TOI MOKO TŪ ATU TOI MOKO TŪ MAI

THE TRADE AND REPATRIATION OF TOI MOKO.

Tikanga Māori and its connection with the trade

and repatriation of Toi moko.

By

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A thesis in fulfilment of the requirements of the degree of
Doctor of Philosophy in Māori Studies

Victoria University of Wellington

Te Herenga Waka

2023

Approved by _____

Chairperson of Supervisory Committee

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Programme Authorised to Offer Degree

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Date _____

This thesis is dedicated to my parents (Figure 1), who adopted me and raised me as their biological child. Ka nui taku mihi me te aroha ki a kōrua.

Figure 1: Maaka Haapu Herewini and Mareikura Irene Hilda Tohikura Reremoana as teenagers at Rātana Pā, Whanganui (circa 1950s).

ABSTRACT

This thesis focuses on tikanga Māori (deep Māori philosophy, traditions, ethics and values) associated with the commercial trade of Toi moko (preserved Māori ancestral heads) and kōiwi tangata (Māori skeletal remains) from 1769 to the present day, as well as tikanga associated with the repatriation of Toi moko and kōiwi tangata from overseas institutions from the 1980s. This research seeks to understand the connection tikanga has with the rationale for rangatira in the early 1800s to engage in the commercial trade of Toi moko and then explores the relationship between contemporary tikanga Māori in seeking the return of the same ancestors from overseas institutions six generations later.

As well as historical archival research, case studies, interviews, and observation of current professional museum practice. I employ a kaupapa Māori research approach derived from Māori academics, theorists and philosophers including Te Rangikāheke (Te Arawa), Professor Linda Smith (Ngāti Porou), Professor Ranginui Walker (Whakatōhea), Reverend Māori Marsden (Te Tai Tokerau), kaumātua belonging to the Te Hāhi Rātana (The Rātana Church) as well as Professor Sir Hirini Moko Mead (Ngāti Awa) and others, to understand, examine and interpret historical and contemporary perspectives associated with the trade and repatriation of Māori ancestral remains. This methodology challenges Western and European narratives that justified a deep-rooted history of trading in indigenous, brown, and black people's bodies from the late 1400s to the 1980s.

This thesis, also examines ways to achieve repatriation, restitution, and reconciliation by analysing the Māori repatriation movement from the 1980s as well as the personal views of repatriation champions associated with overseas institutions and groups, particularly focusing on their central ethics and values and how these connect and intersect with tikanga held by contemporary Māori.

In terms of conclusions, this research finds a deep and enduring connection between tikanga Māori, its relationship to tapu and noa, mana and political agency and the original trade of Toi moko between the years 1769 to 1840 as well as their subsequent repatriation from the 1980s by contemporary Māori to their homelands in Aotearoa New Zealand.

MIHI — ACKNOWLEDGEMENTS

Tēnei te mihi atu rā ki oku tūpuna katoa i heke mai i Hawaiki, mai i Rangiātea, mai i Tāwhiti, mai i Wawauātea, mai i Rarohenga, mai i Maiteka, mai i Kapura, mai i ngā motu tapu katoa o te moananui a Kiwa. Ko aku mihi hoki ki ngā waka o *Tainui, Te Arawa, Kurahaupō, Aotea, Horouta, Takitimu, Mataatua, Ngātokimatawhairua* me ngā kahui maunga o te motu. Ko ēnei ngā tupua, ngā waka rānei o aku tūpuna o Te Āti Hau a Pāpārangi, Ngāti Whakaue Ngārauru Kītahi, Ngāti Ruanui, Pakakohi, Ngāti Tūwharetoa, Ngā Wairiki Ngāti Apa, Ngāpuhi, Ngare Raumati, Whakatōhea, Ngāti Porou, Ngāti Toa Rangatira, Ngāti Mutunga, Te Āti Awa, Ngāti Raukawa me Ngāti Tama. He tamaiti whāngai ahau ki aku mātua a Maaka Haapu Herewini rāua ko Mareikura Irene Hilda Tohikura Reremoana. Nā rāua ahau i manaaki i aroha mai i te wā o taku putanga mai i te whare tangata o taku māmā tūturu. Aku mihi atu ki a rāua taku aroha pūmau rawa hoki.

Although we were taught to farewell and separate ourselves from our ancestors and our departed loved ones, we are gently reminded of their presence through their wairua (spirit). I wish to acknowledge my parents, who adopted me and raised me as their son, namely Maaka Haapu Herewini and Mareikura Irene Hilda Tohikura Reremoana. Without their aroha (love and compassion), manaakitanga (generosity and kindness) and tautoko (support), I would not have reached this milestone in my life. I also wish to thank my many uncles, aunties, kaumātua (male and female elders), and many whanaunga (cousins) at Rātana Pā who provided me with valuable insights about the māramatanga (enlightenment) of Tahupōtiki Wiremu Rātana, which provides the foundations of the tikanga I follow to navigate the world before me. Ka nui taku mihi me taku aroha ki a koutou ki a Uncle Natanahira Wiremu Chockey Tohikura Reremoana, Aunty Parani (Fan) Tohikura Reremoana, Aunty Erina Te Koha Mutungae Reremoana, Aunty Iriaka Reremoana-Ruke, Aunty Wikitoria Reremoana (my birth mother), Aunty Aroha Ruke, the lovely Aunty Hana Warbrick-Puketohe, and Aunty Ngaire Williams-Mako. I also wish to acknowledge the many kaumātua and rangatira (chiefs and leaders) around the motu (country) that freely shared their wealth of knowledge and experience with me, as well as the incredible Whaea Esther Jessop, the patron of Ngāti Rānana in England.

In undertaking this PhD thesis, I am pleased to indicate that I have enjoyed the support of my workplace, Te Papa, for the last 14 years. During this period, Dame Dr Claudia Orange, Rhonda Paku, Dr Arapata Hakiwai, Carolyn Roberts-Thompson, Susan Thorpe, Te Arikirangi Mamaku, and other Te Papa colleagues encouraged me to pursue PhD studies. I also wish to acknowledge members of the Repatriation Advisory Panel, part of the Karanga Aotearoa Repatriation Programme, who have

provided their expertise as leaders and experts in international repatriation and have successfully guided the programme over the years. These members include Professor Sir Pou Temara, Professor Sir Derek Lardelli, the late Whaea Hokimoana Te Rika-Hekerangi, Te Kanawa Pitiroi, Whaea Kataraina Pitiroi, Alfred Preece, Aroha Mead, Haami Piripi, Edward Ellison, Te Wari Carkeek, Whaea Rihia Kenny, the late Hema Temara, Moana Parata, Taki Turner and Whaea Ratau Turner, as well as Papa Taharakau Stewart and Kōkā April Nepia-Su'a.

I have also been fortunate to meet several international colleagues who have offered me leadership and guidance, including Senator Catherine Morin-Desailly, Sebastien Minchin, Professor June Jones, Dr Mark Schaffer, Dr Jenney Newell, Dr Holly Cusack-McVeigh, Jackie Swift, Terry Snowball, Laurie Burgess, Lena Tso, Dr Jacinta Arthur and Mama Piru Huke Atan. I also wish to thank the Māori Studies Department at Auckland University, who provided guidance, support and understanding during my period there as a master's student. Special acknowledgement is made here to the late Whaea Waerete Norman, Whaea Rangimāre Rawiri, Whaea Mere Gillman and Whaea Roberta Wilson for your incredible tautoko. A special acknowledgement to Professor Conal McCarthy of Heritage and Museum Studies, at the Stout Centre, Victoria University of Wellington for your enduring advice and support. Finally, I wish to thank and acknowledge my supervisors from Victoria University of Wellington Te Herenga Waka's Māori Studies Department Te Kawa a Māui, Professor Peter Adds and Professor Ocean Mercier; thank you for your guidance, insight, patience, and for providing your expertise.

Ngā mihi rawa atu rā ki a koutou katoa.

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GLOSSARY

Ahi kā. The group of people who live in the homeland.

Aotea. One of the ancestral vessels from Hawaiki.

Aotearoa. This was originally one of the traditional names for the North Island of New Zealand, however, it is now used as the Māori name for New Zealand.

Ariki. Senior chief.

Aroha. Compassion, love.

Atamira. A raised platform, stage.

Ā-tinana. To be there in body, to be physically present.

Atua. Commonly translated as a god or gods**.** Prior to the arrival of Christianity, atua meant a spirit beyond the veil of human life.

Ā-wairua. To be there in wairua, to be spiritually present.

Ea. The point where satisfaction has been achieved.

Futuna. Refer to Uvea.

Hākari. Feast after an important event.

Hāngi. Earth oven, feast prepared in an earth oven.

Hapa. To make an error or mistake.

Hapū. Sub-tribe.

Hara. Violation, sin.

Hau. Wind, vitality.

Hau kāinga. Village, place of origin, a community of origin.

Hēanga. Wrongdoing.

Hekenga. Migration.

Hema. The husband of Urutonga, and the father of Tāwhaki and Karihi.

He Whakaputanga. The Declaration of Independence document that was signed by Māori chiefs in 1835.

Hīmene. Transliteration of the word hymn.

Hine-nui-te-pō. One of the original Māori ancestors of the spiritual world. This ancestor offers manaakitanga (care) to the spirits of the deceased. The daughter of Tāne, who unknowingly became his second wife. This ancestor's original name is Hinetitama.

Hinetītama. Ancestor of dawn and daylight, who in the evening becomes Hine-nui-te-pō.

Hoariri. Enemy.

Hohou rongo. To make a peace agreement.

Hokomaurāhiri. A formal welcome according to tikane Moriori.

Hongi. A traditional Māori greeting of pressing noses.

Hongi Hika. Well-known Ngāpuhi leader in the early 1800s.

Hononga. To join or bring together.

Horouta. One of the ancestral vessels from Hawaiki.

Hui. Gathering, meeting.

Hunaonga. Son-in-law or daughter-in-law.

Hura kōhatu. Unveiling of headstone.

Huritau. Birthday.

Ihoa o Ngā Mano. The bibilical Old and New Testament God, Jehovah of the multitudes.

Imi. (*Ta rē Moriori*). Tribal group or the bones of ancestors.

Inoi. To pray, offer a prayer.

Inoi whakamutunga. Closing prayer.

Iriiri. Christening or baptism.

Iwi. Tribal group or the bones of ancestors.

Kai. Food, to eat.

Kaiāwhina. Helper, a person who offers assistance.

Kaikarakia. A person who leads traditional chants, prayers, church services.

Kaikōrero. Speaker, orator.

Kai Tahu. See Ngāi Tahu.

Kaimahi. Worker.

Kaimanaaki. Host, or a person who offers hospitality to manuhiri.

Kaitiaki. A person that offers care.

Kākā. A green native parrot.

Kākahu. Cloak, garment.

Kanak. The indigenous people of New Caledonia.

Kapeu. Greenstone ear ornament.

Karakia. Traditional spiritual chant.

Karakii. (*Ta rē Moriori*). Traditional Moriori spiritual chant.

Karanga. A spiritual call of acknowledgement by female elders.

Karapuna. *(Ta rē Moriori)*. A single ancestor.

Karāpuna. *(Ta rē Moriori)*. Ancestors.

Karihi. One of the sons of Hema and Urutonga, and the younger brother of Tāwhaki.

Kaumātua. Elders, either male or female.

Kaupapa. Theme or purpose.

Kawa. Protocols on the marae, rituals of encounter. A bitter taste.

Keha. A native turnip.

Kikokiko. The physical elements.

Kīnaki. Relish to put on food, sung poetry.

Kīngitanga. The Māori King Movement.

Kōauau. A type of Māori flute.

Koha. A gift given in response to a kind gesture. The koha can be in the form of a traditional taonga, however, money is also provided when people are hosted at a marae.

Kōimi t'chakat. *(Ta rē Moriori).* Human skeletal remains, Moriori skeletal remains.

Kōiwi tangata. Human skeletal remains, Māori skeletal remains.

Kōkā. Mother, a term of respect for female elder.

Kōrero. To speak, talk, oral history.

Korokoro. A leader belonging to the Ngare Raumati tribe of the Bay of Islands who lived in the early 1800s.

Koroneihana. The coronation of the Māori King or Queen.

Koroua rangatira. A male elder of chiefly status.

Kotahitanga. Unity, to unify. A name of a Māori political movement.

Kui, kuikui, kuia. Female elder, female elders.

Kuia rangatira. A female elder of chiefly status.

Kūpapa. A Māori who sided with the Crown against other Māori.

Kupenga. Fishing net.

Kupu. Word.

***Kurahaupō*.** One of the ancestral vessels from Hawaiki.

Kūwhā. Inner thighs. Also spelt kūhā.

Mahi. Work, action, or activity.

Mahinga kai. An area that produces food (i.e. cultivation, fisheries, forest area etc).

Mahi tahi. Co-operation, working together.

Māmari. One of the ancestral vessels from Hawaiki.

Mana. Authority and prestige.

Manaaki. Hospitality.

Manaakitanga. The pre-Christian concept of offering hospitality, or care for other humans. The Māori Christian concept of God offering blessings to his/her followers.

Mana atua. Pride, power and prestige from the original Māori gods and ancestors.

Mana hapū. Subtribal pride and power.

Mana iwi. Tribal pride and power.

Mana motuhake. Self-determination.

Mana tangata. Pride, power and prestige as a human being.

Mana whānau. Family pride and power.

Mana whenua. Pride, power and prestige of a tribal group and their connection to their tribal territory.

Māori. Indigenous or native of Aotearoa New Zealand.

Māoritanga. The Māori way of being, Māori culture, Māori tradition.

Marae. Māori community of tribal centre. A location for important Māori events.

Mataatua. One of the ancestral vessels from Hawaiki.

Mataora. Māori male facial tattoo.

Matau. Right side, fish hook.

Mātauranga. Knowledge.

Matawhaorua. The waka belonging to Kupe.

Matua. Father, a term of respect for a male elder.

Mātua tūpuna. Ancestors.

Mau patu. The art of hand combat using a patu.

Māui-tikitiki-a-Taranga. An ancient Polynesian ancestor (including Māori) who is the son of Taranga and Makea-Tutara.

Mauri. Life force or life essence.

Mihi. To greet or acknowledge.

Mōkai. Pet, a person enslaved or a mummified head.

Mōkaikai. Pets, enslaved people, or many mummified heads.

Mokamokai. Traditional Māori word for pet or mummified head.

Moko mōkai. A word created shortly after the arrival of Pākehā to mean a mummified head created for commercial trade. These could include the heads belonging to those defeated in battle such as chiefs, warriors, as well as others taken as captives or enslaved.

Mokopuna. Grandchild.

More. Custom and social code of behaviour.

Mōrehu. A word used by Te Whiti o Rongomai and Tohu Kākahi to describe their followers as survivors and remnants of colonial oppression. This word was also adopted by other Māori prophets including Tahupōtiki Wiremu Rātana to describe their supporters.

Moriori. *(Ta rē Moriori).* The indigenous Polynesian people of Rēkohu (Chatham Islands).

Mōteatea. Traditional chanted history which laments and recalls important tribal narratives.

Motu. Island or country.

Muaūpoko. An original tribal group belonging to the lower North Island.

Muka. The senew from the flax plant, which has been processed into a fine thread that can be used sewing or for weaving.

Muru. The process of seeking ritual compensation.

Ngāi Tahu. A major iwi of Te Waipounamu (South Island)

Ngāi Tāwake. A sub-tribe of Ngāpuhi, belonging to Te Tai Tokerau (Northland).

Ngāpuhi. A major tribe that belongs to Te Tai Tokerau (Northland). Rangatira of this iwi includes Rāhiri, Hongi Hika, Dame Whina Cooper, and Sir Graham Latimer.

Ngārara. Monster, creepy animal, reptile.

Ngārauru Kītahi. An ancient iwi belonging to South Taranaki and Whanganui regions.

Ngare Raumati. One of the original iwi of the Bay of Islands with whakapapa to the Mataatua waka.

Ngāti Apa. One of the original iwi of the Rangitikei district.

Ngāti Kuta. A sub-tribe of Ngāpuhi, belonging to Te Tai Tokerau (Northland).

Ngāti Mutunga. An iwi that originates from northern Taranaki, which migrated to the Wellington region and to Rēkohu/Chatham Islands.

Ngāti Toa Rangatira. An iwi originating from Kāwhia, that migrated to the lower north Island in the early 1820s under leadership of Te Rauparaha, Te Pēhi Kupe, Te Rangihiroa and Te Rangihaeata.

Ngāti Rānana. A community group of New Zealanders living in London, England.

Ngāti Raukawa. An iwi that descends from the *Tainui* waka.

***Ngātokimatawhaorua*.** One of the ancestral vessels from Hawaiki.

Nguru. A type of Māori flute.

Noa. Common, ordinary, everyday and without tapu.

Pā. Tradtionally a fortified village, however, this in modern times means a Māori village or community.

Pākehā. One of the original words used by Māori to describe a foreigner, or white settler.

Pākehātanga. The Pākehā way of being, Pākehā tradition, Pākehā culture.

Papa. (i) A term of respect for a male elder. (ii) See Papatūānuku.

Papa kāinga. See hau kāinga.

Papatūānuku. Earth mother according to the Māori genesis, who is the partner of Ranginui (Sky father). All Māori are descendants of these two original ancestors. Sometimes the name is shortened to Papa.

Pare raukawa. A wreath worn on the head to honour the deceased.

Pariha. Parish.

Patu. To hit, a hand weapon made of wood, stone or whalebone.

Patu kauae. Hand club made out of a human jawbone.

Patukeha. As in Ngāti Patukeha, the descendants Te Auparo of Ngāi Tāwake who was killed by Ngare Raumati while tending turnips in her garden. Her sons adopted the name to seek utu, takitaki, muru and ea for their mother.

Pepeha. A tribal saying that connects the speaker to their tribal territory and ancestors.

Pihe. A type of lament.

Piki te ora. To offer wishes or prayers of health and well-being.

Pito. Navel, belly button, connection with ancestral lands.

Ponaturi. A traditional Māori word to describe foreign raiders from other islands or worlds.

Pononga. Faithful servant, follower.

Poroporoaki. To farewell or to acknowledge a person's passing.

Pōtiki. The youngest sibling of a whānau.

Pou. Pillar, post, a person of standing.

Pou mātauranga. A stream of knowledge, pillar of knowledge, a person with expertise in a particular area of knowledge.

Pounamu. Jade, greenstone.

Poutama. Traditional artistic pattern conveying an impression of the stairway to the highest heaven.

Pōwhiri or Pōhiri. Formal welcoming ceremony.

Pūhoro. Māori tattooing on the thighs, back, lower stomach and buttocks.

Pukenga. Skills and abilities.

Pūtake. Source or origin.

Pūtātara. Conch shell trumpet.

Rāhiri. The tupuna of the Ngāpuhi peoples.

Rāhui. Restriction.

Rānana. A transliteration of the word London. A location on the Whanganui River.

Rangahau. Research.

Rangatira. Traditional chief and leader. Modern Māori leader.

Rangatiratanga. Chiefly authority and power.

Rangi. Sky, day, tune. Also refer to Ranginui.

Rangimārie. Peace.

Ranginui. Sky father of the Māori genesis, who is the husband of Papatūānuku (Earth mother).

Rāranga. The traditional art of weaving.

Rata. The son of Wahieroa and grandson of Tāwhaki.

Rātana Pā. A small Māori township established by the followers of the prophet Tahupōtiki Wiremu Rātana.

Raukawa. The original Māori name for the Cook Strait. A type of tree. See pare raukawa.

Rautaki. Strategy, strategic plan.

Rēkohu *(Ta rē Moriori).* The original Moriori name for the Chatham Islands.

Riri Pākehā. See Te riri Pākehā.

Rohe. Region.

Rongo. The god or guardian of peace.

Rongomau. Peace.

Rōpū. Group.

Rūaumoko. God or guardian of earthquakes and volcanoes. Also known by the name Ru-ai-moko or Rūamoko.

Ruruhi. *Tainui* word for respected female elder.

Ta rē Moriori. The Moriori language.

Taha kikokiko. Physical element.

Taha wairua. Spiritual element.

Tahito. Ancient. Also spelt tawhito.

Tahupōtiki Wiremu Rātana. The prophet of the Rātana Church and the Mōrehu Movement from 1918 to 1939.

Taiaha. A wooden weapon, similar to a staff.

Tainui. The name of the waka that came from Hawaiki Rangiātea. The commander and high priest of the waka is Hoturoa. This waka came to Aotearoa New Zealand at the same time as *Te Arawa*, and is also connected to the *Aotea* and *Ngātokimatawhaorua* waka.

Tai Tokerau. The northern part of the north island. From Whangarei to Te Rerenga Wairua.

Take. An issue.

Takitaki. Retribution.

Takitimu. One of the ancestral vessels from Hawaiki.

Takiwā. Region or territory.

Takutai moana. Coastline.

Tamaiti. Child.

Tamaiti uri rangatira. A child of chiefly whakapapa.

Tama-te-kapua. One of the rangatira of the Te Arawa waka.

Tā moko. The traditional Māori art of tattooing.

Tāne. Male, the god or guardian of the forest.

Taunaha. To name a location.

Tangaroa. The guardian or god of the ocean.

Tangata whenua. Original people of the land, indigenous people.

Tangi. To cry, mourn, or to make a sound. See also tangihanga.

Tangihanga. A Māori culturally infused funeral dedicated to the life of a loved one.

Tao'a. (*Rapa Nui language*) cultural treasure.

Taonga. An item of importance and significance which may include whenua (land), rohe (a region), wairua (spiritual gifts), te reo Māori (the Māori language), tikanga (philosophy, principles, customs, traditions, frameworks, guideline, social mores etc) kawa (marae protocols), kai (food), wai (fresh water) and rauemi (resources).

Taonga puoro. Traditional Māori musical instruments.

Tapu. Sacred power, force and authority.

Tatau pounamu. Peace treaty between hapū (sub-tribes) and iwi (tribal groups). In the modern context used to mean reconciliation.

Taua. War party or military campaign.

Tau Ihu o Te Waka. The region at the top of the South Island.

Tauiwi. Foreigner, non-Māori, Pākehā, a recent settler from overseas.

Tautoko. To support.

Tāwhaki. One of the sons of Hema and Uurtonga, and the elder brother of Karihi.

***Te Arawa*.** One of the ancestral vessels from Hawaiki.

Te Hāhi Rātana. The Rātana Church.

Te Ika a Māui. One of the traditional names for the North Island of New Zealand.

Teina. Younger sibling or cousin, a person of junior whakapapa.

Te Iwi Mōrehu. The followers of the māramatanga (enlightenment) of Tahupōtiki Wiremu Rātana.

Teke. Vagina.

Te Moananui a Toi. The great ocean of Toi. The original Māori name for the Bay of Plenty.

Te Ngare Raumati. See Ngare Raumati.

Te Pēhi Kupe. A tupuna of Ngāti Mutunga and Ngāti Toa Rangatira whakapapa who migrated from Kāwhia to the lower north Island in the early 1820s. The older brother of Te Rangihiroa.

Te Pikinga. See Te Rangipikinga.

Te Rangihaeata. A tupuna of Ngāti Toa Rangatira whakapapa who migrated from Kāwhia to the lower north Island in the early 1820s.

Te Rangi Hīroa Sir Peter Buck. An acknowledged Māori academic that wrote about Māori history.

Te Rangihiroa. A tupuna of Ngāti Mutunga and Ngāti Toa Rangatira whakapapa who migrated from Kāwhia to the lower north Island in the early 1820s. The younger brother of Te Pēhi Kupe.

Te Rangipikinga. Also known a Te Pikinga. A tupuna belonging to Ngāti Apa of Rangitikei, how became the tatau pounamu (peace treaty) wife of Te Rangihaeata.

Te Rarawa. An iwi belonging to the Te Tai Tokerau, and located on the northern side of the Hokianga. This iwi predates the raise of Ngāpuhi.

Te Rauparaha. A tupuna of Ngāti Toa Rangatira whakapapa who migrated from Kāwhia to the lower north Island in the early 1820s.

Te reo Māori. The Māori language.

Te riri Pākehā. Pākehā anger or aggression.

Te Tai Hau-a-uru. The western coast and side of the North Island.

Te Tai Rāwhiti. The eastern coast and side of the North Island.

Te Tai Tokerau. The northern part of the North Island from North Auckland to Te Rerenga Wairua.

Te Tai Tonga. The South Island and all its regions.

Te Tau Ihu o Te Waka. The northern part of Te Waka a Māui, Te Waipounamu, the South Island**.**

Te Tiriti o Waitangi. The Māori version of the Treaty of Waitangi signed by Māori chiefs in 1840.

Te Ūpoko o te Ika. The greater Wellington region.

Te Uriroroi. An iwi of mix Ngāti Whātua and Ngāpuhi whakapapa in the Whangarei region.

Te Waipounamu. The South Island. Literally, this means greenstone waters. One of the names for the South Island, alongside the name Te Waka a Māui (The vessel of Māui).

Te Waka a Māui. The vessel of Māui, an additional name for Te Waipounamu.

Te Whanganui a Tara. The Great Harbour of Tara, the Wellington Harbour region.

Tika. Correct, true.

Tikane Moriori. Moriori philosophy, strategy and planning framework, protocols, best practice guidelines, principles, social mores, customs and traditions.

Tikanga. Customs, traditions, values, ethics, the correct process to follow or response, social mores, principles, guidelines, protocols, best practice, philosophy, strategy and planning framework.

Tikanga Māori. Māori derived, led or centred customs, traditions, values, ethics, the correct process to follow or response, social mores, principles, guidelines, protocols, best practice, philosophy, strategy and planning framework.

Tīpuna. The Ngāi Tūhoe, Ngāi Tahu and Te Tai Rāwhiti way of saying tūpuna or ancestors.

Titikura. Powerful karakia.

Tohu. A sign or symbol.

Tohunga. An expert, priest.

Toi moko. A preserved tattooed head of Māori or Moriori origin. See additional statement about Toi moko in Writing Te Reo Māori and Ta Rē Moriori section.

Toki. Adze.

Tokomaru. One of the ancestral vessels from Hawaiki.

Tono. To invite or request.

Tonotono. A person that looks after someone important.

Treaty of Waitangi. The English version of Te Tiriti o Waitangi.

Tuai. A Ngare Raumati chief, and younger brother of Korokoro. Also known as Tui, Tuhi and Te Tuhi.

Tūākana. Older sibling or cousin, a person of senior whakapapa.

Tūākana-Teina. The senior-junior relationship between whānau, hapū and iwi.

