariki is a classic example of that. Great, I hope it sort of answered something. Thank you.

(16:55) DR LINDA TUHIWAI-SMITH TO MEREANA PITMAN:

30 Q. Kia ora Mereana.

A. Kia ora Linda.

Q. Thank you for your submission. As you know I do travel around the indigenous world and I think one of the consistent themes of that

colonisation story is the theme of sexual violence. I think with your submission does and maybe what will come out of all the submissions overtime is challenge the sort of narrative you said the New Zealand statues created about what it is and how it came to be, you know, we were colonised by a nice people who had you know divested themselves of all the worst access of the Spanish and had become more sophisticated and our story fundamentally a story in which Māori engage with the Tiriti and accepted the role of Pākehā in New Zealand that you know – that we have as a country a certain or countries, you know, they create a story about who they are as a nation. So I really valued you kind of linking maybe the story on contemporary sexual violence with the story of colonisation. And I think what it invites is a better examination of the meta narrative of New Zealand as a nation state. Because what we have heard during the day is the absence of Women’s voices, the silencing of women, the erase of women, the ignoring of women, the denigration of the mana of women and all of those point to an adequate narrative of Aotearoa New Zealand. It has big holes in it and so I think you know these hearings will to me complicate and contradict and hopefully overtime enhance the narrative of Aotearoa, New Zealand and of the Tiriti but I just want to thank you for your submission and I just want to acknowledge your expertise specifically in this space of dealing with sexual violence and the years of work that you have done in that area. And I also want to thank you for indicating some of the potential remedies for dealing with this topic. It seems to me if you don’t talk about sexual violence in a mana claim then we are not going to get to the conditions that will allow our tamariki and women to thrive or our whānau to thrive if we keep silent or you know if we can’t go there and what I thank you for the submission is you have gone there but you have gone there in a particular way started high level, started with the international work and sort of brought it down ultimately to the kind of hearing that needs to happen so that is kind of my feedback on your submission. And I won’t ask you a question.

A. Kia ora whāea.

Q. Thank you very much.

(16:59) ANNETTE SYKES TO MEREANA PITMAN:

Q. Can I ask a follow up question. It is important to put into a Treaty context and the Tribunal jurisdiction. Can you explain the role of Bishop Pompallier in developing te Tiriti o Waitangi and whether or not he

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A. I merely thought about that Annette however there are people in the room who can – all I know about him is the forth article of te Tiriti o Waitangi. I can elaborate on that. I don't have enough knowledge of that. But since you asked me the question I will look into it. Hana Maxwell is in the room,

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who can probably talk about that a lot better. Kia ora.

JUDGE REEVES:

And we are you know obviously happy to receive further evidence on that at some later stage so we can, yes and so thank you Mereana for your evidence and for – to giving us that expansive view of sexual violence and colonisation and really linking those things together. It's given us a lot to think about so kia

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ora and before we move onto our next witness, I just want to mihi to Mr Mārama Davidson who's joined us, tēnā koe. *Ngā mihi ki a koe ki tēnei nohonga i tēnei ahiahi.* [Interpreter: Thank you for your attendance this afternoon.]

20

We've had some tremendous kōrero over the last couple of days. We have another day to go tomorrow. So, *ngā mihi ki a koe me tō rōpū.* [Interpreter: To you and your entourage.]

All right so our next witness?

25

Tēnā koe Ms Nehua, tēnā koe. And, we're going to hear your evidence now and so the – kei a koe? However, you wish to deliver that to us.

DEIRDRE NEHUA:

Before I start I think it's a real shame that Mereana felt like she had to hurry up and I don't think you'll ever get a better expert than her and I feel kind of sad that she never had the opportunity to go through all the things that she wanted because she felt like she had to hurry up and you know in a Māori situation it

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takes as long as it takes. So, it's now 5 o'clock and I don't want to hurry up either. And, I was asked to come here at 4 o'clock to change from yesterday morning when I was on originally to come here at 4 o'clock and now it's 5 o'clock and I'm just checking in to see if it's possible for me to change it back till
5 tomorrow morning?

JUDGE REEVES:

Well to a large extent the timetable is dependent on the claimants and what they want to tell us and how long they take to deliver that evidence to us. So, we are endeavouring in the best way we can to ensure that everybody is heard
10 within the time that we have.

DEIRDRE NEHUA:

So how much time do we have now?

JUDGE REEVES:

Well the timetable says 5 o'clock, but we're still here. We're willing to hear from
15 you if you wish to give your evidence to us.

DEIRDRE NEHUA:

We'll crack into it then.

JUDGE REEVES:

Okay.

20 **ANNETTE SYKES:**

Ma'am can I just raise this? Her lawyer's not here either. It's a...

JUDGE REEVES:

Yes, her lawyer is not here. There was a request for her lawyer to appear by Zoom I understand but that would have – the advice that I had that that would
25 have been a very complex process and would have added quite considerably to the time that we would be needing to take to get that all set up.

ANNETTE SYKES:

Ma'am can I just note my concern that I would have been happy to accept agency instructions in those circumstances. It's just – I'm very conscious of the need to ensure the integrity of witnesses are protected in the process and it's just – my question is this to our bar, that this needs to be really looked at
5 because these issues sometimes they're for the protection of lawyers. That's all I wanted to say.

JUDGE REEVES:

All right, well I am not sure why Ms Nehua's solicitor did not seek to instruct anybody else this afternoon, that is not a matter I am aware of. However, we
10 are prepared to hear you this evening if you wish to continue.

DEIRDRE NEHUA:

It's not the first I've been in Court without a lawyer.

JUDGE REEVES:

But...

15 **DEIRDRE NEHUA:**

I'm cool with it.

JUDGE REEVES:

If no, let me just finish what I want to say. If you would prefer to appear in the morning with a solicitor that can be instructed to be with you then we are happy
20 to hear from you tomorrow on that basis, it's really up to you.

DEIRDRE NEHUA:

Well I don't think you're going to do anything that I can't handle or answer.

JUDGE REEVES:

Okay.

25 **DEIRDRE NEHUA:**

So, I'm happy to go ahead.

JUDGE REEVES:

All right.

(17:06) DEIRDRE NEHUA: (#A025)

5 *Te mea tuatahi me te mihi ki te Atua kaha rawa a Io Matua Kore. Ko ia te tīmatanga me te whakamutunga o ngā mea katoa. Ki a Ranginui e tū ana, ki a Papatūānuku e takoto ana, tēnā kōrua. Ko Huruiki te maunga. Ko Whakapara te awa. Ko Ngātokimatawhaorua te waka. Ko Whakapara te marae. Ko Ngāpuhi me Ngāti Wai ngā iwi. Ko Ngāti hau te hapū. He uri ahau e tū nei mai*
 10 *te rangatira a Patuone. Ko Deidre Nehua ahau. He mihi tēnei ki a koutou katoa kua huihui mai nei i tēnei rā.* [Interpreter: Firstly, an acknowledgement – the beginner and the creator of everything. Diedre is reciting her pepeha, her connection to the tribes in the north.]

15 On my way up here today, I stopped at the Whakapara Cemetery to talk to my grandmother and before I give my evidence. I want to tell you a little bit about my grandmother. She was born in 1896 and she lived to be 95 and I was – didn't think so at the time but subsequently decided that I was very, very privileged to have been brought up with her and my grandfather. When my
 20 grandmother was a young woman and here and her sisters went out dancing, her father, my Pāpā, took them to dances on a horse and cart and she lived to see men land on the moon. And, when you look at that span of knowledge and sitting at her feet for all those years and the things that she talked to me about have shaped the way I view the world today as a Māori woman and so I invited
 25 her here. Can you see her? To sit with me and give truth to her words because a lot of the things that I talk about are the things that she taught me. And, I want to mihi to those that gave evidence before me when I heard Leonie I was like – oh my God, I can't do all that academic stuff and thank you to Mereana for bringing it back down to earth. So, I felt a bit more comfortable about doing
 30 this. I never went to university. I'm not an academic. I'm not a public speaker. I left school in the 5th form.

So, my name is Deirdre Nehua. I'm 71 years old And I say that to put that in context of the learning that my grandmother gave me.

This Brief of Evidence is filed for my claim in the Mana Wahine Inquiry, Wai 1837, being a claim on behalf of myself, my whānau, and the whānau, hapū and iwi of Te Tai Tokerau.

5

I was nurtured by my grandmother Ani Kaaro Nehua Strongman and my grandfather Ihaka Pita Strongman in Whangaruru Harbour in the humble 3 roomed galvanised iron home where they bought up their 9 children. The evidence I am giving are the learnings, stories, and observations I received at the feet of my tupuna, in what was, I now realise, a very privileged upbringing.

10

My grandfather was an outstanding storyteller and constantly told me stories as I walked the hills and valleys with him. Stories about our surroundings in the bush, the land and on the ocean that fed us. Stories of battles that took place in our rohe, where the trenches of war still existed, how these battles were fought, how we won and lost them, how to hide in the trenches and be invisible and to leap on the enemy as they came and how to swing across the valley on supplejack vines to escape. He told me who fought who and the outcomes of those battles.

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It was the stories my grandmother told me that I found most intriguing. Are there any clean glasses? She told me about my whakapapa and where I came from, who I was connected to, and in particular she passed on her knowledge to me about growing up as a female in the Māori world today as compared to that of our tupuna wahine. Wonderful stories of strong independent Māori women all of whom I was related to in some way, both those from this world and from Te Ao Kohatu.

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I trailed around wherever my grandmother went, visiting her friends and family in Whakapara and Whangarei, visiting her sisters and brothers who lived all over the North, to Marae, hui and was present many times when she assisted to lay out bodies when a whānau member died. It was watching and listening to her that shaped the woman I was to become. The evidence given here therefore are her stories.

30

This is my understanding of where I come from, this is my grandmothers korero:

In the knowledge of our tupuna, all is connected. We are the sacred children who descend from Ranginui the sky father and his wahine, our mother the beautiful Papatūānuku. Our whakapapa traces us back to the universe and the stars and the planets within it, this is how our people knew so much about the planets that cannot be seen with the naked eye, we are part of the universe and we carry this ancestral knowledge within us. It was handed down from our tupuna for generations right up until today. The children of Ranginui and Papatūānuku are many and were Atua in their own right. When people were created these children, all gave gifts to making us living breathing people. They gifted different organs and body parts and personality traits. There are too many to list, but some examples are Tawhiri Matea who gifted our lungs Tūmatauenga who among other things gifted us anger/rage, to make us strong in times of war and most important for wahine, Tangaroa who gave the body fluids and the birthing waters of the womb. The greatest gift of all for in the gifting, wahine became the Creators here on earth.

20

This is the gift that makes the whare tangata, and hence wahine scared. The myriad of stars within the sky reflect the myriads of birthing stars within the womb of wahine. Thus, the time of a kotiro coming into moon is a time of great wonder, power and reverence for it marks her passage into the world as a goddess whose time has come to be able to be the greatest thing she can – the creator of the next generation to walk in the footsteps of our tupuna. During moon time our wahine were placed under tapu not as a negative thing, but because this is the time when we are at our greatest power. We took time out to reconnect with Papatūānuku and ask her in humility to share her wisdom with us. The cycle of moon time reflects the cycle of the moon reinforcing our connectedness to the universe. It is a time to honour our bodies as women and our beauty as women to allow the Goddess within us to grow.

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The pure ocean spray that comes off the sea blown in by Tāwhirimātea, lifted back from the tops of the waves, is a reflection of the sperm within the body of man ever seeking to unite with the birthing stars of the whare tangata. Hence in the time of the divine, his sap rises to the pull of her moon in the same way
 5 the ocean rises to the pull of the moon, all is connected. Her body creates the river current which pulls his essence of the creation on an irrevocable course to the divine union which ignites the joining of their wairua spiritually and physically - his ocean to her moon. It is the story of the creation of the universe played out again and again within the whare tangata of wahine.

10

Whakapapa does not just include the genealogies but also the many wairua stories that flesh out the genealogical backbone. As wahine, we stand in the power of the Mana of the Atua Wahine, right down to our own personal mana which has been handed down as our birth right.

15

From Papatūānuku we learn to stand on the solid ground of our own identity, from her we learn enduring love, and how to withstand the pain of separation. She teaches us to nurture and love our children regardless of the challenges they put us through.

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Hineahuone, the mother of Ira Tangata (human) formed from the sacred earth of Kurawaka. It is from her that the awesome sexual power of wahine is derived, a power that men in power have tried to suppress since time immemorial. Through her we ascend beyond the ordinary to connect with the
 25 divine world of Atua. She enables us to go into that stillness within where there is knowing that is pure. Here we can tap into this pure light and figuratively extend it to encompass and protect through the karanga.

30

Hinetitama, first light of the morning sun. She of breath-taking beauty. It is from her that we obtain the strength and courage of our convictions, she is the gamechanger, the shapeshifter. She who enacts self-determination. There are times when we need to stand in our own power and step into that place of courage to make the call that is needed and to do so without hesitation, to follow that unbidden surge of power that takes courage and conviction.

Hine Nui Te Po, she who waits in the shadows to Rarohenga to welcome us home. Not the one to be feared as she is often portrayed, but the loving mother with open arms. She gives us a knowing that death is part of the journey and
 5 that we will never be alone. The guardian to the entranceway, the protector of those present and past, she who lights the spiritual fires to protect the people.

These are just a small sample of the many stories from my grandmother when I asked the question Ko Wai Au? [Interpreter: ...Who am I?]

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Wahine Māori rangatiratanga

So how does this connect down to today and this claim called the Mana Wahine Inquiry? It started in denying many rangatira wahine Māori the right to be a signatory to the Treaty of Waitangi. Although it was signed in the
 15 end by a known 13 wahine, Pākehā could not and would not accept that wahine Māori held important leadership roles within the hapū, therefore they actively prevented many wahine rangatira from signing. This one act which was based on the Pākehā belief that (their) women were merely chattels and the property of their husbands has disenfranchised wahine Māori of their rights which have
 20 been systematically eroded to all but non-existent today.

The rights that we do have as wahine Māori have been retained, because we have fought hard to hold on to them. Historically, we were rangatira in our own right. We were owners of vast tracts of land. We held equal status with men.
 25 We were healers, educators, midwives, decision-makers in the affairs of the hapū and iwi, warriors, matakite, tohunga, kaitiaki of the sacred knowledge and much, much more.

I recall clearly my grandmother telling me:

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We are not the same as men, why would we want to be, we are not men, but the way that our people do things is that men and women are equal. We have very different roles, but we are equal in everything we do. Wahine and tāne do not walk-in front of each other

they walk together, and any decisions made are made together and as one.

5 It did not take long after the signing of the Treaty of Waitangi for the rights of wahine Māori to begin to be eroded away. The Pākehā would only negotiate things of importance with Māori men, and our men it seems often saw this as a good thing, and why wouldn't they? It elevated them to a status that they did not previously hold, i.e. the whole sole decision-maker of what went on within the hapū. It also gave them perceived power in the Pākehā world which
10 inevitably was eventually transferred to the home.

Early history and spirituality, which was written by Pākehā and seen through a Pākehā lens has distorted our history and as a result, many of the stories written about the early Māori have a Pākehā/Christian spin to the detriment of our
15 tikanga and wahine Māori. More importantly, our spirituality took on a heavy Christian flavour as a result of the teachings of missionaries, and this began the watering down of the teachings about our atua who were relegated to the place of myth and legend.

20 Early Māori Land Court records hold many instances where wahine Māori lost their rights to land, which was taken by their Pākehā husbands, thus leading to it being on-sold out of the hapū or iwi. Later, when Pākehā had established their laws on this land, ownership was transferred to Māori husbands who were not from the same hapū but ended up inheriting the lands owned by wahine.
25 Huge tracts of tribal lands were lost to the hapū in this manner.

Wahine Māori were the keepers of sacred knowledge within the hapū and iwi, as were Māori men, but the roles were different. It was our wahine who birthed new life into this world and were the midwives who took care of the delivery and
30 all associated with it.

My grandmother told me stories of the birthing of her own children which was done by either her mother or mother-in-law, depending on who was available at the time. This was something that was taught at a very young age and I

recall throughout my childhood being present with my grandmother when she was “midwife” for other wahine.

5 In fact, the first assisted delivery of a child that I did on my own, I was aged I think eight. The kuia who lived around the bay from us was having her something like 22nd child and she would pick me up on the horse to go to the shop which was about a five kilometre walk from home. She came into labour along the part of the beach that we call ‘the flat’. She got off her horse, sent me down to get a pipi shell on a flat rock, delivered the baby, cut the cord, wrapped
10 it up in her cardigan, got on the horse and rode to the shop and back. And I do remember distinctly when I had my first child thinking I could not get on a horse.

My grandfather’s sister, Aunty Lilly Hoskins, who is grandmother to well-known writer Briar Grace Smith, was one of the first Pākehā qualified “midwives” who
15 went on horseback all over the east coast in the early 1920s delivering babies. The fact that the Pākehā health system determined that in all matters to do with health we had to have a Pākehā qualification was the beginning of the end of wahine Māori being the people responsible for the transition of our babies into this world, and indeed for our own health.

20

Fifty years ago when I had my first child, I recall having arguments with the nurses at the hospital because I wanted to breast feed and they had deemed that all children should be on a formula, and that didn’t get any easier with subsequent children. The whole thing about breast feeding it seemed to me at
25 the time was because I had been stopped from breast feeding in public places and told I had to go and hide myself away. And really it was all about the way that the Pākehā system has objectified women and objectified the breast. I recall maybe 25 years ago – Hilda you’ll remember this – in the court in Kaikohe where one of our women was feeding her child and the Pākehā judge said: “I
30 will not have that women carry out that function in my court.” And so it became a thing for our children to stop being breast fed and to take bottled formula, and to this day I think that’s still a problem and it’s to the detriment of our children. You know we are not cows. We don’t drink milk. Our stomachs are not geared for drinking formulas. And a lot of the asthma and things that our children have

today is as a result of them not or of their parents being discouraged from breastfeeding.

