

IN THE WAITANGI TRIBUNAL

WAI 2700

WAI 2872

IN THE MATTER OF

The Treaty of Waitangi Act 1975

AND

IN THE MATTER OF

the Mana Wāhine Kaupapa Inquiry

AND

IN THE MATTER OF

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

BRIEF OF EVIDENCE TINA NGATA

Dated this 31st day of May 2022



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MAY IT PLEASE THE TRIBUNAL

Introductory Remarks

1. My name is Tina Ngata. I am a Ngāti Porou woman, descending from the lines of Te Whānau a Hinerupe, Te Whānau a Karuwai, and Te Whānau a Rakaitemania
2. I graduated from Massey University with a Bachelor of Arts majoring in Māori Studies. I undertook post graduate research with Te Pumanawa Hauora on Te Hoe Nuku Roa, a longitudinal quantitative study on Māori health, and was a support lecturer for Treaty of Waitangi and Mana Wahine studies.
3. Subsequent to my work at Te Pumanawa Hauora I worked at the University of Otago School of Medicine in Wellington, at the Women's Health Research Unit, on a study called E Hine, which focussed upon the barriers to care for young Māori mothers aged under 20 and their infants. Whilst employed by the University of Otago School of Medicine I also provided support lecturing to Hauora Māori papers, and studied public health and environmental health at postgraduate diploma level.
4. I returned to my homelands of Te Tairāwhiti in 2012 at the request of my own kaumātua, to teach environmental health on our Ngāti Porou marae, which I did from 2012 through to 2015.
5. From 2012 I also became involved in international Indigenous rights advocacy through involvement in various forums within UNESCO and the United Nations. In particular this has included strong collaborative relationships with other Indigenous women from around the world, and chairmanship of the Global Indigenous Womens' Caucus at the United Nations Permanent Forum for Indigenous Issues, which has been a great honour and learning opportunity.
6. Through my involvement in the abovementioned international Indigenous forums, I came to learn about the Doctrine of Discovery and in particular its impact upon Indigenous Women. I have been honoured to have taken part in panels in the United States (New York) and Canada on this topic.

7. From 2012 to 2019 I researched the journals of James Cook and other members of Cook's voyages to understand their self-reported perceptions and treatment of Indigenous peoples within Te Moananui a Kiwa (The Pacific Region).
8. In 2016 I commenced my Master's studies with Te Whare Wananga o Awanuiarangi focusing on the application of the Doctrine of Discovery in Aotearoa. I completed my thesis in 2018 and graduated in 2019.
9. I also published a book of essays on the application of the Doctrine of Discovery in Aotearoa in 2019 entitled "Kia Mau: Resisting Colonial Fictions".
10. I am currently working as a covid response lead in my community of Matakaoa, an area spanning from Potikirua in the north of the East Cape through to Whangaokena, and south to Whakaangiangi. I live here, on the lands of my ancestors, and my work is chiefly centered in dismantling the colonial barriers to healthcare experienced by my communities in Matakaoa as rurally isolated Māori communities, in order to maintain equitable outcomes in the face of the Covid pandemic.
11. I am further involved in the national action plan against racism on behalf of the Iwi Chairs Forum, which includes education and training for Crown officials on the Doctrine of Discovery and its application in Aotearoa in both historical and contemporary settings.

INTRODUCTION

My brief will focus on the following areas and has been shaped by numerous sources:

- a) I will first discuss the status of wahine Māori within the context of Matakaoa and further afield in Ngāti Porou this is informed by the teachings of my own elders as well as the writing of our rangatira Apirana Mahuika, and of my own ancestors such as Paratene Ngata and Ngāti Porou ancestors such as Hanara Reedy. This is further influenced by teachings from wahine leaders such as my tuakana Rhonda Tibble, Ani Pahuru-Huriwai, and Kōkā Hinetu Dell and Rauhuia Smith.
- b) I will expand upon these concepts to discuss the role of wahine Māori pre-1840 as expressed through ancestral literary, oratory, and fine arts. Much of this has been influenced through my study of woven and carved arts at Te Putahi a Toi School of

Māori Studies at Massey University under the tutelage of Ngāti Porou scholars Professor Robert Jahnke, and Professor Julia Taiapa.