Tūhoromatakakā. One of the sons of Tama-te-kapua.

Tuku aroha. To give compassion.

Tuku whenua. To gift land.

Tūpāpaku. Deceased, buried in sitting position.

Tupu kai. An area to grow food.

Tupuna. Singular, ancestor. Also be written as tipuna.

Tūpuna. Plural, more than one ancestor. Also written as tīpuna.

Tūpuna wāhine. Female ancestors.

Tūrangawaewae. A person's tribal place of standing, place of tribal authority.

Ture tangata. Political element.

Ture wairua. Spritual element.

Turuturu. Stakes in the ground.

Tūturu. Staunch, original, authentic.

Ūpoko. Head.

Uri. Descendant.

Uri rangatira. A descendant of chiefs.

Urupā. Cemetery.

Urutonga. The wife of Hema, and the mother of Tāwhaki and Karihi.

Utu. Seeking reciprocity, balance, revenge, restitution, or payment.

Uvea. Commonly known as the Wallis and Futuna Islands. A part of France as a French overseas territory.

Waerea. A traditional karakia to clear a pathway to engage with people, ancestors, activity, or location.

Wāhi tapu. Sacred repository or ancestral remains and burial taonga (cultural treasures).

Wāhi tchap. *(Ta rē Moriori)*. Scared burial repository.

Wai. Water, liquid.

Waiata. Song.

Waiata poi. A chant or song accompanied by the poi.

Waiata tangi. Lament dedicated to the deceased.

Waipiro. Alcohol.

Wairua. Spirit or spiritual.

Wairuatanga. Spiritual dimension.

Waka. Canoe, vessel.

Wā kāinga. See hau kāinga.

Wallis and Futuna. Refer to Uvea.

Wānanga. Traditional house of learning, seminar, lecture.

Wero. Challenge.

Whaea. Mother, a term of respect for a female elder.

Whaikōrero. A traditional Māori orator.

Whakairo. The art of carving into wood, pounamu (greenstone), bone or other materials.

Whakaaro pai. Goodwill.

Whakaiti. Humble.

Whakamāroke. To dry or mummify.

Whakamoemiti. The word used by the Rātana Church for church service.

Whakanoa. The process to remove tapu.

Whakapapa. Genealogy, family tree, historical connection.

Whakaputanga. See He Whakaputanga.

Whakatau-ā-kī / whakataukī. A well known saying or proverb.

Whakawātea. The process of becoming free of tapu.

Whānau. Extended family.

Whanaunga. A relation or relative.

Whāngai tamariki. To foster or adopt a child or children.

Whare. A house, building.

Wharekōiwi. A mausoleum for ancestral remains.

Wharenui. A community centre or building.

Whare tupuna. Ancestral house.

Whāriki. Finely woven mats.

Whati. To break.

Wheke. Octopus.

Whenua. Land, region or territory.

Wharekaurī. The Māori name for Rēkohu and the Chatham Islands.

Writing te reo Māori and ta rē Moriori

In this thesis I will write te reo Māori and ta rē Moriori using the tohutō or macron. I will also use the tohutō when writing common Māori and Moriori names (including place names) such as Māui, Pōmare, Tāmaki makau rau and Te Tai Rāwhiti for example.

In respect to writing the word Toi moko, I will follow the whakaaro of the late kaumātua Te Ikanui Kapa, who was Te Papa's Māori language writer for a period of time in the mid-2000s. Te Ikanui's advice was to capitalise the t in Toi, to separate Toi from moko, and not to capitalise the m in moko. This advice continues to be supported by the Repatriation Advisory Panel of the Karanga Aoatearoa Repatriation Programme. It is important to note English language writing conventions are specific to English and do not necessarily align with writing conventions adopted by other languages.

INTRODUCTION

Toi moko Tū atu Toi moko Tū mai:
The Trade and Repatriation of Toi moko.

Tēnā te tapu nui	The great sacredness
O te atua nui	Of the great ancestor
O Tūmatauenga	Tūmatauenga
O Kahukura i te pae	Of Kahukura at the step
O Māui mua	Of Māui the first
O Māui roto	Of Māui within
O Māui pae	Of Māui by the side
O Māui tikitiki a Taranga	Of Māui topknot of Taranga
Te Tapu nui	The great sacredness
Te Tapu roa	The enduring sacredness

(Grace 1992: 70-71).

Greeting the ancestors

Nei rā te mihi, ki ēnei tūpuna, e kīīa nei ko ngā Tōi moko, ara ngā ūpoko o ēnei nō ngā tūpuna o mua rā, kua whakamaroketia. Ko tangi, ko roimata, ko hūpē he tohu o te mamae i roto i ahau mā koutou e ngā tūpuna, ahakoa he rangatira, he mōkai, he taiohi, he tāne, he wāhine ētehi o koutou, he tātairanga whakapapa ki Aotearoa, Te Waipounamu whiti atu ki Rēkohu.

Nei rā te mihi hoki ki ngā mātauranga, ngā tikanga, ngā karakia, ngā kōrero a kui mā a koro mā. Koinā ngā tāonga kua waihōtia e rātou mā kua mene atu ki te pō, ki te wāhi ngaro. Āpiti hono te tātai hono, rātou mā te hunga mate ki te hunga mate, āpiti hono te tātai hono, tātou te hunga ora, tēnā koutou katoa. Nei rā te mihi hoki ki a koutou mā e pānui ana i ēnei kōrero. Ki au nei e rua ngā mea o te ao i whakatau nei ki te tangata, ahakoa he rangatira, he rawakore, he tāne, he wahine, he takatāpui, he Māori, he tauiwi rānei. Ko te mea tuatahi, ana 'ka whānau mai ki te ao, ā, ko te mea tuarua ka mate hoki!'

Kei ia whenua kei ia hapori kei ia iwi, he tikanga anō hoki e pā ana mō ēnei mea e rua. He tikanga tā te iriiritanga o te pepi, he tikanga anō tā te nehu o te tūpāpaku. Ana, ko te kaupapa o tēnei kōrero, ko te tikanga e pā ana ki ngā Toi moko: arā ngā whakaaro Māori, ngā tikanga Māori hoki o mua rā ki a rātou mā, ā, ko ngā whakaaro Māori, ngā tikanga Māori o naianei hoki ki a rātou mā.

Title of the thesis

The title of my thesis is 'Toi moko Tū Atu, Toi moko Tū Mai' and I have translated as 'The trade and repatriation of Toi moko'. The title in te reo Māori (the Māori language) was gifted by well-known New Zealand artist, composer, musician, Māori cultural leader and tā moko expert Professor Sir Derek Lardelli of Ngāti Konohi and Rongowhakaata of the East Coast of New Zealand's North Island. The English translation of the title captures only part of the meaning expressed by Lardelli's words, but it provides a short and useful working title.

My aim, however, in completing this PhD research thesis is to give full effect to the title and to explain its meaning in depth and with a critical eye. I also wish to provide a fresh point of view to the recorded history associated with the commercial trade of Toi moko carried out between 1769 and the early 1840s, including the events and actions associated with the repatriation of these same tūpuna (ancestors) from the 1980s to the present day.

Let me be upfront from the beginning, my Ngāpuhi, Te Ngare Raumati, Ngāti Mutunga and Ngāti Toa Rangatira ancestors are directly connected with the historical events associated with the commercial collection and trade of Toi moko. Either as part of taua (war parties) engaged in the military campaigns around the country, or as part of iwi (tribal) migrations from Taranaki and Kāwhia to the Kāpiti coast and greater Wellington region. I will explain my connections in more detail in the second part of this introduction.

The other important element I wish to disclose is that I have been working professionally in repatriation issues, with specific reference to seeking the return of Māori and Moriori ancestral remains from overseas institutions since October 2007. This experience of more than 14 years of senior level professional and practical experience provides me with insights into the delicate area of repatriation in ancestral human remains. I draw on this wealth of professional

experience to highlight the challenges for indigenous peoples in seeking the return of their ancestral remains from Western institutions.

As a result of this PhD research journey, I offer a new perspective on the events that are associated with the commercial trade and collection of Toi moko, which is directly connected with the arrival of early European explorers to Te Ika a Māui (North Island of New Zealand) and Te Waipounamu (South Island of New Zealand). The earliest recorded commercial trade of Toi moko is with Joseph Banks aboard the *Endeavour* in early 1770 when coercion was employed on behalf of Banks to encourage a Māori elder to release the ancestral head (Te Awekotuku & Nikora 2007: 48). However, from the late 1810s some rangatira (chiefs) became active participants in collecting and trading Toi moko. Aspects of this history are recorded in early journals written by European (Lee 1983:145; Sharp 1971:59), British settlers in Australia (Bennett 1831:217), American explorers (Robley 1998: 181), and missionaries (Urlich Cloher 2003:163).

Considering what I have written above, this research project reveals a new perspective for understanding a challenging time in Aotearoa New Zealand's history, between 1769 and the 1840s. It provides a deeper understanding of how iwi of this period responded to new challenges and opportunities presented to them by visiting explorers, traders and missionaries from Australia, Europe, and America. In addition, I seek to understand the context in which the commercial trade in Toi moko was established, and how some rangatira and iwi directly connected with the trade-in mummified heads. Furthermore, I want to understand how tikanga Māori provides a framework to comprehend and understand the series of events leading to the trade, acquisition, and supply of Toi moko for commercial trade.

This research is also an opportunity to understand how Māori today, with their respective tikanga frameworks, connect with tikanga from the ancient past, as well as to the period from 1769 to 1840 when iwi began engaging with Pākehā (foreigners, white settlers). In particular, I focus on the core concepts of mauri (life force and life essence), rangatiratanga (chiefly authority), mana (authority and prestige), tapu (sacred power and force), noa (common, ordinary, every day and without tapu), utu (seeking balance/revenge/payment), takitaki (retribution), muru (ritual compensation), ea (achieving satisfaction or completed task to required expectations), and tatau pounamu (peace treaty or attaining reconciliation).

The above elements of tikanga, I believe, are key to understanding how our tūpuna from ancient times viewed the world, and I show how these concepts have passed on to the present generation of Māori. I do this, in part, by showing the direct whakapapa (genealogical) link from Ranginui (Sky Father) and Papatūānuku (Earth Mother) through time to my own whānau, hapū and iwi. Importantly this will include associated kōrero (historical accounts) and tikanga.

An interesting historical fact is that the peak period for the trade of Toi moko from Aotearoa New Zealand is approximately between 1818 and 1840. This period coincides with the period known as the Musket Wars. For some New Zealand historians, both historical and contemporary, there is no coincidence of timing between the trade and export of Toi moko and the import and trade of muskets, ammunition, and gunpowder. Major Horatio Robley has strong opinions about the trade and export of Toi moko, and from his perspective the trade of Toi moko directly reduced the Māori male population. Robley writes:

> … *and so brisk a traffic sprung up that the demand exceeded supply. It considerably reduced the population of New Zealand.* (Robley 1998: 169).

As part of this research, I explore the accuracy of this statement and view, as well as critique the present historical narrative, that the trade of Toi moko is one of the main underlying factors which led to the Musket Wars. With specific reference to Te Tai Tokerau (northern) iwi undertaking major military campaigns against iwi to the south of their borders between 1818 to the early 1830s (Smith 1910: 94-95; Foster 1966: 1; Foster 1966b; 1; Foster 1966c; 1; Soutar 2000: 61–62).

There is also a major assumption, which I have heard, that pertains to the influence of the colonisation process on Māori from 1840 up to the present time. The assumption is that the introduction of Christianity and Western ethics is the main cause of and rationale as to why contemporary Māori are seeking the repatriation of their ancestral remains. This assumption is an important area to consider alongside all the highlighted questions above which I believe are relevant to my PhD research, and, therefore, I refer to and discuss them in this thesis.

During the period of the commercial trade of Toi moko (1769 to the 1840s), changes related to iwi politics and economics occurred, resulting in the development, and signing of two major documents, He Whakaputanga (Declaration of Independence) in 1835 and Te Tiriti o Waitangi in 1840 (the Treaty of Waitangi). This thesis investigates the connection (if any) between the

commercial trade of Toi moko and the development of these documents. As indicated above, the trade of Toi moko from Aotearoa and Te Waipounamu took place over 180 years ago. But what happened in the Māori context when the iwi military campaigns from the 1810s to 1840s ceased, when the preserved tattooed heads were traded overseas, and when the process of colonisation became more overpowering with the signing of Te Tiriti o Waitangi?

With this context in mind, a number of related questions include:

(i) What was the process for remedying disrupted iwi relationships?

(ii) Was there a process in place to reconcile and seek restitution, or would retribution continue to be the preferred state of affairs between iwi?

(iii) Did this same group of rangatira and iwi employ another set of tikanga to resolve these events, and if so, what were they?

Hypothesis for this Thesis

All the above leads me to the following hypothesis for this PhD thesis:

> *That the active participation of rangatira in the commercial trade of Toi moko between 1769 to 1840 is based on a set of tikanga Māori principles, in particular those principles enhancing their own mana, and that of their hapū and iwi.*
>
> *The repatriation of the same Toi moko from the 1980s to the present day by Māori is based on the same set of tikanga principles, but with a shift in emphasis on those principles that foster and enhance mana connected to a stronger Māori identity, including reconnection with kawa (rituals of encounter), tikanga and ritual tangihanga (Māori funerary) processes, as well as seeking restitution and reconciliation of Aotearoa New Zealand's colonial past.*

Overview of this Thesis

To research and generate an answer to the above hypothesis I have separated this thesis into an introduction and five key chapters. These are as follows:

In the introduction I provide my whakapapa, connection and interest in tikanga Māori, the rituals associated with tangihanga and with the trade of Toi moko. This is then followed by the hypothesis for this research project, the research methodology, the tikanga Māori framework I created and the literature review.

In Chapter One I investigate the origins and importance of tikanga Māori and their connections with the repatriation of Māori ancestral remains. I highlight the legacy of ancient traditions related to the Māori genesis, utu, takitaki, muru and ea and how they have been handed down through the generations, from the time of tūpuna living in tropical Polynesia to the migrations of *Tainui, Te Arawa, Aotea* and *Ngātokimatawhaorua* and the settlement of Aotearoa New Zealand.

Chapter Two covers tikanga associated with tūpāpaku, Toi moko and kōiwi tangata. This includes the ancient traditions associated with kōiwi tangata and Toi moko and the development of the commercial trade of Toi moko. This chapter critically assesses Māori participation in the trade of human remains as well as the ethics, values and social *mores* connected with the collection practices of Pākehā and Western institutions. An analysis and comparison is provided of the Māori participation in the trade of Toi moko prior to 1840 and the trade of Māori and Moriori ancestral remains after 1840 through Pākehā and colonial museums in Aotearoa to Western institutions overseas.

Chapter Three highlights the whakapapa of the repatriation of Māori and Moriori ancestral remains from international institutions. This includes the efforts of Ngāpuhi rangatira to repatriate the heads of their whanaunga that were taken for trade to Poihakena (Port Jackson) in 1831, to the 1980s and the effors of Māori leaders to seek the return of their tūpuna and Toi moko, as well as the establishment of an official mandated programme in 2003 at the Museum of New Zealand Te Papa Tongarewa. This chapter connects the repatriation efforts of contemporpary Māori to the ancient repatriation strategies associated with Tāwhaki, Karihi and Rata, however, it also highlights the innovations in contemporary repatriation practice.

Chapter Four connects tikanga, ethics, values and social *mores* belonging to repatriation practitioners and champions with the challenges, policies and legislation presented by Western and international governments resistant to the repatriation of indigenous ancestral remains. This chapter connects the deep-rooted connection of tikanga Māori with the importance of repatriation

to contemporary Māori, however, it also shows the significance of working in partnership with international repatriation champions and the pivotal role both groups play is creating a bridge to repatriation.

In Chapter Five I provide an analysis of all four preceding chapters through the whakapapa and context of three words that describe a preserved Maori ancestral head, namely, mokamokai, moko mōkai and Toi moko alongside an analysis of anthropological, social theory and tikanga Māori frameworks. This chapter highlights the connection between myths, rituals, religion, primitive peoples, social facts, and the political agency of indigenous people. It highlights the direct connection the trade of Toi moko and their repatriation have with Te Trititi o Waitangi, the colonisation of Maori and the slow process of decolonsation of Aotearoa, which includes the change to bi-cutlural museum practices at the national institution of the Museum of New Zealand Te Papa Tongarewa.

Connection to the repatriation kaupapa

Now that I have introduced the kaupapa of my PhD research, I wish to introduce myself and, in more detail, my connection with tikanga Māori, tangihanga, and repatriation of Māori and Moriori ancestral remains housed in overseas institutions.

E kore e taka te parapara a ōna tūpuna, tukua iho ki a ia.[1]
The qualities of his [or her] ancestors will not fail to be fulfilled,
they must descend to him/her.

In my view the richness of Māori culture and philosophy is passed to the present generation through a combination of mechanisms including:

(i) te reo Māori;

(ii) tikanga and kawa associated with marae and our whānau system;

(iii) the practices of tuku whenua (gifting of land);

(iv) active whānau participation in tikanga Māori (actively raising children to appreciate their culture);

[1] A Māori proverb passed down through the generations.

(v) whāngai tamariki (actively fostering and adopting children), and importantly;

(vi) ngā kōrero a ngā tūpuna (ancestral oral histories), whakataukī (historical proverbs) and pepeha (tribal sayings).

The whakataukī, above, emphasises the continuous nature of human qualities, from one generation to the next, where, at the appropriate time, those qualities from tūpuna will appear in their uri. These qualities may include pukenga (skills) and abilities in mātauranga, rāranga (weaving), whaikōrero (speechmaking), karanga (traditional call of the women), hī ika (fishing), mahinga kai (producing and acquiring food) and many other skills and qualities. I was raised with an understanding that we received such pukenga from our tūpuna, and that they were traits associated with a specific tupuna (ancestor), hapū or iwi.

Ko Mōrehu kē mai ahau i te kōpū o taku whaea.[2]
I was already spiritually Mōrehu within the womb of my mother.

I am pleased to say that I am a child of four parents. My birth mother Wiki Reremoana comes from the Reremoana whānau and has whakapapa ties to Ngāti Apa, Ngārauru Kītahi, Ngāti Ruanui, Pakakohi, Ngāti Whakaue, Whakatōhea, Ngāpuhi, Āti Hau a Pāpārangi, Rangitāne, Muaūpoko, Ngāti Hāmua, Rakaiwhakairi and Ngāti Tūwharetoa. My biological father is Daniel Hunia Huwyler who has direct whakapapa connections to Ngāti Apa, Muaūpoko, Rangitāne, Te Āti Awa, Ngāti Mutunga, Ngāti Raukawa, Ngāti Tama and Ngāti Toa Rangatira. Shortly after my birth, I was adopted by my parents Mareikura Irene Reremoana (one of Wiki Reremoana's elder sisters) and Maaka Haapu Herewini. My adoptive father has direct whakapapa links to Te Āti Hau a Pāpārangi, Ngāti Ruanui, Ngārauru Kītahi, Pakakohi, Taranaki, Ngāti Apa, Ngāti Tūwharetoa and Ngāti Konohi of Whāngārā in Te Tai Rāwhiti (East Coast of the North Island). My adoptive father himself was adopted, and given from his biological parents Tiorere Joe Haapu (Whanganui, Ngāti Ruanui, Pakakohi, Ngārauru Kītahi, Taranaki, Ngāti Porou) and Parekotuku Hohepa Tahi (Whanganui, Ngāti Tūwharetoa), to Tiorere Haapu's first cousin, namely Erina Maaka Herewini of Ngārauru Kītahi, Pakakohi,

[2] Personal communication by the late Waerete Norman, Senior Lecturer at the University of Auckland in 1994.

Ngāti Ruanui, Taranaki and Te Āti Hau-a-Pāpārangi. Refer to whakapapa figures that follow for more details about my tribal links and genealogical connections.

When I was five years old, my adoptive father (Maaka Haapu Herewini) passed away in a road accident. From that time until my early 20s my perspective on the world was through the lens provided by my mum's whānau, who are tūturu Mōrehu, staunch followers of the Mōrehu Movement and the Rātana Church, as well as by the teachings handed down from the prophet Tahupōtiki Wiremu Rātana. I was raised at Rātana Pā for the first seven years of my life. The socialisation process at Rātana is very important for me, as it laid the foundations for my appreciation for tangihanga, kawa, tikanga, te taha wairua (the spiritual elements) and te taha kikokiko (the physical elements) of this world.

Introduction to tangihanga

The first tangihanga I remember attending was that of my maternal grandmother's first cousin Nanny Sue Maati Karanuna Te Tai of Ngāti Kuta of Te Rāwhiti in the Bay of Islands. I was less than five years old, and the year was about 1969. It was summer and it was a long hot drive from Rātana Pā to Paihia, crossing the Bay of Islands harbour on the barge and travelling on the dirt road to Te Rāwhiti. We moved as a whānau unit, a cavalcade of about five cars moving as one, and we only had one kaupapa, that is, to reach the destination and pay our respects to the deceased.

Following this my father died in September 1970, and again, as I was a five-year-old, I only have a few distinct memories which include having the tangi in my mum and dad's whare (house), and the kuikui (old women) wearing black. Furthermore, I remember attending the tangihanga of Uncle Kato John Haapu, my dad's brother, and also Uncle Wita Pukutohe one of my dad's Ngāti Tūwharetoa and Ngāti Kahungunu cousins, who along with his twin brother Uncle Wally Pukutohe were great musicians and raised at Rātana Pā. Once again, attending these tangi as a pre-teen taught me the importance of attending and paying respect and offering condolences as a whānau. This time I remember sleeping overnight in the whare with the tūpāpaku (deceased), and the importance of whakamoemiti (church services) as part of the ritual.

Te reo Māori was an important part of tangihanga, and on many occasions as a young child I sat listening to kaumātua (elders) talk but not understanding what they were saying. It was

emphasised to me as a child that 'it is important for us to speak Māori, as it is the language gifted to us by our ancestors, and it is the language of 'Ihoa o Ngā Mano' (Jehovah of the multitudes/the Christian and Jewish God). The poetic nature of the Māori language was conveyed to me by many of my uncles and aunties, and I remember Uncle Sonny Tamou of Rātana Pā saying to me when I was a teenager, 'some things can be beautifully said in Māori, but not so easily translated into English'.

Ngā Iwi o Ngā Hau e Whā — The tribes of the Four Winds

In time I began my hikoi (journey) to learn Māori. As a teenager while living in Wellington my whānau helped establish Te Reo Hōu (the new Rātana Mōrehu Brass Band) in the early 1980s. This was alongside other staunch Mōrehu whānau (Mōrehu Movement families) living in Wellington including the Tirikatene whānau from Te Waipounamu, Rongonui whānau from Whanganui, Harrison whānau from Te Tai Rāwhiti, Katene whānau from Wairoa and Ngāi Tūhoe, Dickson whānau from Tauranga, Paki whānau from Te Tai Tokerau (Northland), Ngawati whānau from Te Tai Tokerau, Rawhiti-Maraku whānau from Ngāti Tūwharetoa, and many many more Mōrehu whānau living in Wellington but from other parts of the motu (country).

The leaders of our Pariha (Ratana Parish) in Wellington were people who were raised on strong Rātana principles which they passed onto us. These people included the siblings Rino, Whetū and Rima Tirikatene, who are the children of Sir Eruera Tirikatene and Lady Tirikatene. Other important figures included Keta Ngawati-Tirikatene (Ngāpuhi), Bill Herbert (Ngāpuhi), Monte Ohia (Tauranga Moana) and Linda Riwaka-Ohia (Te Āti Awa/*Tainui*), Natanahira William Chockey Reremoana (Ngāti Apa, Whanganui, Tūwharetoa, Ngārauru, Ngāpuhi, Ngāti Whakaue) and Dianne Te Reo Takiwa Rongonui-Reremoana (Whanganui, Ngāti Tūwharetoa), Morris Katene (Ngāti Kahungunu) and Lovey Katene (Whanganui), James Makowharemahihi (Taranaki, Whanganui, Ngāti Tūwharetoa, Ngāti Porou) and Whiti Makowharemahihi (Ngāi Tūhoe), and many many others.

My whānau was heavily involved, and for about seven years I actively attended Rātana whakamoemiti in Wellington. Through this involvement, I learnt a deeper appreciation of the world from a broader Māori perspective, including dimensions associated with: (i) Māori spiritual movements and politics; (ii) iwi identity versus a national Māori identity; (iii) the significance of Māori co-operation to achieve gains for Māori at a national level; and also (iv)

the process of seeking redress from the British Crown through the New Zealand Government by passive resistance and seeking ratification for Te Tiriti o Waitangi through active political processes.

Figure 2: Members of Te Reo o Ngā Tūāhine (also known as the Wellington Rātana Morehu Silver Brass Band) from the Reremoana whānau.

Back row from right to left. Uncle Natanahira William Chockey Tohikura Reremoana, Te Herekiekie Herewini, Carl Herewini, William Alderson. Front. Marcia Borlase.

Deeper appreciation of ritual process

Waiata poi

Tēnei ngā uri o ngā waka nei *Aotea, Tainui, Te Arawa, Kurahaupō* *Mataatua, Takitimu, Tokomaru* me *Horouta e*	Here are the descendants of the waka named *Aotea, Tainui, Te Arawa,* *Kurahaupō* *Mataatua, Takitimu, Tokomaru* and *Horouta*
E pae nei rā ki runga te marae O ngā mātua tūpuna Kua ngaro nei rā ki te kore e Nō reira taku poi	Who have traversed the many marae Of our ancestors Who have now disappeared

E rere whakarunga e rere whakararo Kapia ngā moutere o Aotearoa Me te Waipounamu Whiti atu ki Wharekauri e	My flying poi please Ascend above, and now descend below Traverse these islands of Aotearoa Te Waipounamu and Across to Wharekauri (Rēkohu/Chathams)

The waiata poi (chant accompanied by the poi) immediately above, was taught to the parishioners of the Newtown Rātana Church by Tau Wirihana (Ngārauru Kītahi) in the late 1980s. It was composed by an elder of the Whanganui River, and tells the story of how T. W. Rātana and his group of supporters in the 1920s and 1930s paid homage to Māori communities around the country, including those people who had passed away.