Rongoā and wahine Māori

5 As a child, all of my health needs were met by the rongoā which my grandfather
picked from certain special places in the bush, and my grandmother made up
and dosed us with. This covered every illness that we as children had. It has
only been in recent times that we have begun to take back our knowledge of
10 traditional rongoā and to use it again. Unfortunately, in the time that it has taken
us to make a comeback from the Suppression of Tohunga Act, many Pākehā
have stolen our traditional knowledge of rongoā, patented it and used it for
commercial gain. This was at the basis for the Wai 262 claim for our rongoā to
the Waitangi Tribunal which I assisted Dell Wihongi, Saana Murry, and
15 Moana Jackson to write some 30 odd years ago. Sadly, again when it comes
to our health, our traditional knowledge has taken a back seat to the Pākehā
health system, and we now have to be so-called qualified to practise any form
of healing.

Healing was the domain of wahine, and it is sad to see that because of the
20 interference of Pākehā into our traditional roles, that much of the day-to-day
knowledge that wahine Māori shared as a matter of course has all but
disappeared. When I was at high school in the early 60s it was my fervent wish
to become a doctor. My grandparents thought it would be a good career given
the background knowledge I had in traditional medicine. In those days you had
25 to see a careers advisor to determine which direction you were streamed into
for the 5th form. I was told in no uncertain terms by the careers advisor that
Māori girls could not be doctors, and that if I was lucky I might make a
competent nurse. Those were the days when not too many people challenged
the system, especially old people, and so it was that I became a nurse instead
30 of a doctor. It has taken another generation for us to have a doctor in my
immediate whānau, as none of my children showed a leaning towards rongoā
or medicine, but my mokopuna has.

What a long time to wait to have a dream realised. We do not have the luxury of this kind of time. It is only thanks to a handful of competent practitioners, predominantly wahine that the knowledge of rongoā Māori is making a comeback, but it has not been an easy journey and they have had to fight hard against the system for its return to our hands.

As a child I frequently went with my grandmother and her sisters whose mahi it was to care for the dying and to assist to lay out the bodies of the dead. Before their death it was considered a sacred duty to obtain whatever it was the dying person wanted, no matter how hard or how far away. I recall when my grandmother's cousin Uncle Ponto was dying all he wanted to eat was sprats. Witi McMath and I left in the early hours of the morning to go get sprats, bought them home for him, had them fried up, only to have him eat one. No matter, his last request for the kai that he loved was met, and it was our privilege to do this.

The role of our wahine was to usher the new-born child into this world and to be the ones who saw our people out at the end of their lives and to take care of the tūpāpaku. Thus, I learned from my grandmother how to take care of the bodies of the newly deceased, a skill that I have never used as an adult because today our tūpāpaku are whisked away by this person called an undertaker, who is of course Pākehā qualified. For me as a child it was unheard of for our beloved to go to an undertaker and have them exposed to the indignities that they are today. We had our own ways of using rongoā and preparing the bodies of our loved ones. It has saddened me to be present in modern times when someone has died and see the fear in the faces of the whānau of the deceased who have no idea what to do. This was such an important role for wahine and the greatest honour to care for someone at the end of their life.

The education of the young was the role of both wahine and tane depending if the child be male or female and depending on the interest they took in any particular subject. The kaumatua and kuia would watch with interest the tamariki as they grew and determine what their skill was likely to be. Thus, it was that I ended up with my grandparents as I exhibited a skill in healing and

Matakite. My grandmother was keen to take me, in order to develop this skill, and this she did. It was not at all unusual for our pakeke to do this with their mokopuna, and even today it is not unusual for kuia to have the chosen moko in tow so that they can learn from her and also learn the old ways of our people.

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In more modern times, when Te Reo Māori was at a critical stage of being lost, it was predominantly wahine Māori all over the country who took on the role as teachers of Te Reo Māori. In garages, sheds, homes everywhere our kuia were teaching Te Reo Māori to our tamariki. This movement gained momentum very quickly and became a landslide. The government, while they like to take credit for it, were in fact shamed into supporting the movement when it gained international attention for being such an amazing initiative. Immediately, the Pākehā stepped in and decreed that all teachers of Te Reo had to have a Pākehā teaching qualification, and that all places where Te Reo Māori was taught had to have a Pākehā licence. The height of racism. No Pākehā could teach the language, and who better to do it than our kuia, we have after all been teaching it since time immemorial.

All the way through the development of the kohanga reo, the kura kaupapa Māori, the Kura Tuarua we have had to fight for our language. Although there is now a Māori Language Commission in existence, make no mistake it did not happen because the Pākehā thought it should be, it has been a long and at times bitter struggle, led predominantly by Wahine Māori. When education is one of our key roles as wahine we should not have to fight for that which is ours by right.

The Māori boys' colleges which were established to teach young Māori men the ways of our tupuna and their role in life, were started with the best intent by our tupuna who gave the land. Unfortunately, many if not all of them were established under the umbrella of the Christian churches, and heavily weighted with Pākehā Christian values to the detriment of the spirituality of Te Iwi Māori. They teach a Christianised view of the Māori world and are top heavy with a more sanitised view of Tikanga as the Pākehā fathers of those schools saw fit,

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aided and abetted by Māori men, many of whom were Christianised and colonised.

As a result, I see many young men who come out of these schools with a
 5 skewed version of tikanga and an overtly sexist view of Māori women and our
 role as they perceive it in Te Ao Māori. This again reinforces the colonised view
 of women “knowing our place” and disrespect of wahine Māori as the sacred
 whare tangata, “the house from which we all descend”. It reinforces the view
 10 of the colonial fathers that women are mere chattels and second-class citizens
 at best. The curriculum of these schools needs to be addressed from a true
 tikanga Māori perspective.

Decision making about the future of the hapū, the land, our hunting and fishing
 grounds our marae, were the domain of both tane and wahine equally, and, at
 15 least in my whānau this is still the case although it would be fair to say
 somewhat top heavy with wahine these days. My observation is that this is the
 case in many hapū. Often, the marae is something of a last bastion where
 wahine can continue to hold equal say, with tane, albeit in the background at
 times. It gives me hope to see young wahine Māori today that are so strong.
 20 We have had to be, not by choice but by circumstance.

If I look at my own whakapapa there is no doubt that I descend from a line of
 (proud to say) strong stroppy Rangatira Wahine, namely, Ahuiti, (mother of
 Uenuku) Whakaruru,(mother of Kaharau) Ripia (grandmother to Patuone, and
 25 a tohunga in her own right) Te Kawehau (mother to Patuone) Kateao (wife of
 Hohaia, Patuone’s son) Te Tawaka and Ani Kaaro (mokopuna to Patuone) Te
 Whare Teneti Taiawa (wife of Hone Pani Tamati Waka Nene, Te Tawakas son)
 Ani Kaaro Nehua Strongman (my grandmother) who carried the stories of these
 Wahine toa and passed them on to me.

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My grandmothers mother Te Whare Tene Te Taeawa was from, Hauturu,
 Great Barrier Island. She was tono’d to my papa at 13. She had her first child
 and she had nine children after, well she had nine children all together, sorry.
 Without exception all of my grandmothers, brothers and sisters and my

grandmother consistently, consistently talked about what a real rangatira wahine, Te Whare Tene Te Taeawa was. About what a wonderful, wonderful mother and I asked about her age because she was so young. But you know if you go back to the beginning of my evidence she had reached that time and moon where she was no longer considered to be a child. And the fact that she made such a wonderful mother and they always spoke of her with such aroha, puts a whole new spin on that to me about how – about our women, our young women, those young goddesses growing up and they – we also had the support of our people around us.

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You know urbanisation has done a lot of damage to our young mothers and I can remember when I was at Titiwhai Harawira's place, the people down the road were sending their kids to school in winter with no raincoats, no shoes, freezing cold and she got sick of seeing them walk past the letter box. So she went out, asked them where they were from, went around to see their parents and their parents were Ngā Puhi. She brought those parents to her house and sat down at talked to them about: "You know why are your kids like this? Don't be hungry, don't have shoes. Come in here I'm your whanaunga." Those things don't exist so much in the city now.

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When I was young you couldn't go past the next farmhouse without everybody knowing exactly who you were, who you were with, where you were going. You couldn't go to the dance without a hundred aunties sitting around the hall not letting you outside the door with anybody. That was a real protection thing of our young women you know and those things don't happen today. They do what Mereana's girl do, they turn up with a handsome boy and say: "Oh, well I'm off tonight."

We've got a long way to go to recompense the damage has been done to the mana of wahine Māori, and the battle is an uphill one against racism, colonialism, sexism. The resultant fallout of the degradation of the mana of wahine Māori shows in all the worst statistics in health, education, prison, injustice, early death, unemployment, drug and alcohol addiction to name but a few. Until we have a nation that upholds and elevates the mana of wahine

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Māori to where it should be, we will never be equal and we will never be free from the scourges that our society faces today.

5 For the last 10 years, I've worked rehabilitating Māori men who have been in prison, and also did that for a couple of years in Canada with indigenous men. An overwhelming amount of them are in prison for domestic violence, ranging from assault to grievous bodily harm, to rape and/or murder of women and children. These young men that are in jail for domestic violence, I have interviewed some of them who have sat in remand for six months waiting for a
10 hearing to come up (and some of them have been a lot longer, some of them have been in there for years). Because they're sitting in remand, they're not allowed to have any programmes. So they go in for domestic violence and they stew on that for six months and they come out really angry having had no help whatsoever to look at their behaviour to be taught about things that our men
15 should be teaching young Māori men. You know many of these crimes have been committed by men who are fuelled on P. It's because the balance needs to be restored. If the balance was in place with women, if men valued the life-giving role of women, if they understood the damage colonisation alongside P does to their wairua the crime rate against women would drop considerably.

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Conversely, I've worked with Māori women in prison, some of whose crimes have been stealing while on a benefit while their partners are in jail and they're trying to keep the kids fed. Many times I have taken young women with their children out to Pāremoremo Prison because that's the only time they get to see
25 their father and there's no bus service and stood outside the gate and watched all these young wahine and their children lined up waiting to go visiting in a prison. It makes me want to cry. This is the only outing those kids get is to go to prison.

30 I look at these women you know and for all the things that look wrong about that picture, those women prove to me the strength and resilience of Māori women, but what a heartbreakingly sad way to show that we still have that kaha, to show that we're still really strong. We're still fighting. We're still mana wahine. What a heart-breaking way for our women to be in that position to show it like that.

When our mother Papatūānuku is suffering as she is, right now is the time for us to make the change. Māori women were stepped up to the plate and said: “Enough,” for too long. In the same way that we have reclaimed our
 5 moko kauae, we must now reclaim our birth right and not allow the colonial system and white men or our men to determine our future as mana wahine.

Some of those things I’ve talked about are, you know I agree with earlier speakers, they sit right in the lap of the government, and I’m sure you’ve heard
 10 all of this evidence before. I’m not going to pretend I have all the solutions but I guess this is a place to start. Kia ora.

JUDGE REEVES:

Tēnā koe Ms Nehua. I’ll see if we have any pātai.

15 **WAIATA TAUTOKO**

(17:47) KIM NGARIMU TO DEIDRE NEHUA:

Q. Tēnā koe whaea. He patu pātai anake. First of all, thank you for your evidence but particularly in the early part of your discussion. It really sheeted home to me something that someone else giving evidence they
 20 said and that was with our creation stories and theories there will be variances between different whānau and different hapū, different emphasis for things so thank you for bringing your grandmother’s emphasis to the things we’ve heard today. I just want to pick up on the very last you said about you know you lay a lot of these things squarely
 25 at the government’s feet and this is the place to start looking for solutions. Well, pēhea o whakaaro? What are the things that you think we should be thinking about in terms of remedies?

A. You’ve had all the answers earlier today, give us back our children. Stop putting our people into prison. Stop putting them there like a dumping
 30 ground and doing nothing for them. Funding Māori organisations to work with – how long have we been marching these roads up and down saying: “Māori are the best people to work with our people,” and all these years

later we're still giving it across to Pākehā organisations. You know Mereana said it all, those solutions do not work for our people. They do not heal our people. And so we need to look at dismantling everything and going back to with a clean slate and starting again using our ancestral
 5 knowledge, our gift of healing, the things that we have all of us to heal our people. It does not sit and it does not belong in the lap of the government or the Pākehā, it's ours. Give us back our people.

Q. Ka pai. Thank you.

(17:49) DR RUAKERE HOND TO DEIDRE NEHUA:

10 Q. Tēnā koe whaea. Ko au anō tērā e hiahia ana kia mihi atu ki a koe and acknowledge you bringing your kuia Anikaaroa Nehua Strongman into the room today. In listening to your kōrero and the way you feel with your upbringing, she definitely raised a mokopuna in a way that would bring you to this forum today and the experiences that you have had has
 15 certainly prepared you to be able to present her whakaaro into this room today. Kei te pīrangī mihi atu ki a koe. And the appropriateness of this kōrero to close our kōrero for all of the evidence we have heard from the various speakers no reira tēnā koe, koinā noa.

A. Kia ora.

20 (17:50) DR ROBYN ANDERSON TO DEIDRE NEHUA:

Q. Tēnā koe Ms Nehua. I am just going to venture this one more time. I have a number of my questions are directed at reassuring myself and the eventual leadership of our report that when we talk about the impact of colonisation and blame the Crown that we are slating it at room to the
 25 right party if you'd like and so I have absolutely no doubt that woman had far more statues and mana within pre-colonial society than you would gather from reading the ethnographer's and the Native Land Court minutes and I also have absolutely no doubt about the terrible destructive impact of colonisation. But you also have this statement here that I was
 30 interested in where you talk about the awesome sexual power of wahine and a power that men in power have tried to suppress in times in memorial. So and then you talk later on again the statutes of woman and

the equality of men within traditional society. So I just wondered whether you have any comment on what I am saying to you. No, about the men trying to suppress that awesome power since times in memorial.

- 5 A. You only have to look at your own history to know that, that is true and I am not blaming the Crown. I am placing this squarely in their lap. This is not a matter of blame. This is something they need to take responsibility for. Just picking up on your earlier comment. But if you look at the churches, if you look at the history of colonialism throughout the world, it has always been that abusive power, men over women. Now
- 10 my understanding from the things that my grandmother told me was that women and men had equal things. I remember Mereana talked a bit earlier about this warrior thing that men get into. Certainly much more today. When I had been counselling in prison, I talk about in search of your warrior because what they have done today is cherry picked the
- 15 Once were Warriors bit and the gang bit and that's what a warrior looks like but the whole warrior doesn't look like that. A whole warrior is a man who protects his family, who loves his family, who loves his wife and is not afraid to show it. Who spends time with his kids, you know, if you are just going to pick this, you know, there is a time and place for everything.
- 20 There is a time when you have to be that warrior and go to batter, yes. But that is not what you do for the rest of your life, every day of your life. So we have to look at the whole warrior and bringing those things back into balance. And that is how I believe and that is what have been told. You know I grew up with my grandparents watching how they interacted.
- 25 There wasn't that kind of out of balance power thing that I observed and I actually recall several times when some of the men up and down Whangaruru Harbour had given their wives a hiding. They would get a little posse of men together and go around and give the man a hiding. You don't see our men doing that these days. You know that doesn't
- 30 happen. When my first marriage was a very violent marriage. It was not my brothers that came down and rescued me it was my sister. That is the role of the men to be the warrior, to look after the women, to look after the children, to look after the family and yet more and more and more of our women are having to step into that role because our men for whatever

reasons, colonisation, the system, the oppression, the jail, the balance has been destroyed and we need to bring that balance back so there is that equal relationship and that equal respect and the equal love and that equal caring for the children and that equal caring for the land you know we even had our own fishing ground that we all cared for at Whangaruru. Everybody knew which was granddads fishing ground, nobody else went there. It is hard to kind of I guess growing up where that seems ordinary it is hard to explain how much it has changed today. Even in my own children. A lot of the things that I talk about in my own children you know when I talk to them about this lovely story about coming into moon, they are like, get real mum, we learnt that at school. I found that really offensive because the education system had taken away from me my right as a Māori women to talk to my daughters about coming into moon and they had this sanitised view with a plastic picture of a lady on it so you know all of those things disempower our role as women. Does that help?

Q. Yes, I found that very helpful and thank you for bringing us your stories of your grandparents to our attention, thank you.

A. Kia ora, thank you.

20 (17:57) DR LINDA TUHIWAI-SMITH TO DEIDRE NEHUA:

Q. Tēnā koe Deidre. Just a great way to sort of finish the day with your evidence it is beautiful and I think the piece that I picked on in particular in terms of adding to what we have heard today is your talk about mothering, being a mother. Birthing, being a good grandmother and how powerful I mean the way you told that – talked about but also in terms of the deep ways in which the policies and practices started to intrude traditional birthing practices, traditional ideas about mothering, being a mother, being a grandmother all those roles and I just kind of you talk for example about that shift from breastfeed then into bottle formula and you know we have concepts like, ūkaipō, te waiū, you know that length the mothers breast milk with the identity of the child and that sort of relationship. So well I thank you for you know putting that together and demonstrating the power of love and the power of healing and the power

of I guess feeding breast milk to our children you know all of that I think is wrapped up together and I was just wondering if you had some other examples of the way in which that was eroded, those things were eroded by the Crown or you know by policy or practices I mean the breastfeeding one is an interesting one.