- c) I will further contrast these learnings with the treatment of women by colonial forces within the global imperial project and discuss the treatment of wahine Māori by colonizers pre-1840. This has been shaped by my own postgraduate research and work alongside Indigenous women around the world.

PART 1: NGA WAHINE KAIHAUTU O NGĀTI POROU

12. 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 focussed upon Atua Tāne – male gods – and ignored a multitude of Atua Wāhine, resulting in a male biased perception of our pantheon
13. Similarly, early ethnographers focussed primarily upon male leadership, with preferential treatment of male roles, male duties and male figures in Māori society. This has warped the perception of pre-contact Māori culture as being male dominated. Further, early ethnographers failed to comprehend the drivers of social phenomena as they were observed, and often applied a Eurocentric lens to their analysis, which would result in a sexist mis-framing of observed phenomena.
14. That said, even early explorers noted that female leadership was prevalent within Tairāwhiti. In the primary invasion of Aotearoa by English forces, led by James Cook in 1769, it was noted that he met with Ngāti Porou ariki Hinematiaro.
15. Hinematiaro was of such high birth that her feet were not permitted to touch the ground, and so she was often carried by litter. Her importance was recognised by numerous early Europeans in New Zealand. The missionary Thomas Kendall, stationed in the Bay of Islands, in 1815 informed the Church Missionary Society headquarters in London that Hinematiaro was 'queen of a large...district' on the East Coast. In New South Wales the Reverend Samuel Marsden had often heard of her: the 'great Queen' who possessed 'a large territory and numerous subjects'.

16. In fact if you look across Ngāti Porou you will see that across our entire landscape, our people identify themselves through their female ancestors, and it is our female ancestors who have carried the mana whenua of our iwi. This is reflected in the numerous hapu, landmarks, wharenui and wharekai named after tipuna wahine.
17. If you begin in the north, my own region of Matakaoa is resplendent in hapu and whare that are named from our tipuna wahine, including:

Hapu:

Te Whānau a Tapaeururangi
Te Whānau a Hinerupe
Te Whānau a Te Aopare
Te Whānau a Te Aotaihi
Te Whānau a Tapuhi
Te Whānau a Tarahauiti

Whare:

Hinemaurea
Hinerupe
Tamateaupoko
Te Ruatarehu
Rongomaitapui
Te Aotaihi
Te Puna Manaaki o Ruataupare

18. Our illustrious connections to the north of us, with our relations Te Whānau a Apanui and Whakatohea, are founded upon our shared female ancestry and has been connected through the to mana of ancestress Muriwai from the Mataatua waka. This is also said to be a contributor to our distinct reverence of wahine within Ngāti Porou aristocracy. Esteemed Whānau a Apanui and Ngāti Porou historian Eruera Stirling noted that throughout our history, the bloodlines of Muriwai have been re-injected into Ngāti Porou whakapapa to honour the mana of this revered tipuna wahine and to retain her mana within our own lines.
19. As a descendant of Muriwai, our ancestress Uhengaparaoa is celebrated by Ngāti Porou elder Anaru Kupenga as the binding ancestor which delineates the shared mana of Ngāti Porou and Te Whānau a Apanui over the Raukumara ranges. This is encapsulated in the following quote:

"The scope with which she [Uhengaparaoa] and her two daughters had brought with them was beyond all expectations of a people in command of over 200 miles of Coastline from Opotiki travelling east and back to Opotiki and all thousands of hectares of virgin native bush, fertile land within topped off with the world's most renown mountain Hikurangi surrounded by his wife and six siblings Aorangi, Whanakao, Wharekia, Taitai, Urutapu, Kapua and Te Paratu Ikawhenua o nga Pae maunga o Te Raukūmara is nothing less to boast about. The terrain maybe rugged but rich with flora and fauna no less equal to the rich sea harvest to sustain a lifestyle of endless food chain resource that would contain the needs of its people for many, many years to come. She and her two daughters brought great mana to both descendants of Te Whānau a Apanui and Ngāti Porou Tribes."

