

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

WAI 2700  
WAI 381  
WAI 2260

IN THE MATTER of the Treaty of Waitangi Act 1975

AND

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

AND

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

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**BRIEF OF EVIDENCE OF DAYLE TAKITIMU**

**7 June 2022**

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**KĀHUI**  
LEGAL

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**WELLINGTON**

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Waitangi Tribunal

**7 Jun 2022**

Ministry of Justice  
WELLINGTON

**AND**

**IN THE MATTER**

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

**I, Dayle Takitimu of Te Whānau a Apanui, Barrister and Solicitor of the High Court, say:**

**INTRODUCTION**

1. My name is Dayle Takitimu. I am the pōtiki of the whānau Takitimu. I am a taina to most. I whakapapa to Te Whānau a Apanui, amongst other Tairāwhiti and Waiariki iwi affiliations. My primary affiliation is to Te Whānau a Apanui because I have been raised for some time under the mantle of that particular iwi.
2. I am trained in colonial law and hold a law degree from Victoria University of Wellington, named after the Queen with whom my peoples signed a sacred treaty her successors have failed to honour. I hold a masters degree in law from Auckland University, once site of the British colonial government in occupation. I hold post graduate qualifications in indigenous human rights law from Columbia University of New York, who occupy lands stolen from the Lenape nation to create slave auction yards for people stolen from their motherland in Africa. My profession is not colonial law, it is a reo I have learnt to speak from necessity.
3. If I were not compelled, by circumstance, to dedicate large tracts of my time to colonial law, my profession would be as a keeper of our truth, an explorer of our knowing of ourselves, an indigenous legal philosopher. I strive to be a conscious iwi citizen actively exercising my rights, duties, entitlements and obligations in a way that honours the integrity of my ancestors that I hold, on sacred trust, for my mokopuna. I am a mokopuna of Apanui first, this is my Hawaiki connection and trumps all else in my defining of myself. For the iwi I hold certain trusts, one is as a legal representative and advocate for our inherent right to self-determination.
4. I am also a keeper of our narrative, like so many of us. To that end, in this lifetime, I am a poet. A writer. A teller of story, of song, of script. Storytelling is an ancient craft, known to all civilisations – its functions are to transmit knowledge, make sense of our

understanding of our world and ourselves, to propel change (where change is necessary), to stabilise and reaffirm (when required), to harness and claim space for knowing.

5. I have published indigenous poetry, story and law in books, journals and online through various fora for over 30 years, both within Aotearoa and internationally. Some of those writings have now been translated and published in five different languages, including te reo Māori, the language of my bloodline. I have performed indigenous poetry, mine and those authored by others, at art gallery openings with chortling patrons sipping wine and cheese, in whare tūpuna amongst wānanga of our own people, projected upon the water in holographic form, under the celestial sky, and within sacred circles of wāhine Māori. I have performed and written for every “Psalms of the Revolution” (a spoken word forum) since its inception. I cannot speak to the quality of my contributions, only to say there have been many.

**Pepeha\***

\*adapted for this forum

6. I am a mokopuna of Hawaiki, one of the seeds sown from Rangiātea. My whakapapa extends from Hawaiki, and back to Hawaiki, complete and uninterrupted.
7. In standing before the Tribunal, I do so not as an individual, but as the present manifestation of my lineage. We are, by whakapapa, Hawaiki personified. In the words of Cinque, an enslaved African who led the revolt aboard the Amistad and whose case was decided by the US Supreme Court in the year of our treaty, 1840, said, *“We won’t be going in there alone, I go with my ancestors. I will call into the past, far back to the beginning of time, and beg them to come and help me at the judgment. I will reach back and draw them into me. And they must come, for at this moment, I am the whole reason they have existed at all.”*

8. This is not an egotistical position, simply an explanation that we exist as part of a whakapapa continuum, and in the present moment we represent that whakapapa, both past and future, in its entirety.
  
9. I stand before the Tribunal as a singular, but concurrent, manifestation of my ancestry; literally every cell in my composition derives from those who created me. My creation story is interwoven into our peoples creation story. I stand as my kuia Hariata Monita, as Hiraina Te Opaipa, as Kararaina Toopi, as Arihia Houia, as Te Putanga o Rehua, as Te Mohihi, as Nawena, as Te Rangitepakia, as Tawhana-i-waho, as Tutawake, as Te Takuna, as Apanui Ringamutu, as Rongomaihuatahi, as Hinemahuru, as Te Marewa o te rangi, as Tuahiawa, as Te Aomoengariki, as Tanemiti, as Tuwharemoa, as Te Ataorongo, as Tanerakaia, as Te Au, as Ruaihunui, as Tanemoetara, as Ruahei, as Uenuku wananga, as Uetuhoe, as Taiwhakarawarawa, as Papari, as Tuhiroa, as Mawake, as Motuihimataotao, as Ohinemotu, as Poumatangatanga, as Rata, as Te Kani o wai, as Wahieroa, as Tawhaki, as Maikukumakaka, as Urutonga, as Hema, as Kaitangata, as Rehua, as Tangaroa, as Ranginui, as Papatūānuku, te whenua e manaakitia tonu i a tātou, te hunga tangata - ko au tonu tēnā, i mua i a koutou; pērā ngā mokopuna Māori katoa, ko te ira tangata me te ira atua i te tamaiti kotahi.
  