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- A. I think when I was having kids they had this thing called Plunket which everybody said was really good and everybody had to do it because they would send a Plunket nurse around to you and they would give you a book written by somebody called Dr Spock and that's what we were always expected to bring our children up to. It was like a test whenever the Plunket nurse came around. Did you read this in Dr Spock and is it recorded in your Plunket book? It was like light years away from the reality that I faced and just the way that our people you know viewed things around the child were from my grandmother, talking about how they'd hang a rope over the exposed beam of the house, put a box – sit over a box with some hay in it and they'd wait for the baby to arrive to – when I was living at Whangaruru and was hapū with one of my sons and they had to call the ambulance out and we came from the house on a boat and it was high tide so you couldn't get to the roadside so I could get on a tractor to get to the shop to meet the ambulance and when we got there, there were quite a few kuia at the shop and it was really rare for the doctor to come to Whangaruru. And, they were like, "You need to have a look at my arm, I've done this". And another one had something else wrong and the Doctor said, "I've come out to get this lady, she's in labour". And, they went, "She's all right, she's just having a baby. If she has it here, we can fix her". You know it's kind of a quantum leap from a – almost like you were sick when you're in having children and you have to be shut up for a – I think it was seven days you had to stay in hospital. From something that to Gran was a completely natural process, had the baby and you know her neighbour, had the baby jumped on the horse, did the business and went home. So, you know I'm not saying we need to go back to horses but for goodness sake, things that are natural to us. Breastfeeding, childbirth, we're built to do this thing. Now we have babies by appointment with the doctor who gives us an epidural or whatever they

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call it to make you hurry up or make you slow down or make you have it when his gold game's finished. These processes which are natural to us that are all – you know even the suppression of our sexuality. All of those things have become part of a whole another paru world where women are viewed upon as – not as sacred beings that we are, not as the awesome creators that we are. It's in another venue where – as Chris said earlier, everything is bought and sold. And we need to reclaim our kids. We need to reclaim all of those things, but we have to be funded to do it. The best people to deliver our children are us. Best people to show us how to breastfeed properly are us. We have now so much healing to do because of the damage that's been done by Prisons, P, Education, every other system that we're – so we really do have to start from scratch.

A. Thank you, ngā mihi.

JUDGE REEVES:

15 Tēnā koe Whaea, thank you for your evidence this afternoon. I think it's a great way to finish our second day of hearings with your stories and the story of your grandmother. So, no further questions from me and we are ready to finish the day.

DEIDRE NEHUA:

20 Thank you for giving me the time.

JUDGE REEVES:

Okay, all right. Māu te whakaoti, āe. Kei a koe.

KARAKIA WHAKAMUTUNGA

25 **JUDGE REEVES:**

Kia ora tātou, 9.30 start tomorrow morning, kia ora. Have a sleep in.

HEARING ADJOURNS: 6.06PM

HEARING RESUMES ON FRIDAY 5 FEBRUARY 2021 AT 9.30 AM**ARAMA NGAPO:**

5 Tihei wā mauri ora. E tau ana te rangimarie ki a tātou e hui nei i raro i te tuanui o tēnei whare. E tātou mā he kaupapa anō i tēnei wā he tīmatanga tō tātou nei hui. Nō reira e ngā māreikura e tuku atu tēnei ki a koutou he hīmene mō tātou katoa hei tīmatanga. [Interpreter: No translation-Nil.]

HĪMENE (WHAKAARIA MAI)

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KARAKIA TĪMATANGA (WAITAI TUA)**(09:33) DR RUAKERE HOND: (MIHI)**

15 Ka whiti anō i au e tū ana kei runga anō i te whakaaro e te rōia, e te kaiwawao ki te wāhi ngaro ko tēnei te rā tuatoru kua tuku atu ko tēnei waka ki runga anō i te moana kīhai taratara kīhai whatiwhati ki tai engari anō ū ana whakapapa pounamu tēnei te arā e haere ai tātou. Nō reira tēnā rawa koe e oki me tēnei te manaakitanga nui nei o Ngāti Rehua ki runga i tēnei minenga tēnā koe tēnā koutou kōrua tahi Waitai tēnā tātou. [Interpreter: No translation-Nil.]

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(09:34) JUDGE REEVES: (MIHI)

Mōrena tātou. Nau mai ki te rā tuatoru i te nohonga. [Interpreter: Good morning everyone, this third day of our sitting.]

25 We will shortly be hearing from Tina Latimer. I've just been advised that there has been a request from Ms Hall to lead that witness by Zoom. It wasn't a matter that we had been previously aware of so we are in the process of trying to get that sorted out now.

30 So I think probably we are just going to have to have a pause. I'm not quite sure how long that is going to take. If in my view it's going to take too long then we will proceed. But I'm just going to pause for now just to see if that can be organised in a reasonable amount of time. Kia ora.

UNSPECIFIED SPEAKER: (09:35:17)

Tēnā koutou katoa. He mihi ki ngā mihia.

Your Honour, yesterday or last night Ms Hall contacted counsel to see if we
5 could assist this morning anticipating that there may have been some technical
issues. So myself and Ms Rameka are here to assist with Ms Latimer who
actually is present. Depending how Your Honour wants to proceed this
morning, Ms Latimer is present. She is seated in the public area and we're at
the court's disposal or the Tribunal's disposal to assist.

10 JUDGE REEVES:

Well certainly my understanding was that Ms Hall would be appearing with
witnesses later in the programme and that Ms Latimer would be appearing in
person. You know I do not think she is going to be obviously at any
disadvantage. So I am just going to just adjourn momentarily just to get some
15 clarification but it may be that we just carry on. And so if everyone will just hold
their horses while I get an understanding of what is happening and then we will
recommence shortly.

UNSPECIFIED SPEAKER: (09:36:43)

Ka pai.

20 HEARING ADJOURNS: 9.36 AM

HEARING RESUMES: 9.38 AM

JUDGE REEVES:

I've just had a brief discussion with the staff. Certainly, there was no formal
request for counsel to appear by Zoom in support of this witness this morning.
25 Counsel will be appearing later in the proposal in support of further witnesses.

I am satisfied there is no prejudice to the witness because arrangements have
been put in place for her to be supported by other counsel this morning. So in
my view we will proceed; we should proceed.

UNSPECIFIED SPEAKER: (09:39:28)

Tēnā koutou anō. Your Honour, Ms Hall was asking to introduce Ms Latimer. I'm not sure if we have that capability but if we do...

JUDGE REEVES:

5 I think you were out of the room but basically I have just said we are going to continue.

UNSPECIFIED SPEAKER: (09:39:47)

Okay.

JUDGE REEVES:

10 Yes, you are here and I am sure that you can do that admirably.

UNSPECIFIED SPEAKER: (09:39:53)

Okay.

(09:39) UNSPECIFIED SPEAKER: (CALLING WITNESS)

15 Kia ora. So may it please the Tribunal, I appear with Ms Rameka in support and on instructions from Ms Hall of Hall Law. This morning we would like to introduce Tina Latimer for the Tūāpapa hearings and I will now ask Ms Latimer to present her evidence. She has provided a brief but she's also provided her presentation notes and a PowerPoint for the hearing as well. So without any
20 further ado, anei.

Is there a clicker for the PowerPoint, madam registrar? Āe, yes. So if you just nod to Ms Milne then she'll be able to work her magic.

JUDGE REEVES:

25 So when you want the slide just give her the [click] and she'll... Okay, tēnā koe.

(09:41) TINA LATIMER: (MIHI, #A013(a))

Tēnā koutou katoa. My name is Tina Patricia Latimer. I would like my brief of evidence to be taken as read and would like to speak freely from speaking notes I have prepared in advance.

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I am 51 years old and hold the same genealogical connections as my mother and grandmother, Lady Emily Latimer, and my father and grandfather, Sir Graham Stanley Latimer, who raised me since I was a child. I also trace my whakapapa to Whakatōhea, Ngāti Wai, Te Uri o Hau, and Ngāpuhi Nui Tonu and Te Paatu. I have been raised by Sir Graham and Lady Emily in the Māori world, attending marae and hui since I was a child. It is therefore natural for me to inherit the traits of my ancestors in being involved in the social, cultural, economic and political well-being of Māori, and be a part of Waitangi Tribunal proceedings.

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Before returning to the Far North in 1995, I was raised and lived amongst the iwi of Te Uri o Hau. When I was about 19, I was asked to write and lodge a claim to the Waitangi Tribunal for Ross Wright and Russell Kemp, both descendants of rangatira of Te Uri o Hau ki Ngāti Whātua. I subsequently became the assistant claim manager and was pleased to be part of a historical hapū Treaty of Waitangi Settlement on behalf of Te Uri o Hau. I am also pleased to be a part of the Kaupapa on Mana Wahine.

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I have worked mostly in a voluntary capacity with the Ngāti Kahu since 1995 up until 2002, when there was a collapse in the traditional leadership as established by the Ngāti Kahu Trust Board. I also worked for Te Rūnanga o Muriwhenua in 1997 on the beneficiary roll and general administrative duties. Later, I became the claim manager under the Muriwhenua Negotiations Management Committee Limited. Both these organisations represented the five tribes and the hapū of Muriwhenua at that time. I have seen the cohesion and division of the hapū and tribes of Muriwhenua. I also worked voluntary in the capacity for my father for the New Zealand Māori Council, Tai Tokerau Māori Trust Board, and the

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Tai Tokerau District Māori Council. I know these organisations stem from traditional leaderships, and I know that this work is important.

5. I also hold Bachelor of Iwi Environmental Management from Te Wānanga o Aotearoa, Postgraduate Diploma in Māori Resource and Environmental Management and a Master Philosophy (Science) in Māori Resource and Environmental Management from Massey University, Palmerston North. I commenced studying to fill the gap and time between the issues of the Muriwhenua tribes and knowing that my education would benefit the Muriwhenua hapū and tribes in the future.

I am currently the Trust Secretary/Treasurer for Te Paatu ki Kauhanga Trust Board, a hapū of Ngāti Kahu.

I will present my evidence in two parts. Firstly, I will talk about the status and roles of wahine Māori pre-1840 and secondly, I will talk about the life and work of my mother, Lady Emily Latimer, who exemplified attributes and status of a mana wahine in modern times.

Roles and Status of Wahine Māori Pre-1840

Māori women pre-1840 played an important role as *whare tangata*, carers, holders of knowledge and influential leaders in *whānau*, *hapū* and *iwi*. Leadership between men and women was balanced before colonisation. Men and women were seen as having different qualities that were complimentary to each other. European contact disrupted this balance and hegemonic ideals were imposed on Māori. Patriarchal notions painted women as inferior to men in a way that Te Ao Māori had not experienced. Complimentary roles were places in competition with one another and seen as points of difference that should affect decision-making power. Instead, decisions between men and women were made together, for the collective benefit of the *whānau*.

Wahine Māori as *whare tangata* (houses of humanity).

Mana wahine were *whare tangata*. The survival of *whānau*, *hapū* and *iwi* was dependent upon reproductive functions of women. Women were bearers of

past, present and future. Within the Māori context, the continuity of descent - lines, the development of a future ancestor and the flow of ancestral blood through generations were vital roles of wahine Māori. The expression 'he tapu, tapu, tapu rawa atu te wahine' refers to the very special quality that women
 5 have in regard to their role as 'whare tangata' (houses of humanity). In the process of nurturing for children, women would also care for the environment where their whānau was living. Maintaining stability in the whānau ensured knowledge and resources could be passed down through whakapapa.

10 **Wahine Māori were carers of their mokopuna.**

I was raised by Lady Latimer, who was my grandmother. It was common that the older generation had a right to raise their mokopuna, even where it meant that the child would be taken away from their natural parents for a period. They possessed the time, the patience and the knowledge to give their mokopuna a
 15 firm grounding. This approach to childcare was a wise use of resources for it meant that young parents, who were generally in their physical prime, were able to perform some of the heavier tasks necessary for the economic wellbeing of the community. What this meant for me was I did not have to rely on one or two adults to have my educational and developmental needs met. Instead I
 20 had a community of people raising me, although mostly Lady Emily and Sir Graham.

Wahine Māori were repositories of knowledge.

The special role that women played as guardians of iwi knowledge is also
 25 demonstrated in Lady Emily's life. This is implicit in the acknowledgment of the importance of our tūpuna mokopuna relationship. My story as a whāngai illustrates of elders selecting a child specifically for the purpose of imparting their knowledge to me. Lady Latimer imparted how to sew, cook, clean, weave baskets, waiata, administration and secretarial tasks and to pray. Women's
 30 role of imparting knowledge included: gathering, guarding and transmitting iwi knowledge, teaching iwi histories and waiata. The art of karanga was one, manaakitanga and weaving were also commonly passed down. Knowledge was regarded as a taonga which was to be retained within the iwi group. It was also to be preserved and handed down to following generations, but it also had

to be carefully guarded, “to prevent its discovery and abuse by hostile people.” The women who were the guardians of such knowledge were therefore relied upon, not just to transmit their wisdom to following generations, but to be carefully select the appropriate recipients and to teach them well. In fulfilling
 5 this role, they were much more than caretakers of knowledge: they were guardians of spiritual welfare of their iwi.

Wahine Māori as Leaders

Wahine were powerful figures in the Māori world and they provided significant
 10 leadership for other Māori women to emulate. The division of labour within the whānau gave women of child-bearing age the flexibility to explore and develop their strengths, thus enabling them to prepare for and assume leadership roles. In a pre-colonised society, some evidence of wahine leadership roles, included: waiata, haka, whakatauki, iwi histories, and karanga. The naming of hapū, iwi,
 15 and whare tupuna after women is a clear indication of the significance of women's leadership in Māori society. Māori women occupied positions of military, spiritual, economic and political significance. Examples of political leadership roles had been set Lady Emily's works in the State-Owned Enterprise case as a fierce advocate, her notable role as a
 20 Secretary of the Tai Tokerau District Māori Council and ultimately, the Māori Trust Board and New Zealand Māori Council as a secretary and a delegate, the first woman who held these roles in her time.

REFER TO POWERPOINT PRESENTATION #A013(b)

25 So this photo here was the announcement of Sir Graham's Knighthood in Wellington. The investiture was actually offered to my mother for my father, but she the person she was she said no and so that investiture went to Graham. I just wanted to share that because I don't think that's ever been shared before.

30 This is a photo of the members of the Tai Tokerau Māori Trust Board when they purchased the rural bank building in Whangārei. In the front we have Sir Graham and the late Simon Snowden. From left to right we have Ross and Wiki Wright and just behind we have there Hardie Dargaville and in front we have – yes I'll just get my notes, excuse me – Marara George,

(inaudible 09:54:06), Hardie Dargaville, Tu Murray and we have Harold Petera, Wiremu Puriri who was the CEO, Haki Campbell, Jim Pugh, Noema Williams and Lady Emily who is the secretary.

- 5 This is a picture of Lady Emily and Sir Graham when she was secretary of the Otamatea Māori Trust Board in Te Uri o Hau. That is the building they purchased to run the trust. It's the old Cable Memorial Hospital.

Signing of Te Tiriti o Waitangi

- 10 Women were also signatories to the Te Tiriti o Waitangi. Why they did so was entirely consistent with the political authority that they exercise authority that their communities accepted unquestioningly. I whakapapa to descents of signatories of the Te Tiriti in Tai Tokerau. My great-great grandmother Marara Ratima descends from Paerata (Te Matenga Paerata, rangatira) who
15 signed He Whakaputanga o Rangatiratanga of Nui Tīreni in 1835, and the Treaty of Waitangi on the 28th April 1840 for the tribe Te Rarawa and iwi of Te Patu Koraha.

- It was thought at the time that the signing of te Tiriti was as a way to make
20 peace with the settlers and neighbouring iwi.

Women as Spiritual Leaders

- Women were tasked to fulfil duties of spiritual leadership such as cleaning tūpāpaku (dead bodies) and this was demonstrated by my great-grandmother
25 on my father's side, Marara Ratima is of Ngāi Tohianga, Te Paatu and Te Patu Koraha descent. She cleansed tūpāpaku at Rangatihi Stream (Awanui River) across from Tarakaka wāhi tapu. The land remains there today under Marara Ratima's name. Māori women were also considered as spiritual leaders at the time.

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I now turn to talk about the **Life and Works of Lady Emily**

REFERS TO POWERPOINT PRESENTATION #A013(b)

This is Lady Emily's grandparents Matewiki Wiremu Walker and Te Owai Hema Walker nee Ketu. Te Owai is a direct descendant of Ruamoko.

- 5 This is a picture of Ngahirika and Romeo Romana Moore (Te Moananui). They are Lady Emily's parents.

This is around the time when Sir Graham and Lady Emily were married in 1948 after WWII in an Auckland registry office.

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This is a family reunion around about 1993, Waiaua Marae in Ōpōtiki, East Coast. That's Lady Emily's whānau from the East Coast. That was a family reunion of Matewiki Walker and Te Owai Walker.

- 15 Those are her grandchildren and great-grandchildren who attended with her in Ōpōtiki.

Here we have five generations and we're a line of first-born females in our family. So we have Sir Graham and Lady Emily. Next to Lady Emily on the left is my paternal mother and then I am the next eldest in line and I'm on the right of Lady Emily. The next eldest first born in the next generation is my daughter Angel and sitting on Lady Emily is Angel's daughter Te Owai. Yes, thank you.

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These are Sir Graham and lady Emily's children who have – behind sir Graham, Lady Emily, Owen and from – on the right is Graham and then my paternal mother, Amy and in front sitting next to lady Emily is Reina.