My association and participation as an active member of the Rātana Mōrehu Brass Band in Wellington from the age of 13 years to 21 years provided an incredible opportunity to learn about tikanga, kawa, spirituality, politics and Māori society as an active participant. Importantly, it provided insights into the ritual processes including and associated with:

- Whakamoemiti and karakia (traditional Māori spiritual acknowledgements);
- Pōwhiri (formal welcome);
- Tangihanga;
- Huritau (birthday celebration);
- Hura kōhatu (unveiling ceremony); and
- Iriiri (Baptism).

We also travelled as a rōpū (group) to hui (gatherings) around the motu, to such events as the Koroneihana (Kīngitanga Coronation celebrations) at Tūrangawaewae, hura kōhatu in Te Tai Tokerau (Northland), tangihanga at Tuahiwi in Te Waipounamu, Rātana hui in Te Tai Hau-a-uru (west coast of the North Island) and huritau in Te Tai Rāwhiti. Significantly, we also travelled to Rēkohu/Wharekauri in late December 1986 for the hura kōhatu of Tame Horomona-Rehe. While I was in the Rātana Brass Band based in Wellington we also travelled overseas to support the opening of the *Te Māori* exhibition at the de Young Museum in San

Francisco in July 1985. Our connection was through the Tirikatene whānau who also have whakapapa connections to Ngāti Kahungunu. The main delegation of kaumātua attending the opening was from Ngāti Kahungunu.

Practical application of ritual

I had the privilege of directly participating in many Māori rituals as a teenager and young adult, however, I learnt the practical application of tangihanga from my maternal uncles and aunties. My mum's brother Natanahira William Chockey Tohikura Reremoana practised a very practical form of tikanga. he was an active participant in the Rātana Church from birth and played a number of instruments in the Rātana Brass Band. In his later years, he became an Āpōtoro Wairua (an initial grade of Rātana clergy) in the Haahi Rātana (Rātana Church) and supported more senior ministers to officiate at tangihanga, iriiri, hura kōhatu and piki te ora (offering prayers of wellness to the sick).

While living in Wellington my whānau knew many Māori people from all walks of life, and as Mōrehu. One aspect of living in the city, I noticed, which all people share is that you can become anonymous if you wish, and it is relatively easy to sever ties with respective whānau living in other parts of the country, as well as the wā kāinga (tribal place of origin). I distinctly remember people who on death had no whānau to come and take them home, or whose whānau were hesitant or did not have the resources to come to Wellington to uplift the tūpāpaku. On these occasions I saw a very practical application of tikanga, where my uncle, although not directly related to the deceased, would retrieve the tūpāpaku from the undertaker, have a simple whakamoemiti, place the loved one into his van, and then take the loved one to their whānau wherever they might be in the North Island. My uncle and whānau did this work as tuku aroha (contribution) to the kaupapa, and also to offer dignity and respect to the tūpāpaku.

Association with the repatriation kaupapa

'*Te kōtiritiri te kōtaratara o huki Ōhupe e.*
Haere tī taha ana te kaha.'[3]
(Walker 2004:2)

[3] A war cry urging the warriors to seek revenge.

As indicated above, through my parents I have numerous connections to iwi throughout Te Ika a Māui. Many of those iwi and associated tupuna, are in one way or another connected to the commercial trade of Toi moko between 1769 to the 1840s. My purpose in highlighting my personal whakapapa connections to the commercial trade of Toi moko is to show how it is possible for Māori living today to have multiple connections to the trade and to indicate how the trade potentially permeated all iwi throughout the motu.

Whakatōhea — Tatau Pounamu (A Peace Treaty)

Whakatōhea (The Whakatōhea tribe)
|
Ngā tatai whakaheke (The genealogies descending down)
|
Tomairangi Whakaahua (1830-1880 circa) = Puhou Punohu Rakitu Haerehuka
| (1830- 1890 circa)
Te Kanapu Haerehuka (1862-1952)
|
Rahera Merania Te Kanapu Haerehuka (1909-1960)
|
Mareikura Hilda Irene Reremoana
|
Te Herekiekie Haerehuka Maaka Herewini

Figure 3: Whakatōhea Whakapapa.

Through my Whakatōhea connection (See Figure 3 above), there are kōrero of battles that took place at the time of the tupuna Tūtāmure who was married to Hine-i-kauia, Muriwai's daughter. During this period there were a number of great battles between Whakatōhea and Ngāti Awa. To the east Whakatōhea fought against their neighbour Ngāi Tai at Tōrere. There is one recorded battle between those two iwi in the early 1800s at Awahou. Whakatōhea, under the leadership of Punāhamoa, killed the Ngāi Tai rangatira Tūterangikūrei, whose head was mummified, and taken as a trophy. It is said that the head was later redeemed by Ngāi Tai in exchange for a pounamu (greenstone) adze named Waiwharangi which was presented to the Whakatōhea victors (Walker 2004:2). Waiwharangi is now held in the Whakatāne Museum (See Figure 4).

Figure 4: Waiwhārangi, an adze made of pounamu.

(Walker 2004: 2).

Ngāpuhi and Tai Tokerau taua

My whakapapa connections to Te Tai Tokerau (Northland) are through my maternal side and go directly to tūpuna who whakapapa to Te Rarawa, Ngāpuhi, Ngāi Tāwake, Te Mahurehure, Te Uriroroi, and Ngāti Kuta, and other northern iwi. See Figure 5 for more details of my Tai Tokerau genealogy. My Tai Tokerau tūpuna, Whai Hakuene and Te Ngāngā, who lived between the early and late 1800s, were active participants in some of the major events that occurred in the North Island during this period. Whai Hakuene has a direct whakapapa link with Hongi Hika. Their respective great grandparents are siblings. Tangopō, the tupuna of Whai Hakuene, is a sister of Peehirangi, Hongi Hika's great grandmother. These are uri of Ngāi Tāwake, and both whānau groupings lived at Waimate Pā, between Kaikohe and Kerikeri. Te Ngāngā is related to Hongi Hika and other Ngāpuhi rangatira through his mother, Te Hinu, who is a sister to Korokoro and Tuai (Jones & Jenkins 2017:15), two senior rangatira of Te Ngare Raumati in the southern part of the Bay of Islands.[4] Both Te Ngāngā and Whai Hākuene are recorded as being part of the Ngāpuhi rangatira group who accompanied Hongi as part of the taua as he travelled the country in the early 1820s (Smith 1910:192). It is apparent that Te Ngāngā often kept company alongside Hongi, not only in battle but also with a visit to Botany Bay in Sydney on the *Active* in 1814, where he joined Hongi, Ruatara, Punahou, Ripiro (Hongi's son) and his uncles Korokoro and Tuai (Smith 1910:83). Hongi is well-known for acquiring Toi moko and providing these for sale when he returned north (Te Awekotuku and Nikora 2007:48). Tuai as well is recorded as offering Toi moko for trade to Europeans (Sharp 1971: 49). However, I am uncertain of the role Te Ngāngā had in acquiring Toi moko for commercial trade. Whai Hakuene, on the other hand, preferred the company of his other

[4] The name of the tupuna Tuai is also written as Te Tuhi and Tui.

whanaunga (relatives), the brothers Te Wharerahi, Moka and Rewa, and his first cousin Titore Takiri. This group of tūpuna went against Hongi's wishes when they acquired the land at Te Rāwhiti in 1826 after the deaths of Tuai and Korokoro from the remaining Ngare Raumati iwi (Kelly 1938:166). It is said that Whai Hakuene in 1833 co-led a taua with his first cousin Titore Takiri (Ministry for Culture and Heritage 2021:1), who is also well known for acquiring Toi moko and possibly preparing them for sale on his return to the Bay of Islands (Ballara 2003:133). Although I am uncertain of the role Whai Hakuene had in acquiring Toi moko for commercial trade, through his association with his cousin Titore Takiri he definitely would have been aware of its existence.

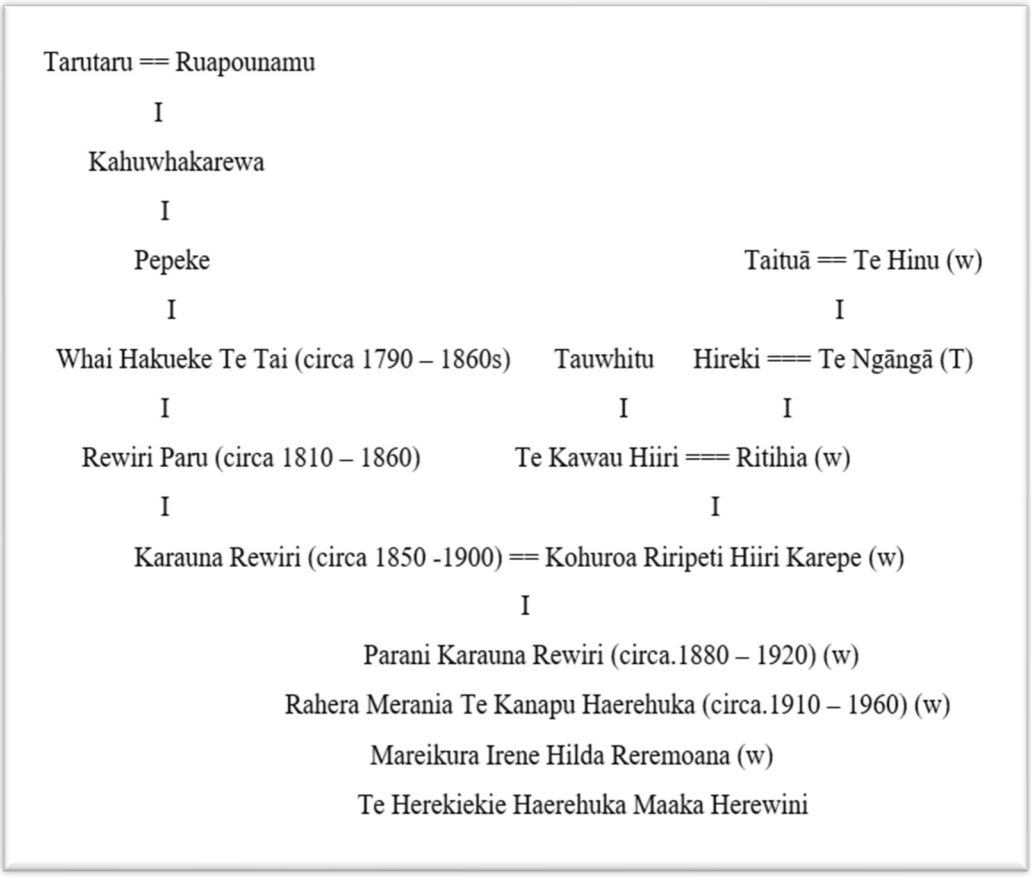


Figure 5: Tai Tokerau (Northern Iwi) Whakapapa.

Ngāti Whakaue tribal connection

My connection to Te Arawa, and specifically to Ngāti Whakaue, is through my mum's grandfather Te Kanapu Haerehuka (1862–1952). (See Figure 6 for more details of my Ngāti Whakaue whakapapa). In March or April 1823 (Stafford 1991:176–177) when Hongi and other Tai Tokerau chiefs captured Mokoia Island in Lake Rotorua, my tupuna Haerehuka (1790–

1850) was one of the many Te Arawa people who found refuge on the island and fought the Tai Tokerautaua (Smith 1910:251). He, along with other Te Arawa people, was saved through the actions of Te-Ao-Kapu-Rangi, the Te Arawa wife of Te Wera Hauraki who sought safety and sanctuary for her Te Arawa whanaunga (Stafford 1991:177–178, 180). Despite this, a number of Te Arawa captives and possibly Toi moko were taken north to the Bay of Islands after this conflict ended (Stafford 1991:186).

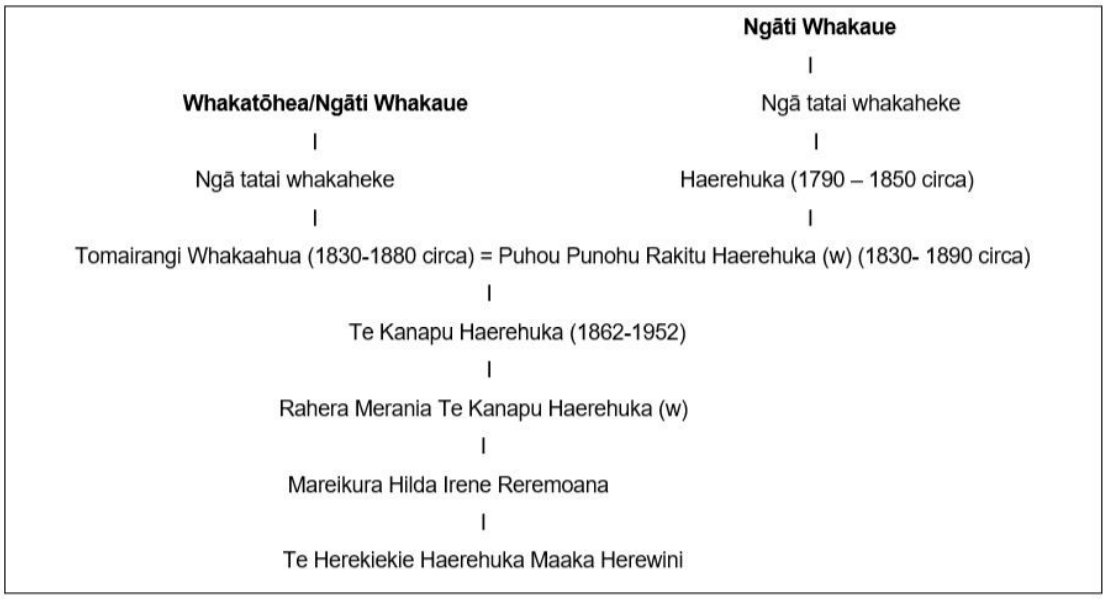


Figure 6: Ngāti Whakaue Whakapapa.

Tainui/North Taranaki Whakapapa (Genealogy)

Through my biological father I descend from Ngāti Toa Rangatira, Ngāti Raukawa, Te Āti Awa/Ngāti Awa and Ngāti Mutunga. (See Figure 7 for more details of my *Tainui* and North Taranaki whakapapa. In particular, my connection is through Te Rangihiroa, the younger brother of Te Pēhi Kupe. When the migrations from Kāwhia occurred in the early 1820s, Te Rangihiroa's branch of Ngāti Toa, Te Āti Awa and Ngāti Mutunga settled along the Kāpiti coast from Hokio to Porirua, including Kāpiti Island. Through the settlement and acquisition of these lands, rangatira of these whānau had prime access to trading with visiting ships from Europe, America and Australia. Through these links, it is recorded that Toi moko were traded from the Kāpiti Coast and Kāpiti Island (Orchiston 1970:25; Robley 1998:178).

(Ngāti) Hinetuhi – Tukaitao

(Ngāti) Mutunga – Te Rerehua

Te Whareiti

Toa Rangatira

Marangaipāroa

Te Maunu

Pikauterangi

Toitoi

Te Pēhi Kupe | Te Rangihīroa

Metāpere Te Waipunahau (w)

Wi Parata Te Kākākura – Unaiki (w) (Ngāti Raukawa, Tē Ati Awa, Ngāti Toa)

Metāpere (w) - Ropata Tangahoe

Ruakōhatu (w) – Kawana Hunia (Ngāti Apa, Muaūpoko)

Paeroa Hunia (w)

Tihema | Daniel | Taama | Joseph | Wirihana | Ruakohatu (w)

Te Herekiekie Haerehuka Maaka Herewini

Figure 7: North Taranaki and Ngāti Toa Rangatira Whakapapa.[5]

[5] Provided by Matiu Baker (Ngāti Toa Rangatira, Te Āti Awa, Ngāti Mutunga) in October 2018.

South Taranaki connection

In the 1820s and 1830s an invasion occurred in South Taranaki from North Taranaki with major support from Waikato and *Tainui* iwi. This invasion had a dramatic effect on South Taranaki iwi, namely Ngāruahine and Ngāti Ruanui, and led to major migrations of these iwi from their historical takiwā (tribal regions) to other locations such as Waikanae, and to Te Ūpoko o Te Ika (Wellington region) (Sole 2005:126).

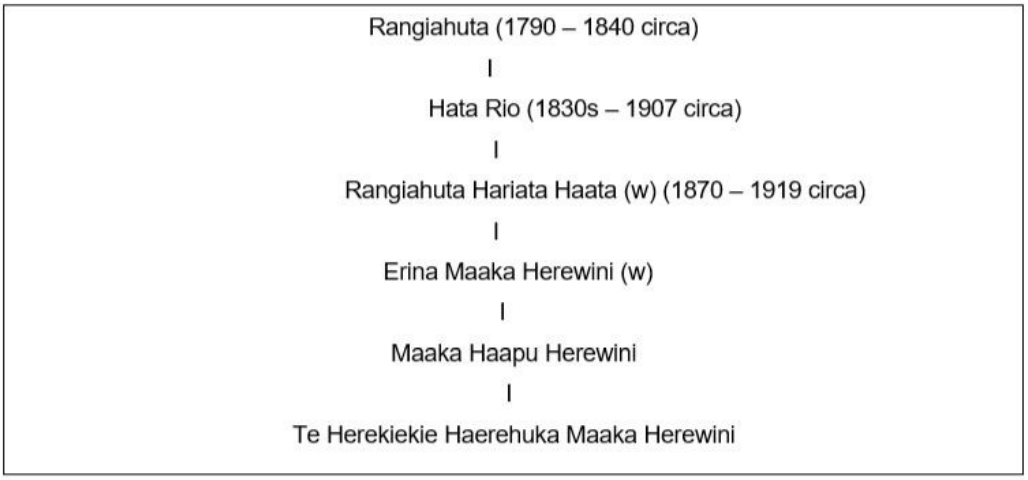


Figure 8: Whakapapa connections to Ngāti Ruanui, Pakakohi and Ngārauru Kītahi.[6]

One of my Ngāti Ruanui (Ngāti Hine and Ngāti Tū) tūpuna named Rangiahuta (See Figure 8) was part of the hekenga (migration) led by the Te Āti Awa rangatira Rauakitua who settled in Port Nicholson and the Hutt prior to 1840. As a consequence of the upheaval caused by these migrations, it may be possible that these iwi became vulnerable themselves and participated in the trade of Toi moko, possibly as the only means of securing modern weapons (i.e. muskets and ammunition) to protect themselves from other hostile iwi.

[6] Note this whakapapa is for my adoptive father Maaka Haapu Herewini, who was adopted by his biological father's first cousin, namely Erina Maaka Herewini of Ngāti Ruanui, Pakakohi, Ngārauru Kītahi, Taranaki and Whanganui iwi.

Muaūpoko, Ngāti Apa, Rakaiwhakairi, Ngāti Hamua, Ngāti Ira, Ngāi Tara and Rangitāne

During the early 1800s there were several taua that descended on the territories belonging to Ngāti Ira, Ngāi Tara, Rakaiwhakairi, Ngāti Apa, Muaūpoko and Rangitāne. All these iwi were affected by the taua of Te Tai Tokerau, Ngāti Toa Rangatira, Ngāti Raukawa, Te Āti Awa, Ngāti Ruanui and other related groups, whose arrival dramatically changed iwi boundaries and mana whenua status within the lower North Island and Tau Ihu o Te Waka (the top of the South Island) (McEwen 1986:121–124, 131–138). (See Figure 9 for the direct connection I have to the iwi of Ngāti Apa, Muaūpoko, Ngāti Hāmua, Rangitāne and Rakaiwhakairi. These iwi in turn have whakapapa links to Ngāi Tara and Ngāti Ira.

Strategically Ngāti Toa Rangatira and Ngāti Apa agreed to form a tatau pounamu, a peace treaty through the marriage between Te Rangipikinga (Ngāti Apa) and Te Rangihaeata (Ngāti Toa Rangatira and Ngāti Raukawa). Although some conflicts did occur between the iwi, the marriage provided opportunities for these disputes to be resolved, and laid a foundation for Ngāti Apa to retain its traditional mana whenua status over its lands, and for Ngāti Raukawa and Ngāti Toa Rangatira to attain mana whenua status in other parts of the lower North Island (Ballara 1990h: 479–480, Ballara 1990i: 488–489). Through this dramatic period of change in the lower North Island, it seems the respective mana whenua responded differently to the incoming hekenga from northern Taranaki and Kāwhia. There is evidence to indicate that a number of iwi in the lower North Island actively participated in the trade of Toi moko during this period as well (Collins 2010:114).

Manuka (Ngāti Rangitumoana/Ngāti Apa)
|
Irihapeti (w) = Hakaraia Te Rangipouri (Ngāti Apa / Rangitāne / Muaūpoko / Ngāti Hāmua / Rakaiwhakairi (1800-1880 circa)
|
Waaka Hakaraia = Ngapiki Reweti Paponga (w) (Ngāti Apa / Ngārauru Kītahi / Te Āti Hau-a-Pāpārangi) (1820 – 1890 circa)
|
Pare Hikurangi Waaka Hakaraia (w) (1880 – 1950 circa) = Natanahira Reremoana (1880 – 1917) (Ngāti Apa, Te Āti Hau-a-Pāpārangi, Ngāti Tūwharetoa)
|
Tani Te Huatatahi Natanahira Reremoana
|
Mareikura Hilda Irene Reremoana
|
Te Herekiekie Haerehuka Maaka Herewini

Figure 9: Whakapapa to Ngāti Apa, Rangitāne, Muaūpoko, Ngāti Hamua, and Rakaiwhakairi.

Ngāti Porou connection

Karauria Haapu (Ngāti Konohi) = Ngarori Herewini Mere Otene (w) (Ngārauru Kītahi / Pakakohi / Ngāti Ruanui, Āti Haunui-a-Pāpārangi)
|
Tiorere (Joe) Haapu
|
Maaka Haapu Herewini
|
Te Herekiekie Haerehuka Maaka Herewini

Figure 10: Whakapapa to Ngāti Porou/Ngāti Konohi.[7]

Connections

My adoptive father's Tai Rāwhiti connection is broadly to Ngāti Porou and specifically to Ngāti Konohi of Whāngarā. The whakapapa in Figure 10 shows my adoptive father's biological father, Tiorere Joe Haapu, and his connection to Ngāti Konohi and South Taranaki as well as Whanganui iwi (tribes). In 1818 Hongi Hika along with Ngāti Paoa rangatira Te Haupa led a

[7] Maaka Haapu Herewini is the natural child of Tiorere (Joe) Haapu and Parekōtuku Hōhepa Tahi. On his birth in circa 1938, however, he was given to his father's first cousin Erina Maaka Herewini to raise as her own child. Unfortunately, Erina Maaka Herewini died in the early 1940s.

military raid of 900 warriors into the Bay of Plenty between Maketu and Hicks Bay, resulting in the capture of many captives and Toi moko (Smith 1910: 94–95; Soutar 2000:61).

Through my mother's Te Rangiita (Ngāti Tūwharetoa) and Ngāti Whakaue (*Te Arawa*) whakapapa, I am one of the many descendents of Porourangi, Rongowhakaata, Rongomaiwahine and Kahungunu of the eastern coast of the North Island. In saying that, however, I am not ahi kā, as my more recent tūpuna did not return to those locations to live.

In 1820 another taua of Tai Tokerau rangatira took a second military campaign to Te Tai Rāwhiti, this time led by Pōmarenui, Te Wera Hauraki, and Titore Takiri. After a long siege Whetū mata rau pā fell, and many captives and possibly Toi moko were taken north. (Forster [3] 1966:1; Soutar 2000:61-62; Ballara 2010:1). Several years after this, Pōmarenui and Te Wera Hauraki returned to seek tatau pounamu with a number of Tai Rāwhiti iwi (Soutar 2000:66-71; Ballara 2010:1).

My interest in the repatriation kaupapa

I have had an interest in society, social norms and *mores* from an early age. I was a people watcher and observer of hui (gatherings) and ceremonies attended by my whānau. I learnt later that this is called sociology, which is a subject I studied as part of my BA in Māori Studies from Victoria University of Wellington. After completing my degree in 1986, I worked for several years and completed an MA in Māori Studies at the University of Auckland in 1996.

This PhD research follows on from my MA thesis, which investigated the connection between Ngā Tikanga o Te Haahi Rātana (Customary Practices of the Rātana Church) and ancient tikanga observed and followed by our tūpuna. In short, my MA thesis findings identified that the pononga (faithful believers) of T. W. Rātana, adapted and appropriated tikanga Māori, mana motuhake (self-determination) philosophy, and Christian passive resistance as foundational platforms on which to establish and create the Rātana Church, and the Mōrehu movement. The purpose of the church is to unify and heal Māori communities through agreed spiritual beliefs and practices, and the purpose of the Mōrehu movement is to seek ratification of Te Tiriti o Waitangi, through passive and political resistance. These two parts work together to achieve the ultimate aim of re-establishing Māori rangatiratanga and mana motuhake across the country.

The connection with my mahi (work)

As indicated earlier, since October 2007 I have been in the privileged position of working for the Karanga Aotearoa Repatriation Programme (Karanga Aotearoa) administered by Te Papa, initially employed as the Kaiwhakahaere Kaupapa Pūtere Kōiwi (Repatriation Manager) and more recently given the new title of Head of Repatriation at Te Papa. This senior management position provides me with a lead role in actively seeking and negotiating the repatriation of Māori and Moriori ancestral remains housed in overseas institutions.

Since Karanga Aotearoa was established in 2003, close to 900 Toi moko, kōiwi tangata and kōimi t'chakat have returned to Aotearoa. At least a further 400 Māori and Moriori are presently awaiting their repatriation. The programme is resourced by the New Zealand Government, with support from Māori and Moriori communities, as well as the Repatriation Advisory Panel, consisting of experts in Māori, Moriori and iwi history, te reo Māori, tikanga, high level government policy, museology, and international indigenous policy.

I am pleased to report that I have the official support of the Repatriation Advisory Panel to pursue this PhD research kaupapa. In light of what I have written above, I am encouraged that this research project will produce a new perspective for understanding one of the most challenging pieces of our country's history between 1769 and the 1840s. I believe as well that it will reveal the direct links this period has with the collection and trade of indigenous ancestral remains by European and Western societies, and encourage an appreciation of the movement for seeking the repatriation of these ancestors by their descendants from the 1980s to the present day.