10. Tera te ataahuatanga o te whakapapa Māori, kei roto i a tātou katoa tēnā magic. Kei roto tonu i ahau te ira wahine me te ira tane; kei te noho ēra mea e rua i te tangata kotahi. Ehara he mea “gender fluid” tēnā; he mea tapu kē, tapu rawa; he hononga tēnā mai te tangata ki tōna whakapapa katoa me ngā wānanga, ngā kura kei roto. Ngā āhua katoa kei a ia.
  
11. Nā, ahakoa te hōhonu o ngā kete matauranga kua riro nei ki a mātou, me te kai kei aku ringa, he reo mokopuna tēnei i mua i a koutou, ehara te reo tohunga. Engari anō, he reo anō tō te mokopuna, na te kitenga o te mokopuna, ka taea te katoa ki te mōhio me pehea te oranga o te iwi kei te haere tonu mai. I te ngakau whakaiti ka tukuna ahau ēnei kupu kōrero.

### **Whenua whenua**

Reduce my ancestry  
To a bundle of shares  
Diminishing divinity  
By legislative sword  
But there shall be no application  
For an occupation order  
In Hawaiki; there I still exist  
I'll be woven forever  
Into its landscape, its form  
While here the reach of Westminster threatens my  
tūrangawaewae  
There, always, my tūanga tūturu will be  
Irihapeti has no power to place colonial tenure  
Over my soul

### **OUR LEGITIMATE RIGHT TO BE US**

12. As wāhine Māori we have both the right and the obligation to be us. We are not here by accident, nor by history's happenchance. We are here by intention, and our oral and visual traditions are testimony to that.
13. We fulfil a unique place within our societal structures; that simply would cease to function without the necessary presence of mana wahine. It is not mana wahine alone that is necessary, but rather it acts in concert, conceptually, with other elements of our collective composition.
14. Like all peoples, globally, we have the right to self-determination. That is a fundamentally safeguarded right at international law. Peoples around the world each have distinct expressions for how they manifest self-determination or the freedom to be self-determining. Self-determination is manifest as rangatiratanga in our tribal law and knowing.
15. Nobody grants us those rights, as wāhine, or as Māori. We are recognised as having the requisite capacity for them simply by virtue of our existence, as peoples.

16. Much can be said about self-determination; but at its most foundational it comprises the right to define oneself (even at a collective level), and I, like others, claim that right before this Tribunal, as indeed we, as wāhine Māori are compelled to do, every day, before the world.
17. We cannot talk about mana wahine without ensuring the frame for the conversation is ours. Conceptual integrity must be safeguarded. We cannot juxtapose our definition of ourselves to the colonisers 'normal' or 'mainstream', we cannot reduce our indigenous truth and realities to folklore and fairy-tales simply because it finds no value within an oppressors system. We must seek to understand mana wahine on our own terms.

#### **A COMPLETE SYSTEM, A COMPLETE PEOPLES**

18. It is hard to talk of mana wahine in a 'pre-1840' and 'post-1840' way. Certainly 1840 is significant for the Crown interruption it heralded, but beyond that it is a year within eons of whakapapa that do more to define us than any other interaction.
19. Where I am from, mana wahine existed before Crown incursion, and will, it is hoped, exist well after. It is a lens through which we may know ourselves, our relationships.
20. Notwithstanding, a 'pre-1840' focus delivers us to some stark facts, well established by evidence, oral and written. Those facts are these:
  - (a) That in 1840, when Europeans first attended these islands, Māori existed and were established as independent but inter-related tribal peoples.
  - (b) That at that time of first contact some iwi had occupied these lands for more than 14 generations.
  - (c) That for those 14 generations preceding Crown contact those iwi did not need the Crown to function at all.

- (d) That we were, in fact, fully functioning societies at that time, and were able to meet our own needs, to regulate our own societies, to govern ourselves autonomously (in my iwi this was done, and continues to be done, at a hapū level).
- (e) That our social, governmental, cultural organisation was complete, intact and functioning and that we were learned peoples with a sophisticated understanding of ourselves and our environs, te ao turoa, the ancient world.
- (f) That we engaged in higher learning, we transmitted a plethora of knowledge between generations, including the necessary means to survive. We were highly technological peoples, having developed vessels, scientific methodologies, weaponry and permaculture in pursuit of innovation. We were creatively rich peoples, with advanced visual, vocal, intellectual and martial arts being conduits for expression and education.
- (g) That our inter-relationships were steadfastly prioritised and maintained to the extent that the tool used to maintain relationships, whakapapa, was embedded as a most necessary and sacrosanct practice amongst us and we built our culture around it. Our peoples autonomy is predicated on our reciprocal inter-dependence on each other; our relationships afford us our freedom.
- (h) That within our dynamic and complex existence, stability was achieved through social cohesion; and that inclusivity was a default setting.
- (i) That we were systems thinkers, and applied practical, spiritual and scholarly knowledge inter-changeably.
- (j) That social cohesion and relationships were deliberately and intentionally constructed, and subject to



realignment and accountability to the wellbeing of the collective.

- (k) That each had their place, and each had their role.
- (l) That the role of wahine within those systems was integral, multi-faceted and completely necessary – and that the mana wahine was a compelling presence within our societies (as it continues to be), as to was recognition of the tapu of our wāhine, the mauri of our wāhine, the wairuatanga of our wāhine, the reo of our wāhine.
- (m) We were, at 1840, complete peoples with a known place for mana wahine.
- (n) We did not, at that time, nor since, want for colonisation to provide us our place.

21. I wrote this poem, entitled 'Eyes that see no sacred' as part of wananga kōrero with a dear friend, Tā Derek Lardelli, at a time when mainstream media was showcasing a story on a Pākeha woman who had taken the sacred moko kauae from our collective kete. The backlash against Māori women, the moko kauae itself and the tone policing of our unrest was palpable. I considered that the same culture that had raped, pillaged and objectified us was incapable of ever seeing sacredness the way we understand it.