20. Further links to the north that are foundational to our female ancestry in Ngāti Porou include the ancestress Ruawaipu, whose father Tamahurumanu came from Whakatane to settle in the Waiapu. Ruawaipu is described by tipuna Hanara Reedy and Eruera Stirling as the foundation of all mana whenua within Ngāti Porou.
21. Ruawaipu held considerable mana whenua and is recounted as an eponymous ancestor to this day, even though she was not the eldest of her line. This testifies to the fact that women were accorded mana through their actions and behaviours in addition to their inherited mana, in much the same way as men were. There are numerous other examples that could be cited in the same way where the leadership of tipuna wahine within Ngāti Porou resulted in the accumulation of mana whenua and growth of mana tangata status to the point where it eclipsed that of their elder siblings.
22. Ruataupare is yet another tipuna wahine who, although not the eldest, came to be revered as the one of the bearers of the greatest mana within Ngāti Porou. She holds status across numerous areas within our region, starting in her home of Wharekahika where she was born, and met and married her husband Tuwhakairiora. The military campaigns of her husband came to shape the political landscape and land holdings of our iwi in ways that are still manifest to this day – however the mana whenua of this powerful union has always been recognised as belonging to Ruataupare. Her mana is further represented by her descendants of Te Whānau a Ruataupare in Tuparoa, and Te Whānau a Ruataupare in Tokomaru.

23. Hinerupe is another such tipuna wahine, whose hard work, care and love for her people has retained her position 14 generations later as a revered, cherished and well known tipuna wahine for the Matakaoa region, even though she was the youngest daughter in her family. This mana extends south from Matakaoa into the Waiapu valley, where Te Whānau a Hinerupe also resides at Tikitiki. The daughters of Hinerupe, Te Aotaihi and Te Atahaia, became known as the progenitors of the chiefly lines of Ngāti Porou.
24. One way of honouring the great mana of ancestors was in the naming of landscape features after them. One of the most prominent coastal features in Wharekahika, Matakaoa is “Te Toka a Te Aotaihi” named after the highest-ranking daughter of Hinerupe.
25. The northern banks of the Waiapu was also home to Ruawaipu and numerous other revered tipuna wahine such as Hinepare, who was also a taina (younger sibling). Hinepare retained her mana over these lands in spite of strong male competition in the surrounding areas.
26. Moving across the mouth of the Waiapu you enter the lands of Tikapa, which were overseen by the tipuna wahine Hineauta, regarded as a queen by her people, of such reverence that she was, like Hinematiaro, borne aloft everywhere she went. Similar to the earlier account, one of the dominant coastal features of this part of Ngāti Porou is called “Te Toka a Hineauta” and is so tapu that only her descendants may dive around that rock to this day.
27. From Tikapa inland you arrive to Te Horo, lands of my own tipuna wahine Rakaitemania, renowned gardener whose mana was greatly enhanced by her ability to feed the people. This is reflected also in the naming of the landscape – for example the bluffs above the wharenuī named after her at Te Horo Marae are called “Te Pari Karangaranga a Rakaitemania” The cliffs from where Rakaitemania would call to her people to come and be fed.
28. Further inland to Ruatoria, Reporua, and Uepohatu, in addition to the mana of Ruataupare in Tuparua you have the leadership and mana whenua held by tipuna wahine Uepohatu and Hinetapora, also descendants of Ruawaipu. Uepohatu is recounted in some histories as having mana whenua which pre-dates the arrival of waka, that is to say that she descends from this very land. The lands of Ruatoria, and up the Waiapu

Valley to encompass the most esteemed maunga of our people, that of Hikurangi, sits within the mana of Uepohatu and her descendants to this day. Indeed, as Apirana Mahuika states in his thesis, it was by way of sending her daughters out across Ngāti Porou rohe that Uepohatu retained, and amassed further mana.

