

I MUA I TE AROARO O TE TARAIPUNARA O WAITANGI

WAI 2700

WAI 2872

I TE TAKE Ō

te Treaty of Waitangi Act 1975
(te ture)

Ā

I TE TAKE Ō

te Mana Wāhine Kaupapa Inquiry
(Wai 2700)

Ā

I TE TAKE O

tētahi tono a **Dr Leonie Pihama,**
Angeline Greensill, Hilda
Halkyard-Harawira, Mereana
Pitman rātou ko **Te Ringahuia**
Hata (Wai 2872)

BRIEF OF EVIDENCE OF DR BYRON RANGIWAIDated this 7th Day of September 2022




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E TE TARAIPUNARA

INTRODUCTION

1. My name is Byron William Rangiwai. I am of Ngāi Tūhoe, Ngāti Porou, Ngāti Manawa, and Ngāti Whare descent. I was born in Gisborne and raised in Murupara.
2. I have PhDs from Auckland University of Technology and the University of Otago in Māori Development and Māori, Pacific, and Indigenous Studies, respectively.
3. I identify as takatāpui/queer. Concerning my identity as Māori and queer, there is a very small body of literature about pre-colonial Māori sexualities that shows that Māori ideas about sexuality were fluid.
4. Tragically, however, colonial and Christian views of sexuality were internalised by Māori. Because of these internalised views, some Māori may not always be fully accepted by their whānau and communities.
5. Christianity is now part of Māori life in many areas. It is mixed with pre-contact elements of our culture. I was raised within a highly syncretistic theological context, in which the remnants of ancient Māori traditions mixed seamlessly with Christianity. From an early stage, my world was permeated with mysticism, healing, wairua, kaitiaki, and mate Māori, along with Ringatū, Catholic, Presbyterian, Anglican and Pentecostal prayers and practices.
6. As a young person exposed to several faith traditions, I decided at 16 to join The Church of Jesus Christ of Latter-Day Saints – the Mormons. However, my association with the American Church was short-lived. In 2003, I was ex-communicated for homosexuality. The experience of being formally cast out of the Church was traumatic and caused for me a state of deep and dangerous depression.
7. After my recovery from ex-communication from the Church, I rediscovered my faith and formally joined Te Hāhi Mihinare while living in Murupara. As a Ngāti Porou person, Mihinaretanga is part of my whakapapa.

8. Unlike The Church of Jesus Christ of Latter-Day Saints, Te Hāhi Mihinare has welcomed me as takatāpui/queer.
9. Being both takatāpui/queer and Christian may seem at odds with each other. However, as a Christian who experimented with several denominations, I have experienced the torment of coming to terms with my sexuality in light of some common (mis)understandings of Christian theology.
10. In justifying Christian-based claims that homosexuality is wrong, sections of the New Testament are used which are based on interpretations of the Greek word, ἀρσενokoῖται (*arsenokoitai*). This term is made up of two words: *arseno*—male; and *koitai*—a word that refers to a bed or bedroom and specifically to having sex with someone.
11. Some argue that *arsenokoitai* refers to male prostitution but more precisely to those male prostitutes who targeted older men to gain an inheritance. Others argue that the term was restricted to sex between males, particularly pederasty.
12. Christianity's widespread idea that homosexuality is wrong is flawed because it is based on the term *arsenokoitai* which was translated as homosexual in the 1940s or 1950s.
13. The idea that homosexuality is wrong has been detrimental to Māori who are gender and sexually diverse. Many studies show that queer people are at higher risk of depression and suicide.
14. A tikanga approach to takatāpui/queer people would mean that all are valued for their inherited and earned mana and for their contributions to the wellbeing and development of their whānau, hapū, iwi and communities.
15. I hope that by submitting this evidence, we may move a little closer to full acceptance of takatāpui/queer people in society.

16. I attach the following appendices to this brief of evidence:
- Appendix “A”, a copy my curriculum vitae, including publications; and
 - Appendix “B” – references in relation to this evidence
17. I file this evidence on behalf of Wai 2872 claim, in relation to evidential gaps that have been identified at para 15 of the Memorandum-Directions¹ to provide research evidence about gender fluidity and diversity in pre-colonial Māori society.
18. Evidence of diverse genders and sexualities in pre-colonial Māori society is sparse and difficult to locate. However, important evidence exists in waiata and whakairo. While it is not known whether Māori had specific names for various genders and sexualities before colonisation, the term takatāpui - an intimate friend or companion of the same gender (Moorfield, 2011; Williams, 1971) - is now used to describe members of the LGBTQI+ community who are Māori. This affidavit explores what little is known about pre-colonial Māori sexuality and the word takatāpui. The scarcity of information indicates a dire need for more research on the topic.