### **Eyes that see no sacred**

Its all blankets and beads to people whose eyes see no sacred  
The imprint of your colonising hand still upon my skin; kia tango, tangohia, tangihia  
And the waves of your arrogance  
Washed ashore upon the flaccid doctrines of discovery and papal bull(sh\*t)  
Cook ran at a place we call Kauaetangohia, irony would have a field day with that  
The ethnocide; its not confined to sepia and poorly formatted footnotes  
Its quite literally still smashing us-in-the-face  
You think violating our most sacred without consent ain't different?  
Will you take my whakapapa too?  
Want a side of the years of genocide that go with that?

Want the mass executions at point-blank-range from armed  
 constabulary?  
 What about a chaser of scorched earth to wash down that  
 entitlement you're choking on?  
 You're literally picking the pockets of a systemically-  
 disenfranchised-minority  
 And telling us it's a freakin' celebration  
 Again, again and again the suffragette forgets about the  
 sisterhood  
 A complicit part in the plunder, hell it's the wild west all over  
 again  
 Its Calamity Sure riding shotgun with Custer  
 The brothers? – damn – nah, shady enough you get your  
 own poem  
 Its indigenous voices being drowned out by Ponsonby  
 pimps and peddlers  
 You know about the scarification upon our land?  
 That tell of our creation stories and our sacred connection to  
 this earth?  
 You know \*all\* about my connection, from here – unbroken  
 - all the way to Hawaiki?  
 You know about the bloodshed down the road here at  
 Waerenga-a-hika? At Te Tarata?  
 You know about rivers of blood where rivers of love would  
 otherwise run?  
 You think you're brave enough to cement your loyalty to the  
 tragedy?  
 What, you going to take my whakapapa too?  
 Or just gonna window shop + cherry pick like my culture is  
 some online catalogue?  
 Seriously. Is there-no-end-to-your-unabated-outright-  
 violence?  
 Piss off with your justifications  
 You can't justify wrong  
 Fairytales don't stand still like truth.  
 And no, we do not have to be apologetic for guarding fiercely  
 every inch of us you haven't already taken  
 Nor the tone in which we defend our sacred  
 In the historical balance sheet, honey, I think you'll find we  
 don't owe you nothing  
 Least of all an explanation.

## **RANGATIRATANGA**

22. I've come to think about rangatiratanga as ever-present. We sometimes talk about it as a destination we want to reach without realising that it sits within us all day, every day. It is within our veins and it is within every cell we have, particularly if you hark back to whakataukī, waiata and mōteatea that have been left to demonstrate that for us. He kākano ahau i ruia mai nā Rangiātea is a brilliant reminder that within each of us, from that common mauri, we have rangatiratanga.

23. The issue is that the Crown and others have had the arrogance to redefine our terms. Rangatiratanga has become a noun in that space instead of a verb. I think rangatiratanga is a verb. I think it's a way of being. It's a state of mind. It is not a destination. It is not somewhere we are going. It is essentially a philosophy. It is a philosophical kupu. It has been allowed to become a political kupu, a political concept and a legal concept. It may include shades of those things but I think that rangatiratanga is primarily a philosophical concept that we should champion.
24. I often tell my children the korero of Chief Wilton (Willie) Littlechild of the Ermineskin Cree nation. Our conversation was about sovereignty/mana and self-determination/rangatiratanga. His kōrero which had been handed on from his tīpuna was, 'If you believe it, just act as if.' This may seem like just a few words but his comment was quite a profound moment in our iwi negotiations with the Crown. Don't ask permission to be sovereign if you think you are sovereign. Sovereigns don't do that. If you think you have self-determination then why are you waiting for the consent of somebody else to exercise it? Just exercise it. I don't think he was suggesting that it comes without a price but that's where I've got to in my thinking about rangatiratanga. We have to have the courage and the bravery to exercise it.
25. This discussion took place in the context of preparing for Treaty negotiations. Negotiations have become a longstanding exercise in sitting on the opposite side of the table from people who are not interested in Treaty negotiations. We entered into a strategy session with our iwi about what it is that we were doing because you can't just stick people at the negotiation table and say, 'Go for it'. If you do that there is no measure and we wanted there to be a measure against what we were doing. We looked at whether the Declaration of the Rights of Indigenous People would give us an adequate measure. Our kaumātua and kuia said our mana is our measure. What we wanted to know, partly because I think it's an obsession of my generation, was how to unpackage that. One of my kuia responded, 'That's the problem, we are trying to put the

package back together.’ What we were really seeking was an intergenerational strategy towards self-determination for our iwi and we wanted to know where Treaty settlements may or may not fit. After quite a lot of kōrero we had some idea of what self-determination, fully flourishing, would look like for us.

26. The intersection of our kuia in that discussion was not coincidental; it is a manifestation of something we have come to expect. My tūngane Robert Ruha describes the phenomenon by saying:

Our pakeke would use terms like ‘Te Kanoi o te uha’ to describe and define the feminine touch to iwi contributions as motuhake and necessary. A term that expresses an admiration for the strength, power and warmth of touch that is uniquely of te ira tapu wahine, heke iho mai i ngā kawai whakapapa and being welded like a boss in our time. Overlooked in pākehā society but revered by us as the missing but necessary ingredient that, regardless of quantity, great or small, was/is absolutely necessary.’