29. In mentioning our sacred mountain Hikurangi it is also important to note the importance of this maunga. It is by the peak of Hikurangi that Te Ika a Maui, the colonizer name of which is the North Island, was fished out of the ocean by our ancestor Maui-Tikitiki-a-Taranga. The twin peaks are named Te Tipi o Taikahu (the erection of Taikahu) and Te Tone o Hauku (the clitoris of Hauku), references to the equitable status of women and men. That this is present in the most sacred feature of our landscape gives us an indication of how central gender equity was in our identity as Ngāti Porou.
30. Ngāti Porou claim direct descent from Maui-Tikitiki-a-Taranga. Maui-Tikitiki-a-Taranga is an ancestor and deity who holds great mana not only across Ngāti Porou, but across Māoridom and indeed further across Te Moananui a Kiwa. It is important to note the role of wahine in the stories of Maui-Tikitiki-a-Taranga. He derives his name from his mother, Taranga. He derives his knowledge through his ancestress Muri-ranga-whenua. In spite of a lifetime of pushing boundaries, his ultimate undoing came when he disrespected the sanctity of his ancestress Hine-nui-te-po. These are pivotal allegories that provide an insight into the values and worldviews of our tipuna.
31. Also, in this part of our region we see the mana whenua and reverence of tipuna wahine Hinekehu, who also held mana over parts of the area now known as Ruatoria, Mangaharei, and portions of the Tapuaeroa Valley, and across towards the Mata River. Her daughter Whaene took Poroumata as her husband and their three daughters Materoa, Tawhipare and Te Ataakura begat dynasties of Ngāti Porou leaders.
32. Materoa herself held sway over the lands of Whareponga, described as the seat of power within Ngāti Porou, and home to Te Whānau a Mate. Her mana extended further south through to Turanganui a Kiwa and is still recognised there today.
33. Further along the coastline we come to Waipiro Bay, which rested under the mana of Iritekura, who was gifted these lands by her Uncle Tuwhakairiora. The fact that these lands were gifted to her, even though she had older brothers, is further testament to the

fact that women were regarded as political equals within the Ngāti Porou ancestral worldview.

34. In saying that, it is not the opinion of Ngāti Porou scholars that women were the economic equals of men. They were in fact superior. It is noted in Apirana Mahuika's thesis, supported by elders Eruera Stirling and Hanara Reedy, that the mana whenua of Ngāti Porou, as an economic base, descended through women's lines. The reasons for this were many.
35. One reason often cited is that women held the power to gift life, and to take life. This is both in a practical and ceremonial sense. Of course, it was respected that our tipuna wahine provided life through childbirth, but it was also respected that should she wish, she could take actions that resulted in the abortion of a child, and the ending of a whakapapa line. The role that pregnant women held as the ultimate determinants of the fate of children, both in-utero and as their primary caregivers, was respected by our tipuna.
36. Additionally, the ceremonial and divine roles of women both as tohunga and Atua wahine were revered in their presence at these two pivotal transitions of birth and death. Hineteiwaiwa and Hinenuitepo respectively ruled over these domains as the Atua of birth and death.
37. "Ma te tangi o te wahine ka uru mai koe ki Te Ao Marama, ma te tangi o te wahine ka wehe atu ki te po" Upon the cry of a woman you enter into this world, and upon the cry of a woman you will leave. The tangi of a woman holds specific relevance in the rituals of the dead, in that they assist the wairua to detach from the body and begin its journey to Rarohenga.
38. It was further taught to me by Ngāti Porou kuia Rauhuia Smith that the first karanga was a karanga tangi, a cry of grief by Papatuanuku at her separation from Ranginui. From that day to now, karanga has held a sacred role in calling forth the ancestors to guide our deliberations and gatherings.
39. The sacred role of wahine in the negotiation of states of tapu and noa is also referenced in our wharenuī, through their placement on pare (lintels) above doorways so that,

through passing beneath them to enter the whare, we are made safe for our discussions and learning.