25

Lady Emily was part of the generations who experienced the breakdown of traditional Māori practises and knowledge due to the growing influence of western patriarchal ideals. She was a child when urbanisation was occurring and having the effect of breaking up otherwise strong whānau, hapū and iwi groups.

30

Despite the challenges that Lady Emily faced due to the impacts of colonisation she remains resilient and was the primary carer for our whānau. She fostered more than 20 children and passed on knowledge to us at every opportunity. Examples of this can be seen in my main brief in her mahi with the Māori Councils, Trust boards and her keenness to keep up with all the government decisions that were likely to affect Māori.

I would like to read now an article that was published in the Women's Weekly on the 6th of April 1979 about Lady Emily. This article brings to light the kind of person that Lady Emily was. Emily Latimer can cut down tea-tree and scrub with the best of them if she has to. She can also dig the holes for fence posts and only gave up milking when the new herring bone system was introduced down on the farm. And, to that fact that she has had four children of her own and 20 foster children and now serves a lot on a long list of committees and organisations and you get the picture of a very busy person. She is slim, elegant and looks far too young to have children nudging 30. She is also according to her husband Graham Latimer, President of the Māori Council, far too modest about what she does. Emily Latimer, farmer's wife sits in the bedroom of a Wellington hotel crocheting. You get the impression she is not the person who knows how to be idle. She puts the work aside only when she is talking. The needle and the wool click through her fingers as soon as she stops. The Māori Council is the official organisation for the New Zealand Māori Community, and she works as a general dog's body typing, filing and reading, marking and digesting massive amounts of Hansard and Parliament legislation.

It is not Graham Latimer points out, everyone's ideal of enjoyable reading but his wife goes through most of it. It's important we know exactly what is going on and how it will affect the Māori community and there's seldom enough time for everything that needs doing. She reads the important parts out to him when they are driving to meetings. As they cover 40,000 km by road each year, there is time to spare for that but not for helping out on the farm, the land and the herd of the jersey cows are now cared for by one of their own two sons.

Mrs Latimer was brought up in Ōpōtiki, a townie. Her parents spoke Māori, she did not. Although her mother took her onto the local marae for special occasions. She still does not rate her knowledge of the Māori language as being very good, though her husband points out, she's known more than
5 enough to argue with Ōpōtiki, okay.

The charters of the people of Taitokerau Royal Navy of New Zealand. An example of Lady Emily's consistent mahi. To better the lives of her children and mokopuna can be seen in her ability to make decisions that would make
10 lasting change.

I want to speak to the charter of the people of Taitokerau, to the Royal Navy of New Zealand as this charter was signed by Sir Graham and lady Emily for Taitokerau District Māori Council, that was given to the Royal New Zealand
15 Navy.

The charter was granted by the people of Taitokerau who allowed the Navy to parade on Taitokerau land and on the Waitangi grounds. This is still something that happens today. The timing aligned with the 150 commemoration of the
20 Treaty of Waitangi and Queen Elizabeth II and the Duke of Edinburgh were in attendance.

This is Sir Graham and Lady Emily with the Admiral of the Navy.

25 I have a photo here of Lady Emily and a taonga presented by Sir Graham to the Queen Elizabeth II on behalf of the people of New Zealand which was donated by the Taitokerau District Māori Council.

In 1985, Government ordered that the Royal New Zealand Navy never return
30 to the waters of Waitangi. However, in 1990, participating from official recommended and was seen as a time to create partnership.

I also want to acknowledge the achievements that Lady Emily had with her involvement in the state-owned enterprise, the case in 1987 and the returning

of tupuna Māori head in 1988. Lady Emily read of the government's plan mostly through Hansard, to sell our assets and immediately alerted Sir Graham. Together they worked as a team to bring a Court injunction on behalf of New Zealand Māori Council to stop the sale. The litigation was successful in a
 5 Court of Appeal and remained influential for Māori. In 1988, Lady Emily and Sir Graham filed an application in the High Court for administration rights over tupuna Māori and tupuna Māori head that was for sale by Bonhams Auctioneers in London. The application was filed one day before the auction was granted. The British High Court was informed of the New Zealand High Court decision
 10 and tupuna Māori was not sold. Lady Emily and Sir Graham travelled to London to accompany tupuna Māori home. Lady Emily although unlike her lead the karanga. This case has been influential globally on the discussion as to whether human range remains to be sold.

15 This is a photo of Sir Graham and lady Emily and Whaea Titewhai Harawira and Angel, their mokopuna Angel.

This photo here was taken when Sir Graham and Lady Emily Latimer attended the Privy Council in London in 1992 and this was in regard to the transfer of
 20 broadcasting assets.

In the late 1980's and the 1990's, Ngā Kaiwhakapūmau i Te Reo and the New Zealand Māori Council jointly took a number of (inaudible 10:09:32) legal case concerning Māori broadcasting to the Waitangi Tribunal, the High Court
 25 and the Court of Appeal with one going as far as the Privy Council in London.

In conclusion the life and works of Lady Emily as a whare tangata, career, holder of knowledge and an influential leader in her own whānau, hapū and iwi, Aotearoa and beyond were reflections on the mana wahine who was guided by
 30 te ao Māori principles that were prevalent in pre-1840 Māori society. Kia ora.

JUDGE REEVES:

Tēnā koe Ms Latimer. You covered that evidence and hearing about the life and works of your whaea. So, I am sure we have some questions for you. So, we will start.

(10:10) DR ROBYN ANDERSON TO TINA LATIMER:

5 Q. Tēnā koe Ms Latimer.

A. Tēnā koe.

Q. Thank you for telling us about your mother. I mean fascinating to hear and especially her role in the state-owned enterprise litigation and you know the role in a cohesive legislation. I just wondered, broadening out,
10 do you have any observations about the role of women generally within the New Zealand Māori Council and both in your lifetime and perhaps where you'd like to see things going?

A. Māori women are very proactive within the Taitokerau district Māori Councils, Māori committees and the New Zealand Māori Council.
15 They are actually I think slowly coming to the forefront of those leadership roles and in Council.

Q. I just wondered – I mean have there been Chairs who have been women in the past and you know?

A. Well in Taitokerau, no. In the New Zealand Māori Council, no. No, it
20 hasn't yet. There may be other District Māori Councils in New Zealand that may have the Chair today.

Q. And Trust Boards in your experience?

A. We have, well since the passing of our late Uncle Rudolph Taylor, who was the Chairman of the Taitokerau District Māori Council, we have an
25 interim Chairwoman.

Q. Yes.

A. So, but so prior to 2000, most of those positions were held by men.

Q. Yes, all right well thank you very much and thank you for bringing your evidence to us.

30 A. Thank you.

(10:13) DR LINDA TUHIWAI-SMITH TO TINA LATIMER:

Q. Tēnā koe.

A. Kia ora.

Q. Thank you for sharing the photos. They're fantastic. I really like that
5 Privy Council one, really sort of set what it looked like. So, one of my
questions was in your Grandmother's roles, was she paid?

A. For her roles in the Taitokerau District Māori Council and the
10 New Zealand Māori Council, no she was not paid for her role. And, then
as her role as secretary of Taitokerau Māori Trust Board, she was paid
an honorarium, an annual honorarium which was less than \$5000 a year.

Q. And, do you know whether she got expenses paid?

A. There were no expenses paid. Obviously by the New Zealand Māori
15 Council, the Taitokerau District Māori Council. Those councils have
never been sufficiently funded by government. And, no her expense were
not reimbursed for the Taitokerau District Māori Council. You received
your honorarium and that was it, that had to cover all your expenses.

Q. Yes. So, I kind of make the observation there that you know she played
20 a – made a significant contribution. The story you've told is of a woman
who's made a significant contribution to the work of the Māori Council and
to some of the high-level strategic decisions that they made but was not
paid.

A. Yes.

Q. So as a volunteer essentially.

A. Yes. So well I mihi to her for all that mahi and thank you for bringing her
25 story here, kia ora.

(10:15) DR RUAKERE HOND TO TINA LATIMER:

Q. *Tēnā koe Tina. Ko au anō tērā e mihi ana ki a koe kia hoki ngā mahara
30 atu ki tērā wā.* [Interpreter: Good morning Tina. I agree with others
acknowledging your presentation this morning and reflecting on the past.]
Just little anecdotes about introduction of the herringbone cowshed, the
ability that that freed up Lady Emily to be able to carry on and do her
work, you also get a sense of how difficult it was to engage with the
processes way before internet was even a concept and reading through

books and books of Hansard's to be able to understand what was going on in Wellington from all the way up in Tai Tokerau. You really get a sense from your evidence of the real weight that was carried and I fully appreciate it. In the earlier stuff you filed there is the final statement and

5 I was just wanting you to sort of unpack a little bit where you said, "My hope is this Mana Wahine Inquiry will restore our views of wahine Māori pre-1840," and then earlier you had said that there were definitely – now I do not want to take you into maybe where we were having discussions earlier on in the first day and the second day around this whole "where is

10 this concept of mana sitting?", it's more around what elements of pre-1840 do you prioritise? Because earlier on you said there was definitely a distinct – there were two classes of people, there were the rangatira and there were the *taurekareka*, or I have forgotten the expression you used, whether it was *tutua*. [Interpreter: ...Lower born or slave.] I just

15 really wanted you to – see if you could provide a little bit more background to what is that concept of asking our inquiry to be able to restore those concepts of pre-1840 for wahine Māori? *Kei te pai mehemea he uaua te pātai pea*. [Interpreter: It's all right to take time, it's a difficult question to answer.]

20 A. That's a tricky one for me because I think that to restore some of those concepts it can't be done just by mana wahine, it has to be an equal platform in whatever realm we're in, whether it's in our personal life or in our professional life, so it's, for me, it's a bit of a partnership happening that needs to be restored for, you know, for me and as a wahine and it

25 doesn't, whether it's in my personal life or my professional life or whether it's related to the Treaty or He Whakaputanga, it's that sort of partnership that existed pre-1840 that needs to be sort of restored and that's just my personal view, yes.

Q. Kei te pai, I think – so the expression is really what was exemplified by

30 Lady Emily and Sir Graham, the complementary roles in which they work together and were able to achieve things together –

A. Yes.

Q. So it is along the lines of mana wahine, mana tāne–

A. Yes and I think they did exemplify what that partnership looked like at all levels of their lives so and they made it work for them whether it be with their whānau, hapū or iwi or government, whoever it was.

Q. Tēnā koe. Kei te pai tērā. Ngā mihi, pai tonu ngā kōrero.

5 (10:20) KIM NGARIMU TO TINA LATIMER:

Q. Tēnā koe. And thank you for joining us today and particularly for sharing your experience of being raised by Lady Emily and Sir Graham and those glimpses into their her, into their lives so ngā mihi ki a koe. When you talked this morning you put a strong focus on the roles and statues of
10 wahine Māori prior to 1840 and so what I just wanted to ask you was in what ways do you think the roles in statues of wahine Māori have changed since then and what do you think are the main driving forces behind those changes?

A. Colonisation. And my view is the driving force behind the changes that
15 existed pre 1840. Yes.

Q. Ka pai thank you.

(10:21) JUDGE REEVES TO TINA LATIMER:

Q. In paragraph 20 of your reading notes where you have reproduced that
20 article from the Women's weekly of 1979. There is a discretion there of the Māori council as the official organisation for the New Zealand Māori community. Now we have heard some evidence and you will probably be aware of the genesis of the mana wahine claim filed by the Māori Women's Welfare League representatives. So was your mother a member of the Māori Women's Welfare League?

A. I believe so. Her and Sir Graham very odd to have a male member of the
25 Māori Women's Welfare League. But yes.

Q. Yes. Well I mean I think that is probably in keeping with how you have
described their how they worked together that they did all things together. So that doesn't surprise me that, that would be the case. So we have
30 heard some mention or some evidence in the last few days about the genesis of that claim which came from the removal of Dame Mira Szaszy from shortlist for the fisheries commission. Do you have – is there

anything that you can tell us from your knowledge about I mean this is kind of life double use isn't it. But we are not in a – we are in a discursive phase of this hearing. So is there anything that you can tell us about those times or your mothers views about those events?

5 A. It was probably one of the busiest periods of their life's, the 80s. So there was – it was full on. I will just say that. So there was a lot of pressure in the home obviously. But Lady Emily that settling Treaty grievances for future generation was paramount to their own life and there was nothing more important to Lady Emily and Sir Graham to ensure that we achieved
10 some acknowledgement of our grievances in this country.

Q. Okay thank you. So ngā mihi ki a koe mō tō kōrero ki a mātou i tēnei ata. So thank you for your evidence to us this morning and we have no further questions for you thank you.

ANNETTE SYKES:

15 Tēnā koe your Honour. I note it is 10.25 and break time is 10.40. In anticipation that Madam Registrar may need time to setup for Ms Halls presentation perhaps you may wish to adjourn in order to let that happen.

JUDGE REEVES:

Well I am happy to do that if morning tea is ready to go. So –

20 **ANNETTE SYKES:**

I have a significant knowledge of Sir Grahams. I wanted to asked a couple of questions but I don't know if that is proper. I just Sir Graham was a very much involved in this whole process and Lady Emily so in terms of the genesis all I am going to raise are some questions that I think really need to complete the
25 research. I also reflected overnight and I may have to withdrawal from this hearing because I was pivotal also, I was the Deputy Chairperson of Aotearoa fishery limited and Sir Graham was chairperson and we made significant representation on behalf of Miri at the time. So I wanted to explore that with this witness to see if she was aware of those matters. I am trying to avoid
30 having to withdrawal as counsel.

JUDGE REEVES:

Well I think Ms Sykes you know in terms of how this hearing has proceeded up to this point. We haven't got to that dynamic of an adversary sort of a questioning but I am sure that you would be you know careful in the way you did that. So but I agree that these are in terms of the claims in front of us, these are important times. And it would be useful for us to get as much light shared on it as we can. So I think probably the best way to deal with that is through written questions. Yes. So we will do it that way.

ANNETTE SYKES:

10 *Kei te mihi atu au ki a koe Tina. He tini whanaunga a Tina ki taku taha Te Arawa, te Whakatōhea i runga i tāua tūāhuatanga kei te mihi atu ki a koe hoki.* [Interpreter: So thanks to Tina we have extensive relationships within our joint iwi of Te Arawa.]

JUDGE REEVES:

15 And I think that is probably way to be you know to be more targeted and sort of precise with the information that you are wanting to illicit ate. All right so we can give some directions about that subsequent to the hearing. So let me just check to see whether we are ready to adjourn for a morning break. We are so we are going to adjourn now for morning tea for 20 minutes, kia ora.

20 **HEARING ADJOURNS: 10.28 AM**

HEARING RESUMES: 10:58 AM

JUDGE REEVES:

Kia ora anō tātou. We are ready to commence with our next group of witnesses. So he mihi atu ki a koutou. We can see you and I believe you are in Wellington.

25 Ms Hall, can you indicate if you can hear us?

DONNA HALL: (VIA AVL)

We can hear you Ma'am. Can you hear me?

JUDGE REEVES:

Yes, can hear you loud and clear thank you. All right. Well we are ready to go when you are.

5 **(10:59) DONNA HALL (VIA AVL): (OPENING SUBMISSIONS, CALLING WITNESS)**

Thank you. If I could just introduce you to who is here today. First of all, I can say you are very well represented because we are sitting in the very beautiful offices of Pastor Hannah Tamaki in Tāmaki Makaurau and she is there in the
 10 room present with you. So you are surrounded by us and with me we have Rangitarahae Katerina Maraea Kereama, she will be our first witness. She was – she’s given me her formal name and says nee Takatau-Wiringi, but she married Kereama and raised her family here in South Auckland. She is assisted today by Paere Raewyn Hunuhunu who is sitting beside her. She has trouble
 15 hearing and Paere would assist and when she’s anxious, Māori is her first language and Paere will assist there too. Beside her we have Ngā Iramutu Ngaro, Ellamein Emery and Ellamein is over here to my right, she will be our next witness.

20 Sitting in support we have Pauline Vahakola-Reweti. Pauline is here in the front and she is going to be giving her evidence at Ngāruawahia and her support person, Christina Tanuvasa is here too. Also, we are joined by livestream by Mrs Anne Kendall from Papakura Marae and Mrs Parerauwhero from Pukaki Marae and Matt Tukaki who is here – is on stream as well for the
 25 Auckland District Māori Council. So we are the team. Of course, Ms Darsheka Ranchhod and me too. And sorry, most important of all, Ms Grace Hoete-Ahipene from the Waikato District Māori Council who will also be giving her evidence at Ngāruawahia. So we are here today to support the two kuia. We are all very sorry that we are not up there in beautiful Kerikeri,
 30 but with both women, it was just not deemed, the risk could not be taken. So we are ready to give the opening position for the New Zealand Māori Council and the Council’s evidence that it will present is on the status and the authority underpinning mana wahine pre-1840. The evidence will establish that Māori women’s roles in a pre-colonial society were not sexist. The roles were based

on expectation of labour, capability in the needs and the practices of the whānau and hapū and iwi and that Māori women were equally valued as contributors to society.