Research Methodology, Tikanga Māori Framework and Literature Review

Māori motuhake

Whakapono, tumanako me te rangimarie

Ngā kupu kōrero Nā aku tūpuna

Nō tuawhakarere e

Māori autonomy

faith, hope and peace

Words spoken

By my ancestors

Who now reside in the afterlife.[8]

I am a product of socialisation in the Rātana Church and Mōrehu community at Rātana Pā located between Turakina and Whangaehu near Whanganui City. One of the earliest teachings I learnt is the importance of having a strong Māori identity. This was emphasised repeatedly as I grew older and came through a range of social interactions at home, community groups and events, attending church services, and on the marae at Rātana. The main principle of this learning is that the Māori way of seeing the world is a core foundation of my identity including how I appreciate Māori and New Zealand history, politics, religion, and connections to whānau. In addition, an equally important core principle of Ratanaism is mahi tahi or working together for the benefit of all. This includes putting aside whakapapa and tribal identities where they can become obstacles to achieving and improving social, economic and health well-being for Māori.

Another core tenet of my upbringing is the belief in the importance of safeguarding the Māori mind, perspective, view, frameworks, and interpretation of the world from the coloniser and the colonising process. In particular, valuing ngā taonga i tuku iho nō ngā tūpuna (the treasures handed down by the ancestors) as a strong foundation from which to view and engage with the world, as valid as any other cultural or academic way of engaging with the world.

Acknowledging the bias of Western academic tradition

Followers of the teachings of T. W. Rātana started to come to Rātana Pā on 8 November 1918. Ko mātou ngā iwi o ngā hau e whā — We are the people of the four winds of Aotearoa New Zealand, whose ancestors came seeking spiritual and physical healing, as well as restitution through Te Tiriti o Waitangi. As a teenager I also learnt that many Rātana adherents held a sceptical view of the benefits of Western academic study and institutions. To me this is

[8] This waiata was taught at the Rātana Parish in Newtown, Wellington in the late 1980s by kapa haka leader Tau Wirihana of Ngā Rauru Kītahi.

understandable as Western academics from the time of Charles Robert Darwin, FRS FRGS FLS FZS (1809–1882) and his peers belittled and saw no academic value in indigenous thinking, customs, societal norms and spirituality (Smith 2012: 52).

The general understanding of Western academic institutions from the 1800s to the present time is that only their academic tradition had the ability to research, scientifically inquire, validate, and accurately describe the world, including indigenous societies. Plain and simple, Eurocentric academic tradition privileged its own knowledge systems in describing history, science, trade and commercial practices, including how to engage and view the natural world, as well as spiritual understandings and religious practices (Smith 2012: 62). So, I wish to acknowledge the perspective offered and handed down to me from my tūpuna in safeguarding my Māori mind, perspective, view, and interpretation of the world from the colonisation process.

In saying that, I also wish to acknowledge that a tremendous amount of work has been undertaken by Māori academics from the 1960s within New Zealand's tertiary institutions to open doors to mātauranga Māori. These academic leaders have included Te Kapunga Matemoana Koro Dewes (1930–2010), Professor Hirini Moko Mead, Professor Ranginui Walker (1932–2016) and Professor Linda Tuhiwai Smith to name a few, who established Māori departments and research centres within universities throughout the country. From this time kaupapa Māori became grounded within mainstream education institutions, and from this groundswell came research methodologies that acknowledge and value traditional knowledge systems.

One of these research methods is called a kaupapa Māori approach (Smith 2012: 185–196). I will use this approach and methodology when conducting the research for this thesis. This means my research methodology includes the following elements and characteristics, such as:

- Valuing and acknowledging mātauranga Māori handed down through the generations via kōrero and written records (i.e. oral histories, mōteatea, karakia, karanga, whaikōrero, waiata tangi, whakataukī);
- Engaging with and acknowledging relevant Māori communities and leaders that were and are active in the repatriation process of Toi moko and Māori ancestral remains;

- Including research methods and tools that are appropriate for undertaking research with Māori communities (i.e. speaking and using te reo Māori, respecting and acknowledging mātauranga provided by repatriation practitioners);
- Ensuring Māori academic rigour is part of the peer-review process (i.e. whakapapa as a critical assessment tool to verify oral histories); and
- Endeavouring to pursue new mātauranga Māori and regain traditional mātauranga Māori with the aim of it being of direct benefit to Māori communities, whānau, hapū and iwi.

Research Methods, Theories and Tools

It is important to note that the kaupapa Māori research methodology affirms the right of Māori to be Māori (Pihama, Cram, & Walker, 2002). This does not mean, however, that this PhD thesis is unable to embrace two pou mātauranga (knowledge systems). One being mātauranga Māori, and the other being Western social science, in particular those theoretical frameworks, paradigms and methodologies pertaining to anthropology and sociology. What is important here, is the use of research tools that enable access with respect and dignity to valuable insights and mātauranga Māori contained within kōrero, manuscripts, books, official government documents, case studies, and through active participation in seeking the return of Māori and Moriori ancestral remains from international institutions.

Whakapapa is the key research methodology, foundation, and framework for this PhD thesis. Dr Rawiri Taonui states (Taonui 2015: 1) that whakapapa is a 'taxonimic framework that links all animate and inanimate, known and unknown phenomena in the terrestrial and spiritual worlds. Whakapapa, therefore, binds all things. It maps relationships so that mythology, legend, history, knowledge, tikanga, cosmology, philosophies and spiritulities are ontologically organised, preserved and transmitted from generation to the next'.

In this thesis I am using whakapapa as the core connector between the past and the present, therefore it is used at a tool to connect those involved in the trade of Toi moko, and those involved in seeking the return of tūpuna. Whakapapa connects the kōrero pertaining to ancient repatriation tikanga and contemporary kōrero pertaninng to repatriation negotiations between Māori and international institutions. Whakapapa not only connects individuals with actions and

events, it also connects philosophies, theories, paradigms, and ways of thinking with those individuals, actions, events and periods of history.

Historical Research and Archives

This thesis takes a deep dive in the oral traditions as recorded and written by Maihi Te Rangikāheke of Ngāti Whakaue and Te Arawa. It is Te Rangikāheke's kōrero that was compiled by Sir George Grey (1854) and placed in the book *Ko Ngā Mahinga a ngā tūpuna Māori Mythology & Tradition of the New Zealanders*. This investigation isolates those tikanga related to repatriation from the most ancient of histories belonging to the ancestors of the Māori. These are the baseline tikanga and their associated strategies that provide a starting point to consider, assess, and analyse the tikanga that follows through the generations.

A further deep investigation was taken of the oral traditions belonging to four different waka, namely *Aotea, Te Arawa, Tainui* and *Ngātokimatawhaorua* to ascertain the continuous whakapapa connections between the ancient past in tropical Polynesia and the iwi tradtitions in Aotearoa New Zealand. Further research was undertaken into manuscripts belonging to early European explorers, missionaries and settlers, Māori land court records, associated Waitangi Tribunal research as well as the rich source of information in books about Māori and Moriori history and tikanga.

Case Studies

There are six case studies presented in this thesis, with each highlighting a different area of research. The first case study relates to the commercial trade of Toi moko and the activities of Hongi Hika and his Ngāi Tāwake whanaunga, namely the cousins Titore Takiri and Whai Hakuene, the brothers Rewa, Moka and Kaingamatā and Wharerahi in the Bay of Islands. The second and third case studies highlight the active participation of colonial museums and Pākehā looters and traders in the commercial trade of Māori and Moriori skeletal remains after Te Tiriti o Waitangi was signed in 1840. The key analysis of these case studies is through the concept of the Doctrine of Discovery, social Darwinism, the fatal contact theory and other theories that stem from imperialism and colonisation. The fourth, fifth and sixth case studies relate to Māori and Moriori seeking the return of their ancestral remains from international locations and institutions.

The research methodology combines archival research and analysis, review of written materials recorded about the events, active participation in the events, and semi-structured interviews of participants. These case studies provide core insights, information and details and will be used in chapter five as part of the discussion and analysis which will be conducted through the tikanga Māori framework, the tapu and noa analysis, as well as traditional westeren anthropology and sociology theory alongside contemperoary social theory.

Participant Obeservation

Participant observation provides the advantage of observing people and actions in context (Denzin & Lincoln 2003). As an active member of the Karanga Aotearoa, I have actively participated in the repatriation process from institutions in the USA, Canada, Australia, the United Kingdom and other locations in Europe. I facilitated delegations that included kaumātua to undertake this mahi at international institutions and was part of active discussions of ensuring appropriate tikanga and kawa was observed through the whole repatriation process of Toi moko, kōiwi tangata and kōimi t'chakat. As part of this process over a 15-year period, I noted these discussions in written form, and made them available through reports I compiled for the Repatriaiton Advisory and senior Te Papa managemnent. It is important to note I received approval from the Repatriation Advisory Panel and Te Papa to conduct this research, and I provided regular updates to them about my research for them to review.

Semi-structured interviews

My experiences of being an active repatriation practioner with regard to being interviewed a number of times by master's and PhD students over the years, has taught me to be mindful and respectful of those people who are gracious enough to agree to be interviewed. Prior to the interview process I sought approval from the University of Victoria Te Herenga Waka Ethics Committee to conduct quailitative interviews on my PhD topic. Upon receipt of the approval memorandum (Ethics Approval: 22789) I conducted interviews with three repatriation experts and practioners. As part of this process, I considered who would be appropriate to interview, as I needed insight from active and experienced repatriation practitioners. It was appropriate to interview two Māori practioners with experience of engaging with tūpuna and tikanga from a place of knowledge and understanding. These practitioners needed to be recogised leaders and knowledge holders of tikanga, mātauranga Māori, as well as active engagement with tūpuna, Toi moko and kōiwi tangata through karakia and handover ceremonies at international institutions, international pōwhiri on Te Papa's Rongomaraeroa, care of tūpuna in Te Papa's

Wāhi tapu, and engaging with tūpuna as they return to their iwi, rohe and wā kāinga. From my assessment there is less then 10 people in Aotearoa New Zealand with this experience and knowledge, and therefore I sought approval from Whaea Hokimoana Te Rika-Hekerangi, a member of Te Papa's Repatriation Advisory Panel and Te Arikirangi Mamaku, the Repatriation Coordinator for the Karanga Aotearoa Repatriation Programme to interview them individually. For the international perspective I asked Professor Dr June Jones.

As part of seeking approval from each interviewee I provided them each with an abstract of my PhD research hypothesis, a set of interview questions, and a formal ethics form to sign indicating their agreement to be interviewed and for the interview to be recorded. The interviews were one-on-one and semi-structured which allowed for each interviewee to provide indepth answers as to the meaning of repatriation from their experiences, perspectives, and world view. I transcribed each interview and provided the written transcription to each interviewee for their review and approval to use as part of this PhD. Note the interviews with Whaea Hokimoana and Te Arikirangi Mamaku were conducted in te reo Māori and in English and will be presented in this thesis in the language I received the answer in. For those parts in te reo Māori, I provide a short summary in English.

Tikanga Māori Framework

Mātauranga Māori is the primary knowledge base and system used by the ancestors of Māori to understand and interpret the world around them. Tikanga stems from the learnings sourced from engaging with the te ao mārama/te taha kikokiko me te ao wairua/te taha wairua (the physical and the spiritual realms), which provide a core set of intrinsic values, guidelines, rules, protocols and deep-seated philosophy that were created and formalised by our tūpuna for the benefit of their descendants. As indicated earlier in respect to this research project, my aim is to understand the thinking of rangatira who lived between 1769 and 1840. In an ideal world, I would interview those tūpuna directly, however, as they passed away some time ago I have created a tikanga Māori framework within which to consider, understand and interpret the thinking and decision-making process of these rangatira, which can also be used for framing, understanding and interpreting the thinking of leaders championing the repatriation of Māori and Moriori ancestral remains from the 1980s up to the present time. Before I describe and explain my particular tikanga Māori framework, I identify the core, fundamental cultural

principles, understandings and epistemology of how Māori view their spiritual, cultural, and natural worlds as well as their social relationships.

The core elements of Māoritanga

Another term used to describe Māori culture is Māoritanga. In this section I define and describe Māoritanga, highlighting its cultural components. I also provide three examples of models defining Māoritanga. The first example is a well-known pepeha from the Whanganui region, the second example comes from my Mōrehu kaumātua, and the remaining is from respected academic and kaumātua from Te Tai Tokerau Reverend Māori Marsden. Following this I analyse all three models and identify the elements that are seen as critical to Māoritanga. From this I show how these models link to my own tikanga Māori framework for decision-making.

Māori models of the world

(i) Whanganui pepeha—proverb from the Whanganui region

There are many ways of highlighting the elements that form Māoritanga. One way is through pepeha such as the example provided by this well-known saying from the Whanganui River:

E rere kau ana te awa tupua

Mai ngā Kāhui Maunga

Ki Tangaroa

Ko te awa ko au

Ko au ko te awa!

The ancestral river swiftly flows

From the Sacred Mountains

To the Coast

The river is me, and

I am the river!

This pepeha highlights a number of important elements that are pivotal to Māoritanga:

- It is in te reo Māori, as the Māori language is an important conveyer of our connection to our ancestral culture;
- Our cultural identity is centred on specific locations around the country, as these locations give Māori their status as tangata whenua and/or mana whenua;
- It demonstrates that Māori have a strong physical relationship, connection and identity with their tūrangawaewae (tribal homeland). For example, the intense connection comes through the words—Ko te awa ko au, ko au ko te awa—the river is me, and I am the river. We are both the same; and
- Implied within the pepeha is the deep spiritual connection with the river, as well as the whenua it flows from, over and to.

(ii) Te Iwi Mōrehu model

In my early years at Rātana Pā and growing up as Mōrehu, I was taught that the world is broken into two parts co-existing side by side. These two elements are te taha wairua (the spiritual side) and te taha kikokiko (the physical side). In addition, I was taught that we, as humans, are influenced by both sides, and at its core Māoritanga is made up of these two foundation elements through the traditional framework of tapu and noa. Part of my teachings included the continuous nature of humanity from our ancestors to the present generation and that upon death we join our whānau and ancestors in the spiritual world. Immediately below is Figure 11, which is a pictorial version of what I was taught as a child, (i) that the world comprises two parts, namely te taha wairua and te taha kikokiko, (ii) it is important we honour and respect Ihoa o ngā mano and our tūpuna, (iii) hold true to speaking te reo Māori, and (iv) ensure we protect our whenua for future generations. Lastly, (v) we are reminded to live our lives with rangimārie and in cooperation with other people and their forms of spirituality.

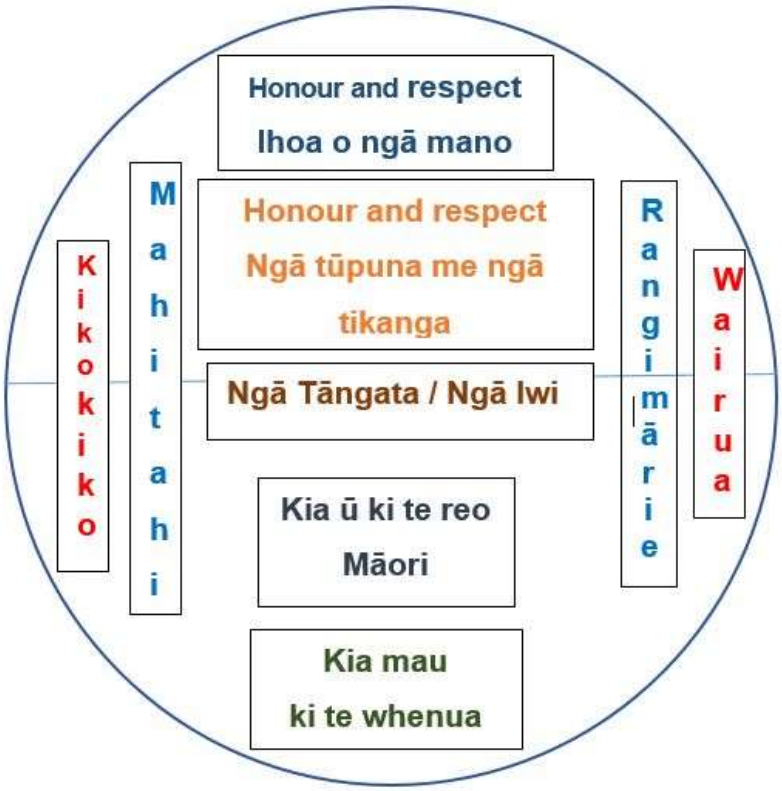


Figure 11: Te Iwi Mōrehu Te Taha Wairua (spiritual) and Te Taha Kikokiko (physical) Framework.

(iii) Reverend Māori Marsden (1924–1993)

Rev. Māori Marsden comes from Tai Tokerau, and has direct links to many of the main whakapapa lines extending from Ngāi Takoto, through to Ngāpuhi around the Bay of Islands and down to Te Parawhau to the south of Whangarei, extending into Ngāti Wai and Ngāti Whātua. Marsden was a respected tohunga, scholar, writer, minister and philosopher. In his book *The Woven Universe selected writings of Rev. Māori Marsden*, he provides insights into the most important foundational components of Māoritanga from a northern Māori perspective, including the elements of tikanga and ethics, as well as their epistemology. I have highlighted Marsden's philosophy and perspectives immediately below as follows.

The Māori reality—what is Māoritanga?

For Marsden, Māoritanga is based on four main components which are ihi (psychic force), wēhi (fear and awe), tapu and mana (Marsden 2003:3–7). I have represented these four components in Table 1.

Table 1: Four Components of Māoritanga According to Reverend Māori Marsden.

Ihi A psychic force Personal magnetism that radiates from a warrior, and seen by the observer as an awesome force.	**Wēhi** Awe and fear when coming into the presence of people with overwhelming ihi or mana, or coming into the presence of tūpuna and ngā atua.
Tapu Things 'sacred' and 'holy'. Where an object or person is put aside from the profane sphere, and placed into the sacred sphere. Breaking of tapu is using the object against its sacred purpose.	**Mana** A spiritual force, authority and power inherited from your tūpuna, which originates from ngā atua.

Holistic view of the world

Marsden clarifies his concept of Māoritanga by highlighting that it is bound together by an original energy that over time grew, expanded, developed and now exists as multiple energies that are part of many multiple layers of existence right up to the Māori culture of his time (Marsden 2003:31–33). The energies are described in te reo through the following karakia (spiritual chant of acknowledgement), starting from:

- The realm of Io to..
- ..the realms of Te Kore to..
- ..the realms of Te Kōwhao to..
- ..the realms of Te Anu to..
- …the realms of Te Pō, continues..

The realms carry on until the realm of Te Rangi-a-Wātea also known as Ranginui and Papatūānuku is reached (Marsden 2003: 17, 181), and then the next set of karakia begin linking ngā atua (the ancient ancestors and goods) to the physical elements of the world, to the environment and then to the many creatures, animals and human who inhabited the Polynesian worlds.

Central to the core

Marsden further explains that Māoritanga exists because Māori communities wish it to exist with its beliefs, values, mores, customs, and so forth, and supported by its own cultural institutions and standards of behaviour.

For Marsden the Māori ultimate reality consists of the following components:

1. The ultimate reality is wairua;
2. The universe is a process;
3. Io Taketake generates the Māori genesis;
4. Hau and mauri are omnipresent;
5. Humankind is both physical and spiritual as we descend from those before;
6. All elements spiritual and physical are connected and related to each other; and
7. Māori have a holistic approach to life, and there are no sharp divisions between culture, society and their institutions.

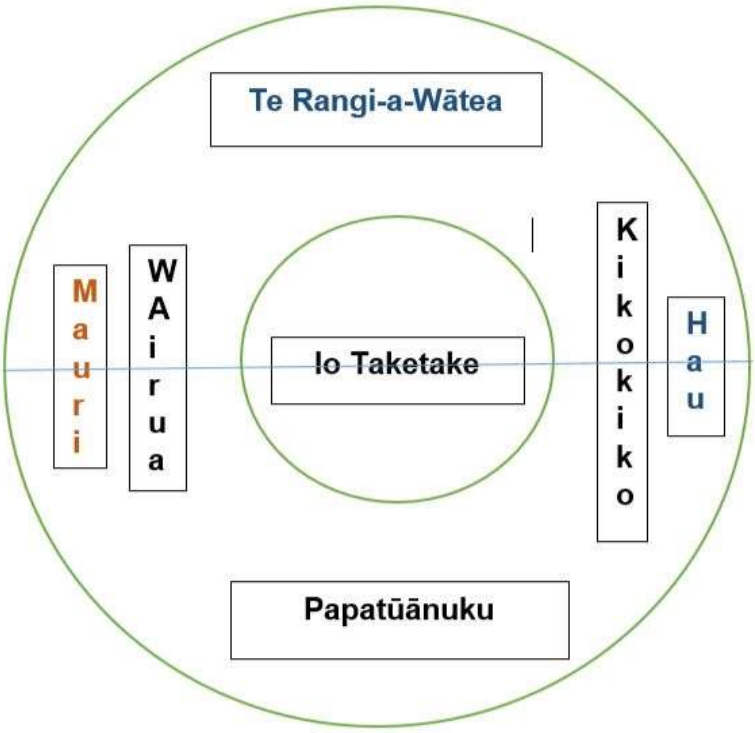


Figure 12: Māori Marsden's Perception of Ultimate Reality.

For Marsden, the original element, according to his iwi tradition, is Io Taketake, and from a continuous process emerged Te Rangi-a-Wātea (Ranginui) Papatūānuku, and their children (Marsden 2003:17, 181). From these elements come the natural environment, humanity, the universe and the important cultural concepts of mauri, wairua, hau (vitality), tapu, wehi, ihi, mana and so forth (Marsden 2003: 33). I have represented Marsden's philosophy of Ultimate Reality in Figure 12.

Similarities and commonalities of models

In my view, there are strong commonalities and similarities in the models presented by the Whanganui pepeha, Marsden and by my Mōrehu kaumātua. At their core the models acknowledge the following elements:

- The physical and spiritual worlds walk hand in hand;
- All elements of the world and universe are interconnected;
- The living and dead have a continuous relationship; and
- The importance of whakapapa.

Marsden also places special emphasis on elements including: tapu, mana, ihi, wehi, kawa, tikanga, hau and mauri. The Whanganui pepeha highlights the strong connection between the physical landscape of a rohe (tribal region) and the mana whenua, and how they have merged into one.

Tikanga Māori Framework

The tikanga Māori framework I have created below in Figure 13 reflects the core elements identified in the models presented above, in particular those elements highlighting:

- An understanding of the world from an original source element, that begets the universe, the world, humankind, nature and the environment;
- The intimate connection between the spiritual worlds and the physical worlds; and
- The cultural importance of Māori concepts such as whakapapa, mātauranga Māori, mana, ihi, wehi, tapu, utu, tikanga, kawa and other concepts that give the Māori view of the world its unique epistemology, understanding and perspective.

In addition, the tikanga Māori framework I have created (See Figure 13) is based on:

- over 30 years of study and reflection on mātauranga Māori ;
- active engagement within Māori society from an early age;
- over 20 years of learning from kaumātua and recognised mātauranga Māori experts in Māori society; and
- learning from my socialisation process within a Māori family.

My theory is that rangatira filtered their decision-making processes through a framework that allowed them to come to a rational decision based on their education, learning, mentoring and experiences through their socialisation processes, which included the following social factors:

- social status in their hapū and iwi;
- education, training and mentoring within their hapū and iwi; and the
- main events that influenced and impacted on their lives.

The framework highlights four main sectors, which I have identified as being important for decision-making for these rangatira, including: (a) mātauranga Māori; (b) mana; (c) wairuatanga; and (d) utu. Under each sector are additional issues to be considered before a decision is finalised.

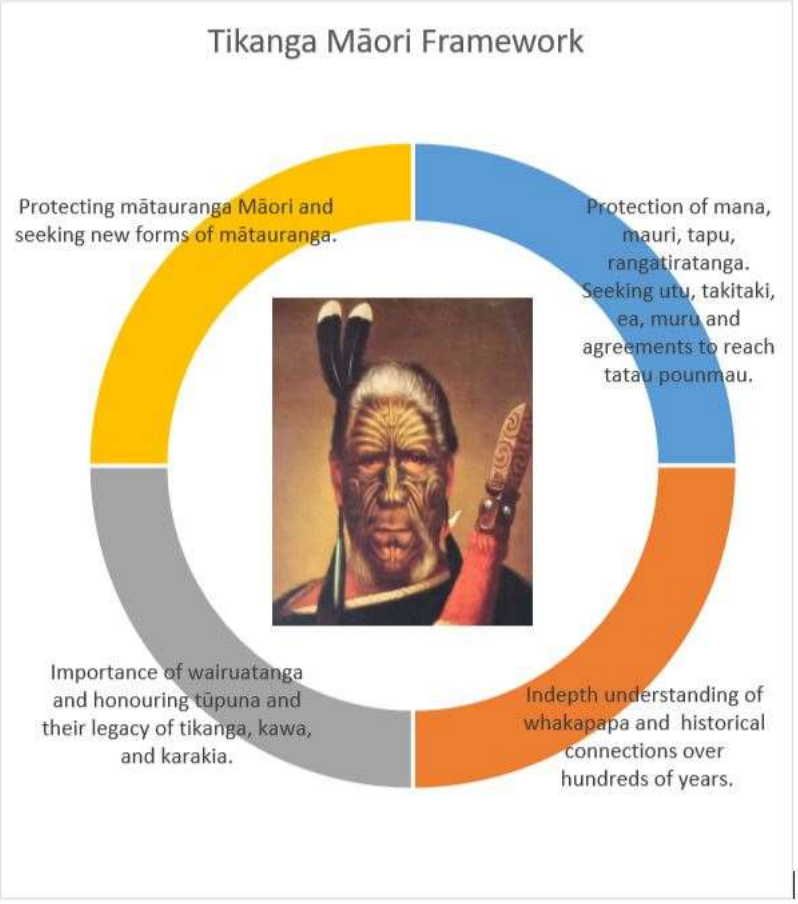


Figure 13: Tikanga Māori Framework— decision-making Framework between 1796 and 1840.[9]

Analysis of collected data sets

I will review and analyse the research gathered as part of this PhD project according to the tikanga Māori frameworks I have detailed above. In addition to the above Tikanga Māori Framework, this thesis brings together two theoretical frameworks to analyse, critique, discuss and arrive at findings. These two frameworks are mātauranga Māori and social science through the academic disciplines of anthropology and sociology, which provide the following filters, paradigms and theories:

Mātauranga Māori

[9] Image in the above framework is of Hakaraia Te Rangipouri of Ngāti Apa, Rangitāne, Muaūpoko, Ngāti Hamua and Rakaiwhakairi painted by Lindauer. Image courtesy of Whanganui Regional Museum.

It is important to acknowledge that mātauranga Māori has been built up over a long period of time, and its source includes societies stemming from homelands in East Polynesia, West Polynesia, Melanesia and Southeast Asia.

