

An illustration of a Māori woman with dark, curly hair, wearing a white blouse and a patterned shawl with red dots and black fringe. She is seated and looking slightly to the right. The background is a textured, greyish-blue wash.

# *He Reo Wāhine*

*Māori Women's  
Voices from  
the Nineteenth  
Century*

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**Lachy Paterson and Angela Wanhalla**

... a rich and ranging collection of Māori women speaking from the nineteenth-century archive. The hopes, the persistence, the effort to set down a cause are all apparent in the words of women presented in these pages. It is in various measures an inspiring, instructive and agonising read.

– CHARLOTTE MACDONALD, VICTORIA UNIVERSITY OF WELLINGTON

During the nineteenth century, Māori women produced letters and memoirs, wrote off to newspapers and commissioners, appeared before commissions of enquiry, gave evidence in court cases, and went to the Native Land Court to assert their rights. *He Reo Wāhine* is a bold new introduction to the experience of Māori women in colonial New Zealand through Māori women's own words – the speeches and evidence, letters and testimonies that they left in the archive. Drawing from over 500 texts in both English and te reo Māori written by Māori women themselves, or expressing their words in the first person, *He Reo Wāhine* explores the range and diversity of Māori women's concerns and interests, the many ways in which they engaged with colonial institutions, as well as their understanding and use of the law, legal documents, and the court system.

**Lachy Paterson** is an associate professor in Te Tumu School of Māori, Pacific and Indigenous Studies at the University of Otago, where he teaches Māori language and Māori history. He has published widely on Māori history of the colonial period, including a monograph on Māori-language newspapers, *Colonial Discourses: Niupepa Māori, 1855–1863* (Otago University Press, 2006).

**Angela Wanhalla** is an associate professor in the Department of History and Art History at the University of Otago. Her most recent book, *Matters of the Heart: A History of Interracial Marriage in New Zealand* (Auckland University Press, 2013), was awarded the Ernest Scott Prize by the Australian Historical Association for the most distinguished contribution to the history of Australia or New Zealand.

*‘I am a woman who wrote  
this letter’: Land Sales*

**L**AND WAS THE DEFINING ISSUE OF NEW ZEALAND RACE RELATIONS IN THE nineteenth century. Māori had the land that Pākehā wanted, not just for the economic aspects of settlement, but also as a means to realise Crown sovereignty and to gain effective control. Colonisation could only succeed at the expense of mana whenua, but unlike the Australian situation, the indigenous people of New Zealand were too numerous and powerful for Pākehā to simply appropriate the land. Some settlers argued, using European theorists such as Vattel, that Māori should only ‘own’ land they were actively cultivating. However the New Zealand government, cognisant of both Māori numbers and power, and the disapproval of missionaries and English humanitarians, always acknowledged that Māori possessed customary title to all land.<sup>1</sup> Such rights of ownership, based on tikanga, could be complex: tribal groups had mana over land as a form of ownership in common, although rights were often devolved to smaller groups, such as whānau, to use the land or some resources upon it.<sup>2</sup> It was not unusual for different hapū or iwi to claim mana whenua over the same land. The Māori forms of customary title did not translate easily into the forms of land tenure recognised by English law; if Europeans were to possess the land, native title needed first to be extinguished in order for the land to be converted into Crown land, or to become privately owned freehold property.

*Pre-Treaty sales*

Pākehā had already begun acquiring land from Māori prior to formal colonisation in 1840. Some Māori made ‘sales’ on a vast scale to hopeful Sydney

speculators, or to the New Zealand Company for on-selling to its immigrants from late 1839. There were, however, a number of land transfers, both moderately large and small, from Māori to Pākehā such as traders and missionaries who were living among them. It is likely that Māori considered these deals, even when solemnised with a written deed, quite differently to the Pākehā participants. For Māori, to *tuku whenua* (release land) was more about building a relationship with ‘their’ Pākehā who, in the case of traders, were often well integrated within tribal life and had Māori wives and children. In 1841 the government established the Old Claims Commission to investigate the many Pākehā claims, some outrageous, some reasonable, to Māori land. Many of the claims were decided in the 1840s, but in 1856 Parliament passed the Land Claims Settlement Act so that any unresolved or disputed claims could be finally settled ‘not according to strict law, but according to equity and good conscience’. The act also recognised that some cases involved mixed marriages and ‘children of such marriages’, and ‘that inquiry should be made into such cases with a view to make a just provision for the same’.<sup>3</sup> The government subsequently appointed Francis Dillon Bell as the sole commissioner to investigate all claims.<sup>4</sup>