40. Further acknowledgement of the mana of wahine by carvers includes the presence of wahine along the rauawa (side strakes) of waka taua, the spiritual function of which would be to aid in the transition of tapu and noa for those travelling on the waka.
41. The transitioning between states of tapu and noa is fundamental to spiritual safety within Te Ao Māori. It was a practice normally reserved for the mataamua line, however it is important to note that wahine, with their specific roles in overseeing the most paramount transitions between this world and the afterworld (that being birth and death) gave them particular spiritual relevance and authority in this context.
42. Another reason for the descent of mana whenua through female lines that is often cited by my own kaumatua and also confirmed by Mahuika and Reedy, is that in some instances, particularly for wahine rangatira they may take lovers while their partners were away on military campaigns. While the patronage of a child was rarely disputed, the identity of a child's mother could never be disputed. The descent of mana whenua from the female line was therefore a matter of added security to ensure that land was passed down along the appropriate whakapapa lines.
43. To return to the mana whenua of Ngāti Porou, moving south from Waipiro Bay you arrive to Tokomaru Bay, where, as mentioned earlier, the mana of Ruataupare extends to the hapu Te Whānau a Ruataupare. Even after her separation from her husband Tuwhakairiora, Ruataupare continued to call upon him for strategic defence of mana, and like many other wahine rangatira, including her niece Te Aotaihi, was a military strategist in her own right.
44. Further south of Tokomaru to Anaura you have Hinetamatea, the meeting house named after the tipuna wahine who held mana over these lands, and just inland from Anaura you also have Hinemaurea ki Mangatuna, the summer residence of the same Hinemaurea from Wharekahika.
45. The ties between Matakaoa and the southern ends of Ngāti Porou are further manifest in the residence of Hinematiro, who descended from northern tipuna Rerekohu, but resided in Uawa. Her grandson, the famed Te Kani a Takirau, inherited her mana and

this was also the northern boundary of a mana whenua alliance known as Te Kupenga a Te Huki which extended all the way down into Te Matau a Maui (Hawkes Bay).

46. Tamateaupoko of Matakaoa was further revered south of Uawa, in Whangara. Whangara was also the eventual residence of our ancestress Hutorangi, who is yet another tipuna wahine from the north in Matakaoa, from whence she inherited the mana whenua of her mother Araiara, wife of the captain of Nukutere waka, Te Whironui and an accomplished oceanic navigator herself.
47. Hutorangi met her husband, the famed ancestor Paikea, when he came ashore near Rotokautuku north of the Waiapu. From there they lay together at Rotokautuku and it was recounted to me by kaumatua Mateohorere Manuel and Hone Manuel that when they first lay together, Hutorangi was menstruating. The reason for them laying together while she was menstruating was because of her tapu state, it was therefore seen as a sacred ceremonial act because of her menstruation. This is in stark contrast to the colonial putrifaction of menstruation, which Ngahuia Murphy writes extensively to.
48. Futher to the south of Whangara near the southern boundary of Ngāti Porou you see the celebration of the mana of tipuna wahine Hamoterangi, who resided here after landing on the waka Ikaroa a Rauru. The stream which fed the local hau kaenga of this area is known as Te Wai u o Hamoterangi (the breastmilk of Hamoterangi).
49. As demonstrated above, there is nowhere in Ngāti Porou where the mana of our tipuna wahine is not prevalent. Indeed, the korero of our tipuna wahine dominate our historical political, economic and geographical discourse. For this reason, we are known as an iwi which privileges the role of women within our aristocracy, and society in general.

PART 2: THE APPLICATION OF THE DOCTRINE OF DISCOVERY

50. I now turn to the application of the Doctrine of Discovery and how it has impacted upon Indigenous women including wahine Māori.
51. As recounted above, Pre-colonial wahine Māori were landowners, spiritual and political leaders, military strategists and oceanic navigators. While the acquisition of the vote was progressive within the colonial context, wahine Māori nevertheless struggled, and

still struggle, to recover their political rights. The status and roles of wahine Māori were, in many ways, an anathema to colonial Britain.