Karakia – Ancient chant of *Te Arawa* iwi (tribes).

Ka whakahokia atu e au	I return to thee
Ki ngā pae tuangāhuru o Hawaikinui	To the tenth step of great Hawaiki
Kei reira ngā pū ngā take	Where the sources are
Ngā weu ngā wānanga	The origins
Ngā tohunga	The senior priests, experts and mediums
I tupu mai te mauri	Thus the life force grows
Te mauri nui	The life force matures
Te mauri roa	The life force expands
Te mauri whakaea	The life force is fully risen
Ka whakaputa ki te whai ao	It comes forth to the world of the living
Ki te ao mārama.	To the world of light.

(Grace 1992: P 71).

In addition, the mātauranga Māori paradigm is built on frameworks, models and templates founded on events associated with kōrero related to Rangi rāua ko Papa (Sky Father and Earth Mother) and their children, Māui-Tikitiki-a-Taranga, Tāwhaki, and other important tūpuna who guided hapū from Hawaiki to Aotearoa and settled the country.

The main themes from these paradigms acknowledge:

- the deep-seated connections between the physical and spiritual dimensions;
- the continuous whakapapa connections between atua, tūpuna and Māori living today;
- that knowledge is gained through experiences of engaging with the world;
- that knowledge is gained and passed on through a process of mentoring within whānau, hapū and iwi;
- that accessing new knowledge took commitment, dedication, journeys to new worlds, and support by tūpuna;

- that innovation and change within traditional Māori societies took special leadership, skills, abilities; and, in some situations, breaking of deep-seated social *mores*;
- that innovation and change comes with strong physical and mental effort, assertiveness, but change also needs to be of benefit to society; and
- that each respective whānau, hapū and iwi is responsible for their respective mana motuhake.

Anthropology and Social Theory

From its early beginnings of studying people and their cultures, anthropology sought to understand the meanings underpinning society's structures and functions. In particular the functions of religion and their associated ceremonies, as well as the power of symbols and gifts. According to Claude Levi-Strauss and his theories on structural-functionalism, "universal patterns in cultural systems are products of the invariant structure of the human mind" (Britannica 2022: 1), and all concepts are packed with meanings by members of the associated society and culture (Moore and Sanders 2014: 7-8).

Using anthropological and social theory frameworks, I analyse my qualitative data to seek the meaning of trading in indigenous ancestral remains for both indigenous, Western and European collectors and traders. In addition, I use this framework as a lens through which to interpret the social changes in these two respective societies (i.e. contemporary Māori and European society) pertaining to repatriation, and its associated symbols, meanings, and respective ceremonies of acknowledgement. As part of the analysis of this thesis I will refer to leading Māori academics, anthropologists and social theorists including Te Rangi Hīroa Sir Peter Buck (1877 - 1951), Ruka Alan Rangiahuta Herewini Broughton (1940 – 1986), Ranginui Walker (1932 – 2016), Sir Professor Hirini Moko Mead and Professor Linda Tuhiwai Smith.

A sociological analysis offers a closer inspection of social behaviour in a wider social context, as well as identifying patterns of behaviour and recurring characteristics for both indigenous societies and Western/European societies. In addition, social theory provides a framework that identifies social characteristics that impact how different groups within society respond to opportunities, marginalisation, and social changes. To help and offer depth to my analysis I use key social characteristics as the base lens through which to view, critique, and

interpret to achieve my findings with robust rigour. The sociologists and social theorists I will refer to in this thesis include Karl Marx, Emile Dirkheim, Levi-Strauss, Anthony Giddens as well as Gurminder K. Bhambra and John Holmwood and others.

Summary

According to Linda Tuhiwai Smith in *Decolonizing Methodologies*, a methodology:

> *in its simplest definition generally refers to the theory of method, or the approach or technique being taken, or the reasoning of selecting a set of methods (Smith 2012: ix).*

For this PhD research project, my research methodology brings together theoretical frameworks from kaupapa Māori research methodology, mātauranga Māori and the social sciences, in particular research approaches from anthropology and sociology. In addition, I have created a tikanga Māori framework to understand the decision-making process of rangatira engaging in the trade of Māori ancestral remains, and also to understand the thinking behind contemporary Māori and their desire to actively seek the repatriation of Māori ancestral remains.

The research methods and tools I use have come from an ethnographic discipline, including active participation in the repatriation process. Through the kaupapa Māori research approach I ensure that Māori perspectives, ethics and participation are appropriately incorporated, and Māori benefit from the research. To add, I will analyse my qualitative data set according to mātauranga Māori dimensions, as well as through traditional and contemporary anthropology and social theory frameworks.

Literature Review

The kōrero (oral literature) related to tikanga and the repatriation of ancestral remains for Māori stems from the time when ancestors of the Māori entered the undiscovered parts of Oceania close to 3000 years ago. These untouched island groups are today known by the names of Vanuatu, New Caledonia, Fiji, Tonga and Samoa, and these ancient ancestors in Western academic circles are called the Lapita people (Te Awekotuku and Nikora 2007: 14,15; Anderson et al 2014: 19-22; Reich 2018: 200-203). Māori have maintained the kōrero belonging to the Lapita ancestors in traditions that reference Māui-Tikitiki-a-Taranga and his whānau, the brothers Tāwhaki and Karihi, Waihieroa and his son Rata and finally to Whakatau-Pōtiki. For these kōrero and the

significance of tikanga Māori and how they connect to these ancient ancestors please refer to Chapters One and Two.

The written literature is framed by the period from 1769 to the present day. From their arrival in Aotearoa New Zealand, European and Western writers noted their engagements with Toi moko. These early writers included visiting European and Western explorers such as Joseph Banks, Dumont d'Urville and Rene Primevere Lesson (Simmons 1985: 46,47; Ollivier 1986: 129, 156; Te Awekotuku and Nikora 2007: 48; Duyker 2014:208; Jones and Jenkins 2017: 219, 233; Paterson 2021: 15, 16).

Traders such as John Rowe also known as Te Oroa (Lee 1983: 85; Collins 114; Paterson 2021: 43,45), and missionaries such as Reverend Samuel Marsden, William Yate, and Henry Williams (Elders 1932: 151, 154; Fitzgerald 2011: 23, 80, 86; Paterson 2021:19, 20, 35-37), noted the trade of Toi moko (Glover 1986:13, 32; Elder 1932: 169, 498, 499; Fitzgerald 2011: 23; Duyker 2014:208; Collins 114,) their physical description, production and acquisition (Elder 1932: 151,154, 172, 177, 496; Glover 1986:13, 32; Fitzgerald 2011:86), and the traditional practice of seeking the return of Toi moko via the custom of tatau pounamu (Elder 1932: 167, 168; Ollivier 1986: 156).

The important element to note is that those writing about Māori during this period were interpreting the actions of Māori through the framework they understood at the time. For Marsden this meant a biblical interpretation. Marsden writes: "When a chief falls in battle they cut off his head and preserve it as a trophy of victory, as David cut off the head of Goliath and took it to Jerusalem" (Elder 1932: 220). These earliest papers, diaries, letters and manuscriptions (Elder 1932; Ollivier 1986 129, 156; Fitzgerald 2011: 23, 80, 86; Calman 2020) became important reference materials for historians, ethnologists, and anthropologists that followed such as H. G. Robley (Robley 1998), Elsdon Best (Best 1941: 61, 69), Te Rangi Hīroa (Te Rangi Hīroa 1966: 424; 425), D Wayne Orchiston (Orchiston 1967; 1970), David Simmons (Simmons 1985; 46,47), Dr Angela Ballara (Ballara 2003: 24, 133, 158) and Emeritus Professor Ngahuia Te Awekotuku (Te Awekotuku and Nikora 2007: 46-49). An important factor to note is that all the writers above are consistent in what they write about Toi moko, such as how they were made, why they were made, the commercial trade of Toi moko, and the practice of tatau pounamu.

The writer that stands out is Dr Angela Ballara with her book *Taua 'Musket wars', 'land wars' or tikanga?* Ballara undertakes some rigorous analysis of the period of the inter-tribal wars in the early nineteenth century and concludes that inter-tribal warfare "remained the final recourse for dispute resolution in Māori society" (Ballara 2003: 163) and the "nature of Māori warfare in this period remained essentially the same in 1845 as it had been in 1800" (Ballara 2003: 163). Ballara connects tikanga, ritual and the arrival of new technologies with Pākehā that leads to changes in how tribal warfare is conducted and concluded (Ballara 2003: 163). However, as with other writers, Ballara's interest remains with that particular period of Māori history, and her analysis does not extend to the repercussions of the trade of Toi moko and contemporary Māori seeking the return of their tūpuna.

There are two key research gaps immediately highlighted above, one is that the commercial trade of Toi moko has mostly been understood and analysed from Western research frameworks and paradigms. It would be of benefit to take a deeper investigation into the trade of Toi moko within a mātauranga Māori framework that connects tikanga Māori, its origins and whakapapa from the ancient past to the present day. The second research gap pertains to the repatriation of Toi moko, and how the ancient practice of tatau pounamu connects with the modern practices of seeking the return of Toi moko by Māori communities.

Seeking the Repatriation of Māori ancestral remains

From the 1980s the tide had turned to active conversations about the collection, trade, and repatriation of Māori and Moriori ancestral remains including Toi moko. An important note to make is that there are many Māori and Moriori repatriation practitioners associated with museums around the country who actively contributed to the repatriation movement. This group has been highly influential in creating and establishing the foundations of Māori centred repatriation protocols at museums and academic institutions. These leading figures include Māui Pōmare, Professor Paul Tapsell, Sir Paul Reeves, Professor Sir Pou Temara, Professor Sir Derek Lardelli, Aroha Mead, Haami Piripi, Te Kanawa Pitiroi, Hokimoana Te Rika-Hekerangi, Te Aue Davis, Kukupa Tirikatene, and Edward Ellison to name a few.

From 2003, the newly established Karanga Aotearoa Repatriation Programme administered by the Museum of New Zealand Te Papa Tongarewa brought together Māori and Moriori leaders to establish a central knowledge base of mātauranga Māori and tohungatanga Moriori with regard to the collection and trade of tūpuna and karāpuna, undertaking research on the trade, the care of

tūpuna/karāpuna and seeking their repatriation from overseas institutions. There is also a growing group of researchers that have been involved in conversations pertaining to the collection, trade and seeking the repatriation of Māori and Moriori ancestral remains. This group wrote about various aspects of the trade of Māori, Moriori and other indigenous ancestral remains, the collectors and traders, the technical process of undertaking research on indigenous remains, their experiences associated with the repatriation of Māori, Moriori and other indigenous ancestral remains, as well as preparing research reports for institutions that were in the process of considering repatriation requests with regard to Māori or Moriori ancestral remains. This group of researchers includes Natasha Barrett (Karanga Aotearoa Repatriation Programme 2004, 2005, 2006), Dr Mike Pickering (Karanga Aotearoa Repatriation Programme 2005), Dr Nancy Tayles (Karanga Aotearoa Repatriation Programme 2005), Dr Michelle Horwood (Karanga Aotearoa Repatriation Programme 2005; Horwood 2015), Susan Forbes-Thorpe (Karanga Aotearoa Repatriation Programme 2004; 2005; 2006; Solomon & Forbes 2010), Dr Lissant Bolton (Bolton 2007), Dr Phillip Endicote (Endicote 2007), Dr Tristram Besterman (Besterman 2007), Dr Cressida Fforde (Tapsell 2020), Dr Simon Jean (Jean 2022), Coralie O'Hara (O'Hara 2020: 438-451), Dr June Jones (Herewini & Jones 2016), Dr Sabine Eggers (Eggers et al 2021), and other colleagues in Canada, the United States, Australia, and Europe.

Brian Hole in his Master thesis (2006) and in the related published paper *Playthings for the Foe: The Repatriation of Human Remains in New Zealand* (Hole 2007), provides an overview of the trade and repatriation of Māori and Moriori ancestral remains. Hole highlights the difference of how the recognition of indigenous peoples by their settler governments directly influences the ability of indigenous people to seek the repatriation of their ancestral remains. In short Hole concludes the ability of Māori from the 1980s to successfully lead and seek the repatriation of their ancestral remains in part is due to their political agency that was recognised in 1840 by the signing of Te Tiriti o Waitangi.

In the 1980s Māori and Moriori repatriation practitioners and researchers start to include tikanga Māori/tikane Moriori as a natural component of their engagement with kōiwi tangata, kōimi t'chakat and Toi moko. Sir Graham Latimer in his self-titled biography notes the challenges of repatriation, highlights the importance of karakia as part of the handover ceremony and the spiritual connection he felt between him and the tupuna (Harrison 2002: 129-140). Te Awekotuku in her paper *Momori Mento* (Te Awekotuku 2009) highlights the continuous connection Māori tradition has between the dead and the living. Te Awekotuku sees Toi moko

as an intricate part of tikanga Māori to ensuring the memory of the departed is kept alive by whānau that remain in the world of the living. In 2010 Maui Solomon and Susan Forbes release a paper about the collection and trade of Moriori ancestral remains and miheke (taonga, cultural treasures), as well as the strong desire by Moriori to see their karāpuna (ancestors) return to their homeland of Rēkohu (Solomon & Forbes 2010: 216-218).

Professor Paul Tapsell an authority on museology practice in Aotearoa New Zealand, refers in his writing about the challenges and politics of returning tūpuna to their homelands (Hole 2007: 18, 19; Tapsell 2020). Tapsell references the connections of how Māori view museums (Shannon et al 2017), the importance of following tikanga when engaging with iwi, and considers the roles of mana whenua in the repatriation process, where museums house Māori and Moriori ancestral remains (Hole 2007: 18,19; Tapsell 2020).

From 2007 there is a new group of repatriation practitioners and researchers connected with the Karanga Aotearoa Repatriation Programme. This group refines the process of seeking the return of Māori and Moriori ancestral remains and the research it undertakes. Members of this group begin submitting papers on various aspects of repatriation for publication. In 2008 Amber Aranui and Nicola Smith publish a paper on the collection practices of Sir Julius von Haast (Smith and Aranui 2010). In 2016 Dr June Jones and I publish an article on building a bridge to repatriation which highlights the process of building a cooperative approach to repatriation. This paper touches on the importance of the handover ceremony to providing a safe space for the repatriation encounter to occur. After this I publish several smaller articles highlighting how Māori view ancestral remains through a tikanga Māori framework and how this influences the way Māori engage with tūpuna (Herewini & Jones 2016; Shannon et al 2017).

Within the last 10 years a number of repatriation practitioners and researchers have completed PhD thesis related to the repatriation of Māori, Moriori and other Polynesian peoples. In 2015 Dr Jacinta Arthur of Chile and with strong connections with the tangata whenua of Rapa Nui completes her PhD on *Reclaiming Mana Repatriation in Rapa Nui*. Arthur investigates the practice of repatriation from a Rapa Nui perspective and the importance of tikanga derived from the tangata whenua of Rapa Nui as pivotal to both the reclaiming of tūpuna and mana associated with the returning ancestors. This thesis challenges the status quo of scientific enquiry and Western academic theory having authority and given privilege over Rapa Nui ontology and epistemology. In 2015 Michelle Horwood completes her PhD thesis entitled *Worlds Apart:*

Indigenous Re-engagement with Museum-held Heritage: A New Zealand – United Kingdom Case Study. Horwood's thesis is informed by her professional museology practice during her engagement with Māori as they re-establish their connections with taonga and kōiwi tangata housed in museums in Aotearoa and abroad. This investigation highlights the changing museological practice through active relationships between taonga, kōiwi tangata, tangata whenua and museums. Amber Aranui completes her PhD thesis with the title *Te Hokinga Mai O Ngā Tūpuna: Māori Perspectives of Repatriation and the Scientific Research of Ancestral Remains*. This thesis highlights the challenges associated with Western scientific theory, research and ethics when actively engaging with Māori and their ancestral remains housed in academic institutions and museums. The challenge for scientists is how do they adapt to a changing environment where their scientific authority is not shared by indigenous peoples with reference to their cultural perspectives and spiritual responsibilities to their tūpuna. Simon Jean completes his PhD in 2022 entitled *New Eyes on Curios: The Acquisition and Repatriation of Toi moko between France and New Zealand as a Postcolonial Approach to Museum Practice*. This is another important investigation into repatriation processes, with a specific focus on France and the intense debate and politics associated with the changing nature of French museum collection practices regarding Toi moko.

Emeritus Professor Robert K. Paterson in his book with the title *Tattooed History - The Story of Mokomokai* provides an up-to-date overview of the history of moko mokai including the context of their trade within and outside of Aotearoa New Zealand. Paterson in his own words highlights what the book is not about and says "the complex ethical and cultural issues surrounding indigenous ancestral remains are the subject of intense debate. I do not intend to engage in that discussion here" (Paterson 2021: 9). Paterson's book by not discussing in detail the complex ethical and cultural issues surrounding the trade of indigenous remains leaves a significant research gap that is key to the investigation of this PhD research.

Research Gaps

The literature review above identifies the following research gaps, which include:

1. The limited understanding of how the trade of Toi moko connects with ancient tikanga Māori from a critical Māori perspective;

2. There is an absence of research pertaining to how the traditional concept of tatau pounamu connects with the modern repatriation process of seeking the return of Māori and Moriori ancestral remains from international institutions;
3. There is a research gap in understanding the role contemporary tikanga Māori has in challenging Western ethics and cultural *mores* pertaining to the retention of Māori and Moriori ancestral remains by Western and European institutions; and
4. There is also a limited understanding of how contemporary tikanga Māori connects with Māori political agency in seeking the return of their ancestral remains.

The four research gaps identified above are covered in depth by this PhD research thesis, beginning with the next chapter which provides the background and historical context for the study.

Chapter One

The history of tikanga in Māori Society and its ancient connection with repatriation

In the introduction of this PhD thesis, I highlighted the hypothesis for this research project, which is as follows:

> *That the active participation of rangatira in the commercial trade of Toi moko between 1769 to 1840 is based on a set of tikanga Māori principles, in particular those principles enhancing their own mana and that of their hapū and iwi.*
>
> *The repatriation of the same Toi moko from the 1980s to the present day by Māori is based on the same set of tikanga principles, but with a shift in emphasis on those principles that foster and enhance mana connected to a stronger Māori identity, including reconnection with kawa, tikanga and ritual tangihanga processes, as well as seeking restitution and reconciliation of New Zealand's colonial past.*

An important element of the hypothesis explored in this study focuses on cultural *mores* known to Māori as tikanga. Present-day Māori are the descendants of ancestors, who migrated into the Pacific Ocean over 3000 years ago. Tikanga was an important element of their mātauranga that provided guidance on how to engage with the new environments they experienced, and importantly provided a framework for survival.

Chapter One consists of two sections. In section one, I show the origins and importance of tikanga, its meaning, how it was developed, its philosophy and principles, and what it meant to the earliest ancestors of Māori in their tropical Polynesian homelands known by various names including Te Paparoa-i-Hawaiki, Hawaiki-Rangiātea, Kapura, Tāwhitinui, Rarohenga, Tutuhira, Wawauatea, Maiteka and other Island homelands in Te Moananui-a-Kiwa (Pacific Ocean) (Broughton 1979: 12).

Understanding the original meanings associated with tikanga provides an important foundation for understanding its development through time, through the generations, and through different physical locations. Furthermore, by understanding tikanga in its earliest form, I can focus on those elements that connect with my hypothesis, with specific reference to how

tikanga connects with the repatriation of kōiwi tangata. This also includes the elements of mana, tapu, rangatiratanga, mauri, as well as utu, takitaki, muru and ea. Section two covers the arrival of the Māori ancestors from tropical Polynesia to Aotearoa and highlights how tikanga became an important element for iwi in their tribal homelands. Finally in this chapter, I highlight the tikanga associated with being a rangatira in these oral traditions with specific reference to role, expectations, relationships, as well as to protecting the mana, tapu, rangatiratanga and mauri of their respective whānau, hapū and iwi.

Section One: Analysis of Māori oral histories and tikanga principles

Dr Ranginui Walker (1932–2016) highlights in his book *Ka Whawhai Tonu Mātou Struggle Without End*:

> *The mythological origins of Māori society are laid out in three major myth cycles (Walker 2004: 11).*

The first cycle begins with the creation of Ranginui and Papatūānuku, the second sequence involves Māui-tikitiki-a-Taranga as he engages with his spiritual whānau and the third cycle centres on the actions of Tāwhaki and his whānau.[10] These three-story cycles highlight important events, interactions and family relationships that lay the foundations on which tikanga is framed, interpreted, and symbolised within *mores* understood by the tūpuna of Māori. These can be seen in more detail below. In the first set of stories, I investigate and highlight the importance of tapu, rangatiratanga, mana and mauri, as well as the significance of wero, or the ability to challenge the status quo. In the second series of stories, I highlight the association of mana with Māui-tikitiki-a-Taranga, how death came into the world, and the impact of the violation of tapu. In the third set of stories, I highlight tikanga and its association with death, murder, retribution, repatriation, restitution, and reconciliation.

Through the analysis of the three-story cycles, I identify four specific elements of tikanga including:

[10] The name Māui-tikitiki-a-Taranga is commonly translated as Māui-the topknot-of-Taranga. This relates to when Māui was born, his mother Taranga had thought he was still-born and so cut her topknot of hair and wrapped her son in it, before giving him a sea burial.

- Tikanga associated with tūpāpaku and kōiwi tangata and their importance in traditional Māori society;
- Tikanga associated with the violation of tūpāpaku and kōiwi tangata;
- Tikanga associated with the repatriation of tūpāpaku and kōiwi tangata; and
- Tikanga associated with being rangatira and their role of protecting mana, tapu, rangatiratanga and mauri of their respective whānau, hapū and iwi.

Defining Tikanga

Māori culture and society have been observed and studied from a Pākehā perspective from the time Abel Tasman arrived within Aotearoa New Zealand's coastal waters in 1642. Considering that there are more than 250 years of observation and research undertaken on Māori society, it is important to note the first academic compilation of papers dedicated to the concept of tikanga from a Māori perspective, viewpoint and analysis, is aptly entitled *Ngā Tikanga Tuku Iho A Te Māori*: *Customary Concepts Of The Māori* and was compiled only in 1984 as a course reader for a Māori Studies paper. This course reader was compiled by Professor Hirini Moko Mead and produced by the Department of Māori Studies at Victoria University of Wellington.

A survey of other major academic publications about Māori society with reference to the use of the term 'tikanga' confirms its absence. For example, the word is absent from Te Rangi Hīroa's (1966) *The Coming of the Māori*, from Elsdon Best's (1974) *The Māori As He Was*, and, interestingly enough, also absent from Anne Salmond's (1976) *Hui A Study of Māori Ceremonial Gatherings*.

Professor Mead in his book *Tikanga Māori: Living by Māori Values* (2003) comments on the potential areas of research and study pertaining to tikanga:

> *Tikanga Māori is thus a relatively new subject for teaching institutions, a new field of study for researchers, but an old one for Māori who wish to recover knowledge that has been lost. (Mead, 2003:2)*

Furthermore, he writes:

> *Tikanga has emerged as a new area of study, as a field of great opportunities of research… It is knowledge that our people need to understand, discuss, debate and pass on to others (Mead, 2003:2).*

It can be argued that within academic institutions at that time (up to the 1980s), the English vernacular and Western worldview was dominant and more acceptable. Therefore, Western academics' writing about elements of tikanga Māori (although not using the word itself) either by intention or default, reduced its meaning to "ceremonies", "customs", "ritual/s", "religious beliefs", and "superstition" (Te Rangi Hīroa 1966; Best 1974; Salmond 1976).

Additionally, the absence of an authentic and culturally enriched word such as tikanga in academic publications up until the 1980s provides a stark picture that academic research in Māori studies was limited and restricted in how it could be viewed, interpreted, understood, and received. This absence reflects and highlights one of the challenges presented to Māori academics at the time when writing about kaupapa Māori and using Western academic paradigms and terms (Te Rangi Hīroa 1966; Grace 1992).

The aim of this research is to consider tikanga as a component of Māori society's traditional philosophical base, including ideology, ethics, and values. From this base, our tūpuna interpreted and interacted with the world. This research will be different from previous undertakings by Elsdon Best, Percy Smith and Te Rangi Hīroa, as their writing conveys the notion that Māori customary practice is limited in its ethics, values, and philosophical base.

Salmond in her study about Māori hui highlights the connection between Māori rituals and its connection to the past including its mythology:

> *The hui is steeped in the past, and the rituals abound with mythological and historical allusions.* (Salmond, 1976:7)

However, the same statement also conveys that Māori rituals or tikanga are based on whimsical notions of past historical events, learning or knowledge. I wish to move away from this premise, as this PhD research project connects everyday tikanga practised on the marae, at a hui, or at other important Māori occasions, and portrays tikanga as having a deep connection, with our historical past, and recorded events in our kōrero.

What does Tikanga Mean within the Māori worldview?

As a boy in the late 1960s, I grew up in Rātana Pā, a community with a strong Māori identity, and where encounters on the marae were part of my everyday life. Despite this background, I grew up with parents, uncles and aunties who spoke to us predominantly in the English language, pepper potted with a healthy array of Māori words. Sometimes my uncles and aunties would make time to explain Māori words to us in English, and by doing so they became the conveyers of traditional Māori knowledge to the next generation. They were a human equivalent of a dictionary. Unfortunately, most of my kaumātua and my parents' generation have now passed onto the spiritual world, and the wealth of mātauranga has also passed on with them. Fortunately, many aspects of our traditional knowledge are now contained in te reo Māori dictionaries. In my research I have given preference to the dictionary *He Pātaka Kupu: te kai a te rangatira* that has been created with a Māori methodology and perspective and was commissioned by Te Taura Whiri I Te Reo the Māori Language Commission. This dictionary offers a range of meanings only provided in the Māori language, and defines tikanga in seven different ways, which I have then translated in English in the examples provided as follows:

1. *He whakaritenga e whakaae ana te katoa (o te hapū, o te iwi, o te rōpū, o te whakahaere) e rite ana I tōna wā hei whāi mā ratou.*
   A set of arrangements/protocols/guidelines agreed by the majority (of a hapū, of an iwi, of a group, or an organiser) that have been put in place for them to follow.[11]

2. *He tohutohu whai mana e whakatakoto ana he aha ka taea, he aha rānei kaore e taea I tētahi wā, I tētahi wāhi, I tētahi mahi, I tētahi tākaro.*
   A set of directions/instructions/guidelines indicating what can or cannot be done at any given time, place, activity or sport.