BODY OF EVIDENCE

19. The three broad themes that this brief of evidence will cover are:
- a. Gender fluidity and diversity in pre-colonial Māori society
 - b. Māori sexuality in pre-colonial Māori society
 - c. The term takatāpui
20. The Tribunal has identified a number of areas where it would like to hear further evidence in the remaining tūāpapa hearings including gender fluidity and diversity in pre-colonial Māori society.

¹ Wai 2700, #2.5.61 Memorandum-Directions of the Presiding ffile regarding the Takapou Whāriki and the remaining Tūāpapa hearings

GENDER FLUIDITY AND DIVERSITY IN PRE-COLONIAL TIMES

21. Sexuality and gender play critical roles in Māori society (Aspin & Hutchings, 2007b). In pre-colonial times, it has been claimed that Māori were sex-positive and accepted gender fluidity (Kerekere, 2017) and various sexualities and gender expressions (Aspin & Hutchings, 2006, 2007a). According to the Royal Commission on Social Policy (1988) “Kuia and Kaumatua have suggested...” that “...homosexuality – female and male – was not uncommon in pre-European times and that it was in fact more readily accepted than today” (p. 167).
22. Ngahaia Te Awekotuku (2005) uses the following observation by Starzecka (1996) to develop an image of pre-colonial Māori sexuality: “Sexuality was enjoyed in many forms. People chose partners of either sex for pleasure, and same sex love was not condemned or vilified. Continuing one’s line – having children – was nevertheless a priority. High performance and erotic skill were greatly admired, and accomplished individuals, both male and female, feature prominently in the chant poems of their time, their physical attributes and relevant behaviours fondly detailed” (p. 32).
23. Evidence of bisexuality exists in a traditional waiata, published in an 1853 collection by George Grey, which mourns the loss of a young man (Aspin, 2019; Te Awekotuku, 2005). The text proclaims: “ko te tama i aitia, E tera wahine, e tera tangata” (Grey, 1853, p. 125). An English translation reads: “A youth who was sexual with that woman, with that man” (Aspin, 2019; Te Awekotuku, 2005). However, when the waiata was republished in 1928,² the word aitia, which means to copulate, have sex, or make love was changed to awhitia, which means to embrace, hug, cuddle, or cherish (Aspin, 2019; Te Awekotuku, 2005).
24. Some form of gender fluidity can be seen in the following example, also from Grey’s collection: “E hara koe i te tane he puhi koe naku, Te ipo ki te moenga” (Grey, 1853, p. 352). According to Te Awekotuku (2005), this translates as: “You are not a man, but a maiden who belongs to me, Beloved in the bed”.

² The waiata was republished in a collection by Apirana Ngata in 1928. See Ngata (1928, p. 212).

25. Joseph Banks, who accompanied Captain Cook, made some observations about Māori sexuality and gender diversity and made notes about a particular encounter with a person who appeared female but was biologically male (Beaglehole, 1962).
26. Missionaries, too, observed same-sex activities in Māori society (Binney, 1968, 2004; Eldred-Grigg, 1984).
27. In Judith Binney's (1968) work about Thomas Kendall – a missionary who was rumoured to have had an affair with a Māori chief's daughter - traditional Māori society is described as sexually free and in contrast to Christian views on sexuality.
28. Evidence in Binney's (2004) research about William Yate – a missionary who engaged in sexual acts with young Māori men - demonstrates that Māori did not view sexual acts between males as deviant. Some, in fact, expressed affection for Yate through letters, while others freely and openly admitted to having sexual relations with him (Binney, 2004).
29. In Stevan Eldred-Grigg's (1984) work, he claims that a missionary, the Reverend Richard Davis, observed homosexuality in Māori society and described it as common, noting mutual masturbation between boys that sometimes continued into adulthood.
30. Nineteenth-century missionary, the Reverend Richard Davis noted: "Young men masturbated together and felt no guilt. As they grew older, they formed lifelong male friendships of a sort which were very important in Polynesian society and which "not infrequently" were accompanied by homosexual practices. Marriages between men, where one acted as "husband" and the other as "wife" also occurred" (cited in Eldred-Grigg, 1984, p. 47).
31. While there is very little evidence of diverse sexualities and genders among Māori (Paul, 2019), proof of non-heterosexual relationships in pre-colonial Māori

society existed in carvings, many of which were destroyed by missionaries or taken away to museums in Europe (Te Awekotuku, 2005).