27. Te Tapuiwahine is this concept in pluralised form, manotini being a further extension upon that again, in its collectiveness.
28. We had issues with the concept of settlement anyway and this is part of what Willie Littlechild was talking about in terms of the ‘act as if’ kōrero. We wanted our Treaty implemented. We wanted the Crown to honourably implement the Treaty. We felt that from there we would be able to realign what had become a dysfunctional relationship. What they were offering was the entrenchment of the dysfunction.
29. So, in the ‘piecing back together’ of ourselves we think that each of us as a people is distinct and has been placed on this earth for a reason. That is the central ngako of the philosophy underpinning our understanding of our mana. If we didn’t believe that we’d believe in defeat and we’d believe in surrender.
30. With that in mind we claim our space because we know that if we don’t have the courage to occupy the space where our mana and our rangatiratanga is supposed to be, there will be a void. It will be back to te kore if you drop wahine Māori, including our mana, out

of the equation. If you drop any part of the Indigenous nations out of that fabric that's woven together, the fabric that we call humanity, in its place you have nothing, nothingness. It means the fabric weaving humanity together cannot be bound together. For us it's not that we want rangatiratanga in order to best somebody else. It's not that we want to say that our mana and our muscles are bigger than your mana and your muscles. It's not a competition for us. It's an exercise in saying we must take our rightful place and occupy that space. The occupation of that space underpins a whole lot of our language and a whole lot of our worldview as Māori. When we say to someone, 'Tēnā koe' it's a recognition of the occupation of space, not just by your physical being but by your mana and your tapu and your rangatiratanga.

31. Our understanding of our own mana has got to be true. It can't be interrupted by somebody else's version of that. You get all these things—co-governance, I think, is the latest. It used to be co-management. Apparently we're moving up the scale but it's not really us. If we have an understanding of our mana then we rest on stronger ground. It's not just about the language behind it. It's about the concepts that underpin the language.
32. It's a pet peeve of mine, people who use the word "lore" when referring to our tikanga and way of being, because it's like they've bought into the idea that somehow our ture is lesser than anybody else's; that we are down there with the folktales and fairies dancing around the fireplace. We had systems of law and we had systems of government and we still have them. Some of them may have been dormant for a while but we need to have the courage to rely on them. We need to call truth what it is—our truth, our Indigenous truth—and we need to claim it and reclaim it, to keep claiming it and to champion it.
33. We also have to call rubbish what it is. We've got a lot of rubbish. Debris from the colonial fallout. We've got a lot of noise in that space. We're beyond survival now, we have survived. We can afford to raise the standards, to increase accountability – but also

permit freedom to take our rangatiratanga out for a spin. One of the things I've heard quite a lot is, 'Oh but that's not a tikanga Māori thing girl.' You know sometimes it is. Sometimes holding people to account is a tikanga Māori thing. People sometimes use tikanga as a way out of that, or they try and limit what it means to be Māori, or they try and limit what sort of legitimate expressions of rangatiratanga there can be. That's one of the big challenges to our ability to manifest rangatiratanga: the exclusion or the limiting or the holding too close of an idea of what is the right way, the suggestion that we did it this way therefore that's rangatiratanga but the way you're going about it is not. We live in our time, and we express our mana in our time, for our circumstances.

34. I think we need to (re)realise that we are dynamic and diverse. There are a whole lot of energies within our populations that all have legitimate expressions of their own rangatiratanga. They all have their own mana and their own tapu. Our societies used to have places for everyone, or so we are told, in so many waiata, moteatea, in our stories.
35. I think ego is one of the most detrimental things to rangatiratanga. It's one of those things that we need to constantly keep in check. That is because we need our leadership to be accountable, not just to us as the population in front of it or around it or supporting it, but to future generations. It needs to be accountable to our truth and to the place that we occupy in that woven family of nations. That's where leadership, including self-leadership, is ultimately held to account.
36. Sometimes rangatiratanga and leadership get confused and quite often we are looking for or calling things leadership or trying to identify types or styles of leadership that are from a bygone era. But that may not fit our current generation and may not fit future generations. My own whakaaro on leadership is that it starts from within you. If you can exhibit an understanding of your own tapu and mana and if you exhibit and manifest your rangatiratanga, then you might be in a space to do that for your immediate whānau, for

your children and within your house. From there you may be able to join with other people doing that within your extended family and within your hapū, and then within your iwi.

37. People seem to want to go straight to the paepae. I call it 'paepae-itis'. I think that with rangatiratanga there's too much focus on rangatira and too much focus on individual people within that space. We should champion ringaweratanga as much as we champion rangatiratanga. I come from a long proud line of ringa raupa. I'm happy about that and I'm happy to have the intergenerational calluses on our fingers to show it. I think we should champion the workers not just the figureheads and the symbolic things. We should champion the things of substance and the systems that keep that substance real – there you see mana wahine manifest i te ao, i te po.
38. The seeking of mātauranga is essential to the constant, continuing and enduring manifestation of rangatiratanga. We need to humble ourselves to continually seek mātauranga. In that sense I speak specifically of the mātauranga around our mana, tapu and mauri. Those three things in particular are so important to our continued manifestation of rangatiratanga because they position us uniquely i roto i te ao wairua, i roto hoki i te ao kikokiko. An understanding of our mana means that we don't undersell ourselves or our mokopuna when it comes to interacting with other people. An understanding of our tapu means that we recall our need to be inclusive of everybody who shares a common mauri with us. An understanding of mauri means that we walk not just with ourselves but with te ao tūroa and everything within the taiao. We learn or relearn to live in harmony with that world.
39. I'm a big fan of plugging ourselves back in to ancient knowledge. I think that along that continuum there's no real new mātauranga but there's mātauranga relevant for its time and its place and that those things will be revealed to us as we search for them, depending on the circumstances in which we find ourselves. I think we find ourselves now, in this generation, on the cusp of a really exciting

evolution of our people. It is inter-generational cellular memory, and houses our kete matauranga, our trauma and our resistance.