3. *He whakaritenga ka whakatakotoria hei whai mā te tangata e tutuki ai tētahi āhuatanga.*
   A set of procedures/instructions/guidelines put in place as guidance to achieve the desired outcome.

[11] English translations for these seven definitions provided by Te Herekiekie Herewini.

4. *Te whakaaro e kawea ana (e te kupu, e te tohu), te hōhonutanga kei tua atu (o te kupu, o te tohu).*
   The deep philosophy, strategy or understanding that underpins traditional knowledge and customs.

5. *Te hanga tonu nāna I pā ai tētahi āhuatanga, te hanga rānei whakamārama ana he aha I pā ai tētehi āhuatanga.*
   A framework and set of instructions by which to approach an activity.

6. *He mea e tōtika ana anō kia wātea mai ki a koe, kia āhei rānei koe ki te mahi.*
   Provisions set in place to protect your right, freedom or ability to work.

7. *Te tū rangatira e tautokona ana, e whakaaetia ana e ētahi atu; te kaha ki te ārahi, ki te tohutohu I ētahi atu.*
   Authority and leadership given by a group to an individual to lead and direct them.

From another perspective, Mead considers there are different ways to approach tikanga and its purpose, and frames tikanga as means of social control. This indicates that it has the ability to control interpersonal relationships, provides ways for groups to engage with each other, and provides accepted formats, frameworks and guidelines for conducting important Māori ceremonies (Mead, 2003:5). Furthermore, Mead indicates that tikanga Māori may be considered as the "Māori ethic" (Mead, 2003:6). This view is supported by Durie, who defines tikanga as the "values, standards, principles or norms to which the Māori community generally subscribed for the determination of appropriate conduct" (Durie 1996:449).

Tikanga and its place in Māori Society

As can be seen above, tikanga encompasses a range of concepts and practices that relate to a broad spectrum of activities including customs, rituals, ceremonies, guidelines, instructions, protocols, philosophy, ideology, values, ethics, rules, planning, standards, principles, norms, strategies, deeply embedded knowledge systems and authority of leadership. It can be said that tikanga permeates all parts of Māori society and can be considered to be a central base of ideas and concepts that provide a foundation from which Māori engage with, view, perceive and,

justify their actions, as well as control and interpret the world. Importantly, tikanga as a foundation concept, has many branches or associated sub-categories with their own sets of protocols, parameters, and guidelines for Māori to engage with each other, with Pākehā, te taha kikokiko and te taha wairua. Examples of these practices include muru, utu, tapu, whakanoa (removal of tapu), rāhui (prohibition related to territory, land, coastline or activity), hapa (false start, error), whati (unintentional break in a waiata [song] or karakia [incantation]), pure (rites to lift tapu) and tatau pounamu (peace treaty).

Some tikanga when applied were highly influential within Māori society such as utu, rāhui, tapu and muru. These types of tikanga could influence periods of war, peace, use of land, and confiscation of property. Other types of tikanga are associated with a range of everyday activities such as te kawa o te marae, karakia associated with baptisms, birth, tangihanga, and collecting and cooking food, to name a few. The above provides an understanding of tikanga within a contemporary Māori point of view. In the following sections, I investigate and analyse tikanga from the earliest times of Māori oral traditions through the three-story cycles associated with the tūpuna, namely: (a) Ranginui and Papatūānuku; (b) Māui-tikitiki-a-Taranga and his whānau, and; (c) Tāwhaki and his whānau.

From a Māori point of view, whakapapa provides the framework that shows how all the elements in the Māori world connect with each other. When a Māori child is born, he or she inherits a whakapapa from his/her respective parents. This whakapapa shows individuals their connection to the world, their whānau, hapū and iwi, and also their history within Aotearoa and back to Hawaiki). It is through ancient whakapapa handed down over many generations by kōrero, and more recently since the arrival of Europeans to this country through written manuscripts and recorded tribal histories, that the Māori genesis is passed down.

Story Cycle One — Okorohanga — The Māori Genesis

Each iwi has its respective okorohanga or genesis story arising from the original primal elements. Many iwi have origin stories with commonalities, however, there are variations in the names of associated tūpuna as well as their actions. The common threads of the creation kōrero amongst iwi that I have noted are as follows:

- From the absolute void (Te Kore) came its many phases;
- Then came the many phases of Te Pō (The night);

- From the phases of night came the phase of changes in the night such as movement, sliding, turning, growing; and
- Then came thought, wondering, seeking, searching, and theorising.

Ruka Broughton (1940–1986) of Ngā Rauru Kītahi in South Taranaki, presents his iwi karakia (Broughton 1979:16) as told by kaumātua, and iwi historian Hetaraka Tautahi (1835–1908). According to Broughton, the first spark of life took place in the following way:

> *Koia, ka noho te ātea I roto I te pōuritanga, I roto anō I te korekore rawa. I muri iho o tērā I roto I ngā whakapaparanga rautau, ka whanake I reira ko te whau o te hauora*: (Broughton 1979:17).
> The ātea remained in darkness, engulfed by the absolute void. Over time and over many generations, from within the ātea grew the first quiver of life, and it began to expand from its original foundation. (Translation into English by Te Herekiekie Herewini)

Ko Ranginui rāua ko Papatūānuku

From this came the next phase of spiritual beings, Ranginui (Great Sky Father) and Papatūānuku (Expansive Earth Mother) who grew within the darkness, embraced and gave birth to a multitude of children (Broughton 1979:19–20). It's important to note the fashion in which Broughton describes the appearance of Ranginui, in particular the evolution of mauri or life essence:

> *I runga I ngā ākitanga a te pō ka whakaputa ko Ranginui, ko ia te mātapuna o te toi urunga tapu, arā ko ia te puna me rangatira tapu o te ora. Kei a ia te mouri o te ora e pupuru ana. Ko te oranga o ngā mea katoa e ahu mai ana i reira.* (Broughton 1979:19)
> During the clashing of forces within the darkness appeared Ranginui, and from him stems the origin and source of tapu (sacred force and power), including its spring of sacred and chiefly life-giving energy. From within Ranginui comes this life force, and from this energy, everything on earth originates. [12] (Translation into English by Te Herekiekie Herewini).

[12] In the Ngārauru Kītahi dialect mauri is written as mouri.

Ranginui then extracted from within the mauri, his partner Papatūānuku and they embraced as romantic partners and then appeared their many children. The spiritual world continued in complete darkness, and the spiritual whānau lived within the darkness until Ranginui and Papatūānuku separated. From the separation came the universe, the world, and its environment.

In summary, the Ngā Rauru Kītahi tradition, with respect to the genesis, is as follows: From the intense void, came night then came the phases of movement. From these movements, life was generated through a chiefly sacred force (te rangatira o te tapu). From this sacred life force (mauri) came Ranginui, who in turn created Papatūānuku, whom he embraced and with whom he had many children. Mauri, tapu and rangatiratanga are passed onto each new generation.

***Te Arawa* version as told by Wiremu Maihi Te Rangikāheke**

Wiremu Maihi Te Rangikāheke (?–1896) was born about 1815 in the Rotorua district and is of Ngāti Rangiwewehi descent through his father's whakapapa and of Ngāti Rangitihi on his mother's side. In 1823 when a Tai Tokerau taua (war party) besieged Mokoia Island in the middle of Lake Rotorua, Te Rangikāheke was taken north with his mother and siblings as captives, and then ransomed by his father in 1835. On his return to Rotorua, he became a student at one of the local missionary schools and learnt to read and write and was converted to the Anglican Church. By 1849, Te Rangikāheke had moved to Auckland and become Governor George Grey's cultural advisor on kaupapa Māori. Te Rangikāheke became a proficient and prolific writer and wrote close to 21 manuscripts as the sole writer about Māori history, culture, customs at the time, and contributed to a further 17 manuscripts (Curnow 2019:1). With respect to the Māori genesis Te Rangikāheke writes:

> *Kotahi anō te tūpuna o te tangata Māori, ko Ranginui e tū nei, ko Papatūānuku e takoto nei.* (Grey 1854:2).
> The Māori people only have one set of tūpuna, namely Ranginui who stands above, and Papatūānuku who lies below. (Translation into English by Te Herekiekie Herewini)

An important aspect of the *Te Arawa* version of the creation story is highlighted in the following statement about the siblings who pondered their parents' fate:

> *Ko te nuinga ake o ā rātou whakaaro patu I ō rātou mātua, kia ora ai te tangata, koia tēnei ā rātou tikanga* (Grey 1854:4).

> The underlying element of their decision to harm and beat their parents, was so people could live and prosper, that is the basis of their decision and plan.

The point to note, here, is that the siblings held a series of discussions and conversations regarding how to harm and weaken their parents in order to achieve their plan. Their ultimate aim was to separate their parents in order to provide better living conditions in which people could prosper and thrive. Following this decision, a series of events occurred which are integral to tikanga that continue to permeate and challenge Māori society today. Although they aspired to consensual decision-making, the older siblings went ahead with their decision without the agreement of their teina (younger sibling), Tāwhiri-mātea. Consequently, Tāwhiri-mātea took utu on his tuakana (older siblings), which resulted in interpersonal relationships between all the78iblinggs imploding, and each sibling in time attacking each other. Te Rangikāheke's version describes a series of events that highlight a society that has empathy for those who challenge authority where the outcome of the challenge may be of benefit for those affected.

Te Tai Tokerau perspective

According to Marsden of Te Tai Tokerau (Northland), there was an ultimate force prior to Ranginui and Papatūānuku. This force had many names including: Io-matua-kore (Io the parentless); Io-matua (Io the first parent); Io-mau (Io the precursor); Io-pukenga (Io the first cause); Io-taketake (Io the foundation of all things) (Marsden 2003:16).

> *While in his void named Te Korekore, Io-matua-kore engaged between positive and active thoughts (ihomatua) as well as passive and negative thoughts (ihomāriri). It is said Io alone had 'double iho (essence)' (Marsden 2003: 16).*
> *Io-matua-kore remained as a single entity until he started reciting karakia, and from these words the realms of night appeared in their shades of darkness, then came the gradual emergence of light into the night, and then came the locations of Hawaiki, such as: Hawaiki-nui (great Hawaiki), Hawaiki-roa (extensive Hawaiki), Hawaiki-pamamao (far distant Hawaiki), Hawaiki-tapu (sacred Hawaiki) (Marsden 2003: 17).*

In Marsden's version of the creation story, Ranginui has the name Rangi-awatea, and Io-matua-kore created both Rangi-awatea and Papatūānuku, who also became the respective origins of the male and female principles (Marsden 2003:17). For the Tai Tokerau version the first-born child was named Tāne followed by Rongo, Tūmatauenga, Haumia-tiketike, Ru-ai-

moko and Tāwhiri-mātea.[13] While Rangi-awatea and Papatūānuku continued to cling in the darkness, their children became discontented with their predicament of living in perpetual night. Their grandparent, Io-matua-kore, also was not pleased as, although his son had completed his set duties by creating all the heavens, including those that would bring light into the world, his son had failed to separate from Papatūānuku. Io-matua-kore then sent his mokopuna the "spirit of rebellion" (Marsden 2003:17), and all siblings except Tāwhiri-mātea agreed to separate their parents.

Themes of story cycle one

I have identified four foundation elements that are critical components of tikanga. These are mauri, tapu, rangatiratanga and mana. These are the four sacred gifts passed down from Ranginui and Papatūānuku to their children, mokopuna and their uri. The separation of Ranginui and Papatūānuku was predetermined, however, with light or enlightenment entering the world, the opposite (potential for conflict) entered the world at the same time. This presented the challenge to navigate between the two—enlightenment and conflict.

Story Cycle Two — Ngā Kōrero mō Māui-tikitiki-a-Taranga (The history pertaining to Māui-tikitiki-a-Taranga).[14]

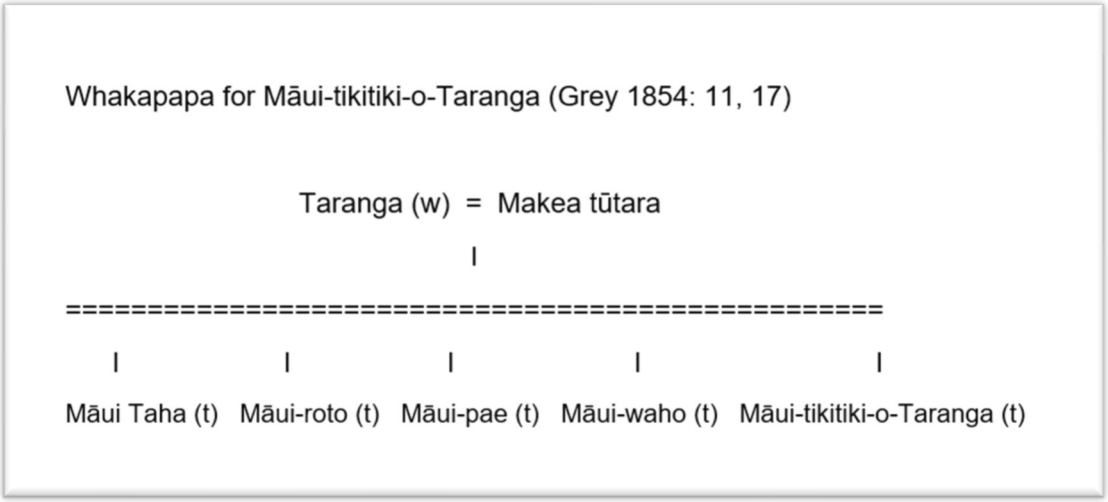


Figure 14: Whakapapa of Māui-tikitiki-a-Taranga.

Note both Mahuika and Muri-ranga-whenua are the kuia (grandmothers) of Māui-tikitiki-a-Taranga and his older siblings.

[13] Ru-ai-moko is also known as Ruāmoko or Rūaumoko in other iwi.
[14] Another version of this name is Māui-tikitiki-o-Taranga.

According to Rangikaheke, humans are the descendants of Tūmatauenga (Grey 1854:7), and the second cycle of important oral histories and their themes pertains to Māui-tikitiki-a-Taranga and his whānau. See Figure 14. When Māui-Tikitiki-a-Taranga (also known as Māui-pōtiki or Māui-the-youngest-son) was born, his mother Taranga thought he was still-born and cast him out to sea. After some time, Māui-Tikitiki rediscovered his mother and four elder brothers, named Māui-mua (Māui-in-front, also known as Rupe), Māui-taha (Māui-to-the-side), Māui-roto (Māui-inside), Māui-pae (Māui-horizontal), and Māui-waho (Māui-outside). Māui-tikitiki-a-Taranga was considered to be very clever in successfully doing this and was warmly received by his parents and grandparents. However, he had to also overcome being the last born of his whānau, the pōtiki. His brothers according to their birthright possessed more mana than him. But once again, Māui-tikitiki-a-Taranga overcame tikanga through achieving a number of incredible tasks for the benefit of his whānau and their descendants. Three of these benefits are:

(1) Obtaining Muri-ranga-whenua's (one of his grandmother's) jawbone, Māui-tikitiki-a-Taranga strategised (rautaki) with his older brothers to slow down the sun by capturing it with nets and beating it into submission with the tapu of their kuia's jawbone. It's important to note that much attention and detail is given about how the brothers worked together (mahi tahi) to achieve their aim;
(2) Then followed the important event of obtaining fire from Mahuika (Māui's other grandmother); and
(3) Fishing up the North Island of New Zealand, which up to this day carries the name Te-Ika-a-Māui (The fish of Māui).

Despite all his achievements, Māui-tikitiki-a-Taranga still wanted to provide the ultimate gift to his uri, which is the gift of eternal life. To achieve this, he would need to enter Hine-nui-te-pō (The great woman of the night) through her teke (vagina), climb upwards through her body, and exit through her mouth. This strategy relied on Hine-nui-te-pō being fast asleep, and the manu (birds) that shared her sanctuary not waking her with their chatter and singing. See Figure 15.

Ranginui (t) = Papa-tūā-nuku (w)

|

*Tāne-Mahuta (t) = Hine-ahu-one (w)

|

Hine-titama /Hine-nui-te-pō (w) = *Tāne-Mahuta (t)

*This is the same person.

Figure 15: The Genealogy of Hine-tītama also known as Hine-nui-te-pō.

(Orbell 1995: 54; 57; 64)

Before Māui-tikitiki-a-Taranga started his epic adventure, his father informed him of his premonition. His father reminded him that if he was not extremely cautious and careful in this task, it would be his final adventure and he would not return to his whānau. Only one person would survive this event, either Māui-tikitiki-a-Taranga or Hine-nui-te-pō. As the time came for Māui to claim his gift for humanity, he asked the birds not to alert Hine-nui-te-pō of his action. Māui observed Hine-nui-te-pō sleeping and crept slowly and quietly to her lower region. Without disturbing her he began entering her teke, with his head then shoulders and so forth. Unfortunately for Māui the manu became very amused by his actions and began to laugh loudly, which woke Hine-nui-te-pō and she crushed Māui between her legs. From that time, humans' bodies will die, and the spirits of the dead will return to Hine-nui-te-pō to be embraced and comforted in her sanctuary. This could also be considered an act of muru on Hine-nui-te-po's behalf, as Māui's body was not returned to his whānau but remained within the close confines of Hine-nui-te-pō's wā kāinga.

The Descendants of Hinauri (also known as Hine-te-iwaiwa)

The stories associated with Māui-tikitiki-a-Taranga and his whānau do not end with his death but continue with tales of Māui-tikitiki-a-Taranga's brother, Māui-mua (also known as Rupe) and their sister, Hinauri (also known as Hine-te-iwaiwa). See Figure 16.

```
Taranga = Makea tutara
          I
================================
I                                I
Māui-mua (t)      Irawaru (t) (1) = Hinauri (w)   ============== Ihuatamai (t) (2)
                                                  I                = Ihuwareware(t) (3)
                                                  I                = Tinirau (t) (4) = Haratonga (w) (2)
                                                  I                                  = Horotata (w) (3)
                                                  I
                                              Tūhuruhuru (t)
```

Figure 16: Whakapapa of Māui-mua and Hinauri.

There are several important elements of the stories connected with the descendants of Hinauri that highlight the importance of utu, takitaki, rautaki, muru and finally reaching ea. The final set of stories relate to Hinauri's mokopuna, the children of Tūhuruhuru and Apakura. One of their daughters, Mairatea, married a man from the village of Te Uri o Āti-Hāpai. The older brother of Mairatea, Tūwakararo, joined his sister and lived with her at her in-laws' village. Mairatea's husband became enraged when Tūwhakararo defeated him in a sporting competition, he killed Tūwhakararo, dismembered his body, cooked and ate him, and hung his kōiwi tangata in the village wharenui (main meeting house), where they rattled in the wind, to the dismay of his sister. Upon hearing of the death of his older brother, Whakatau-pōtiki strategised with his whānau to seek utu, takitaki, muru and ea. He achieved this one night, with a cleverly crafted plan and the help of his warriors and Mairatea. Whakatau-pōtiki repatriated the kōiwi tangata of his brother, rescued his sister Mairatea, and earned satisfaction by killing the whole village of Te Uri o Āti-Hāpai by ensnaring them in their wharenui and burning them alive. Whakatau-pōtiki took the ashes of Te Uri o Āti Hāpai with him to their mother Apakura to receive as muru and to achieve ea.

Themes of story cycle two

The important themes associated with story cycle two and the whānau (family) of Māui-tikitiki-a-Taranga have the following connections with tikanga. These include:

Role of challenging status quo and increasing mana

Māui-tikitiki-a-Taranga is the original successful strategist in Māori society. Although the pōtiki of the sons belonging to Taranga and Makeatutara, he constantly challenged his older brothers' position and status as tuakana (hereditary leaders for his whānau). Māui-tikitiki-a-Taranga through his deeds increased his mana amongst his whānau, however, it was through the combined efforts of Māui-tikitiki-a-Taranga working with his elder brothers that he achieved great deeds. This is an important element of being a rangatira or leader.

Strategic planning and mahi tahi

As soon as Māui-tikitiki-a-Taranga was reunited and settled within his whānau, he became a strategic planner and entrepreneur, firstly by obtaining the sacred kauwae or jawbone of his grandmother Muri-ranga-whenua. With the mana and tapu of this kauwae, Māui planned with his brothers to capture the sun and hold it hostage until he agreed to move slower across the sky during the day, so people could complete their work for the day. To achieve this task, Māui-tikitiki-a-Taranga project-managed the capture with his brothers, identifying the range of tasks required, plus providing the exact details of how to capture the sun within their nets. After successfully achieving this task, he completed two more to benefit his whānau and descendants. One was to fish up the various Islands in the Pacific for human occupation, and the other was to obtain fire. This is another important element of being a rangatira—working in co-operation within the whānau, being meticulous and strategic in planning.

Defeated by death

Finally, Māui met his end between the legs of Hine-nui-te-pō, when unsuccessfully trying to achieve eternal life for humans. This second cycle of stories highlights that being the teina of the whānau does not limit your options for achieving success, leadership or benefitting your whānau. Success, however, might be achieved with a number of tools at hand, such as taonga (important cultural treasures) containing special properties such as tapu and mana obtained from tūpuna, and with cooperation of whānau members and detailed planning and execution.

Despite all of this Māui-tikitiki-a-Taranga could not achieve his ultimate goal. However, through his failure the wairua of people who die, are provided manaakitanga and sanctuary by the tupuna Hine-nui-te-pō. Unfortunately, Māui lost his mana and his life when he violated Hine-nui-te-pō as she slept. I suggest that he died because his actions were not tika (correct) and as a result, death was introduced to humans.

This is a very important element of being a rangatira to note, that is, mana can be lost through actions that are not tika. In this example, Māui tried to kill one of his ancestors, without just cause, reason or support of his whānau, and hence he introduced death into the world and paid the consequences of his actions, death and the loss of his mana, as well as Hine-nui-te-pō claiming Māui's body as muru after he died.

Themes connected with the ancestors Tūhuruhuru, Apakura, Tūwhakararo, Mairatea and Whakatau-pōtiki

In the stories associated with Tūhuruhuru and Apakura and their descendants, an underlying theme is that brothers and sisters support each other through challenging times. The tupuna Tūwhakararo was wronged by his in-laws, killed, cooked, and eaten, and his bones were hung in the rafters of their wharenui. As a result of these actions, Whakatau-pōtiki took action to obtain utu, takitaki, muru and ea. In this series of events, I argue, a framework is created to highlight the actions that are considered right and wrong according to tikanga and provide the foundation elements of Māori values, ethics and *mores* connected with death, murder, seeking the repatriation of kōiwi tangata, achieving retribution, restitution and reconciliation. In Table 2 I have analysed the events in the kōrero, and identified the actions that highlight:

(i) The violation of tapu, mauri, rangatiratanga and mana (from point 1.1 to 3.2 in Table 2);
(ii) correct tikanga in response (from point 4.1 to 5.2 in Table 2); and
(iii) actions to seek and achieve reconciliation, retribution and restitution (from point 5.1 to 7.2 in Table 2).

Through this kōrero the role of rangatira is emphasised to lead, to plan, to defeat, and to achieve restitution from an enemy who has violated the mana, tapu, rangatiratanga and mauri of the rangatira's respective whānau, hapū and iwi.

Table 2: Tikanga and Kōiwi Tangata Connections with the Tūwhakararo Storyline.

Event	**Tikanga**

1.1 Tūwhakararo wins against his in-law in a wrestling match. In-law kills Tūwhakararo in response.	1.2 This goes against tikanga, as Tūwhakararo beat his in-law fair and square in a wrestling match. Losing is not justification for killing an opponent.
2.1 Tūwhakararo's body is then cooked, eaten and his bones hung in the rafters by his wife's in-laws (Te-Uri-o-Āti-Hapai).	2.2 This is bad form and goes against tikanga, as Tūwhakararo is the innocent victim of this crime and the set of actions that followed.
3.1 As Tūwhakararo's bones rattle in the wharenui his sister is constantly teased by Te Uri o Āti Hapai.	3.2 This is seen as bad form. Once again this goes against what is considered appropriate action for being respectful to human remains.
4.1 Tūwhakararo's brother Whakatau-pōtiki plans to avenge (takitaki, utu, muru, ea) the devious actions of Te Uri o Āti Hapai.	4.2 This is correct tikanga as Whakatau-pōtiki is planning to seek retribution for a wrong against his brother.
5.1 Whakatau-pōtiki has the support of his mother, siblings and hapū to seek utu, takitaki, muru and ea.	5.2 This is correct tikanga as it is right for the hapū to support correcting a hara (wrong).
6.1 Whakatau-pōtiki, Mairatea and his warriors kill Poporokewa and his whole hapū in their wharenui, Te Uru o Manono. They hang Poporokewa in his own wharenui, and then burn the rest alive, by ensnaring and trapping them in their whare with ropes and nets.	6.2 This is the ultimate in correcting a hara. Planning in detail the response action; Having the support of the whānau and hapū; and working together to complete the plan.
7.1 Whakatau-pōtiki, Mairatea and warriors take the ashes of Te-Uri-o-Āti-Hapai to Apakura to complete their mahi.	7.2 This is considered an appropriate response to finalise the actions and reach the stage of obtaining muru and ea for Te-Uri-o-Āti-Hapai's action of killing and dishonouring Tūwhakararo's bones and body. Not one death in response, but

	the annihilation of a whole hapū, and taking their ashes as muru to achieve ea.

Story Cycle Three — Ngā Kōrero mō Tāwhaki (The tales of Tāwhaki)

The stories in story cycle three relate to the tupuna Tāwhaki and his whānau, who are well-known throughout Polynesia. This set of stories continue on from the themes highlighted in story cycle two above. This version of the stories below is told by Wiremu Maihi Te Rangikāheke of *Te Arawa*.