32. According to Kerekere (2017), “Ngahua Te Awekotuku has found the only evidence of takatāpui existence in historical Māori narratives in her research on mōteatea (traditional incantations, songs and chants) and whakairo (carving)” (p. 46).
33. In ancient narratives, Kerekere (2017) also refers to tipua (supernatural beings) as “creatures who could change gender or transform from one being to another” (p. 33).
34. One striking artefact which has survived is a mid to late 18th-century feather box or treasure box (papahou) held at the British Museum (Oc1964, 05.1.a.). This papahou is made up of sexual poses (Aspin, 2019).



35. It appears that the central figure receives into its mouth a phallus, while at the same time, a tongue emerges from the same mouth to make contact with a vulva (Rangiwai, 2020).



COLONISATION, HOMOPHOBIA AND TAKATĀPUI

36. While Pākehā conventions severely impacted Māori understandings of sexuality, the opposite was not true (Eldred-Grigg, 1984). A history of colonisation has negatively affected Indigenous sexualities and genders around the world (Ansloos et al., 2021; Aspin & Hutchings, 2007a) and the proliferation of Christian and Western thinking negatively influenced Māori perceptions about sexuality and gender (Aspin, 1996; Kerekere, 2017; Paul, 2019).
37. Regarding Christianity, Te Awekotuku commented: “Whatever Christianity may have brought to the Māori world, which was good and wholesome and proper and acceptable, it also brought a great deal of pain and a lot of judgement” (cited in Thomas, 2018, n.p.).
38. Due to colonisation's ongoing effects, Te Awekotuku (1991) opines that it is important for Māori who identify as takatāpui – a term that is now used very commonly to refer to Māori who express a range of non-hetero sexualities and genders - to reclaim identity and history.

39. Homophobia in Aotearoa New Zealand can be traced back to the homophobic thinking that characterised mid-nineteenth-century Britain (Ballantyne, 2015). As a result of colonisation, homophobia certainly exists in Māori communities (Aspin & Hutchings, 2007a, 2007b; McBreen, 2012).
40. Homophobia has been prevalent in some Māori communities and has even been expressed in the fictional works of Witi Ihimaera (1995, 2005 [2000], Bingel et al., 2011; Meklin, 2003).
41. Alarmingly, homophobia among Māori may be harmful to Māori youth who are not heterosexual (Lawson-Te Aho, 2016). Furthermore, homophobia is a significant concern for those who identify as takatāpui and contributes to issues of self-harm and suicide (Pihama et al., 2020).
42. While homophobia itself does not originate in the Māori world (McBreen, 2012; Paul, 2019), its effects are devastating and destructive (Pihama et al., 2020).
43. While the need to use terms to identify gender and sexuality among Māori may stem from Westernised thinking (Mika, 2018, cited in Pihama et al., 2020), there is “a strong support for using Māori terms, such as takatāpui to locate ourselves fully and to highlight the interconnectedness of how we see our sexual identity, gender identity and cultural identity” (Pihama et al., 2020, p. 24).
44. While not all Māori who express diverse sexualities and genders identify with the term takatāpui, the word gives those who identify with it a sense of pride as well as a sense of connection to a cultural space within whānau, hapū, iwi, and Māori society more broadly (Pihama et al., 2020). Indeed, takatāpui identity is inextricably linked to the past (Aspin & Hutchings, 2007b), whakapapa (Kerekere, 2017; Paul, 2019), and mana (McBreen, 2012).
45. Takatāpui is a reclaimed term (Aspin, 1998) individually rediscovered in Wiremu Maihi Te Rangikāheke’s papers by Ngāhuia Te Awekōtuku and Lee Smith

(Kerekere, 2017). Takatāpui is a term used by Māori “to describe non-heterosexual forms of sexual expression” (Aspin & Hutchings, 2007a, p. 422).