40. We have drawn quite a lot on teachings that view self-determination as being about choice and freedom. That's the rangatiratanga we want to embed for our mokopuna going forward. We can't actually alter the environment and smooth all the seas for them. But what we can do is equip their waka with enough tools, with the right tools, so that they can navigate whatever comes their way. Then they can have the wherewithal to determine their own futures and decide what their own horizon is. We can't decide for them where they might take their waka. We just want to make sure that our generations (and this is a multi-generational process) having hauled the waka of our iwi up on shore, relashed it, redecorated it, and put some new crew on it, can put it out to sea as a seaworthy vessel.
41. For our iwi, we want to do that in a way so that we don't have an ama attached to the Crown because we don't know what that looks like. It's a multi-headed beast that keeps changing for us. The Crown has demonstrated over the period of five, nearly six generations, that it has no honour. It has no good faith. We cannot put the Crown on the waka with our mokopuna so that our rangatiratanga depends on it. Instead, we'll try to make sure that our kids have the courage and the hope to develop lean in to their rangatiratanga, going forward - and that we've given them enough tools, and got our own egos out of the way, so that they can dream. It is in giving life to their dreams that we hope rangatiratanga for our people will manifest itself.

#### **THE HAWAIKI WITHIN US, THE KOTAHITANGA WITHIN US**

42. Conversely, the denegation of mana wahine is the denial of the Hawaiki within us, and all of that kura wānanga we in turn carry. This knowledge is sacrosanct, and necessary for our survival as distinct peoples. When the function of colonialism is to separate us from our understanding of ourselves, this can not be seen as



accidental. The erasure serves a colonial agenda, and one needs look no further than the oppressors own dominant culture to see what the subjugation of women, and their respective intergenerational knowledge, results in.

### **We wove you our Hawaiki**

Our fingers wove these tukutuku  
Our prints are still there, under the generations of other  
fingerprints that have caressed them and felt our pulse, still  
It was our minds that saw those tukutuku  
Ornately depicting our histories, we envisioned the way our  
mokopuna come to see them  
It was our voices that told the stories the tukutuku tell, and  
our voices that frame the retelling  
It was us that made the choices about what needed to be  
told, and what was important  
We needed to consider what our mokopuna would need to  
know  
Ours is the role of selection in ancestral knowledge; and we  
left nothing incomplete –  
it is all there, our kura wananga, woven by our hands,  
embedded with our mauri, with our aroha, with our kura  
wananga  
We wove in our interconnection, to each other, to the land  
We drew from our landscape our palette  
And we drew from our Hawaiki for our truths  
They dwelled within us, planted there ions ago  
And we dreamt them into life  
For our mokopuna

### **THE LANGUAGE OF ANCIENTS**

43. We must seek to understand mana wahine on our own terms. I roto tonu i te reo rangatira. Waiho ma te reo Pākehā ki te ata wherawhera ngā mea Pākehā. Engari he pohara kē tēnā reo mō ngā tino kaupapa Māori. Ehara ngā kupu i te reo tahae mō te hōhonutanga o te tapu, te ihi, te mauri, te mana me te ira wahine. Kei whati kē.

(a) Ko te arero Māori, he arero pono tēnā ki tēnei o ngā kaupapa i waihotia mai ngā tipuna kuia ki a matou. Ko te wero ki ahau ko te mahi ki te whakarangatira i ngā whakaaro Māori, nā, ko te reo Māori te reo mataamua mō tēnā. Te reo mareikura mō tēnā. Ahakoa te torutoru, te whawha rānei, o ngā kupu o nehe kia puta mai i au, kei roto tonu i aua kupu te maramatanga tu atu i ngā kupu

katoa i te reo tāhae, i taea mai nō wāhi kē. He pono tēnā ki oku whakaaro mokopuna.

- (b) I recall when Te Whānau a Apanui presented alongside our Ngāti Porou whanaunga to the Foreshore and Seabed Select Committee in 2004. We had gathered at Wellington to attend Parliament Buildings, and our respective iwi had sent buses of kuia and kaumatua to support the position that we rejected outright any Crown assertion of ownership over the takutaimoana space. I spoke for Te Whānau a Apanui that day. Ngāti Porou were represented by Matanuku Mahuika, Te Rau Kupenga and James and Peter Johnston, all uri of Porourangi. The public gallery was completely full, there were people standing in every available corner and crevice, and more listening through the open doorway out into the packed corridor.
- (c) Following the presentation to the select committee our two iwi agreed to share the evening meal together, in the spirit of whanaungatanga. Whilst there, my dinner just served to me, I was confronted by Te Kapunga (Koro) Dewes. He had removed his place setting from where he had previously been sitting, and instead placed it opposite mine. He spoke to me directly; his reputation as intimidating and formidable preceded him, and I recall being nervous about answering his quickfire questions appropriately, or to the requisite standard. I really, at that time, relied a lot on my own elders to rescue me on matters of tikanga if I fell short, but the proximity between myself and my interrogator left little room for salvation. After canvassing my whakapapa, my pedigree, my education, my background; and really testing to see what I in fact knew of myself, the koroua threw down his napkin and asked a final question: ‘What I want to know is this, why do Apanui have a woman, a young woman such as yourself, speaking for them?’