52. While our tipuna wahine were repositories of sacred knowledge, women were restricted from even attending school in Britain and Europe. During the 1700s, where wahine Māori were political leaders, significant landowners and developing and running their own schools of learning in Ngāti Porou, women in Britain and Europe were unable to own land, education for women in Europe was prefaced on their inferior role in society and aimed to make them marriageable.
53. While the 1800s brought further opportunities for women to participate in science and education, this rested within a racist imperialist context which did not accord such liberties to non-European women. Indeed, colonial European women have wielded and abused racial privilege to the detriment of Wahine Māori throughout our experience of colonization.
54. The level of economic and political power in the hands of wahine Māori was unconscionable to colonial perspectives of the time. Even though women were significant landholders and political leaders right up to the signing of the treaty, the inability of colonial mindsets to accept such equitable power distribution was reflected in the fact that wahine leaders and landholders were in many cases disallowed or discouraged from signing Te Tiriti o Waitangi by the men who were charged with collecting signatures. One such example of this is the story of Hine Aka Tioke, of Kahungunu, who was refused the right to sign Te Tiriti because the officials at the time believed that women had no constitutional power to sign contracts.
55. It is broadly accepted throughout decolonial scholarly discourse that colonialism is a highly gendered process whose effects are disproportionately felt by women. The colonial lens is a misogynistic lens, in addition to being a white supremacist lens, and so the subsequent assumptions naturally placed wahine Māori within intersecting crosshairs of racism and sexism and this has continued to shape our destinies, and that of our children.

56. This is not to say that the impacts upon wahine Māori are coincidental. The targeting of wahine Māori is not an unfortunate by-product but a deliberate feature of the colonial project. The disruption of social organisation was a crucial step in the colonial process, and the oppression of women was the fastest route to destabilising the primary social unit of Whānau, which sat at the heart of Māori social organisation.
57. The targeting of Indigenous women has been an entrenched feature of colonialism seen around the world, wherever it took place. At the 1890 Wounded Knee Massacre in North America, officers noted that the women and children were specifically targeted because they would “make up the future strength of the Indian people”.
58. Cree associate professor and researcher Kim Anderson asserts:

“Western culture has typically not promoted, documented, or explored the culture(s) of its women.” On the other hand, First Nations cultures have generally contextualized the existence of women in important and foundational ways. These cultural practices are manifest in languages, in ceremony, and in the understanding of women as beings of power and of place, who are instrumental to the literal and figurative lifeblood of their communities and families. These practices, beliefs, and ways of being were fundamentally misunderstood or deliberately ignored within the context of colonization, which sought to erase and eradicate the power of women”.

This can be said to also be true of the colonial response to the positioning of women within Te Ao Māori contexts.

59. Throughout the colonial experience, Indigenous women have been cast as evil, polluted creatures and Wahine Māori are no exception to this rule. This judgement of women can be seen to stem from the legacy of religious sexism, and the core role of Christian supremacy within the the Doctrine of Discovery process. Anthropologist Elsdon Best described the reproductive organs of Wahine Māori as:

“This ‘house’ of misfortune, of ominous inferiority, is represented by this world, by the earth, by the female sex, and by the female organ of generation, which holds dread powers of destruction and pollution.”

60. Best's racist and sexist perspectives of Māori women were not unique to him, they are a part of a legacy of racist European academic discourse that has either fetishised or judged and demoralised Indigenous women from its very inception, including by Enlightenment architects such as Voltaire, who posited that various races were in fact different species altogether, with European being superior to all other.
61. Such racist theories are baked into the foundation of social science discourse, was prevalent in the representations of Māori and Pacific peoples from the 1700s onwards. For example, the term "mulatto", used today to describe someone of mixed ethnicity, grew from Voltaire's suggestion that mixed race is akin to the mixing of mules and horses. These racist assumptions were built upon by social scientists over the years, including Elsdon Best.
62. Indigenous women have also been targeted with extreme sexual and physical violence as a part of the colonial process. Colonial conquest is, at its heart an act of war, and like all wars, it comes with sexual violence. The intractable presence of sexual violence within the colonial process is seen in Australia, the United States, across the Caribbean, in South America, in Canada, New Zealand, Southeast Asia, India and the African continent.
63. Rape featured in the colonisation of Aotearoa New Zealand throughout its history. It occurred at the hands of early crews of explorers, as well as the whaler and sealer colonial settlers that followed, and sexual impropriety towards Māori has been noted as one of the driving forces behind calls for Britain to enact a level of governance over their own peoples, a pretext to the drafting of the Treaty of Waitangi.
64. In colonial mindsets, women were not afforded any form of sexual agency. The expression of sexual and relational agency by wahine Māori, a manifestation of our equitable social position within Te Ao Māori, was framed by colonizers as deviancy, legitimising settler maltreatment of wahine. The creation of the "dusky south sea maiden" trope was a common colonial tool across the Pacific region that positioned Indigenous women of the Pacific as hyper-sexualised wanton commodities.