In 1839, the Pākehā trader Thomas Halbert acquired the Pouparae Block, about 1100 acres on the Waipaoa River near Tūranga, 493 acres of which he sold two years later to the newly arrived Anglican missionary William Williams. Because Halbert had made the original purchase, Williams left it to him to present the claim before the commission in the 1840s, something the trader failed to do. Bell therefore heard the case in December 1859 and January 1860 at Tūranga.<sup>5</sup> Halbert had a succession of Māori wives, and the chief counter-claimant was his fourth wife Rīria Mauaranui, an influential woman of Te Aitanga-a-Māhaki and Rongowhakaata descent with whom he began a relationship in 1837.<sup>6</sup> Rīria claimed on behalf of her son by Halbert, Wi Pere, who was later an influential Māori politician. Rīria stated:

*My child had been born some time when Halbert spoke to me about buying some land for him. I said it was unnecessary to purchase the land because the natives would give it: but he answered that he would rather buy the land and then he would be sure of his son retaining possession of it – but if the land were only given, the natives could at some time or other drive him off it. We then went together to our relations, to speak about certain land (Pouparae) – and agreed to purchase a piece of land there. The talk at that meeting was that the land was to be for the child. Halbert waited some time for goods of his own*

*to arrive, but as they were long time coming, he spoke to me of getting goods from Mr. Harris.<sup>7</sup>*

It is clear that for Rīria the land was for their son, a position supported by the other Māori witnesses. For her Whānau-a-Kai hapū, the deal was about their relationship with Halbert with whom they shared a descendant, rather than the £300 in goods and money that he paid. Unfortunately, Halbert and Rīria's relationship, formalised by William Williams, did not last.

*I was present at the payment being given, and it was again said at that time that the land was for the child. My child was then able to run about. After this Halbert drove me and the child away and took another woman to live with him.<sup>8</sup>*

Halbert denied that the land sold was an inheritance for his son. Commissioner Bell chose not to make a decision. Williams wrote to Bell in 1869 asserting that Wī Pere's rights had not arisen when he purchased the land, and that all Māori claims had been dropped.<sup>9</sup> The Waitangi Tribunal gives several reasons why Māori might have relinquished their claims: that they believed that Halbert might be prosecuted for selling the land; that there were more important land claims needing attention; or that Wī Pere was being generous to Williams – the missionary had had to flee his mission in 1865 due to the rise of Pai Mārire, and a number of Māori and Pākehā in the area had been killed by Te Kooti in 1868 (see chapter 2).<sup>10</sup> Williams received his Crown Grant for the land in 1871,<sup>11</sup> although the Waitangi Tribunal believes that Halbert did not have the right to sell the land and effectively disinherit his son.<sup>12</sup>

Rīria was not the only Māori woman whose land was claimed by a Pākehā husband through the mechanism of the Old Land Claims investigations. Uncertain of their rights to land, some white men sought to establish legal title as Crown grants to land that had been gifted by marriage. Customarily such land was the woman's, to be retained for any children of the relationship, and it extended to her husband the right of occupation alone. White men with Māori wives and families – even if some were motivated to ensure the economic security of their families – exploited the land-claims system, using it to their advantage by claiming the gifted land was in fact a 'purchase'. In granting title to marriage gifts, the Land Claims Commission effectively eroded Māori women's control over their lands, and also separated the marriage gift from tribal lands.<sup>13</sup>

## ***Post-Treaty sales***

Under the Treaty of Waitangi, the government claimed ‘the exclusive right of Preemption’, which it interpreted as entitling it to be the sole purchaser of Māori land. The government argued that Māori needed protection from unscrupulous settlers, but it also feared that if settlers were permitted to buy smaller blocks directly from Māori, they would inevitably run into problems over competing claims of ownership, and possible inter-racial clashes that it would then have to settle.