- (d) At a total loss as to how to respond to that delicately, or diplomatically, I opted for retreat. The truth is I actually did not know the answer to the question myself. I had never thought to ask it; when you are younger and the iwi asks something of you the answer was always yes. The answer is never why. You have the rest of your life to work out the why, or sometimes you never do. That is the nature of the collective, sometimes you don't have line of sight over every moving part, so you rely on those in leadership to direct and orchestrate what needs to occur, for the good of the collective. Your job is not to ask why, your duty is, as Rikirangi Gage would often say 'to do what is necessary and sufficient' – to do things 'befitting of a conscious tribal citizen' – both phrases I had drummed into me until it became a shared expectation. They had asked, I had simply done it. Perhaps greater maturity would have enabled me to respond with greater reflection, but I had, at that time, only reached my twenty-eighth year, and knew even less than I do presently.
- (e) What little I did know was that the question could not go unanswered. It was challenging and required some sort of response. Diplomacy left me little room, I could hardly sit opposite this pou of matauraunga and bullshit my way through but saying I didn't know was hardly going to cut it either – I didn't want to disgrace my iwi by looking inept.
- (f) Instead, I bowed out. I looked at him, folded my cutlery for my now untouched meal, and said 'that's a question you will have to ask Apanui, not the person they selected; it is theirs to decide who and why, not mine' (and slowly exhaled the breath I'd been holding since the question was put). I had, naively, hoped that resolved it. It did not. Anyone who knows the legend of KD knows that was not going to resolve it. Instead, he rose to his feet and looked to put the question to the Apanui elders gathered there. Before he did so John 'The Major' Waititi rose to his feet from across the room and said, in his uniquely steadfast

manner, “Koro, kei Te Whānau a Apanui ko ngā wahine te mauri o te iwi” and sat down. That resolved it.

- (g) I have never forgotten the simple eloquence of that statement. Ko nga wahine te mauri o te iwi.
- (h) It resonates with another indigenous truth, introduced to me by my tuakana Moana Jackson, when he spoke the words before kōrero we gave at a Rangatiratanga Symposium at Te Whare Wānanga o Raukawa. It is a quote from the book *Lakota Woman* which reminds us “*A nation is not conquered until the hearts of its women are on the ground. Then it is done. No matter how brave its warriors nor how strong their weapons.*” It tells of the formidable and ultimately integral role that women fulfil within indigenous cultures – we are not footnotes to someone else’s history, we are the keepers and shapers of history itself.

#### **THE EYES THAT OMIT US, AND THE DANGERS OF THE LENS OF WAR**

- 44. When so much of our history is told through the lens of war it is not surprising that the narratives are incomplete or skewed; when the construction and maintenance of peace is disregarded as valueless, to the colonial gaze, the stories they permit to be told of you are limited to a foreign frame. When peace itself holds no value in the colonial experiment, the orchestrators of peace and relationship weavers are also often omitted – from history, from place, from consideration.
- 45. We have, for the most part, save for a few examples that fit the colonially-useful noble savage and dusky maiden narrative, been reduced to footnotes and anecdotes in the colonial redefining of our history, of our place and of our value.
- 46. That, traditionally, the history books and the anglo-gaze may have overlooked wahine Māori, mana wahine and marginalised us

through stereotype and caricature that does not mean to say the knowledge is not still known. We have it, still.

## **THE ONE-DIMENSIONALISATION OF US**

47. I have written for some time about the one-dimensionalisation of mana wahine. About the reduction of us to one or two archetypes, or to words on a page. We are so much more than that.
48. We have been oversimplified in history's keeping of us. The depth of our kete korero is lost to the senses when we buy into gender simplification and generalisation.
49. Our tupuna raised us on stories of shapeshifting, tide riding, realm jumping, taiao harnessing ancestors that ties our being so intrinsically to the taiao and each other that we depend on each other for survival, and \*that\* is the collectivism, the kotahitanga, the synergy that occurs when there is alignment between our truth/intention and our actions. That unity needs to exist on a personal level – te hononga o te wairua me te tinana – before it becomes capable of manifesting collectively.
50. Pre-1840, mana was mana and had nothing to do with the genitalia you possessed. The preoccupation with genitalia as a pre-determinant for power and authority is a white patriarchal import. Our matriarchal systems went unrecognised, despite, in our iwi, there being relative parity (or, indeed, in many cases, seniority) in favour of mana wahine. How do we know that? Oriori were written in the same manner, karakia for tamariki were composed and performed in the same manner, taonga and koha handed down in the same manner.
51. That is to say mana is relative, not absolute; and in its relativity it applies according to circumstance.
52. I wrote the poem 'Haukaiwahine' in response to Shane Jones, a Minister of the Crown, belittling the leader of the indigenous

occupation at Ihumatao, in the media. His comment equated her to a putiputi; to reduce her to a mere adornment and was designed to undermine her (well established) leadership of her peoples' efforts to have their ancestral land, wrongly taken by the Crown, returned.