5 You will hear from Kaa Kereama that in custom men and women have different roles and one role is not more important than another. There was no concept of inferiority of the women's role. The only question is what is likely to result in the best position to help the whānau, hapū and iwi achieve their collective goal. So that will be her evidence and she will also say that women had their own
 10 whakapapa so that you could take from either the male line or the female line in terms of whakapapa, the distaff line. The male line, her evidence will say, is not automatically above. It did not sit ahead of the female line. You could take the female line if it was more important than the male line. We all heard on day one, **(inaudible 11:03:41)** Topeora and at the Ōtaki hearing you will also hear
 15 from Topeora's issue who incidentally they were delighted with Ms Rangiheuea's evidence and they **(inaudible 11:03:56)** it. But that's an example where you would take the distaff line because she was the most senior. Kaa Kereama's evidence will go on to discuss the custom for Te Arawa. going off the marae when she was a young girl. She's in her 80s now. She
 20 looks much younger and when she was younger still, she will describe going on and off marae and she only did that in hapū formation with the hapū and the custom for Te Arawa was for the hapū to travel as a compact and disciplined group. On the marae, the women led with the karanga. She is an exponent and an expert in karanga. Men provided the dynamic oratory in the whaikōrero,
 25 and the purpose was not to stereotype or to discriminate. If it was sexist, it was a benign form of sexism.

If the custom was intended to send a particular message, it was only that in Māori groups, men and women, although they are different, are united as part
 30 of one body. And then she will discuss something which the Council wishes to raise in its opening, it's more of a remedial – a matter of remedy normally dealt with in the closing. We choose to deal with it here right at the start. And she will discuss how going on to the marae now has become an extremely rigid strict pattern where the men go in the front, although the women do the karanga

indeed they're expected to sit at the backrows so that the men could take up all the front seats, and what this does, is it means that senior women, like the two kuia we have before you today, end up having very junior young Māori men and other men sitting in front of them and that that is a discriminatory practice. It is not saved by custom as it's not part of custom to have people who are not tribal leaders or orators on the paepae just automatically assuming a right to take a front seat.

So Council says that across the next few years that this case will proceed, that we should lead and stand by what we are seeking here and what we are preaching. So I do say the Council is looking for a specific and immediate remedy and one of them is that there should be some clarity about going on and off the marae if only to be adopted in this Tribunal but it could well be picked up by others. What I could say is that in the Porirua Manawatū inquiry the Deputy Chief Judge Fox, she has set a pattern where no male sits ahead of her and the seating arrangements have been made so that she is seated at the side, her and Ms Tania Simpson. I always jump in beside them. Then the paepae, there is a separation, and the paepae and all the men sit back there. So that's been done twice now in the Porirua ki Manawatū Inquiry.

20

I can also say that Matt Tukaki has, as the chairperson of a very important government advisory body on Oranga Tamariki, he has that role for two years, he has given me authority to say to this Tribunal that he will always see that when he goes on to a marae with **(inaudible 11:08:10)** that Dame Naida Glavish and their other very important member on the panel, that they sit beside them, alongside them, not behind them. That will be done, it will be respected as to their separation for the paepae, but the status of the women that sit on that panel will be recognised in that seating situation. So those are our opening submissions Tribunal, but they are also the first of the remedies which we will be seeking. As the hearing proceeds at and a great deal of more evidence comes in, we will be able to give some specifics on the sort of remedials – recommendations that they will be able to help sort things through. So thank you and we open with our kuia Kaa Kereama.

30

JUDGE REEVES:

Tēnā koe Ms Hall.

(11:04) KAA KEREAMA: (#A014)

5 Te mea tuatahi māku hei mihi atu rā ki a koutou. Ki ngā mana kei roto i ngā
wahine. Ka kite au he whakaahua kei muri i a koutou, tērā. Ka kite au te mana
e haere tonu ana i waenganui i a tātou. Koinā te urunga, o te wairua, te mana
kei roto i a tātou. Ahakoa he wahine me ngā tāne, engari mā mātou ngā kuia
me ngā wāhine e noho nei hei awahi o tātou mokopuna kei roto i ngā kōhanga
10 reo, ahakoa kei hea.

*Ko mātou ngā kaimanaaki i a rātou katoa. Ko tēnā te urunga o te kōrero a te
Karaiti i roto i te paipera, tērā ngā manaakitanga, tērā te aroha nui. Kua rahi rā
tēnā kōrero hei mau tonu i a tātou i tēnei rangi.*

15

[Interpreter: So, yes we are here and we will be supporting all the initiatives
that have been mentioned today and in particular that of mana wahine.]

REFERS BRIEF OF EVIDENCE #A014(a)

15 Nā reira e ngā rangatira kua rongō kua tīmata au i te kaupapa mai i a
20 Tamatekapua, te kāpene o te waka tuatahi ko Atua Matua i te **(Māori 11:10:52)**
tērā waka ka **(Māori 11:10:55)** ā ka mutu ka oti te mahi nā te iwi o Te Arawa i
kōrerotia i te arahina mai o ngā mangō ko mea ko arā tērā mō tātou mō
Te Arawa. Nā reira ka nui tēnei me haere tonu taku kōrero ki ngā tāngata o ērā
o Tamatekapua.

25

[Interpreter: Those learned people present, the captain of the Te Arawa canoe
originally named Te Atua Matua, the captain Tamatekapua. It's the traditions
of that time that – in our eyes to connect.]

30 Te mea tuatahi māku ko Tamatekapua te rangatira o te waka, muri o
Tamatekapua ka puta ko Tawakemoetahanga, muri mai o tēnā ko
Uenukumairarotonga, ka heke anō mai i a ia i tētahi o ngā tangata kei roto taku
pukapuka tēnā o tērā ingoa. Kāre anō e tino mōhio engari kei konei.

[Interpreter: So, I will start with Tamatea – Tamatekapua, the captain of that waka and recite descendants from him. So, she has information recorded in her book of some of the descendants that she has mentioned from
5 Tamatekapua, Captain of Te Arawa Waka o Te Awa o te Atua, its original name and continues to recite more whakapapa.]

10 *Ko Rangitahi, a Rangitahi ka puta ko Tuhourangi, a Tuhourangi ka puta ko Taketake Hikuroa, muri mai o tēnā ka puta Tutea, a Tutea ka puta mai tō mātou koroua a Makaria ko tēnei te matua o Wāhiao tō mātou i mua e karangatia Wāhiao te hapū engari i tēnei rā ko tātou katoa o Te Arawa ka tū ko whakamahingia tērā ko Wāhiao kei runga. Nā reira ka haere ana. Kua mutu tērā āhua te whakatawhito mai i a Tamatekapua.*

15

[Interpreter: And she recited whakapapa down to Uhukarea and his son Wāhiao and we represent the descendants of Wāhiao.]

20 *Ka haere anō te whakapapa ana ka tīmata mai i a Tamatera. A, Tamatera ko Tunaেকে, a Tunaেকে ka puta ko Te Ranui ana me haere tonu. A, Tamatera he uri anō tāna, ana ka haere mai ki roto o Whakaue ka puta ko Tutanekai, a Tutanekai ko Whatumairangi. Ana ka hoki anō ki a Whakaue ka puta mai ki raro ko Ariariterangi, koinā ka kite koe i runga i te poari arā tērā ko Te Roroterangi. Ana ka puta anō tētahi o rātou e kīia nei Roroterangi ana e kite
25 ana koutou kei runga rā.*

[Interpreter: And now reciting another whakapapa from Tamatera and one line of Tamatera is through Whakaue as described on the presentation. Has recited names down to Te Roroterangi.]

30

Me haere au ki te taha kia mōhio.

PAERE RAEWYN HUNUHUNU:

Oh, kāre e pai te kite.

KAA KEREAMA: (CONTINUES)

Kei te pai?

KAA KEREAMA: (CONTINUES #A014(a))

Te Roroterangi ka puta ko Te Tiwha. Ko Te Tiwha ka puta ko Te Tuhi. Te Tuhi,
5 ka puta ko Taanu. A Taanu, ka puta mai –

PAERE RAEWYN HUNUHUNU:

Nan, nan, tēnā hoki mai ki konei. Anei kē, he pepa tāu. Kei tēnei taha.

KAA KEREAMA:

Āe. Have you got glasses? Can I pinch your glasses please?

10 **PAERE RAEWYN HUNUHUNU:**

He pai?

KAA KEREAMA: (CONTINUES)

Āe, I think mine kua pakaru.

CONTINUES WHAKAPAPA O WHAKAAUE

15 Ka haere ki Whakaue, ko Tūtānekai me Whatumairangi, ko te Ariariterangi. Ka
haere anō ki a Te Roroterangi. Muri i a ia ko Tunaেকে. Tunaেকে ko Tikaiwaka,
ko Nohomai, ko Te Munuhu. A Te Munuhu ko Te Hira. Te Hira i moe i a Hohi,
ka puta ko Reihana I. Anā, muri mai o Reihana ko Wiringi, ko Wiringi Tumene.
Kei runga nei ka haere ki a Ranui. Kei runga atu ōna tīpuna. Ko
20 Rangiwhakapiri, ko Uenukukopako, Taiotekura. A Ranui, ka puta ki waho ko
Tunohopu. A Tunohopu ko Te Rangi. Te Rangi, ka puta a Tamarangi, a
Tamarangi me Reihana Tumene. Anā, a Tamarangi ka moe i a Mere ka puta
ki waho ko taku kuia kei konei, a Rangitarahae.

[Interpreter: Reverting back again to Whakaue and descends from there.]

25

Tēnei tōna whakaahua, te kuia. Nā taku pāpā i whakaahuangia te ingoa o tōna
kuia ki runga i a au. Ka pai. Anā a Tamarangi ka moe i a Mere ka puta ki waho
ko Rangitarahae. A Rangitarahae ka moe i a te teina o tōna pāpā a Reihana

Tumene. Anā, ka puta ki waho ko Hororiri, te tama a Rangitarahae i moe tana wahine nō Te Whakatōhea ki Tūhoe. Tōna ingoa ko Tuhinapouri. Makuini te ingoa takakau o te kuia nō ngā whānau Rimaha o Te Whakatōhea ka moe, nā, i a Wiringi. Anā, ka puta ngā tamariki o te Hororiri. 10 ngā tamariki o te kuia, 5 ko tōku pāpā ko Reihana. A Reihana Wiringi ka moe taku kuia – taku māmā a Huhana. Anei te whakaahua kei muri i ahau. Tērā taku māmā. Anā, kei konei anō tētahi. Kei hea taku koro? [Interpreter: The Kuia has graciously provided her whakapapa from Tamatera, Whakaue particularly of Tutanekai and Uenuku Kopako and wider branches, of merges along the way that include her connection to Te Whakatōhea]

PAERE RAEWYN HUNUHUNU:

Kei muri, kei muri tō koroua.

KAA KEREAMA: (CONTINUES)

Taku koroua kei muri. Anā, i moe a Te Rangitihei Te Kirikau Raimona nō 15 Tauranga Moana. Tōna tipuna a Raimona Raimona, te rangatira o te marae kei roto i a Matata. Tō tātou koroua e nehu ana i raro i te pou kara i runga i taua marae. *Nā reira, ko ahau te mātāmua o tōku māmā me tōku pāpā.* [Interpreter: I am the oldest child on my parents..]

20 *Nā reira, kua rahi rā tēnā. Ana, ko ahau tēnei i moe i taku tāne, engari tēnei i roto i te whakaahua nei, kāre anō māua i mārena. Engari, ka moe au i a ia i muri atu. Nā reira, ōku tamariki katoa, e iwa. E rima ngā tamatāne, e whā ngā wahine, engari e rua, tētahi o ngā tama me te tamāhine kua hoki atu ki roto i a Papatūānuku. Nā reira ka mihi au rā ki a koutou. Koinā taku whakapapa, anei.* 25 [Interpreter: This is a photo of myself and my tane but at that stage we weren't married. Together we had nine children, five boys and four girls of which two have passed on.]

30 *Te mea nui mō tātou mō ngā wahine, e kaimana ana te mana wahine, tēnei te kōrero o te Paipera, “Te manaakitanga nā te wahine. Kei a ia te nuinga.” Kei a ia te nuinga. Tēnei mea te whare tangata he tika tonu ngā kōrero, engari te kuia e mea ana, i ngā wā o mua e mea ana ka tū te koroua ki te taha. Ko te*

kuia kei mua i te haerenga mai o te pēpi. Anā, ka kite mai te māhunga o te pēpi e puta mai ana, kua tīmata te karanga o te kuia, “Haere mai, haere mai ki te ao mārama.” Nā reira, ka nui tēnei mōku i tēnei wā. Tēnei te rangatiratanga o te mana o te wahine. Nā reira huri noa, tēnā koutou, tēnā koutou, kia ora mai anō

5 *tātou.* [Interpreter: Now she is reflecting on scriptures, the role of women to be the carer and nurturer. In past times, and they would be on the side and the women in front. Finishes reflecting from there, the whakaaro, the thoughts of where mana wahine derives from.]

JUDGE REEVES:

10 Tēnā koe e te whaea, ā, ngā mihi ki a koe mō tō whakaaro ki a mātou i tēnei rā. Thank you very much for your evidence and for sharing with us the information from your genealogy and we have read your brief of evidence and we have also had an opportunity to see your thoughts on matters of tikanga and kawa in relation to the marae and the role of women on the marae and I only

15 reflect that this morning as I turned on the news I heard once again the tired old situation where we have a fuss about Pākehā women speaking on the marae at Waitangi and can only reflect that here we are in this inquiry considering that issue in relation to Māori women. So I am sure there are some questions for you from the panel, so I am going to ask my colleagues whether they have

20 some questions for you and they will address those directly.

(11:24) KIM NGARIMU TO KAA KEREAMA:

Q. Tēnā koe e te whāea.

A. Tēnā koe.

Q. Thank you for joining us today and for the evidence you have presented.

25 I did just want to ask you about one – in your written evidence and also your counsel Ms Hall referred to it in her openings, you talk quite a bit about the changing tikanga on the marae and particularly the elevation of men over women. But you know I guess what I want to ask you is for restoring that balance do you think that needs to be led from Māori and

30 from the marae themselves rather than anyone else?

A. Āe, āe kia ora. I do believe that.

Q. Ka pai.

A. [Paere Hunuhunu] Me kōrero i te reo.

[Kaa Kereama] Āe he tika tērā kōrero. He tino pai tērā.

Q. Ka pai. Thank you whaea. So one of the things, part of the role of the Tribunal is to make recommendations to Government. Is there anything
5 that you think Government can do about that, or do you think it actually should be left wholly in the hands of the marae themselves?

A. [Paere Hunuhunu] Me waiho mā te marae?

[Kaa Kereama] Āe me waiho mō te marae.

Q. Ka pai. Tēnā koe whaea.

10 A. Tēnā koe.

(11:26) DR RUAKERE HOND TO KAA KEREAMA:

Q. *Tēnā koe e Kaa. Ko Ruakere tēnei e mihi ana ki a koe. I te kite hanga
atu i te whakapapa e rārangi mai ana ki runga i te mata o te rorohiko ka
whakaaro atu kei hea nei te kuia a Rakeitaheinui nei engari te kite hanga
15 atu o Uenukukopako ā me tērā anō a Taoitekura a ka pai ka kite atu he
huarahi kia pai ai taku mihi ki a koe, tāua tāua i runga anō i tērā te kāwai
whakaheke. He āhua pēnei anō aku kōrero i ngā kōrero i puta i taku hoa
tēpu nei a Kim, he nui anō ngā tikanga kei roto i te ao Māori ka kiia atu:
“I ahu mai i hea? I ahu mai i te ao Māori tawhito? I ahu rānei mai i te
20 paipera? I ahu rānei mai i te ao Pākehā?” He uaua anō i ētahi wā te kite
atu nō hea te whakapapa o wētahi o ngā tikanga tuku iho. Nō reira, well,
he āhua ōrite ki te kōrero kua tukuna ki a koe i mua, he nui anō te wero
ki a tātou nē rā? He nui anō te wero ki roto i ō iwi, otirā ki aku iwi ki a
Taranaki kia āta wewete kia āta wānanga. Koira tō whakaaro me
25 wānanga te ao Māori i ēnei āhuratanga kia rite tahi nei te eke ki te taumata
e tika ana mō Mana Wahine ki roto i tō tātou ao?*

A. *Āe, āe, e tautoko ana au tērā. Nā te mea ka noho tahi i roto i ngā
whakaaro kotahi mā te atua tātou e ārahi i ngā tikanga katoa kia ū ai tātou
ki te paipera.*

30 Q. *Ka pai. Me te pērā anō, ko te tikanga ā ka taea e te tangata nē te hautū
ā pēhea nei anō ko te kawa he āhua rerekē ki ētahi wāhi. Engari i te
mutunga iho ka mihi atu ki a koe e kui a tū rangatira mai nei, tū Māori mai
nei me tērā te kahu me kī he kahu kākākura nei tērā e mau nei i a koe he*

tohu rangatira katoa ērā e piri ana ki a koe i te rangi nei. Tēnā koe ā tātou rā.

5 A. *Tēnā koe. Tēnā koe. I taku mutunga ngā rangatira tēnei korowai māku e kōrero atu ki a koutou. Te mea mā kei runga nei ngā huruhuru o ngā manu ko tērā ko te atua, tērā. Ana ko te whero, i te wā ka rīpekatiā a te Karaiti ana ka werohia ana ka puta ko te toto o te Karaiti ki waho. Ko te mea pango ana ka hoki anō ki a Papatūānuku ki te pō. Nā reira koinā ngā kōrero mō tēnei korowai. Tēnā koutou, tēnā koutou, huri noa tēnā rā tātou katoa.*

10 **JUDGE REEVES:**

Tēnā koe whaea, ngā mihi ki a koe. So we have no more questions for Mrs Kereama so you can call your next witness Ms Hall.