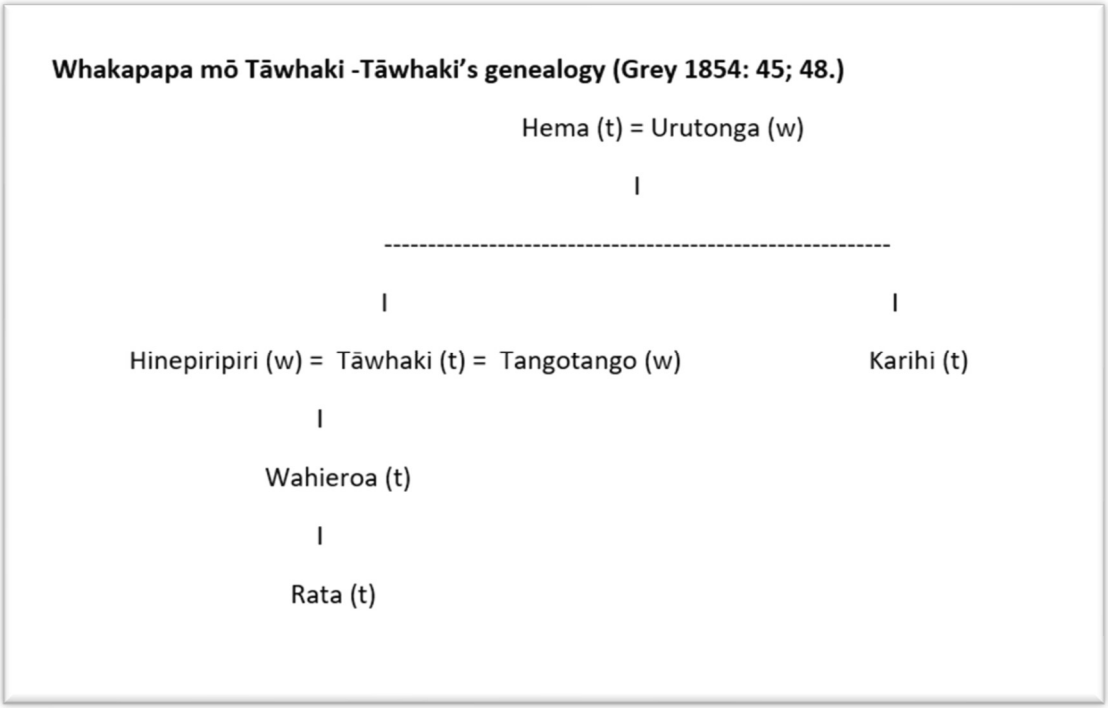


Figure 17: Whakapapa Showing Tāwhaki and his Genealogical Connections.

Tāwhaki was a descendant of Māui-tikitiki-a-Taranga. His father was Hema, his mother was Urutonga, and his younger brother was Karihi. Tāwhaki had several wives and with his first wife Hinepiripiri, he had a son named Wahieroa, whose own son was called Rata. See Figure 17 for their whakapapa. In the first kōrero, a sea people called Ponaturi invade the village of Hema and Urutonga. They kill Hema and take Urutonga as a hostage to their village on another island. In response, Tāwhaki and Karihi seek retribution, repatriation, and restitution. The brothers achieve their aims through meticulous planning, seeking local intelligence from their mother, and using the Ponaturi's ultimate weakness against them to annihilate them in their own sanctuary.

The second related story involves another branch of the Ponaturi people who, several generations later, receive the kōiwi tangata of Wāhieroa from a ngarara (a mysterious creature). In response, Rata strategises to repatriate the bones of his father. In the process, however, and by his own observation, he learns powerful karakia belonging to the Ponaturi tohunga. Ultimately, Rata kills the Ponaturi tohunga, retrieves his father's kōiwi tangata and heads home. Rata is then hunted down by the Ponaturi, and a great battle takes place between Rata's people and the Ponaturi. Near the end of the battle, Rata and his people are close to defeat. With one great attempt, Rata calls on the Ponaturi titikura (extremely powerful spiritual chant) he learnt in order to bring his warriors back to life and defeat the Ponaturi. Once again, retribution and restitution are achieved.

Important themes of story cycle three

The themes of this story cycle are specifically relevant and connected to tikanga pertaining to the repatriation of ancestral remains, in particular, the process of achieving ea to compensate for the loss of loved ones, but also the related harm inflicted on a loved one's tapu, rangatiratanga, mauri and mana. These themes are highlighted in key points identified immediately below:

(a) Confirmation of types of harm and violation of tapu, mauri, rangatiratanga and mana experienced by loved ones;
(b) Recognition that whānau members have a responsibility to respond to the harm and violation inflicted on their loved ones;
(c) The violation of tapu, mauri, rangatiratanga and mana can be remedied through utu, takitaki, muru and ea;
(d) The violated whānau members may wish that no utu is sought as this may not be achievable, and further harm may occur to a greater number of their whānau;
(e) A plan and strategy are developed and devised with a thorough investigation of understanding the enemy's weaknesses and strengths. Whānau or hapū members work together to achieve utu, takitaki, muru and ea;
(f) The ultimate in repatriation, retribution, restitution and being satisfied with the completed task is to ensure the enemy is well injured, harmed or annihilated by using their own weakness against them; and

(g) To achieve success the physical realm (te taha kikokiko) and spiritual realm (taha wairua) need to support each other.

Summary of the Three Story Cycles

After reviewing and analysing the three-story cycles, I now identify the key areas associated and connected with tikanga that provide the framework for demonstrating how the ancestors of Māori understood and defined tikanga. I identify also how this framework of understanding pertains to tapu, mauri, mana and rangatiratanga, as well as repatriation (of kōiwi tangata) and to seeking retribution, restitution, and reconciliation when harm is inflicted on whānau members.

Mana, tapu, mauri, and rangatiratanga

The origin of the four primary elements is important to tikanga as they come via Ranginui and Papatūānuku. These four elements are tapu, mauri, rangatiratanga and mana and are passed onto to their descendants and reside in their kōiwi tangata. All four elements deserve respect, protection and retribution if negatively impinged upon.

Mana whānau, mana hapū, mana iwi

Mana whānau (family authority/prestige/power) begins through the deeds of Māui-tikitiki-a-Taranga and his brothers working together and achieving their goals. Another example is Tāwhaki, Karihi and Urutonga's success in overcoming the powerful Ponaturi. Mana hapū (power of the sub-tribe) and mana iwi (power of the tribe) are demonstrated by Whakatau-pōtiki's arrangement with his whānau and hapū to seek retribution of his elder brother's murder, and Rata's repatriation of his father's kōiwi tangata by killing Matuku-takotako, and then killing the Ponaturi with their own powerful karakia. Tikanga is violated when people are killed or harmed without a proper reason, rationale, or cause.

Utu, takitaki, muru and ea

Utu, takitaki, muru and ea are four key and important elements within the second and third story cycles. They provide clear guidelines as to what is the expected and appropriate response to the violation of tikanga, or to the violation of tapu, mana, rangatiratanga and mauri. These storylines provide a framework of actions and ethical responses, from an ancient Māori

perspective to harm caused to a person, whānau, and iwi, including to their associated mana, tapu, mauri and rangatiratanga.

Utu and takitaki are associated with seeking balance, revenge, and retribution. Muru and ea, on the other hand, go further as it requires the person or people harmed to be completely satisfied with the final outcome of retribution, restitution and satisfaction. Muru in these stories relate to the taking, capture and annihilation of a person or people, including their tūpāpāku and ashes.

Tikanga — what is tika?

It becomes apparent in the themes of the three-story cycles, that there are key guidelines regarding tikanga that provide appropriate responses to a variety of different situations and events within spiritual, whānau, hapū and iwi contexts.

Morals, ethics and social *mores*

The morals, ethics, and social *mores* I have noted in the stories, centre on the protection of mana, tapu, mauri, and rangatiratanga. If these critical cultural elements are harmed, damaged, or violated, it becomes important to understand the context of the harm and/or violation, to clarify whether it is justified or not according to the principles, ethics, morals, social *mores* or guidelines contained in the stories. Furthermore, if the harm or violation is not justified, then compensation through utu, takitaki, muru and ea is required.

The Role of rangatira

Throughout the three-story cycles, the role of rangatira is highlighted and includes providing leadership to plan and strategise for the benefit of whānau, hapū and iwi. This also includes seeking utu, takitaki, muru and ea for any harm that violates whānau or tribal members.

Te Taha Wairua and Te Taha Kikokiko

In the last kōrero pertaining to Rata and Ponaturi, the element of te taha wairua is called upon by calling on the power of a titikura learnt from the Ponaturi to secure victory over the source of the titikura. This provides a powerful foundational theme highlighting the importance of the taha wairua working in unison with te taha kikokiko to successfully achieve utu, takitaki, muru and ea.

Conclusion of Section One of this Chapter: Māori oral histories and tikanga principles

In this section, I identified the origins and importance of tikanga, its meaning, how it was developed, its theory, philosophy, and principles, and what it meant to the earliest ancestors of Māori in their tropical Polynesian homelands.

Throughout the three-story cycles, there are a number of common themes that relate to the importance of (i) mahi tahi; (ii) rautaki; (iii) seeking mātauranga in order to understand the challenges to overcome; and; (iv) developing a framework by which to consider what is (a) correct tikanga, (b) violation of tikanga, and (c) appropriate actions to remedy the violation of tikanga.

An important element of the kōrero passed down through the generations, is the significance, respect and reverence afforded to kōiwi tangata. These stories demonstrate that residing within kōiwi tangata are spiritual and psychic forces including mauri; mana; tapu; and rangatiratanga.

The theft, kidnap or taking of kōiwi tangata was a violation against these tūpuna and their hapū and iwi. To repatriate these ancestral remains required a special set of tikanga (refer to Table 3 below) to ensure the best strategy was developed and implemented in order to secure their safe return. I have named this framework of tikanga to achieve the repatriation of kōiwi tangata, 'Ngā tikanga ki te tiki kōiwi tangata', which has the following components:

Table 3: Traditional Framework to Achieve Repatriation of Kōiwi Tangata—Ngā tikanga ki te tiki kōiwi tangata.

Steps	**Description of Activity.**
Step 1.	Offer leadership to meticulously plan, strategise and work together as whānau, hapū and iwi.
Step 2.	Acquire resources for the task at hand.
Step 3	Develop a strategy and plan of attack.
Step 4	Be patient and undertake surveillance of the enemy to understand their strengths and weaknesses.

Step 5	Seek, adopt, and acquire new knowledge (i.e. weapons, mātauranga, powerful karakia), and support from people where this would be of benefit to repatriation.
Step 6	Implement plan and strategy to achieve utu, takitaki, muru and ea with major harm imposed on the enemy but little harm impacting on those seeking the return of their kōiwi tangata.
Step 7	Ensure te taha wairua and te taha kikokiko work together to successfully achieve utu, takitaki, muru and ea.

Section Two: From Hawaiki - Rangiātea to Aotearoa

Section two demonstrates how the ancestors of Māori transferred their values and tikanga associated with kōiwi tangata from Hawaiki-Rangiātea to their new homeland in Aotearoa. In particular, how they continued to revere and venerate the intense tapu of their tūpuna including their kōiwi tangata, and how they offered respect, dignity and manaakitanga. This section also highlights the consequences and repercussions of violating these elements, often resulting in the quest to achieve utu, takitaki, muru and ea.

In this section, I take a personal approach and use my whakapapa as a means of verifying kōrero from various iwi. Through using my own whakapapa and history, I can confirm the continuous connection between past events involving my tūpuna in Hawaiki-Rangiātea, their settlement in Aotearoa and their continuous appreciation and adherence to tikanga until 1840. This covers a period of approximately 640 years or between 21 to 27 generations depending on the specific iwi whakapapa I reference. In particular, section two shows:

- The migration and arrival of the ancestors of Māori to Aotearoa with specific hekenga traditions according to Ngā Rauru Kītahi/Ngāti Ruanui, Te Tai Tokerau, and Te Arawa;
- The transfer of culture and tikanga from Hawaiki-Rangiātea to Aotearoa; and
- Examples from the rohe of Taranaki, Te Tai Tokerau, and Te Arawa of violations of tapu, mana, mauri and rangatiratanga of those living and deceased. In particular, this chapter shows how this can lead to a response from those violated to seek utu, takitaki, muru and ea from tikanga frameworks established by Whakatau pōtiki, Tāwhaki and Rata, which have been passed down through generations.

In the conclusion, I provide a summary of themes identified in this section, with specific reference to confirming the connection between (i) tikanga, (ii) violation of tapu, mauri, mana and rangatiratanga in Aotearoa, and (iii) the response to this violation through the social *mores* of utu, takitaki, muru and ea.

Ngā Hekenga mai Hawaiki ki Aotearoa
Migrations from Hawaiki to Aotearoa.

Hoki wairua atu ki Hawaiki nui, Hawaiki roa, Hawaiki pāmamao.
May your spirit return to great Hawaiki, expansive Hawaiki and distant Hawaiki.

Hawaiki and Rangiātea are commonly recognised as the names of two ancestral homelands for many Māori tribes in Aotearoa. Furthermore, according to oral traditions belonging to iwi that descend from the waka (migration vessel) of *Matawhaorua, Ngātokimatawhaorua, Aotea*, *Tainui* and *Te Arawa*, these are the specific ancestral homelands of their tūpuna from which they migrated from tropical Polynesia (Grace 1992: 19, 29; Sadler 2014: 66–69; Sole 2005: 10; Stafford 1991:1–2).

A common homeland in Hawaiki-Rangiātea

My whānau whakapapa links to the migrating waka of *Matawhaorua*, *Ngātokimatawhaorua*, *Aotea*, *Tainui* and *Te Arawa* that left Hawaiki-Rangiātea for Aotearoa. The following kōrero are derived from each waka named above. I highlight events in my whakapapa, as a means of showing how these events, have a commonality and provide a general understanding and application of tikanga across all iwi.

Ngārauru Kītahi, Ngāti Ruanui and Pakakohi- South Taranaki

Rauru is the tupuna of Ngārauru Kītahi, one of the south Taranaki iwi, whose territory sits between the Pātea River and the northern side of the mouth of Whanganui River, where Whanganui City meets the ocean. I whakapapa directly to Ngārauru through both my mother's and adoptive father's respective whānau. My maternal side belongs to marae at Kaiiwi, in particular Te Aroha Pā, as this marae belongs to my great grandmother Pare Hikurangi Waaka

Hakaraia and her sisters Ngāpiki Waaka Hakaraia and Tutira Waaka Hakaraia. My father belongs to the marae at Kaiiwi belonging to the hapū of Ngāti Pūkeko.

Through this whakapapa, my whānau belong to the tupuna named Iti who married a man called Tokapoua. Refer to whakapapa in Figure 18 to see the direct whānau connections. Iti's mother was named Rakeihoea and is described as being of Ngārauru (Aotea Māori Land Court 1891: 67; Broughton 1979: 37). It is known that she married the well-known Ngāti Ruanui and Whanganui tupuna, Tamareheroto. This whakapapa also extends to the Pakakohi branch of Ngāti Ruanui. Tamareheroto is a direct descendant of Turi and Rongorongo who migrated on the *Aotea* waka from Hawaiki-Rangiatea to the south Taranaki region (Broughton 1979:56-58).

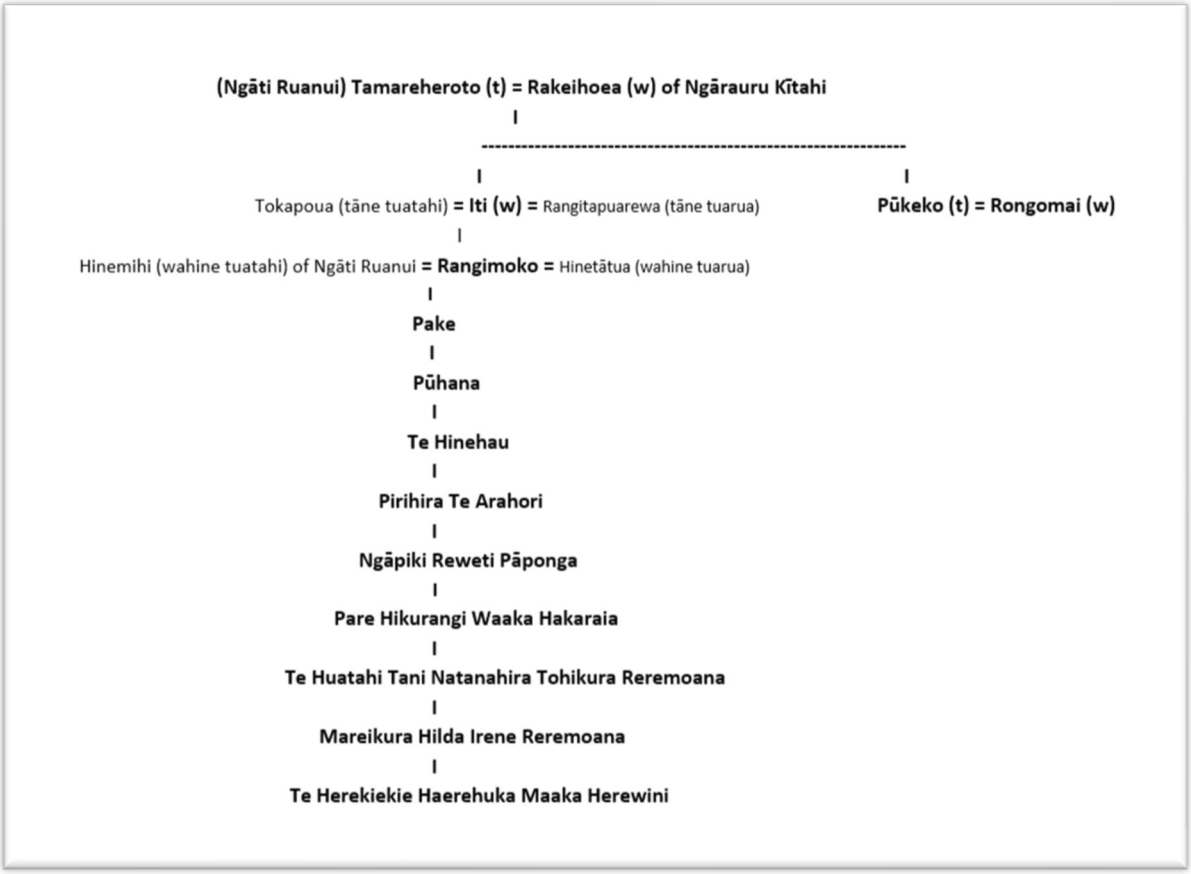


Figure 18: Whakapapa from Rakeihoea and Tamareheroto to Te Herekiekie Herewini. (Aotea Māori Land Court 1891: 279–280).[15]

[15] Note this whakapapa in Figure 18 has been supplemented by whānau history pertaining to Pare Hikurangi Waaka Hakaraia and her descendants from the Reremoana whānau.

Broughton of Ngārauru Kītahi, Ngāti Ruanui and Pakakohi argues in his Masters' thesis *Ngārauru Kītahi*, that Rauru, the ancestor, was from the eastern side of Te Ika a Māui, and migrated internally from the east coast to the west coast, where he settled at a time prior to the arrival of Turi and Rongorongo on the *Aotea* waka (Broughton 1979: 46–47).

While the descendants of Rauru were in occupation in their south Taranaki lands, the ancestors Turi and Rongorongo were living on the island of Rangiātea (Ra'iatea) in tropical Polynesia. It is said that Turi and Rongorongo came from the same Island as Kupe, and Rongorongo is a sister to Kupe's wife named Kuramārōtini (Sole 2005: 9). See Figure 21 for family connections between Rongorongo and Kuramārōtini.

While living on Rangiātea, Turi came into dispute with the tohunga Uenuku (Sole 2005:11). As the conflict intensified Turi realised his hapū of Ngāti Rongotea was at great risk of being annihilated by Uenuku and his forces and consequently initiated a plan to journey to a new homeland to escape the hostility. He migrated on the *Aotea* waka and as they journeyed the travellers followed Kupe's instructions to find Aotearoa (Te Rangi Hīroa 1966:7).

The *Aotea* waka initially landed north of Kāwhia Harbour at the location now named Aotea, and the tūpuna aboard the waka traversed many parts of the North Island and eventually headed south by foot (Te Rangi Hīroa 1966:55). On reaching Pātea in South Taranaki, Turi encountered Taikehu and his iwi, as well as uri of Ngārauru Kītahi, and, through gradual acceptance, conflict and strategic marriages, became the dominant waka tradition amongst the peoples in the South Taranaki and Whanganui River regions (Broughton 1979: 47). These iwi include Ngāti Ruanui, Ngārauru Kītahi, Ngāti Pamoana, Te Āti Hau a Pāpārangi, Ngāruahine, and Ngāti Maru (Sole 2005:10).

Ngāti Ruanui and Pakakohi proper

On the northern side of the Pātea River is the territory of Ngāti Ruanui proper, who are the direct uri of Turi and Rongorongo, their daughter Tāneroroa, and her son Ruanui. There are two historical incidents in particular that show the continuation of tikanga related to utu, takitaki and ea from Hawaiki-Rangiātea.

Both incidents are connected to my tupuna Rangiahuta who is of Ngāti Taki Ruahine, Ngāti Tū, Ngāti Hine and Ngāti Iti of Ngārauru descent. See Figure 19 and Figure 20 which confirm genealogical connections.

Rangiahuta (T) – Nopera (W) (lived early 1800s)
|
Haata Rio (T) (born in early 1830s)
|
Rangiahuta Harata Haata (W)
|
Ereni Maaka Herewini (W) (Died 1940)
|
Maaka Haapu Herewini (T) (1937 – 1970)
|
Te Herekiekie Haerehuka Maaka Herewini (T).

Figure 19: Whakapapa from Rangiahuta (Ngāti Hine/Ngāti Tū/Ngāti Iti) and Nopera (Ngārauru and Whanganui).[16]

Key to whakapapa. T = tāne (male), W = wahine (female).

[16] Whakapapa compiled by Te Herekiekie Herewini.

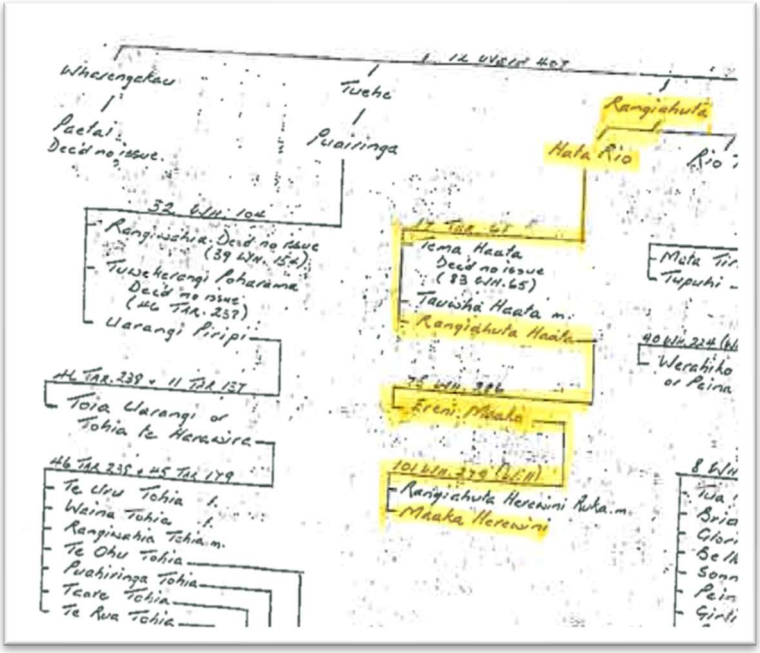


Figure 20: Whakapapa of Wharengakau, Tuehe, Rangiahuta and Paetai. (Aotea Māori Land Court 2020). [17]

Ngāti Taki Ruahine

Through the tupuna Rangiahuta my whānau belong to the hapū of Ngāti Taki Ruahine. History tells us that Ngāti Rākei lived at a pā in an area inland from Hāwera on Turuturu Road. This hapū was often involved in bitter feuding with Ngāti Taki Ruahine. During a time of peace between the two hapū, a Taki Ruahine chief named Tūraukawa Poroa offered the services of a famous tā moko practitioner to provide pūhoro (lower body tattoos) to all the warriors of Ngāti Rākei. Unsuspicious of such a gift, the warriors were duly tattooed on their legs, thighs, buttocks and backs. While the Ngāti Rākei warriors were still recovering from the intensely painful process, and not fully able to physically defend themselves, Ngāti Taki Ruahine warriors swept in to claim a final victory.

As part of the victory, the heads of the Ngāti Rākei warriors and chiefs were made into mōkai and placed on turuturu or wooden stakes. For many centuries this particular place was known as Turuturu Mōkai (Sole 2005: 113–114). It is important to note, here, the action of creating mōkai in order to belittle defeated warriors, which is both an act of utu and muru, with

[17] Note this whakapapa comes from the whakapapa books held at the Aotea Māori Land Court in Whanganui City.

the extension of muru now being the confiscation of the pā and its whenua by Ngāti Taku Ruahine rangatira and warriors.

Themes from the Ngārauru Kītahi and Ngāti Ruanui kōrero

i. When the ancestors Turi, Rongorongo, Kauika, Kurareia and other settlers from the *Aotea* waka arrived in south Taranaki they met the tangata whenua people, namely the Kahui Rere, Kahui Manu, Kahui Maunga and Ngārauru Kītahi people. Over many generations the *Aotea* ancestors became the dominant people for the south Taranaki and Whanganui regions.

ii. Several generations later, however, conflicts between hapū and iwi were resolved by means of utu, takitaki, muru and ea. For example, when Ngāti Taki Ruahine, during a time of peace, cleverly offered tā moko procedures to their Ngāti Rākei enemy and defeated them when they were still recovering from the painful tattooing process. Utu was achieved by the death of the enemy warriors and chiefs. Takitaki was achieved through long-term peace and by annihilating the enemy Ea was achieved on three levels: (i) by a clever strategy to incapacitate the enemy without them knowing it; (ii) by making mōkai of their enemy on their own whenua, within their own pā, and placing these heads on stakes as a warning to other hapū and iwi, and (iii) through the increase in mana of Ngāti Taki Ruahine from the time of the event and through succeeding generations when the kōrero (oral history) has been re-told or read about.

Te Tai Tokerau

My connection to the Tai Tokerau Northland tribes is through my maternal line as a direct descendant of the ancestors Kupe, Kuramārōtini, Nukutāwhiti, Rāhiri, and Tarutaru through my tūpuna Whai Hakuene (of the tribes Te Rarawa, Ngāi Tāwake and Ngāti Kuta), Ihaka (of the tribes Te Mahurehure and Ngāti Tautahi), and Kohuroa Riripeti (of the tribes Ngare Raumati, Te Uriroroi, Ngāti Wai and Ngāti Whātua). See Figure 21, Figure 22, Figure 23 and Figure 24 for more details of my direct whakapapa connections to Kupe (of the waka *Mātāwhaorua*), Kuramārōtini (of the waka *Mātāwhaorua*), Nukutāwhiti (of the waka *Ngātokimātāwahorua*), Rāhiri (the ancestor of Ngāpuhi), Te Ruapounamu (of the Te Rarawa tribe), Tarutaru (of the Ngāpuhi tribe) and Whai Hakuene.