53. My concern at the comment was the continued reduction of us to fit colonial frames, and, whenever any of us have shown the audacity to step beyond those frames attempts have been made to recapture us within the confines of the colonial gaze.
54. This is at odds with our whakapapa. This is at odds with our indigenous truth. We were not one dimensional people.
55. Haukaiwahine was my response. Haukaiwahine is a battle cry. Essentially it is a battle formation employed from ancient times, in more modern days it has been used and showcased in kapahaka, but its origins are on the battlefield. Haukaiwahine is a formation, single file, interlocked, women holding a frontline. Straight backed, forward advancing, boots on the ground, relentless, formidable, arms linked in interwoven alliance; kaupapa out front. The kaupapa becomes the unifier.
56. The formation relies on solidarity, not sameness. The frontline leaves no room for lateral distractions, violence to our own decreases the strength of the formation, unravels the binding, causes vibrations of dissent for seeds of doubt. For peoples oppressed doubt is a real and tangible enemy that takes advantage of ego – and has the potential to undermine the unity – that is the risk when the kaupapa is not out front, leading.
57. Haukaiwahine has each momo in their lane, each pukenga in their place, each step measured. It is, figuratively speaking, how every indigenous reclamation against the coloniser in this country has ever been won – kotahitanga. Our people have been consciously or unconsciously utilising this formation, way before Beyonce made it cool; solidarity, not sameness – each have their paddle, weight is distributed, load bearing shared, in the wide spread of the

formation, stacked deep, each find their sweet spot, their slipstream, protected by the granular interweaving that binds tightly the whakapapa interconnection, the interdependence; and in that moment, with the dust kicked up and the advance down low, it is possible to feel Papatuanukus heartbeat through our feet.

### **Haukaiwahine**

E mara, you know what we are, the indigenous women of Aotearoa?

We are the heavy lifters

We are the frontline of indigenous resistance

We are the nurturers of the next generation

We are the whenua

We are sacredly connected into te ao turoa, we \*are\* the taiao

We are the 'feel the fear and do it anyway' crew

We are the ones in the waka with a paddle in our hands, going forward

We are the ones who dig deep for courage

We are the ones occupying the land

We are the one rejecting surrender

We are the ones who have held and driven every major progression and recognition of indigenous rights in this country

We are the kaupapa carriers

We are the ringa raupa and we are the fierce protectors of the whakapono needed to emancipate ourselves from colonisation

And so much more it'd take a lifetime to unpackage

The contribution of wahine Māori throughout history, in this country, is beyond reproach

The menfolk in colonial halls of power and the koru lounges of this country would do well to remember that

We won't be tolerating your lateral violence towards us

We have more than earned the political places we claim; we've occupied them continuously since time immemorial;

We're the shapeshifters who-step-up

In

Every

Single

Generation

From here back to Hawaiki

58. Māori women have, for so long, had our history, or our reality, told for us. About us. We have been subjected and subjectified. Our worlds barely understood as they've been squashed, shoe horned and hog tied into someone else's frame. But only Māori women can tell of a Māori women's world and all the textures, layers and knowing it houses. We've just been busy getting on, surviving, adapting, resisting; we're an indigenous people in colonial occupation, we hardly have the free time to sit down and (re)write stolen histories. We have little time to hold the pen when we have

our hands full holding up the world. We have much less time to contemplate what Percy Smith or Elsdon Best thought of us, and their relegation of us to footnotes in white-male-colonial history. They did not know us, could not know us.

## **SPEAKING OUR TRUTHS**

59. Moana Jackson once said, by way of mihi, in his carefully considered way 'some talk of speaking truth to power, but nothing is more profound than speaking power to our truth'. I have never forgotten that important distinction.
60. As we gather beneath the shadow of Kaputerangi, pā of the ancients, and within reach of the sacred birthing site of wahine ariki Te Kura-i-monoa at Otarawairere, and within earshot of Wharaurangi, named for the constellations that guided our ancestors from Hawaiki, to the shore outside, to the landing place of Mataatua, at the ngutu awa o Ohinemataroa, within our whare, on our whenua, we claim the space to speak power to our truth.
61. We, the indigenous women of this land, must not lose sight of our indigenous truths. We must guard them fiercely; we must denounce any slow creep of imperialism upon our understanding of ourselves. We must be loyal first to our own truths; and have the courage to reject the colonial legal fictions that have emerged from an inherently racist system designed to annihilate and oppress us. Our vigilance is absolutely necessary if we are to genuinely realize our internationally recognized right to self determination.

### ***Indigenous Truth #1:***

#### ***The status quo is unacceptable.***

62. Only those with a vested interest in propping up continued colonial oppression of indigenous rights seek to defend the status quo and liken colonial benevolence to satisfying an ongoing obligation to peacefully assimilate indigenous people into a wider, more acceptable, 'mainstream'. We're being told, repeatedly, to be happy



with our lot. The problem is, if your inherent right is to self determination, these measures fall woefully short of our rights and entitlements – now matter how sweetly giftwrapped and embellished.

63. The further we move from our truths, and the more we align ourselves with damaging colonial fictions, the more violence we allow colonialism to inflict upon the psyche of our people. Thus we see manifestations of this colonial drift creeping into our sacred spaces; we see armed police forces permitted onto marae atea, we see unprovoked attacks on the mana and tapu of Māori women by both the colonial system and select Māori alpha males aligned with the Crown, we see speaking platforms still regulated against us, we see people with calculators under the table horse trading the integrity of our natural environment.
64. We see also the insidious reach of colonial legislation becoming so incrementally intrusive it permits the long arm of the State to carry guns in suburban streets, it purports to unilaterally determine which parts of our history are taught, and it empowers itself to snatch indigenous children from the wombs of our mothers. That some of the Crown officials sought this year to do that in our indigenous language is a merely a distraction from the fact none are committed to the actual substantive issues that would force a genuine recognition of our rights and entitlements – none are committed to acknowledging and deconstructing the colonial legal fictions upon which their tenuous positions are founded.
65. In regards to mana wahine our simple indigenous truth is that the current status quo is unacceptable, and that all forms of colonial violence against us, including violence to land, must stop.