65. Similarly, the infection of wahine Māori with venereal disease has occurred since the earliest contact with Cook and the Endeavour crew, with Cook noting in his journal: *“A connection with Women, I allow because I cannot prevent it”*. Cook was aware of the impacts of new diseases upon unprotected native populations, having served under Field Marshall Jeffrey Amherst in Newfoundland during the Seven Year War where smallpox infected blankets had been deliberately used to thin out native populations.
66. Cook was further aware of the presence of gonorrhoea, syphilis and tuberculosis amongst his crew. The predictable result of a decimated population and infertility was noted by Cook when he subsequently returned to these communities, noting in his journal: *“We interduce among them diseases which they never knew before”*. It was further noted by crewman Riou aboard the Discovery that: *“we ourselves that has entailed upon these poor, unhappy people an everlasting and miserable plague”*.
67. The primacy of imperial expansion over the Māori right to undisturbed wellbeing, and in particular the wellbeing of wahine Māori, is manifest in continued imperial expansionist voyages, continued infections, continued disregard for the loss of Māori life through infection.
68. From the earliest reports back by Cook and the Endeavour crew, the Pacific region, including Aotearoa, was presented as an exotic site of easy fornication, and this was seized upon by European imaginations. In London, socialite and brothel-keeper Charlotte Hayes held themed evenings based upon the letters sent back from Cook’s travels, which positioned native women as lascivious sexual objects. Pornographic periodicals across Europe soon followed, and further capitalised upon the trope of exotic, promiscuous women of the south seas. These observations were further taken up and academically fantasized upon by Voltaire and Diderot. This notion has existed across time, fuelling colonial sexual violence against wahine and setting the tone for hypersexualised cultural appropriation which continues to this day.
69. The Pacific region has held economic and military strategic importance for centuries and has been accordingly targeted by European imperial interests across the same length of time. As noted by scholars Trask, Teaiwa and O’Brien, violence towards native

women was central in the forging of Euro-Pacific empires. Wahine Māori, like all women of the Pacific, have been primitivized, fetishized, demoralised, de-sanctified, and consumed in a time-honoured colonial process that has been carried out around the world to facilitate the destruction of Indigenous society and lay claim to Indigenous resources.

70. The targeting of women and children by imperial expansionists is present in some of the earliest discovery proclamations. For example, El Requerimiento, utilised by Spanish explorers, stated that if native people resisted imperial force they would: *“powerfully enter into your country, and shall make war against you in all ways and manners that we can, and shall subject you 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”*
71. All proclamations of discovery upon Indigenous lands were based upon the principles of the Doctrine of Discovery which, as stated by Dr Moana Jackson, claimed rights not only over other lands, but over the bodies of the people who belonged to that land. New Zealand/Aotearoa has not been an exception to these phenomena.
72. The assumptions based within the Doctrine of Discovery, based upon ideas of European male supremacy, was in direct conflict with the Ngāti Porou worldview and universal order, which placed wahine Māori as central to social wellbeing, with inherent spiritual, economic and political authority and sexual and relational agency of their own. This set in train a series of colonial philosophical and political responses which set the scene for the ongoing abuse of wahine Māori post 1840.

Dated this 31st day of May 2022



Tina Ngata