(11:30) DONNA HALL: (CALLING WITNESS)

15 Thank you Ma'am. We have Ms Ellamein here. She will stay seated, if that is fine, her knees are playing up on her.

(11:30) ELLAMEIN EMERY: (MIHI, #A015)

20 Thank you. Tēnā koutou katoa. Tēnā te tēpu. Ahakoa te roa ngā kōrero i roto i tēnei huihuinga tēnā koutou.

REFERS BRIEF OF EVIDENCE #A015

25 *Nō Te Tai Rāwhiti ahau. Taku ingoa Ngairamutungaroa Ellamein Emery Makarini mō tōku ingoa tūturu, nō Tokomaru Bay. Ko Hikurangi te maunga. Ko Toeroa me Maratiri ōku maunga. Ōrite ngā awa me Waipu me Mangahauini koia rā anō te wāhi e tipu ai au nā reira tēnā koutou, tēnā koutou.*

30 It is an honour and a privilege to once again I have not been involved in this for some years now but it is a pleasure to return. Unfortunately, if I might say before I launch into my bits and pieces, it is almost the repeat and I fear that many more years may pass us by and I may not be here to see it. So I hope that with this conference that takes place at this time there can be some realisation of the dreams of our people.

Anei taku kōrero ki a koutou mā. I was raised myself a whāngai. I was whāngai'd by my nannies, seven in particular who were extremely close to me but kaiwhāngai is very much whānau. When you got to a particular age you automatically were a kaiwhāngai; you were alerted to your need when somebody required your attention. So I was raised by them in the 40s and 50s because in the 60s I was put out to pasture and I went to work. But in the years that I was brought up by my karani's I learnt a great deal of things about life in general which paved my lifestyle that I live today and the knowledge that I have passed on to my family.

Coming into this time and age, I opened the first Kōhanga Reo in West Auckland and ran it in a way I was taught when I was a child, incorporating the values of whāngaitanga. Every child that came through the child automatically became whāngai.

In '87 I was part of a movement over the Government lagging to pay us equal money as childcare, for the care of our children. In fact, it was Tāmaki Makaurau that led that and we moved the 12 areas of New Zealand and gave momentum in causing Government to pay over in the very same week we took the protest. Since that time until now they have been paid equal.

And so today I talk about Mana Wahine. I talk about the seven nannies that brought me up and the many other whāngai that cared for me during my life. There were in my family, my immediate family 24 of us, 18 were women. We were a mighty force to deal with so the men didn't dare step out of line, although we had equal respect of them too, we needed them too. And so therein lies my clear understanding of the Mana Wahine.

In that capacity of kaiwhāngai in the capacity of whāngai, I gained the knowledge and understanding and responsibilities that came from those people to me to be passed on to my children and to all who we cared for.

I just want to read what we're talking about when we talk about the Mana Wahine because it is so apt and I want to take this from Paipera Tapu where it says in Proverbs 31:12 I want to read on from that which is very appropriate for what we are discussing. It is:

5

A wife of noble character who can find.

She is worth far more than rubies.

Her husband has full confidence in her and lack nothing of value.

She brings him good, not harm, all the days of her life.

10

She selects the wool and flax and works with eager hands.

She is like the merchant ships, bringing her food from afar.

She gets up while it is still dark; she provides food for her family and portions for her servant girls.

15

She considers a field and buys it; out of her earnings she plants a vineyard.

She sets about her work vigorously; her arms are strong for her tasks.

She sees that her trading is profitable, and her lamp does not go out at night.

20

In her hand she holds the distaff and grasps the spindle with her fingers.

She opens her arms to the poor and extends her hands to the needy.

When it snows, she has no fear for her household; for all of them are clothed in scarlet.

25

She makes coverings for her bed; she is clothed in fine linen and purple.

Her husband is respected at the city gate, where he takes his seat among the elders of the land.

She makes linen garments and sells them and supplies the merchants with sashes.

30

She is clothed with strength and dignity; she can laugh at the days to come.

She speaks with wisdom, and faithful instruction is on her tongue.

She watches over the affairs of her household and does not eat the bread of idleness.

Her children arise and call her blessed; her husband also, and he praises her: "Many women do noble things, but you surpass them all."

5 And so here is a description of the lines of our people, in particular that's going back time pre-1840 who tirelessly made absolutely sure that everything that needed to be done was done. The women led because the women had the foresight and the feelings about her environment. Much, much more than the men folk. In fact, the men were very willing to accept that guidance from her
10 because in her sitting position she could see, she could hear, and she could understand, and out of that comes the whakarongo, the titiro, the kōrero.

And so down to this day, this is our absolute need that in that environment of so much care and surrounded by such strong willing women we could not but
15 grow. I mean I left home with no certificate but I started school knowing maths, knowing science, knowing a whole of things that children didn't know, and only because my elders taught me and shared with me these wonderful things.

So we've heard mana has been expressed in many ways, but mana is
20 something that belongs with whānau. In our whakapapa we certainly have the mana. We come from a strong woman. I myself from Tokomaru Bay where the Hokowhitu and many of our ancestral lines link to Ruataupare. Ruataupare and Te Aotawarirangi are my ancestress and my tupuna Tautini te pāpā mā rāua. Those tell us a great deal about the area, and the fearlessness of
25 Te Aotawarirangi at the death of her father at the hands of a chief where because he ate a child belonging to him had his head cut off. She went and requested to take her father's head and to bring it back. And so fearless as that is, it is the kind of things that women of that time were not afraid to have to face those sorts of things.

30

We come back to whāngaitanga because that is really today I want to show that it is a practice that is not acknowledged by Government. Desperately needed to return to take care of our own children, to take care of our elders, to take care of our lands, the sea, the forests, the trees, everything came by that being

kaiwhāngai and Mana Wahine were the ones who were constantly at the helm dealing with these sorts of things.

5 We come back to the whāngai of the child. When we look at what has happened with Oranga Tamariki and the removal of so many Māori children and families being split up for years' time immemorial and we have had the means, we have had the knowledge, we've had a traditional way that we could have cared for our own. But just by a stroke of the pen they legislated against us in being able to do our own, to care for our own.

10

Yes, as I mentioned before, as a whāngai child I was taught a healthy respect of the environment. Its context, the occupancy inclusive of every living and breathing creature and surrounding trees and vegetation. Not to forget the atmosphere, the sun, the moon, the stars and the seasons. I was taught to read the starts. I was taught to understand the sounds of the ocean and how it talks to me that the storm is coming; the weather is changing. When it comes to food grow you had to watch carefully all those aspects for the protection of the food under the ground.

15

20 We would talk to the old people and share with them what we are seeing, what we are hearing, even though it might have been a beautiful day, they would say: "Okay, we need to pull the kūmara up, we need to pull the tubers up because the rain obviously is not too far away." These sorts of things were given to us by our kaiwhāngai and I'm not the only one that knows this information.

25

The whakapapa lines carry all this information and is passed on so it cannot be separated from the whakapapa. If you do that, you then sever, you sever one's self from the pito and it's difficult, it'll be very difficult for you.

30 Let me just tell you I'm absolutely hopeless with paper, I never speak by paper. So yes, I think that with the event of this hui for the intentions of giving back, giving back everything Māori in its entirety to us to care for. In setting out a business plan, one would have to have a product, something for which to aim

to build and to create a success, success of the business. Ours is people, our people. We need to take charge and care of our own affairs.

5 So the question then is how? We're already set up in our own iwi areas, so the location is already there. Their hapū, the experts. The kaumātua/kuia who are still alive have knowledge and wisdom and that is a very important aspect because every business needs a workforce and our people are there or willing, willing to do what is important for ourselves, and that's question where's the resource from. Well with everything of government there is a dollar, so
10 whatever dollar you've got you can give it back over. It's a simple formula to me in my mind. If you don't have the job, then you shouldn't have the money. But then everything from ourselves, we have the resources ourselves. We didn't have money because money wasn't what made us. We had the land. We could eat from the sea. We have our own farms and animals and
15 vegetables, fruit trees, and from that we stored, we stored our kāpata on all those resources that have been taken. So yes, and with knowing that at this present time there is many Māori certainly involved in this government at this particular time. May there be some savour in terms of any presentation made by the Tribunal for and on behalf of this intention of mana wahine and
20 hardworking families that wish to embrace certainly their own affairs looking after their own. I think that it is something that we can – should be looked at, should be looked at. Yes, that's plenty. You got any questions then? You ask me the question.

(11:48) JUDGE REEVES TO ELLAMEIN EMERY:

25 Q. Tēnā koe whāea, I'm sure we do have questions for you so I am going to start with one. Now I am referring to paragraph 31 of your written evidence and your evidence this morning has focussed on the role of mana wahine in whāngaitanga. So really, I am just asking you to elaborate on what you have said there in paragraph 31 which is calling
30 on the government to properly recognise the whāngai system and to alter the adoption and foster care system to better reflect whāngaitanga.

A. Yes.

Q. So what – could you give some more details about what you have in mind?

A. Well let me just give you an example. I have a daughter who has whāngai'd another daughter's child. The daughter, as is mentioned here
 5 I'm sure, has the heart condition and a tumour, and the natural mother, the biological mum didn't bring her up because the child was brought up in Australia and then brought back here. But because she requires an operation, whāngaitanga does not have recognition, so they have to go to get permission from the biological mum. Now, that makes it imperative
 10 that they take what we are saying, whāngai, don't put it with adoption, don't put it with foster because it's neither. Whāngai is in itself a very honourable and a very important aspect of the care of our children.

Q. Thank you whāea. I am going to move to the other members of the panel now to see if they have some questions for you.

15 **(11:51) TARA HAURAKI TO LINDA TUHIWAI-SMITH:**

Q. Tēnā koe Ellamein. It's Linda here, I'm Kapua's mother.

A. I know that sweetheart, tēnā koe.

Q. I just want to mihi to you for the 5-6 happy years she had at kōhanga reo in Blockhouse Bay with you and your daughters.

20 A. Āe, tēnā koe, tēnā koe.

Q. And mihi to you for all those early years of trying to establish kōhanga reo in Auckland and you kind of mention it towards the end, as well as being proactive in kōhanga reo you were also a business woman, and I was wondering if you could talk a little bit more about the challenges, barriers
 25 and opportunities that you had in those years, you know, to be a Māori business woman?

A. Yes, interesting, thank you for that Linda, thank you. I actually – in 1982 when the kōhanga started, we – my home overlooked the back property as you are aware and I said to my husband, "Let's buy that property," and
 30 he said, "How are we going to do that? We don't even have two pennies to rub," I said, "Now listen, in business, what matters first is a good business plan. Money comes after." So I said, "I only wanted your approval, nothing else. Yes or no?", and he said, "Go ahead. If you think

you can get it, go ahead.” So we did that and I went to the bank and I told them that I wanted the amount that the man asked for, and he said, “Willingly, I would give that to you because in Wellington they are talking about the Treaty of Waitangi and all the monies that are coming back to Māori and we have got no history in our bank to talk about Māori businesses, and so we are willing to support you.” That’s only one side, because the other sides are constant challenges in terms of women in particular who would dear to put their voices forward and, you know, to try and make change, to try and make changes, and in the fire industry for which we were is a man’s world, but I have no fear in going and doing my husband’s work. We were both directors. So it was my business to go out there and do it as well. That’s apart from looking after the kōhanga.

Q. Kia ora whāea, thank you.

A. Tēnā koe.

15 Q. Lovely to see you.

(11:54) KIM NGARIMU TO ELLAMEIN EMERY:

Q. *Tēnā koe kōkā. Kāre he pātai engari e mihi atu au ki a koe. Ko au tētahi o ngā uri o Māteroa, so e mihi ana te kāinga ki a koe i tēnei rā. Kia ora.*

[Interpreter: This is not a questions but just to acknowledge your submission today and I am a descendent of Māteroa.]

A. Tēnā koe. Tēnā koe.

(11:54) DR RUAKERE HOND TO ELLAMEIN EMERY:

Q. *Tēnā koe e kui me ngā kōrero – ko Ruakere tēnei e mihi ana koe. Ka tika hoki kia piki koe i a Marotiri, Te Whānau a Ruataupare, i reira au e whakaaro ana e hia kē nei ngā hapū o roto i te Tai Rāwhiti he wahine, he kuia ngā ingoa. Ko Hinerupe, ko Hinetāpora, Hinemanuhiri, Tapuhi, ā, tīmata i reira, kāre he mutunga i te kōrero o ngā kuia ki te Hono ki Rarotonga ki Tuatini, ērā kāinga o Ngoi – [Interpreter: Thank you e kui. It’s Ruakere here. You are quite rightly so to hear from your today knowing very well there are a number of great women, kuia of that area, of the region of the East Coast that represented their people well.]*

A. Āe.

Q. – ko Tuini arā anō ngā taurima, nō reira e mihi ana ki a koe. Āhua, well he momo kata i roto i au i te wā ka kite atu tokowhitu ngā kuia i whāngai i a koe. Te āhua nei he tamaiti haututu koe ana kia pērā rawa te tini o ngā kuia whāngai i a koe. Ana me te mōhio tonu, well i reira au e pātai ana ki au anō te ahunga mai o te kupu whāngai. I ētahi ka kī atu ko te whāngai he āhua ki te kī atu: “Ko te hūare o tō kuia i te wā pēpē ana koira ka nakunaku te kai ki te waha o ngā kuia ka āta whāngai atu ki ngā pēpē kia kai i te kai mārō.” [Interpreter: I had a little giggle when you said there were seven nannies that looked after you which made me think you may have been a little mischief needing so many to care for you. And just reflecting on how people use the term whāngai and from my understanding I’ve heard about how the women would chew on the food to make it soft and combine with their saliva to feed back to the child and it’s that sort of care that was taken for those children who were whāngai to others.]

A. Āe.

Q. Engari ko te pātai māu pea, ka whakamahia e koutou te kupu taurima nō hea mai tērā rānei me te whakaaro rā mō te whakapapa o tērā kupu te whāngai? Kei a koe ētahi whakaaro, i te mea runga anō i ngā kōrero kua puta, te āhua nei ko ngā wahine anake ērā e whāngai ana i ngā pēpē, kāre i whakaatu i ngā tāne e whāngai ana? [Interpreter: So, I would like to hear more about what you understand about whāngai and it seems to be that it is mainly women undertake the whāngai role, kaiwhāngai role.]

A. Āe. No, no, both, both. I say that with such gusto because we had men who were very women-like. Very much, what do they call them, I don’t know. Yes, but very good cleaners, who looked after babies extremely well, changed them and cleaned them. They were certainly part of the family. It was never a separate thing just Mana Wahine and Mana Tangata, everybody worked together. It was a united effort to whāngai the tamaiti.

Q. Kāre e whakamahia te kupu taurima i roto i a koutou? He rerekē rānei te tikanga i tērā kupu? He pai tonu kia whakamārama pea mehemea he rerekētanga? [Interpreter: You didn’t use the word taurima to explain that practice.]

A. He aha te taurima? He aha tēnā?

Q. *Kai te pai kua āhua whakautua taku pātai i te pātai mai. He momo anō te taurima. Engari ko te mea nui nei i kī mai a ko te whāngai te tino kupu whakamahia nei e koutou. Waiho i reira tērā pātai. Tēnā koe e kui –*

5 [Interpreter: That's okay, you probably answered my questions without an answer. Taurima is often used as an explanation as another word for manaaki and for caring and nurturing particularly in the East Coast.]

A. *Kia ora.*

Q. *– me te pai i te rongō i tō reo.*

10 A. *Okay. Tēnā koe, tēnā koe.*

WAIATA TAUTOKO (TIROTIRO KI TĀKU TAU)

JUDGE REEVES:

15 Tēnā koutou. So that is the finish of the evidence that you are bringing this morning Ms Hall?

DONNA HALL:

Yes, yes that is it.

JUDGE REEVES:

All right.

20 **DONNA HALL:**

We began with Ms Latimer and we are thanking our lawyers for their assistance. These are the only two other witnesses that we had asked to be heard in this hearing week. We have had observers here for the next hearing week at Ngāruawahia. We will have a bigger grouping seeking to be heard there and
25 then quite a large grouping to go to Ōtaki. That is the way it is for us so thank you.

JUDGE REEVES:

Okay. Well, I am glad that we have been able to arrange for your all to appear and participate in this hearing via Zoom and that has been really I think

successful this morning in terms of hearing the evidence that you have had for us this morning and I just thank you all for making yourselves available. Tēnā tātou.

DONNA HALL:

5 Tēnā koe, tēnā koe.

JUDGE REEVES:

Well that I understand is the end of the evidential part of this hearing and so before we wrap up the hearing, there are just a few matters in closing and housekeeping matters to run through with counsel.

10

Now at the start of the hearing I mentioned that I would like to have an update on progress with the joint research committee, particularly appointment of claimant counsel representatives. I recently gave some directions in that regard. Can somebody give me present status please?

15 **UNSPECIFIED SPEAKER: (12:01:10)**

Tēnā koe Ma'am. I can give a quick update and I might turn to my friend Ms Rolleston just to provide an update on the claimant counsel process. In terms of the claimant representatives on the research committee, the Wai 381 claimants have completed that process that I think we set out in a joint memorandum and ended up circulating two short lists to the wider claimant group and sought views on that. We have collated those views and there does seem to be a pretty significant majority in favour of one of the short lists, although a number of claimants also were happy for the Tribunal to decide which of the short lists to go with. However, we have set that all out in memorandum and we shall file it, but I think the greater majority is in favour of one so it should be pretty straightforward.

25

In terms of the claimant counsel representatives, I think your Honour directed that one of those positions would be filled or could be filled by co-ordinating counsel either Tāmaki Legal or Kahui Legal and we have elected at this stage to probably share that role. However, there is also a position I think available

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on the committee for Wai 381 and I haven't yet talked to my friends, the other 381 counsel as to who may want to fill that position.