In many cases the purchase agreement was largely oral in nature, with rangatira, most likely male, negotiating on behalf of the hapū with a government official. As the 1891 Commission on Native Land Laws wistfully reported, the government’s ‘olden style of purchase’ was ‘at once open and simple’.

The proposal to purchase was made to the head chief in the presence of at least some of the lesser chiefs; the boundaries of the lands to be dealt with were described; the price to be paid was agreed to; a day was fixed upon which, in the presence of the tribe, the bargain was to be completed. The purchaser then counted the purchase-money in the presence of the chiefs and people, and placed it in a bag or bags before the principal chief, who would then distribute the money among the other chiefs, leaving them to share their portions among their own hapus and families. Frequently, great chiefs thus disposing of extensive territories would give all the purchase-money to their people, leaving nothing for themselves, and, when the gold was thus bestowed, would shake the empty bag which had held it, upside down, to show that nothing remained. ‘Those were the days,’ said Chief Judge Fenton, in describing such a scene, ‘when the Maori chief was a gentleman.’<sup>14</sup>

For most of its first 25 years the government maintained its monopoly, purchasing blocks of land at low prices from tribal groupings, which it sold on to settlers at much higher prices, using the profits to finance its administration.<sup>15</sup> In theory, ‘the government would not solicit, but merely await, an offer from a tribal group to sell some land’, but in practice officials were much more proactive in their activities.<sup>16</sup> During this time most of the South Island was purchased, along with large areas in Hawke’s Bay, Wairarapa, Wellington, Whanganui and to the north and south of Auckland.

The way in which land was purchased means that women’s voices at these meetings were less likely to be heard, or at least recorded. It is in the written

correspondence that their views are made known. We collected no letters by women concerning land for the 1840s, but they start to appear in the 1850s. Ani Mātenga Te Patukaikino (Ngāti Kahungunu) was direct in her request to Land Commissioner Donald McLean.

*Aperira 16.1851*

*E hoa e te makarini tenei ta matou kupu ki a koe[.] ko te utu mo to matou  
kainga 10 mano[.]  
Na Ani Matenga*

[modern translation]

16 April, 1851.

Sir, Mr. McLean, this is our word to you. The price for our property is  
10,000 [pounds].

From Ani Mātenga.<sup>17</sup>

Ani sent another letter. The year is not indicated, but it may have related to the same deal.

*No Patangata no te 4 o nga ra o Hune i tuhia atu ai[.]  
E ta e te Makarini, tena ra koe[.] tenei ano ahau te ora atu nei[.] Na kaore aku  
korero atu kia koe, ara kia korua ko Kawana, kai a korua tonu nga korero  
ara mo to taua kainga ki te tutatanga ki te aha tanga ranei, ki te kore noa iho  
pea ko wai hoki ahau ka mohio, Na E ta mau e hohoro a hohoro mai, a mau e  
kore atu a kore atu engari pea me waka hohoro mai i nga ra wakamutunga o  
Hurae[.] e ta ko taku korero tena ki a koe[.]  
heoi ano Naku  
Na Ani Matenga  
kia te Makarini*

[modern translation]

Pātangata, written 4 June.

Sir, Mr. McLean, greetings. I am well. I do not have anything to say to you, that is, to you and the Governor, it is up to you two to say something, that is, about our land, that is, on its current position or what is being done, or not, I have no idea. Now Sir, you can be quick if you want, or not, but you should perhaps be quick, in the last days of July. Sir, this is what I have to say.

That is all from me  
From me, Ani Mātenga  
to Mr. McLean.<sup>18</sup>

When land was sold, the money was not always all paid at one time. In the following letter, Meri Te Aokauai and another from Rangiwakaoma (Castlepoint) discuss getting money still owing to them.