***Indigenous Truth #2:***

***We are not 'fighting for our rights'; we already have them.***

66. Notwithstanding the ongoing incursion of colonisation, indigenous peoples, including of course the integral role of wahine within that

cultural-political context, have an existing and operable right to self determination. That self determination extends to include our right to self government, and a suite of territorial rights in relation to our natural environment. The ongoing subordination of indigenous law by the State, and the legal barriers compromising the ability of indigenous populations to proactively protect our territories and our populations, is inconsistent with Te Tiriti and international law.

67. Despite the clear language and brevity of the Treaty of Waitangi the Crown purports (1) that it is not legally binding; despite relying upon it, absolutely, for their own legitimacy (2) it is aspirational but unclear. This invites the mischievous conclusion that it is confusing and requires further interpretation. That 'further interpretation' is found within Crown-defined 'principles' that unilaterally, but significantly, erode the otherwise clear agreement between sovereign peoples.
68. Through a Crown lens Article I rights about sovereign authority move from being about self determination and 'absolute chieftainship and authority' to being about 'partnership' subject to Parliamentary supremacy. Not an equal partnership, but one that cedes all interests from one nation to another.
69. Territorial rights contained in Article II move from being about 'full, exclusive and undisturbed possession' to being about 'the right to be consulted'.
70. Social and cultural rights in Article III are reduced to 'the right to participate' and 'be a New Zealand citizen' and be subject to 'one law for all' and, at the Crown's discretion, to be acknowledged as a particular class of 'stakeholder'.
71. The New Zealand government claims, but has no constitutional basis for, 'parliamentary supremacy' and asserts the only right to govern and make laws in Aotearoa/New Zealand. This is in direct breach of the United Nations Declaration of the Rights of Indigenous Peoples, and the distinct obligations owed under the Te

Tiriti o Waitangi. Inconvenient for the Crown? Yes. Factual? Also yes.

72. To be clear, this is nothing but pure racism and colonial patch protection, dressed up as law and policy. Legal fiction, created to serve, and maintain, an empire building agenda. This is racism in its most institutionalised form and remains totally unacceptable. The Crown can not simply ignore the set of rights and entitlements protected by Te Tiriti, and reaffirmed at international law; and we must not allow them to do so. We don't negotiate rights, they are inherent and already exist – we are challenged with implementing them, honourably, and bringing the treaty promise to fruition. Challenging? Yes. Necessary? Also yes.
73. In regards to mana wahine, our simple indigenous truth is that we are not fighting for our rights, we already have them. That is the nature of an inherent right. It is not at the whim and fancy of another other, least of all a coloniser. The challenge is the present day manifestation of those rights, entitlements, duties and obligations that we legitimately hold, and that, absolutely, must be on our terms.

***Indigenous Truth #3:***

***Constitutional change is the new black.***

74. Piecemeal accommodation of selected aspects of our culture within a colonial frame is not the genuine realization of our rights needed to shift the status quo. We ought to reject these accommodations for the distraction they are. Reclaiming ourselves our legitimate right to our self determination is anchored in our continued adherence to our indigenous truths. It is an indigenous lens that will lead us to see the pathway ahead, not a colonial one. The pathway must be one of reclamation and emancipation.
75. The constitutional arrangements of this country, contained in Te Tiriti o Waitangi, require of us a balanced power sharing; one that accommodates not only a peaceful co-existence, but also the

concurrent presence of genuine and undisturbed indigenous self government. Our indigenous right to self determination was not displaced by Te Tiriti o Waitangi; it was affirmed and protected by it. That sovereignty was never ceded on the 6 February 1840 is an established fact; reconfirmed repeatedly by indigenous tradition, the international legal community and by the New Zealand governments own Waitangi Tribunal. That is the crux of it. Each party to Te Tiriti o Waitangi is challenged with honourably implementing it.

76. The Crown, and the non-Māori population of this country have their own burden to wrestle with; morally and politically – they must load bear the weight of change also. They must have the courage to confront the uncomfortable, and do the yards to critically, but urgently, dismantle systems of oppression from which they continue to benefit. They must not mistake window dressing as substantive change – they must accept the challenge to unpack the colonial fictions upon which their privilege is based.
77. Māoridom has its own healing to do; we must rebuild from colonial interruption so that we are positioned to manifest our right to self determination, and so that we may retake our legitimate place within the global family of nations – where our unique worldview and ancestral knowledge is required to face the global issues that will shape the future – the climate crisis and the collapse of the current economic order. We have to propel the constitutional change within Aotearoa/New Zealand that is necessary in order for our rangatiratanga to be restored. To do so we must, at a very minimum, have the continued courage to reclaim and champion our indigenous truths as the foundation for the pathway ahead.
78. Like all epochs of time throughout our history, this time requires active cultivation of conscious tribal citizenship, and the rise of the conscious tribal citizen to propel our colonially bruised and battered peoples out of the shadow of colonial power and oppression and into the tomorrow of our mokopunas ultimate entitlement – their freedom.

79. Mana wahine – in its totality across the entire space-time continuum – mai ra ano, continues to be the protagonist of change, of adaptation, of applied knowledge, of relationships, of cohesion, of inclusivity, of remembering, of inter-generational transmission of matakura, of restoration, of growth, of balance and of peace.

**DATED** this 7<sup>th</sup> day of June 2022

A handwritten signature in black ink, appearing to be 'Dayle Takitimu', written over a horizontal line.

**DAYLE TAKITIMU**