5 In relation to the other claimant counsel representative, Ms Rolleston has sort of been canvassing who may want to put their names forward for that. I think there are potentially a couple of options that are being considered. One, which we have just been talking about during the course of this week is whether it's necessary to have an additional counsel representative on the committee and I think our understanding is that counsel would have a relatively limited role and 10 it would be more in a notion of sort of co-ordinating. However, that has sort of been circulated by email and I expect we will be able to be in a position to update the Tribunal more fully by the end of next week on that. Hopefully to complete that process.

JUDGE REEVES:

15 Yes. I would like to encourage you all to complete that process. Certainly it would be my hope that we can have some final finality around that, at least by the time we get to Ngāruawahia because certainly from our perspective we are wanting that committee to start meeting to start considering you know the shape and scope of the research programme which is such an important part of this 20 inquiry. Certainly, it would be my hope that can really gear up while we are in this Tūāpapa hearings process essentially for this year; that this year can be used really to get the research component off and away. Anyway, I look forward to receiving the memorandum.

25 Ms Sykes, do you want to add something?

ANNETTE SYKES:

Ma'am, just our concern is there is too many lawyers and not researchers on this committee. I have to express it. It is not that we are reluctant. You have suggested two plus one more but after hearing the evidence this week I am 30 even reinforced by that proposition you know we had some excellent witnesses that identified the kind of research work which is beyond my capacity as a senior counsel to even scope to be fair.

JUDGE REEVES:

Yes.

ANNETTE SYKES:

5 That is my concern with what is now being proposed to have three lawyers. No disrespect to them, without that capacity, and that is why I am reluctant to have a third lawyer.

JUDGE REEVES:

10 Well, you know, I am – I guess I am somewhat reluctant for the Tribunal to, at every point, be going, “This is how it is going to be. This is how it is going to be,” and I guess I have endeavoured to give time and space for those decisions to be made by claimants and their advisors and I, in principle, I agree with you Ms Sykes, it should not be a lawyer dominated space. However, I will await the next round of filing on that and we will see where we have got to. All right, so that is a work in progress.

15

Now, the next matter to raise with you is just a reminder that the evidence for our next hearing, for hearing 2, is due to be filed by the 10th of February, so that’s roaring up, so we look forward to receiving that from you, and also a reminder to the Crown if you want to seek leave to file evidence in reply to that,
20 I believe the date for that is the 5th of March.

Now, the other matter I just wanted to raise is hearing number three which will be in July is now a hearing which is going to be largely for the purpose of hearing the balance of evidence from Northland wahine who, for whatever reason, were
25 not able to be present at this hearing. So we, I understand, have had – there has been some discussion about location of that, whether it might be in Auckland or Whangārei. I understand there may be some support emerging for that hearing to be held in Whangārei. So if there are any more views about that location, I believe the dates have already been identified. I cannot remember
30 off the top of my head what those are. If anymore views on that could be included in the next filing because we really want to get that locked in in terms of venue and dates so we can give as much notice and clarity for everybody

concerned about the when and where's of that particular hearing. All right, I think that is everything that I wanted to raise. Are there any other matters that counsel wish to raise at this point? Ms Sykes.

ANNETTE SYKES:

5 Ma'am, I just want to raise about reimbursements of costs and the process that's been proposed by the Crown. What is suggested is that we go through another legal firm for the reimbursements of costs, and I just question the privacy of that and whether or not that's an appropriate approach. I would prefer that reimbursements are made as Legal Aid Services with some confidentiality
10 and I my suggestion would be that the person whom they've nominated from the Crown, whether it's the Ministry of Women's Affairs or the Ministry of Justice, we have that person as to whom all counsel seek reimbursement from. I'm not casting expressions on my friends, but it's much more I think proper that there is a direct relationship between those claimants
15 and witnesses with whom is reimbursing them rather than having a approach by other law firms monitoring that.

JUDGE REEVES:

Ms Theron, did you want to make any response to that?

LIESEL THERON:

20 Your Honour, we were in discussions with the claimants about this at the moment and I'm really hopeful that we can resolve it. It's simply a matter of trying to get the reimbursement to claimants as quickly as possible in circumstances where the Ministry of Women is quite a small shock and doesn't have those kinds of administrative resources internally, so we're just trying to
25 work out the most practical and efficient way to do it and I'm sure we can resolve that offline.

ANNETTE SYKES:

Ma'am, it's urgent, I've now, you know, I've paid significant disbursements this week. I have significant numbers of witnesses coming to Ngāruawahia. This
30 has been dragging on and the Crown gets paid immediately, but we always get

paid significantly, months sometimes, afterwards, and practices like mine can't sustain that to enable – or we're effectively cross-subsidizing a process for the Ministry of Justice.

JUDGE REEVES:

- 5 Well I appreciate those concerns that Ms Sykes is raising and I just think there is something inherently inequitable about, you know, small practices and needing to carry this level of cost on behalf of witnesses. So I would emphasize that this is a matter which does need to be resolved as quickly as possible. If you would pass that information or encouragement to wherever it needs to go,
10 and certainly if there could be an update on this as to where this issue has got to. Certainly, we would like to know if there were any further delays or issues with this.

LIESEL THERON:

Yes, Your Honour, we will move along as quickly as we can. Thank you.

15 **JUDGE REEVES:**

Anything else?

ALANA THOMAS:

Tēnā koe Ma'am.

JUDGE REEVES:

- 20 Tēnā koe.

ALANA THOMAS:

- Hei taku matua, mēnā kua pau katoa ngā kōrero i konei, ka mutu hei whakamōhio noa i a koutou e whakaaro ana mātou ko Ngāti Rēhia kia whakahoki mai anō te taumata, ngā tūru ki konei nei kia mutu pai ai tā tātou hui
25 nei i raro i te tikanga o Ngāti Rēhia.*

[Interpreter: If we are concluding at this moment, there's been a request from Ngāti Rēhia to reassemble – reset our setting of the Taumata to enable formalities that Ngāti Rēhia wishes to conclude with.]

JUDGE REEVES:

- 5 Well those, I believe, are all the matters that I wish to raise, so I am going to Know – āe.

HEARING ADJOURNS: 12.12 PM

HEARING RESUMES: 12:14 PM

10 **(12:14) FIRST UNSPECIFIED SPEAKER: (MIHI WHAKAMUTUNGA)**

Kia ora huihui mai tātou katoa. E te whare, ahakoa he rerekē te āhua o te nohonga o tātou i roto tonu i te whare, engari he marae anō tēnei, he marae anō tēnei. Tō tātou tīmatanga mai konei, he pōwhiri, nā he marae anō tēnei. Kua tae kē tātou ki te wā mutunga. Ka mihi kau ana ki a koutou. Tāku e mea nei, he pai rawa tēnei. Ka mutu ngā mihi, ka tukuna ngā mihi ki a koutou katoa e te whare. Ka hoki mai te mauri ki a mātou, mā mātou e kapi te mutunga o tēnei huihuiatanga. Nō reira, ka pai ana ahau e tātou mā, e te whare, kei a koutou te wā. Muri mai tēnā me whakaere te whakamoemiti, hīmene, nā kua ea, kua wātea tātou tēnei. Nō reira kia ora anō tātou, kei a koutou te wā.

- 20 [Interpreter: No translation-Nil.]

(12:15) SECOND UNSPECIFIED SPEAKER: (MIHI WHAKAMUTUNGA)

Ka kapo, ka kapo, ka hiko, ka hiko, ā, ka kapo ki te pae o te whenua. Tēnā anō koutou katoa kua huihui mai nei i tēnei o ngā rā. He uri tēnei nō Ngāi Tūhoe, nō Ngāti Awa hoki. Tū ana au ki te tuku i ngā mihi, me kī te taumaha hoki o ngā rā kua pahure ake nei. Me kī te mana hoki i rongō i roto i te whare nei i tēnei o ngā kua pahure ake nei, ā, me te hōhonu o ngā kōrero kua tukuna e ngā wahine kua tū ki te tuku i ngā kōrero e pā ana ki tēnei kaupapa te mana wahine. Waimarie mātou te noho ki waenganui i tērā o ngā taumahatanga, ā, te rongō i ngā kōrero mai i ngā wahine i tū, me kī, ehara i te mea i roto i te wā māmā. Kāre au i te kī he māmā ake ināianei mō te wahine Māori, engari i aua

- 30

wā me kī i rongo au i ngā kōrero e pā ana ki ngā mahi, i haere ki tērā kēmu ki te whakatakoto i wērā mea ki runga i te papa kia aukati taua kēmu rā.
[Interpreter: No translation-Nil.]

- 5 *I rongo au, hīkaka taku kiri i te rongo i te āhuatanga o te wahine i haere ki te tutuki i wērā momo mahi i roto i aua momo āhuatanga, me kī te mana hoki ki roto i wērā momo āhuatanga. Nō reira kei te tuku aku mihi ki a koutou wahine mā i whakatuwhera wērā āhuatanga mā tātou, ā, me te rongo hoki te pōuri kua roa nei, kua 23 tau e tatari ana mō tēnei o ngā kōrero ki te Taraipiunara. Nō reira kua tae mai te wā, i tino rongo i ngā kōrero a koutou ngā kaikerēme me te taumahatanga teiteitanga, te Panekiretanga o ngā momo kōrero i whakatakoto rā i ngā rā kua pahure ake nei. Nō reira kei te tuku aku mihi, kei te tangi hoki mō ngā momo kōrero kua takoto. [Interpreter: No translation-Nil.]*
- 10
- 15 *Ko te tūmanako ki Ngāruawāhia, ki ngā tohu, ngā āhuatanga ka whakatakoto, kāre e tino te mahi o mātou i roto i tēnei o ngā āhuatanga. Kei te tautoko i ngā kōrero mō te whakatakoto i ngā kaikerēme i tēnei wā. So me kī kua tino tutuki, kua aukati i ngā āhuatanga o tēnei wāhi waenganui i a koutou. Kei te mihi ki a koutou te mana whenua, te mahana hoki o te whare, te kī hoki o ngā puku i te*
- 20 *mutunga o ngā kai ia rā, ā, tino waimaria mātou te haere mai ki konei, me ngā hītori kei muri i ngā āhuatanga i whakatakoto ki konei, ki roto i te Nōta, ki waenganui i a koutou hoki. Tika me haere mai ki konei tīmata ai wēnei o ngā kōrero. Nō reira kei te tuku taku mihi. Kāre e tōroahia ngā kōrero, just kei te pīrangi te tuku i ngā mihi hoki, nō reira, tēnā koutou, huri noa i te whare tēnā*
- 25 *koutou katoa. [Interpreter: No translation-Nil.]*

MŌTEATEA (TAKU RĀKAU)

(12:20) DR RUAKERE HOND: (MIHI WHAKAMUTUNGA)

- 30 *Kia uru atu tōku aroha ki a koe nā kia uru mai tōu aro[h]a ki a au nei. Nā Rangipipini, nā Rangiaita, ko koe me tō kumenga nuku, ko koe me to kumenga rangi, ko koe me to kumenga manu[h]jiri, ko koe me to kumenga taonga, rire, rire hau, Pai Mārire. [Interpreter: No translation-Nil.]*

Ka kī atu ka kumea tēnei mea a manu[h]iri, ka kumea mai ngā taonga kua [h]aria mai. Ngāti Rēhia, tēnei kua eke atu te wā kia [h]oki anō ēnei ki runga anō i te [h]uarahi kia tae pai atu ki te kāinga. Ka tika [h]oki kia kī atu he marae tēnei i te mea kō ngā kōrero [h]ō[h]onu i puta i te rā nei, kāre i te pai kia kī atu
 5 he papa noa nei, he w[h]āriki noa nei, he w[h]are noa nei, engari he marae e tika ana kia rongopai i ēnei kōrero. Engari e kore au e kaha te kī atu ka iri ki te tāhū o tēnei w[h]are i te mea i te wā ka hoki atu mātou ki te kāinga, ka pēhea nei tērā te iri wēnei kōrero ki te tāhū o tēnei w[h]are. Māku e kī atu te roanga o tēnei no[h]jo kua aro atu mātou o te tēpu nei ki ngā paraikete e iri ana ki runga
 10 i ngā pakitara o te w[h]are nei. [Interpreter: No translation-Nil.]

Te to[h]ju nei o te w[h]akaputanga rangatiratanga kei ia anō o ngā haki, ngā paraikete e iri nei, Ngā Puhi, w[h]enua rangatira, ēnei anō ngā kōrero mana wa[h]jine, mana w[h]enua, mana tangata, nō reira me wai[h]jo mā ēnei kōrero
 15 katoa i puta i ēnei rangi e toru ki runga anō i ngā paraikete me te tika anō kia iri ki runga anō i ngā ingoa kuia nei nā rātou i tuku te pene ki te pepa. Kāre i te tika hoki i runga i te mea kei te tika te kōrero, 28 tau nei te patanga atu, te tāria atu, ko te wā kia eke atu ki tēnei wā. Me te mōhio tonu he tīmatanga noa tēnei, ehara i te mea i oti i a tātou nē. [Interpreter: No translation-Nil.]

20

Nō reira me kī ka mutu atu i konei, kī[h]ai i oti. I puta katoa ngā kōrero mō ngā kuia o mua a Mira, a Tuaiwa, a Lady Rose, me tīmata te whakahuahua i ngā ingoa, ā, ka raruraru au i reira. Otirā, taku kuia o te kāinga tahi anō a Tihī, tēnei anō ko te mi[h]ji ki te [h]aukāinga Ngāti Rēhia. Tēnei a manako, tēnei w[h]enua
 25 i whāriki mai ai ēnei kōrero ki runga i a koutou ngā kuia kei konei kei waenga i a tātou, kei konei ā wairua. Te uaua anō ki a koutou, wā[h]ji rua anō i tēnei take o te wā. Hei kō tata nei tērā te tini o te motu e hui ana ki Waitangi, nō reira ka aroha rā Ngāti Rēhia tēnei, e[h]jara i te mea e tōtara wāhi rua nei engari anō tō koutou ka[h]a nei. Tēta[h]ji wae ki konei, tēta[h]ji wae anō ki rātou katoa. Te
 30 ā[h]jua nei kua mimiti te puna tangata i tēnei rā, ana kua [h]aere ki te w[h]akatūtuki atu ērā anō o ngā hiahia. [Interpreter: No translation-Nil.]

Nō reira kāti ake, i a mātou e noho nei ki ngā kōrero, otirā te Karauna e noho mai nei ki te tēpu nei, kei te kī kua rongote kōrero. Ehara i te mea kei te kī atu

rongo ā taringa. Kei te pai, māma noa iho te rongo ā taringa. E kore e roa kua kite tātou katoa i ngā pepa i puta mai mō ia kupu ka puta i te wā o te tangata. Kei te kōrero kē au mō te rongo ā ngākau. Koia kē te mea i riro mai ai tēnei anō o ngā noho. [H]kaka katoa nei te ngākau e tatari ana kia hui anō tātou ki

5 Tūrangawaewae te aroaro atu te Kīngitanga, ana e hoki ngā ma[h]hara atu ki a Te Puea mā, Te Atairangikaahu, rātou katoa anā ngā pou kuia o roto o Tainui waka. Engari e[h]jara i te mea ka kī ki reira ana[h]je, engari nō te motu whānui ērā anō o ngā pou kuia kia rongo, kia rongo ko tō rātou kaha, tō rātou māia, tō rātou manawanui e ora tonu ai i roto i a tātou. [Interpreter: No translation-Nil.]

10

Nō reira tēnei rā te mihi ki a koe e tōku tuahine i wāhi nei i ngā kōrero, i reira anō au e āwangawanga i te wā i kuhu mai rā ki te whare, kāre he reo karanga, w[h]jakaaro atu, “He aha i pēnei ai tēnei mea a mana wa[h]jine?”, nō muri kē mai w[h]jakaaro au ka wānanga atu au ki tērā ā[h]juatanga, ka w[h]jakaaro ka tika

15 hoki mā ngā tāne pea. Kua tae ki te wā me noho nei a tāne ki te tautoko atu i a mana wa[h]jine e haere mai ai, ana ka tika [h]oki māu anō e tuku ngā kōrero mō te kāhui rōia otirā koutou e [h]āpai ana i ngā manakotanga nei kei ia rōpū, ia rōpū e tuku kerēme nei ki te Taraipiunara. [Interpreter: No translation-Nil.]

20 Nō reira hei āpōpō te rā o Waitangi, hei āpōpō tērā o ngā rā, kei konei tātou i tēnei wā kāre e mutu atu hei āpōpō haere tonu atu kia tūtuki. Mā wai e kī atu ka oti i te tau? Mā wai e kī atu ka oti i te rua tau? Mā ngā wahine anō e kī kua oti kua ea. Nō reira koutou tama wahine mai wī mai wā te tai whakarunga mai te tai whakararo tēnei mātou e rongo ana i tō koutou wairua i mātou e noho nei,

25 tēnā koutou, tēnā koutou, tēnā tātou katoa. [Interpreter: No translation-Nil.]

WAIATA TAUTOKO

I reira mātou e wānanga ana i ngā waiata e tika ana, me te rongo atu i te

30 whakapapa tīmata nei ki tēnei te tīmatanga te orokohanga nei i te kore i te pō tae noa ki te ao mārama ka kī ngā Rangi rāua ko Papa, ehara i te mea ko tētahi i runga atu i tētahi. Ko tēnei te tīmatanga o tō tātou ao e tū nei nō reira kei konei e tū ana i tēnei rangi. [Interpreter: No translation-Nil.]