*Rangiwakaoma  
Oketopa 20 1864*

*Ki Nepia kia te Makarini e ta tena koe he kupu atu tenei kia koe mo nga toenga o Maungarake ano te ..50.. pauna i korerotia ai e maua ko te kau matua ko te Wiremu Potangaroa i te Pa o te Hapuku i te Hauke[.] heoi ko aua moni me homai e koe inaianei taua 50 pauna[.] kua ki ake ano a te Wiremu kia homai e koe aua moni [.] ki te pai koe kite tukua mai e koe a te Kupa mana e mau mai[.] heoi ano*

*Na Meri te aokauai  
Na Tapatu Ruta.*

[modern translation]

Rangiwakaoma,  
20 October, 1864.

To Napier, to Mr McLean. Sir, Greetings. This is a word to you about the remaining [money] of Maungarake, the 50 pounds that the elder, Te Wiremu Pōtangaroa, and I discussed at Te Hāpuku's pā at Te Hauke. Anyway, you should give that money, the 50 pounds, now. Te Wiremu has said that you should give that money. If it is agreeable to you, hand the money to Te Kupa [Cooper] and he will bring it here.

That is all.

From Meri Te Aokauai  
and Tapatu Ruta.<sup>19</sup>

One of the primary concerns Māori held was about asserting rights over land that was being sold, had been sold, or that someone else might sell. In some cases these concerns were expressed publicly. In 1857, the newspaper *Te Waka o te Iwi* published a letter from Miriama Hēmara, the wife of Ngāti Whātua chief Te Hēmara Tauhia. She owned land inland of the Kaipara Harbour.<sup>20</sup>

*'I am a woman who wrote this letter'*

*He Pukapuka Whenua na Miriama Hemara, o Ngatirango*

*Mahurangi, Akuhata 27, 1857.*

*Ki a Hare Reweti, – tenei pukapuka. E kara, tenei ano te kupu ki a koe. Ki te tae mai Te Uriohau korero atu koe ki a ratou mo te pihi whenua i Aropaoa mo te pihi hou kia whakarerea, kua e tukua, erangi kia rite te mea tawhito ka tahi ka tika. Heoi ano ka mutu.*

*Na Miriama Hemara*

[modern translation]

Letter about Land from Miriama Hēmara of Ngāti Rango.

Mahurangi, 27 August, 1857.

To Charles Davis, this letter. Sir, here is [my] word to you. If Te Uri-o-Hau come, talk to them about the piece of land at Aropaoa, the new piece which is to be left, and not to be released [for sale] but let the old one be dealt with, and then it is right. That is all.

From Miriama Hēmara.<sup>21</sup>

Although the niupepa published other letters concerning land, Miriama's letter does not explain why the editor, Charles Davis, who had recently left his job at the Native Office,<sup>22</sup> would be talking about land to Te Uri-o-Hau, another hapū of Ngāti Whātua. What the letter does is assert her interest in an area where competing hapū and iwi were selling land. Most letters were not for publication, and sent directly to Donald McLean, then head of both the Native Office and land-purchasing operations.

Hārata Panga wrote to ensure that she received something from the sale of land at Heretaunga in 1853.

*15 Hepetema 1[8]53*

*Ki Makawhiu kia Te Makarini e ta tena koe[.] He korero ano taku ki a koe mo taku korero ki a koe i te Turei, mo te tahi whahi o nga utu o Heretaunga kia homai mo maua ko taku hoa, kei a Hori te whakaaro kia maua, ta te mea hoki i a au tetahi whahi o tena kainga o Heretaunga ko toku matua tane no reira ko taku matua wahine no Manawatu no Horowhenua puta noa ki Porirua ko toku matua tane i pumau tonu ki Heretaunga[.] ma nga tangata o reira e korero ki a koe he pono taku korero ki a koe, ta te meahoki ko te utu whakamutunga tenei o taua kainga e oti atu ai ki a koe[.] ki te whakaae mai nga tangata ki taku pukapuka, na mau tonu e mau mai nga moni, tena ano taku pukapuka ki a Hori*

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