46. Te Awekotuku’s work around takatāpui has been shaped by her reimagining of the Hinemoa and Tūtānekai story (Te Awekotuku, 2001). Te Rangikāheke’s manuscripts described a relationship between Tūtānekai, Hinemoa, and Tiki (Grey, 1971). Te Rangikāheke’s papers also include and describe Tiki as Tūtānekai’s *hoa takatāpui*; a term thought, by some, to imply that Tūtānekai and Tiki may have been more than close friends.
47. Considered experts in their respective fields—Te Awekotuku (art, museum and heritage) and Smith (linguistics)—their rediscovery and use of the word takatāpui was widely accepted (Kerekere, 2017), reclaimed, and transported from the ancient world to the modern. In fact, modern Māori dictionaries now define takatāpui as lesbian, gay, homosexual, gay men and women, in addition to the previous meaning (Moorfield, 2011).
48. Te Awekotuku and Smith “effectively gifted ‘takatāpui’ to Māori lesbian, gay, bisexual and transgender people” (Kerekere, 2017, p. 17). The word was used from the 1980s by Māori, who identified as “whakawāhine, tangata ira tāne, lesbian, gay, bisexual, trans, intersex or queer” (Kerekere, 2017, p. 5) and popularised in the 1990s. According to Kerekere (2017), “Takatāpui is an umbrella term that embraces all Māori with diverse gender identities, sexualities and sex characteristics” (p. 25).
49. Takatāpui, like all Māori, are descendants of Papatūānuku and Ranginui (Kerekere, 2017; Paul, 2019; see Rangiwai, 2022). With regard to takatāpui identity Kerekere (2017) opines, “Takatāpui identity is related to whakapapa, mana and inclusion” (p 25).
50. Takatāpui identity describes and includes both sexual and cultural aspects of Māori identity (Hutchings & Aspin, 2007). This includes Māori who identify as “lesbian, gay, transsexual and transgender”, “non-heterosexual” (Hutchings &

Aspin, 2007, p. 21), “indigenous non-heterosexual” (Glover et al., 2009, p. 295), bisexual (Aspin, 2019), intersex (Aspin, 2019; Nikora & Te Awekotuku, 2013), butch, tomboy, kamp, and queer (Nikora & Te Awekotuku, 2013). Certainly, takatāpui “has been embraced by Māori gay men, lesbians and transgender people as a culturally appropriate term to define their sexualities” (Aspin & Hutchings, 2010, p. 425).

51. Emerging from contrasting worldviews, Māori and Pākehā sexual and gender identities are constructed very differently (Rankine, 2008). Indeed, Pākehā understandings of sexuality are insufficient to describe Māori experiences of sexuality and gender (Henrickson, 2006).
52. Unfortunately, Beckford and Nikora (2016) report that takatāpui voices are too often muted in the presence of Pākehā understandings of sexuality; an issue that needs to be constantly challenged.
53. Takatāpui identity, which is shaped by cultural and spiritual influences (Henrickson, 2006), promotes diversity, resists colonisation and oppression (Beckford & Nikora, 2016) - including significant issues concerning health and wellbeing (Broughton, 1996; Grierson et al., 2004; Pihama et al., 2020) - and seeks inclusion and liberation (Kerekere, 2017; Pihama et al., 2020).
54. Takatāpui are able to traverse, navigate and incorporate varied understandings and expressions into their lives (Henrickson, 2006) that span the complexities of Māori and Western notions of sexuality, gender construction and culture (Aspin, 2002; Pihama et al., 2020). According to Kerekere (2017), the identity of takatāpui “emphasises Māori cultural and spiritual identity as equal to – or more important than – gender identity, sexuality or having diverse sex characteristics” (p. 25; see Aspin, 1998). Furthermore, takatāpui identity is one that “honours our ancestors, respects our elders, works closely with our peers and looks after our young people” (Kerekere, 2017, p. 25).

CONCLUSION

55. Based on whakapapa, and mana - both inherited and earned – those who identify as takatāpui must be accepted as part of whānau, hapū, and iwi (McBreen, 2012). While takatāpui continue to face challenges in contemporary Aotearoa New Zealand, many play essential roles within whānau, hapū, iwi, the community, and in society generally (Broughton, 1996; Harris, 2016; Pihama et al., 2020).
56. More understanding about takatāpui identity is needed in Māori society, particularly, since colonisation has drastically altered Māori understandings of sexuality and gender. Furthermore, the homophobia that prevails in some Māori communities needs to be further examined and contrasted with a tikanga-based approach.



Dr Byron Rangiwai