Ngāti Rehia ka nui i tō koutou manaaki. E Waitai hoki, otirā ngā kuia ka tautoko, ā Rewa mā nei, tautoko i a mātou i te wā i tae mai ai, tēnā koutou, tēnā koutou, tēnā koutou. [Interpreter: No translation-Nil.]

5 (12:27) THIRD UNSPECIFIED SPEAKER: (MIHI WHAKAMUTUNGA)

A, kei runga. He tū poto tēnei ko te mea nā taku hoa e whakaputa ngā kōrero o tēnei taha mō tātou o te Karauna e noho mai i muri nei, nō reira e tautokongia i ngā mihi kua mihitia nei koe e Taranaki i tēnei wā.

[Interpreter: No translation-Nil.]

10

Ko tēnei tētahi hukapapa o Hikurangi e tū nei. E tautokongia ngā mihi kua mihitia nei ki a koutou Ngāti Rehia. Engari me kī e rua ngā Hikurangi i tōku whakaaro i tēnei wā, ko Hikurangi nama tahi i Te Tai Rāwhiti ā heoi anō ko Hikurangi nama rua e tū ana ki konei. Nō reira kāhore tēnei i te whakararu i tērā maunga, kao. Ko te mea, ko te nui o ngā Hikurangi e tū ana i roto i te ao i tēnei wā. [Interpreter: No translation-Nil.]

15

Engari me kī kei te whakatau te mahunga ki te whakaahua i tō tātou nei kuia e whakarangatira nei te āhuratanga o ngā kōrero e puta mai nei i roto i tēnei huihuinga. Huri noa ki ngā tohu nei e whakaahua nei ā kei te hoki atu ngā whakaaro ki a rātou. Kei te heke tonu ngā roimata engari kua tae hoki nei tātou i te wā nei te whakarongo ki ngā kōrero kua puta mai nei i tēnei wā o te Mana Wahine. [Interpreter: No translation-Nil.]

20

Nō reira kei te mihi atu ki ngā rōia koutou me kī e whakaruruhau ana ngā kōrero i puta mai nei i wēnei o ngā wahine toa e tū atu nei i whakaputa nei i ngā kōrero i tēnei huihuinga. Nō reira ki ngā rōia te rōpū rōia kia kaha koutou mō tā koutou nei whakaruruhautanga i wēnei e kōrero ana o tēnei tapu me tēnei tuku tapu te Mana Wahine. [Interpreter: No translation-Nil.]

25

30

Huri noa ki a koutou Ngāti Rehia ka mihi atu ngā kōrero kua puta mai ana te āhuratanga o mātou o tēnei taha e taku hoa o Taranaki e tū nei e whakawātea nei ōna mihi ki a tātou. Nō reira kei te haere tonu ngā mihi ki a koutou a

Ngā Puhi-nui-tonu, ā koutou e tangi ana mō rātou kua mene ki te pō.

[Interpreter: No translation-Nil.]

5 *A, ki wētahi o mātou o Tai Rāwhiti kei te heke ngā roimata mō tātou nei mokopuna i a Steven kua tae hoki nei te kōrero kei te nehua e ia i tēnei rā. Nō reira ki wētahi o koutou kāre e mōhio i tōna taha o Tai Rāwhiti tōna kōkā koinā tētahi o ngā tuahine o Paki Harris, nō reira ahakoa kei konei mātou kei reira rātou e tangi ana. [Interpreter: No translation-Nil.]*

10 *Ka tika hei whakaputa mai nei wērā āhuatanga i waenga i a tātou i tēnei rā. Nō reira kei te haere tonu te heke ngā roimata mō rātou kua mene, engari e kite nei au te whakaahua i puta mai nei te orangatanga kei roto i āu mō tēnei kaupapa nui te Mana Wahine. Nō reira koutou kia kaha, kia kaha tātou ki te whakamanangia te āhuatanga o tēnei kaupapa.*

15 [Interpreter: No translation-Nil.]

20 *Ko tāku mihi whakamutunga ki a koe e te Kaiwhakawā me te whānau nei, me ōku kōtiro i puta mai ko tēnei me tēnā ka mau te wehi kei konei rāua tahi e whakakahangia nei te āhuatanga o tēnei Taraipiunara me kī. Tōna mātua tētahi o ngā tangata i runga te Taraipiunara i tōna wā. Ināianei kei te whai nei tana kōtiro i muri i āia. Nō reira ki a koutou te panera, te Kaiwhakawā tēnā koutou, e whakarangatira nei i a tātou me kī ngā uri o te whare nei, e noho nei, kei te mihi atu ki a koutou. Nō reira huri noa huri noa tēnā koutou ā tēnā koutou ā kia ora huihui tātou. [Interpreter: No translation-Nil.]*

25

WAIATA TAUTOKO (MĀ WAI RĀ)

A, kia ora tātou.

UNSPECIFIED SPEAKER: (12:32:35)

30 *Heoi anō, e taki tū ana ki te whakahoki i ngā mihi mō tēnei taha kua karanga mai koutou ki roto i āu Ngāti Rehia nei. Te whanaunga ā Mātaatua waka, nau mai ki tō rohe, kei konei anō rā tō tātou waka e takoto ana. Ehara i te mea he waka i tāhae, he waka ka tiakina ao ake ao ake ao ake. Nā i te tau tahi mano*

iwa rau whā tekau tae atu te kāhui kaumātua o Mātaatua ki a Tā Hemi Henare i mua atu i te whakawhitinga atu ki tā wāhi ngā hoea haere. Ka mihi te kaumātua nei ka kī ake: “E Heeni maharatia o whanaunga o Mātaatua tiakina ki tā wāhi.” I runga i tēnā karanga o te kāhui kaumātua i tukuna ai e rātou he taonga pounamu he kape te hanga, he pounamu nā Muriwai. Tēnei taonga e tukuna e Muriwai ki a Puhimoanariki. I te pātaitanga atu a Puhī ki a Muriwai mō te waka nāna te kōrero whakamutunga: “Haria,” ā me te taonga ka riro ki a Puhī. [Interpreter: No translation-Nil.]

10 *E mihi ana ki a koe hoki e Ruakere ngā tātai here anō rā o Te Tai Tokerau ki a koe. Ka hoki ngā maharatanga ki a Rāhiri. Te matenga ā Rāhiri kia mōhio mai te whanaunga tēnei Rāhiri e kōrerohia nei ahau he ingoa o tēnā Rāhiri o tāua o Mātaatua waka. Te wā i a Rāhiri o Te Tai Tokerau e ora ana rua tekau mā whitu atu ngā Rāhiri i te ora, engari tēnei i take mai rā i a Te Hauangiangi me*

15 *Tauramoko e ahū atu nei ā i tēnei kōrero āku. Ka haere nei a Rāhiri ki roto o Taranaki ka uru atu ai ia i ngā tapuwae o tōna whaea a Rongorongo, ahatia he tupuna. Ka mate te koroua ki reira. Nā ō tupuna rā ia i haria atu ki te ana kōiwi ko Taniwha te ingoa, ā, nā wai rā, nā wai rā ka haere nei a Uenuku rāua ko Kaharau i runga i te tikanga o te pūmau ka whakahokia mai ngā kōiwi o tō tātou*

20 *ariki nei ki te wā kāinga nei. Kua hono anō tāua. Heoi, tērā whakatupuranga tēnā. Ka hoki ake rā ki te wā o Kupe, Kupe rāua ko Kuramarotiri, Rongorongo rāua ko Turi, Ruanui, nā ko tātou anō tātou, nau mai hoki mai. Ahatia, e tukua nei ēnei o ngā mihi kia pai ai ā koutou hokihoki ki ō koutou kāinga maha. Tāria nei ō koutou wāhine, tāne, tamariki, mokopuna i a koutou hokinga atu, e mihi*

25 *ana, nau mai hoki mai. [Interpreter: No translation-Nil.]*

E Hikurangi nama tahi, tēnā kōrero tēnā. Pēnei pea taku whakahoki i tēnā hei whakamātau i taua anō mātau mai ki a mātou. Ko wai pea te tangata tuatahi te tae mai ki te Ika a Maui? Paikea, ko Kupe rānei? E kare, mihi ana, tēnā koe.

30 *Tēnā koe me ngā tini kōrero i oti rā i a Ruakere te kōrero mō ngā mana o Ngāi Wāhine o te Tai Rāwhiti, ēnā o ngā mana i tiakina ai e o rātou reo ka hua mai ai ko te kōhanga reo. Ka mahara rā te wā i a – o Tilly, Tilly Reedy e kōrero ngātahi ana me Tā Heemi Henare, wānanga ana rāua he aha pea te ingoa tikanga mō te kōhanga reo, ka puta i a Tā Heemi ko te Kōhanga Reo ki a mātou.*

Ka puta i a Tilly, ko te Kōhanga ki a mātou, engari te take i whakawhirinaki atu ki te kōhanga, whānui ake rā te mōhio me te kōrerotanga atu i te kupu kōhanga i te ōhanga, nā ka tatū i reira. Māmā, māmā te tatū. [Interpreter: No translation- Nil.]

5

Ka whakaaro anō rā ki te wahine tuakana Mate Nepe, nāna anō rā i whakatū te Kura Kaiako ki roto o Tāmaki Ararau mō ngā kura kaupapa Māori o te motu, ā, e mea ana te kōrero, taku whanaunga nei, nāna, nā mātou a ia i patu ka mate i te mate pukupuku, engari i mea ana au koirā kē tana wairua ururoa mō te kaupapa tonu te take. Tērā momo ahu mai rā i te Tai Rāwhiti, otirā ēnei mana katoa e iriiri nei kia tohu i te mahara ki ērā o ngā hāpaitanga o te mana. Nō reira e mihi ana ki a koe e te rangatira. E Hikurangi, mai i a Hikurangi ki a koe, tēnā koe, tēnā koe, tēnā koe, otirā koutou katoa, koutou i whakaringa mai ai te kaupapa o te wā. [Interpreter: No translation- Nil.]

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Ā, e tika ana he nui ngā kōrero, he nui ngā mahi tonu. Ko te mea nui ki a mātou, whakarite mai ai ko te tūāpapa mō te āpōpō e haere mai ana. E kore pea tātou e tino kite pea i te patanga o ngā hua i o tātou wā, engari kei o tātou mokopuna te whakakite mō rātou kē. Nō reira e mihi ana i ēnei o ngā mahi a koutou, rangatira. Taku titiro i konei, e kore nei ngā mihi ki runga i o tātou wāhine e mutu, e mimiti, koutou katoa. Kua roa kē tēnei āhuetanga o te mātauranga Māori e whakatauiratia, rangatiratia ana ngā kōrero. Ko te reo o ngā tikanga, nā wai rā ka hua ko te kōhanga reo, ko te kura kaupapa Māori, te Wharekura, ā, ko te whare wānanga. I a Rina e kite ana i te tāhūhūtanga o ō koutou mana ki roto i ēnei tūāhua whare kōrero, tau ana te mihi ki a koutou, tau ana, e kore nei e mimiti. [Interpreter: No translation- Nil.]

30

A, kāti tēnei tū ōku e Ruakere kei aro mata wai nei taku tarau ngā tarau o ōku whanaunga nei: “He tohua te māhaki, he tohua te whakaiti, tā te tarau roa he mea wawata.” Ka waiho ki reira. A, kāti e hoa mā me ngā taonga o rātou mā kei roto i tēnā i tēnā o koutou e mihimihi atu ai i te ao i te pō tēnā koutou ā tēnā koutou ā tēnā koutou katoa. [Interpreter: No translation- Nil.]

WAIATA TAUTOKO

Nō reira ngā ariki ko koutou nā tohu e hono mai ai ko ngā iwi e rua e mana tonu ana o koutou reo i te rā nei ā haere ake ā haere ake. A, kāti tēnā koutou a tēnā koutou, huri nei ki a tātou mauri ora ki a tātou. [Interpreter: No translation-Nil.]

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(12:43) WAITAI TUA: (MIHI WHAKAMUTUNGA)

He hanga tiki hoki a te tinana e hokihoki kē ana tātou ko te pai e hoki tātou e hari ana kua mutu tēnei hui, āe mārika. E mea ana te kōrero: “Thank you for coming and thank you for leaving.” You should be happy that you’re leaving because we’re happy you are leaving ‘cos we’ve got to put the chairs away. We’re going to have a big kai together, oh, that’s the best part.

10

A, kāti rā, e tika ana ka tū ake rā ki te tautoko i taku hoa kākahu i tū atu i mua rā e mihi atu i mua i a tātou. I waiho ia i tana pōtae i te kaha pātiro o wana makawe kia kākahu tonu ia tana pōtae nō reira e mihi ki āia. Nā kupu i puta ake i a ia kei reira kē te manatanga o ia o tātou nei e te wairua nei kei reira kē. [Interpreter: No translation-Nil.]

15

Meinga, meinga tēnei wiki ko te kaupapa he Mana Wahine, engari e mōhio ana au tēnā pea ka pukuriri koutou ki au engari e hia ana au ka huahua wētahi kaumātua i tata ki a koutou tino tata ki a mātou ana ko Rudy Taylor ko Ben Te Haara tērā me tā mātou nei whanaunga ā Mānuka Henare, wērā tangata kua huri tuarā mai, kua [w]hakamokemokengia tātou. Me ngā rōia nāna hoki wērā tangata i mahi tahi nei i a tātou katoa kua kore anō e rātou nei i tū i o tātou taha ki te piko i a Ngā Puhi ki te anga mua mō a rātou kerēme katoa ko wērā ngā tangata toa. [Interpreter: No translation-Nil.]

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25

Me mihi atu rā ki te kaupapa nei, e mihi atu rā ki ngā Mana Wahine katoa nei e pīkau ana tēnā huarahi. Horekau rā he kōrero mōku ki te [w]hakakoretake, ahakoa ko wai te wahine, e kore e taea e kore e taea. Engari me pēnei rā taku [w]hakatakoto kōrero: “All of us being here, I love you all.” Now you can’t take that away from all of us, that’s ours. Mahara tērā kōrero nē: “Ka pinea koutou ki te pine nei, e kore rā e waikura.” Ko te pine nei ko te aroha e kore nei e waikura. Koia tēnā te whārikitanga o te kaupapa nei mō tātou katoa. Tēnei

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huihuinga e tāku nohonohonga [w]hakarongotanga e [w]hakamahara kē ana ake i a tātou katoa i te Māori i roto i a te Aotearoa.

[Interpreter: No translation-Nil.]

5 *Linda, I was your naughty student tēnā koe in 1994. Don't tell anybody. Nā reira e mihi atu ana ki a koe. Engari he koa ki te kite atu i o te ora ki runga i a koe. Tēnā koe e kawē tonu nei ana, kia kaha tonu. Linda, mai i tō tīmatatanga o te kohanga reo ina koutou e tīmata kei konei tonu koe e whawhai tonu ana mō tātou, tēnā koe. [Interpreter: No translation-Nil.]*

10

Koutou katoa e te kaitiaki ngā mihi, ngā mihi aroha. Te Karauna tēnā koutou. Ngā rōia tēnā koutou. Ko koutou kē ngā tuarā kaha nei e pīkau ana e [w]hakamaunga nei i te waka nei e [w]hakarongo mai te ao whānui he aha te kaupapa o ngā wāhi nei te Mana Wahine. He aha ai? E pēnei ana tātou he
15 *whitiwhiti kōrero ana, he [w]hakatakoto rārangi kōrero ana e [w]hakarongo e te ao whānui he aha kē te take. [Interpreter: No translation-Nil.]*

20

Nā reira kua tae ki te wā kua mutu rā mō tēnei wiki. Āe, ko mea Waitai ināianei e hoki koutou ki te kāinga erangi kei te mahi pēpi, ai kau aka. Kei reira hoki atu
ki wō tātou whānau, hoki atu rā i runga i te tūmanakotanga, hoki atu rā i runga
i te manaakitanga te ora ki a koutou, e hoki nei atu ana ki wō kāinga, e hoki atu
ana ki wō hoa rangatira, e hoki atu ana ki wō koutou tamariki mokopuna i runga
i te tūmanakotanga o te whiti o te rā. Nō reira kia ora ana tātou.

[Interpreter: No translation-Nil.]

25

Ko koutou ēnā o Ngāti Rehia ēnei, ko wēnei mātou katoa e tautoko ana i te kaupapa i tae mai i tēnei haora i tēnei rā ātaahua ki te tautoko i te whakamutunga. He mihi aroha kua tūtuki i tēnei wāhanga mō tātou katoa ka mihi ka mihi tēnā rawa atu tātou katoa. [Interpreter: No translation-Nil.]

30

WAIATA TAUTOKO

Ngā mihi aroha mutunga mō tātou katoa. E parangia mai e te atua e horaina e [w]hakawātea kia tae tātou ki wō tātou kāinga koia anō rā i te tūmanakotanga te manaakitanga, kia ora huihui mai anō tātou katoa.

[Interpreter: No translation-Nil.]

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(12:51) FOURTH UNSPECIFIED SPEAKER: (MIHI WHAKAMUTUNGA)

A, kia ora anō tātou. Kua tae ki te wā he mutunga pēnei mō tātou katoa. Heoi anō e hoki mihi atu ana e te tēpu ki a koutou e nohonoho konei e whakarongo ka mihi ka mihi ka mihi ki a koutou. A, i tēnei wā e ngā whaea he tīmatanga hīmene mā tātou, māku rā e kapi tā tātou nei huihuinga.

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[Interpreter: No translation-Nil.]

WAIATA TAUTOKO

15 **KARAKIA WHAKAMUTUNGA**

HEARING CONCLUDES: 12.54 PM