According to the Te Matahorohanga tradition, Kupe was one of the first people to discover parts of Aotearoa from his homeland on Hawaiki. It is said that when Kupe returned to Hawaiki he gave clear instructions onf how to reach Aotearoa (Te Rangi Hīroa 1966: 5–8), however, before he returned he buried the kōiwi tangata of his son Tuputupuwhenua at Hokianga to maintain a direct spiritual hononga (connection) with the new land (Sadler 2014: 78–79).

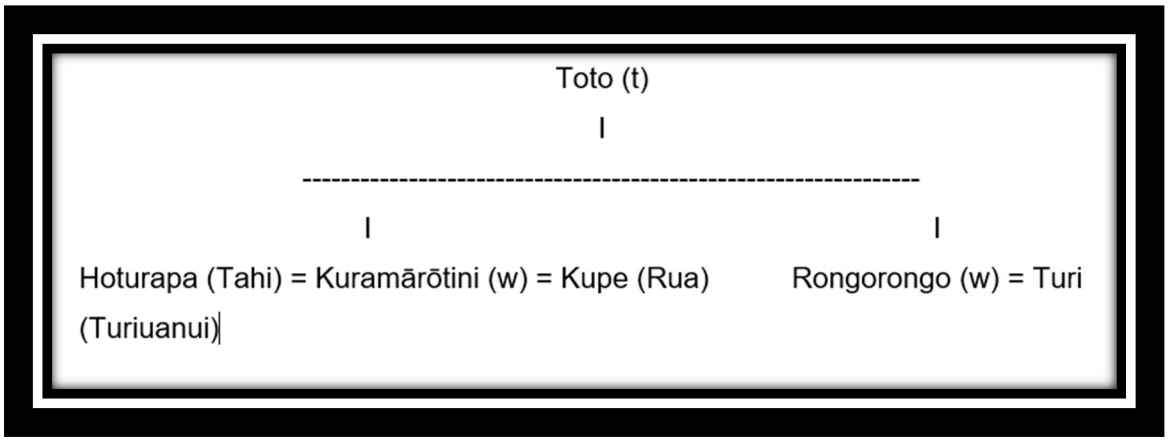


Figure 21: Whakapapa of Toto and His Daughters.

(Sadler 2014: 69–71).

Nukutāwhiti (Ngātokimatawhaorua) and Rūānui (Māmari)

My whānau of Ngāpuhi descent claim our tūpuna came to Aotearoa on the waka *Ngātokimatawhaorua*. The captain of *Ngātokimatawhaorua* is said to have been Nukutāwhiti, and his brother-in-law is claimed to be Rūānui who captained the *Māmari* waka. These two tūpuna are recognised as important and significant to the settlement of Hokianga. Nukutāwhiti was raised and nurtured hearing the stories of his grandfather's travels around the South Pacific. When Nukutāwhiti indicated that he wished to migrate to the new land, Kupe helped him improve and modernise his former waka *Matawhaorua*, which was re-named Ngātokimatawhaorua under the leadership of Nukutāwhiti. Before journeying from Hawaiki, Nukutāwhiti received instructions for finding Aotearoa from Kupe who also provided kaitiaki (guardians) for the waka (Sadler 2014: 77).

Kupe = Kuramārotini
|
Rata
|
Nukutāwhiti
|
Ngarunui
|
Ngarupaewhenua
|
Te Hikuti
|
Taura ki te pō
|
Tauramoko

Figure 22: Whakapapa from Kupe and Kuramārōtini to Tauramoko.

(Sadler 2014:75).

Significantly, before migrating to Aotearoa, Nukutāwhiti collected his ancestor's kōiwi tangata, that is, the remains of Wāhieroa. He did this without the permission of his relatives and recited a karakia of peace for his hēanga (wrongful actions). Bringing the kōiwi tangata created a deep spiritual and physical connection between his immediate homeland and the new homeland of his descendants (Sadler 2014: 79).

Rāhiri te tupuna o Ngāpuhi — Rāhiri is the ancestor of Ngāpuhi

Rāhiri was a formidable rangatira and warrior, and the recognised tupuna to whom all the main whakapapa lines of Ngāpuhi connect. He was born at Whiria in Pākanae and had at least five wives including Ahua-iti (first wife), Whakaruru (second wife), and Moetonga and Paru (Taonui 2017a: 4). Ngāpuhi's traditional takiwā included lands between the Hokianga Harbour and the Bay of Islands. Despite having a Te Tai Tokerau homeland, Rāhiri according to Ngāpuhi kaumātua died in Urenui in northern Taranaki (Sadlier 2014: 91). After Rāhiri's death, his sons Kaharau and Uenuku went to Urenui to uplift their father's kōiwi tangata. The reason

why Rāhiri was in Urenui, was due to his marriage to a puhi from there, and according to Henare Toka Ngātai, Rāhiri's last wife was a tupuna from Ngāti Mutunga of Northern Taranaki named Rakei (Henare Toka Ngātai in Sole 2005: 75) and the hapū of Ngāti Rāhiri-pakarara is named in Rāhiri's honour (Taonui 2017b: 4).

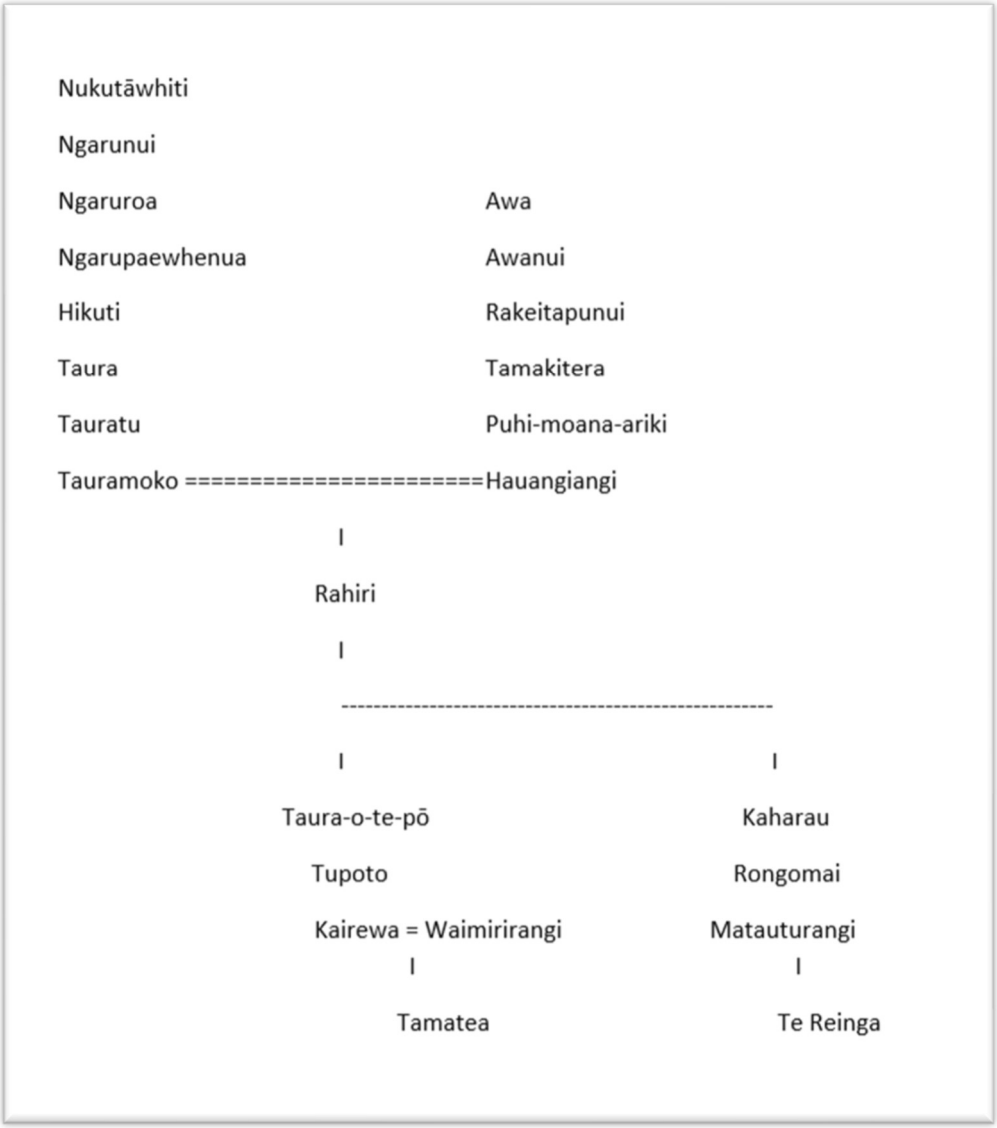


Figure 23: Whakapapa from Nukutāwhiti and Awa to Tamatea and Te Reinga.[18]

[18] Whakapapa compiled by Te Herekiekie Herewini.

Tamatea Te Reinga

I I

Taka-te-auahi ==========Te Kuri

I

Tarutaru

Kahuwhakarewa

Taitua Pepeke

Te Nganga Whai Hakuene

Ritihia Rewiri

Kohuroa Riripeti ======Karauna

I

Parani Karauna Rewiri

Rahera Merania

Mareikura Reremoana

Te Herekiekie Herewini

Figure 24: Whakapapa from Tamatea and Te Reinga to Te Herekiekie Herewini.[19]

The deaths of Te Whakahoe, Te Matire, Te Auparo and Te Karehu.

At a time between 1780 to 1790, Te Hōtete was a rangatira of the Ngāi Tāwake people of Ngāpuhi. Hōtete's people lived at Okuratope pā at Waimate, inland from Paihia in the Bay of Islands. During this period Te Hōtete and his son Hau Moka led a Ngāpuhi taua who invaded the Aupouri territory at Muriwhenua (North Cape district). During this invasion two men, Tauehe and Muriwai were killed. They were decapitated and their heads displayed to their whānau in their respective pā. On the return of the invaders to Waimate, the bodies of the two men were eaten.

[19] Whakapapa compiled by Te Herekiekie Herewini.

In response, Waitohi the father of Tauehe, arranged for a taua of Te Aupouri and Ngare Raumati of Te Rāwhiti in the Bay of Islands to invade Okuratope pā which belonged to Te Hōtete and his whanaunga of Ngāi Tāwake.

During the time of the invasion by Te Aupouri and Ngare Raumati, Te Hōtete and his warriors were in the Hokianga. The people remaining at Okuratope pā were surprised by the attack and many were killed, including Te Whakahoe (the grandmother of Whai Hakuene), Te Maire (a close relative of Titore Takiri) and Te Auparo (the mother of Wharerahi-Wharenui, Rewa-Maanu and Moka Kainga-Mataa). Te Karehu was taken by the Ngare Raumati taua and was cooked alive on a fire. Te Karehu was Te Auparo's daughter. Many of those killed in the invasion did not anticipate the attack and died carrying out domestic activities outside the pā, including Te Auparo who was tending her keha (native turnips) cultivations. In memory of their mother's death, her remaining children became known as Ngāti Patukeha (descendants of beaten turnips).

When he heard the news of the attack, Te Hōtete quickly took his taua to repatriate the remaining body parts of Te Auparo and Te Karehu, and defeated those people of Ngare Raumati who were responsible for violating Okuratope pā. Although Te Hōtete was satisfied with the outcome of his response, the whānau members of Te Whakahoe, Te Maire, Te Auparo and Te Karehu bided their time for more than 25 years before seeking final restitution and reconciliation for the deaths of their family members at the hands of Ngare Raumati.

By 1808 or 1809 and in the aftermath of the Moremonui battle, where Ngāti Whātua defeated Ngāpuhi, Hongi Hika lost numerous members of his whānau including Houwawe (his older brother), Hau Moka (his half-brother), Waitapu (his sister) and Pokaia (his uncle). Despite this great loss, Hongi Hika, over time, through determination, and with a strategy of arming himself and his taua with muskets, became a recognised war leader for Ngāpuhi. His Ngāi Tāwake cousins also became recognised war leaders in their own right, including Titore Takiri, Whai Hakuene and the brothers Moka-Kainga-Maata, Wharerahi and Maanu-Rewa.

With the rise of Ngāi Tāwake war leaders armed with muskets, Ngāpuhi, from the late 1810s, began a series of war campaigns around the country in order to settle a number of old disputes.

Some of these campaigns led by Hongi Hika, included the Ngare Raumati brothers Korokoro and Tuai, who were distant cousins to Hongi Hika, and whom he protected to some degree while he was alive. However, by the mid-1820s the families of Te Whakahoe, Te Maire, Te Auparo and Te Karehu began seeking restitution from Ngare Raumati for their deaths approximately 25 years prior (Kelly 1938: 165–167).

With the deaths of Korokoro in 1823, Tuai in 1824 and finally Hongi Hika in early 1828, the war chiefs Titore, Whai Hakuene, and brothers Rewa, Moka and Wharerahi finally led their respective taua to victory over Ngare Raumati at Te Rāwhiti, Tangatapu and the Islands of Waewaetorea, Okahu and Moturua. Those Ngare Raumati who survived became captives of Ngāpuhi, or they left their homeland and sought refuge amongst their relatives (Kelly 1938: 166). However, they continued to battle Ngāpuhi, Ngāi Tāwake, Ngāti Kuta and Ngāti Patukeha in the Tai Tokerau Māori Land Court until 1901, when a judgment was made in favour of those rangatira from Ngāpuhi, Ngāi Tāwake, Ngāti Kuta and Ngāti Patukeha as having full ownership rights through take, conquest and long-term occupation of Te Rāwhiti, Tangatapu and the associated Islands (Tai Tokerau Māori Land Court 1901: 333–339).

Themes identified from the Ngāpuhi kōrero (oral histories).

There are numerous themes in Ngāpuhi oral histories that illustrate the importance and significance of kōiwi tangata and the reverence shown for them.

i. Kupe and Kuramārōtini from Hawaiki traversed many parts of Aotearoa with their children. Before returning to Hawaiki, they buried their son Tumutumuwhenua at Hokianga as a spiritual connection and beacon for those family members that would follow them and arrive in the future.

ii. Nukutāwhiti, one of the descendants of Kupe, arrived at Hokianga, and brought with him the stolen remains of the tupuna Wahieroa. He knew he had done wrong, sought forgiveness from his tūpuna, and buried the kōiwi tangata at Hokianga as a means of spiritually connecting Hawaiki with the Hokianga and Tai Tokerau regions. His descendants remained, expanded from the Hokianga region and became the foundation of Ngāpuhi.

iii. Rāhiri the ultimate warrior and ariki (senior chief) who cements all the whakapapa together for Ngāpuhi, dies in the northern Taranaki region, and his two elder sons Uenukukūare and Kaharau, out of respect for their father, travelled to Urenui to uplift his ūpoko and kōiwi tangata so that he could be dutifully and appropriately mourned in his wā kāinga (homeland).

iv. The final set of events provide evidence that utu, takitaki and ea can take more than 100 years to achieve. According to Ngāi Tāwake kōrero, the chief Te Hōtete and his war party killed two Te Aupouri men in their tribal territory. The men were decapitated and their bodies were eaten. Te Aupouri responded accordingly and sought the help of Ngare Raumati iwi, who wished also to settle an old score with Ngāi Tāwake of Okuratope pā at Waimate. They attacked while Te Hōtete was away, and many of his family members died. Of significance, here, are the deaths of Te Whakahoe, Te Maire, Te Auparo and Te Karehu. Te Auparo was killed in her keha garden, and her daughter was taken by Ngare Raumati, but later burnt alive. In response, Te Auparo's surviving children took on the name Ngāti Patukeha as a reminder of their mother's death and to seek utu.

v. In response, Te Hōtete repatriated the remains of Te Auparo and Te Karehu, and killed some of Ngare Raumati's chiefs. However, the immediate families of those murdered were not satisfied and waited for the right time to personally respond. It seems that Te Hōtete achieved a degree of utu, but did not achieve takitaki or ea.

vi. With the death of Te Hōtete and several of his children by 1810, Hongi Hika took over the role of leading war chief for Ngāi Tāwake. In the late 1810s and early 1820s, Hongi Hika befriended the Ngare Raumati brothers Korokoro and Tuai who joined his war campaigns around the country.

vii. At the same time, the sons, nephews and brothers of Te Auparo, Te Karehu, Te Whakahoe and Te Maire became Ngāi Tāwake war chiefs in their own right, through active engagements in numerous battles in Tāmaki makau rau (Auckland), Waikato, Thames and other areas. Following the deaths of Korokoro, Tuai and Hongi Hika they finally secured the overthrow of Ngare Raumati at Te Rāwhiti, Tangatapu and their

associated islands in 1828. Through this action, they achieved takitaki through muru of Ngare Raumati land, taking the people as captives, and banishing them from their former tribal territory. Ea was achieved in a number of ways. Te Rāwhiti and the associated islands were an important trading post for visiting ships, and, therefore, the new landlords inherited the benefits of this location. The mana of Ngāti Kuta, Ngāti Patukeha and Ngāi Tāwake was enhanced as they were seen to finally gain restitution for the deaths of their tūpuna and family members. The mana of Ngare Raumati became only a remnant of their glory days as they were reduced to an iwi without land, and, therefore, with only residual and minimal mana. Although Ngare Raumati sought the return of their lands through the Māori Land Court in 1903, the judgement went against them, when the court confirmed that they lost their lands through conquest and occupation by Ngāi Tāwake, Ngāti Kuta and Ngāti Patukeha.

Te Arawa, Ngāti Whakaue and Ngāti Tūwharetoa

My connection to Te Arawa is through my maternal line. My grandfather Te Huatahi Tani Natanahira Tohikura Reremoana through his grandmother Taupoki Te Herekiekie is Ngāti Tūwharetoa and belongs to the hapū (sub-tribes) of Te Rangiita, Ngāti Karauia and Ngāti Te Aho. My grandmother Rahera Te Kanapu Haerehuka through her father Te Kanapu Haerehuka is of Ngāti Whakaue and Ngāti Rangiwēwehi. See Figure 25 and Figure 26 which record my direct connection to the tūpuna aboard *Te Arawa* waka, including Tama-te-kapua and Ngatoroirangi.

Disputes arose between the rangatira whānau of Ngāti Ohomairanga in Hawaiki. When these conflicts escalated beyond repair the decision was made by Tama-te-kapua and his specific hapū to depart their wā kāinga. The possibility of peace and an opportunity to start a new life in a new land became the impetus for the new venture. Aboard the waka were Hei, Tia, Ngatoirangi, Ihenga, Whakaotirangi, Maaka, Kearoa, Waitaha and Tapuika, to name a few (Stafford 1991: 19).

When the *Te Arawa* waka landed at Maketu on the coastline of Te Moananui a Toi (Bay of Plenty Coastline) those aboard began the process of claiming territories for themselves as far as the southern side of Lake Taupō and including Tongariro, and Ruapehu through the taunaha (naming) process. Those, however, who arrived on the *Te Arawa* waka encountered the tangata

whenua of the region including Ngāti Kahupungapunga and Ngāti Hotu. Over time these original Polynesian peoples lost their whenua to the newcomers (Grace 1992: 59, 80, 84-85, 113–120).

The passing of Tama-Te-Kapua

It is well-known that Tama-te-Kapua died at Moehau in the Coromandel area. Before he passed away, he asked his son Tūhoromatakakā to follow a strict set of tikanga to ensure his tūpāpaku remained tapu for a three-year period. Tūhoromatakakā was required also to remain under a rāhui for the same period, to separate himself from the rest of the hapū, and to cultivate three gardens around his father's house, the produce from which would be offerings to the atua. Furthermore, in the fourth year, Tūhoronuku was to awaken his father from his sleep, although his body would be in a severe state of decomposition. When Tama-te-kapua died his son Tūhoromatakakā recited his karakia, but failed to end it with an appropriate acknowledgement of the mana of his tūpuna, which was seen to be a bad tohu (sign or omen) of things to come.

Tūhoromatakakā also fell short in meeting his father's requests to follow strict tikanga and care for his tūpāpaku, tend his gardens and make appropriate offerings of food to the atua). He knew he had breached his father's tapu and, therefore, prepared his sons for his own death. He asked his youngest son Ihenga to follow strict tikanga in preparing his body, including biting his forehead and then his tahito (perineum) —— the process by which his son would receive his mana. Ihenga was also required to seek out his uncle Kahumatamomoe, who could perform the appropriate rituals to take his father's tapu from him so he could actively and freely engage in the physical world.

The whakawātea or clearing ritual included (i) reciting karakia and whakapapa (ii) cutting Ihenga's hair (iii) preparation and presentation of special food for the atua, and (iv) consumption of specially prepared food after several days for both Ihenga and Kahumatamomoe. Only through following all these four stages could Ihenga safely re-enter the everyday world (Stafford 1967: 24–30).

Whakaue, Rangiuru, Tūwharetoa and Tūtānekai

Many battles have taken place from the time of Tama-te-kapua to the period of his descendant Whakaue-kaipapa. Whakaue and his wife Rangiuru lived at Ōhinemutu on the shores of Lake

Rotorua-a-Kahumatamomoe. They separated for some time and Rangiuru became pregnant by Tūwharetoa of Lake Taupō-nui-a-Tia and returned to Whakaue with a new son named Tūtānekai. Tūtānekai was raised as a son of Whakaue with full inheritance rights from both his mother and father. Despite Tūtānekai receiving great affection from Whakaue, similar affection was not freely given by Whakaue's older sons, who were Tūtānekai's older half-brothers. Tūtānekai married Hinemoa and secured his place in Ngāti Whakaue whakapapa through many victories over opposing hapū who wished to get rid of them from Ōhinemutu.

Puhaorangi	Puhaorangi
Ohomairangi	Ohomairangi
Tumamao	Muturangi
Mawake	Taunga
Ruatapu	Tuamatua
Tuamatua	Rakauri (lived in Hawaiki)
Houmaitāwhiti (lived in Hawaiki)	Ngātoroirangi (migrated to Aotearoa)
I	I
Tama-te-kapua (migrated to Aotearoa)	I
Kahumatamomoe	Tangihia
Tawakemoetahanga	Tangimoana
I	Kahukura
Uenukumairarotonga	Rangitakumu
Rangitihi	Mawakenui
Uenukukopako	Mawaketaupō
Whakaue = Rangiuru	Tūwharetoa
Tūtānekai = Hinemoa	Rongomaitengangana
Whatumairangi	Tutapiriao
Ariariterangi	Rongoteahu
Tunohopu	Piri
I	Tunono
I	Turangitukua
Tunaeke	Rangitautahanga
I	Te Rangikahekewaho
I	Te Ahooterangi
Te Kohu	Katopu
I	Te Ao
Taiki	Whatupounamu
Taua	Tauteka II
Haerehuka	Te Herekiekie
Rakitu Haerehuka	Taupoki Te Herekiekie
Te Kanapu Haerehuka	Natanahira Wi Kahika Reremoana
Rahera Te Kanapu Haerehuka =	Te Huatahi Tani Natanahira Reremoana

Figure 25: Part 1 of 2. Te Arawa Whakapapa Connecting Puahorangi to Te Herekiekie Herewini.

(Stafford 1967: 56, 79, 86, 234; Grace 1992: 462, 543).

Rahera Te Kanapu Haerehuka = Te Huatahi Tani Natanahira Reremoana

|

Mareikura Irene Hilda Reremoana

|

Te Herekiekie Haerehuka Maaka Herewini

Figure 26: Part 2 of 2. Te Arawa Whakapapa Connecting Puahorangi to Te Herekiekie Herewini.

(Stafford 1967: 56, 79, 86, 234; Grace 1992: 462, 543).

Te riri o Haerehuka — The anger of Haerehuka

Haerehuka is a descendant of Whakaue-Kaipapa and Rangiuru, through their uri Tunohopu who was an adult when Hongi Hika, Te Wera Hauraki and their taua raided Mokoia Island in the middle of Lake Rotorua-a-Kahumatamomoe in 1823 (Urlich Cloher 2003: 176). I understand that Haerehuka was one of the survivors from the Ngāpuhi attack as he, along with many Ngāti Whakaue, sought sanctuary between Te Aokapurangi's kūwhā (thighs). She stood high on the roof of the wharenui Tama-te-kapua, so her relatives could enter the sanctuary of their whare tupuna. Te Aokapurangi was a relative of the Ngāti Whakaue people, and a 'captive wife' of Te Wera Hauraki, one of the leading warlords of Ngāpuhi (Stafford 2016: 177–178). She had forged an agreement with Hongi Hika and her husband to refrain from harming those who passed between her kūwhā. To ensure as many as possible of her whanaunga could be saved, she stood on the roof of the meeting house at its front and those that entered remained safe (Stafford 2016: 178, 180). I examine this incident further in the next chapter in relation to the trade of Toi moko.

From 1823 to the mid-1830s Haerehuka was a prominent rangatira of the Ngāti Tunohopu section of Ngāti Whakaue. He was active in maintaining Ngāti Whakaue territory from Ōhinemutu in the northeast to Maketu and expanding it towards the boundaries where Kaituna lands meet the Papamoa landblocks of Ngāi Te Rangi. Haerehuka was also active in trading produce from Te Arawa territories. In 1835, two incidents took place that affected Haerehuka and, in turn, led to war between Ngāti Whakaue and Ngāti Haua. The first incident involved

the trader Tapsell who had received produce from Te Arawa rangatira including Haerehuka. Haerehuka, however, was not present when payment for the goods was made, and the Ngāti Whakaue and Te Arawa chiefs who were present did not set aside anything for him. Therefore, he felt disrespected and slighted by his own people (Oliver 1990: 1). The second incident happened at Ōhinemutu, where his wharekōiwi (family mausoleum) was located. It is believed that men and women from Ngāti Whakaue, as well as one of the rangatira from Ngāti Haua, Te Hunga, had a romantic liaison with one of Haerehuka's wives, named Ngātomokanga. Haerehuka had heard, they had used his wharekōiwi for a romantic liaison (Stafford 2016: 226). As a result of one or both of these two incidents highlighted above, on Christmas day 1835 Haerehuka and his men went to Parahaki pā where Te Hunga was residing and killed him. Te Hunga's body was taken, cooked and eaten. Thus, began the war between Ngāti Whakaue and Ngāti Haua, and the many years it took for these incidents to be resolved (Stafford 2016: 227–232).

See Figure 27 which shows the whakapapa (genealogy) for Te Whakataua, whose descendants include Rakitu Haerehuka (Haerehuka's daughter) and her mother Ngātomokanga.

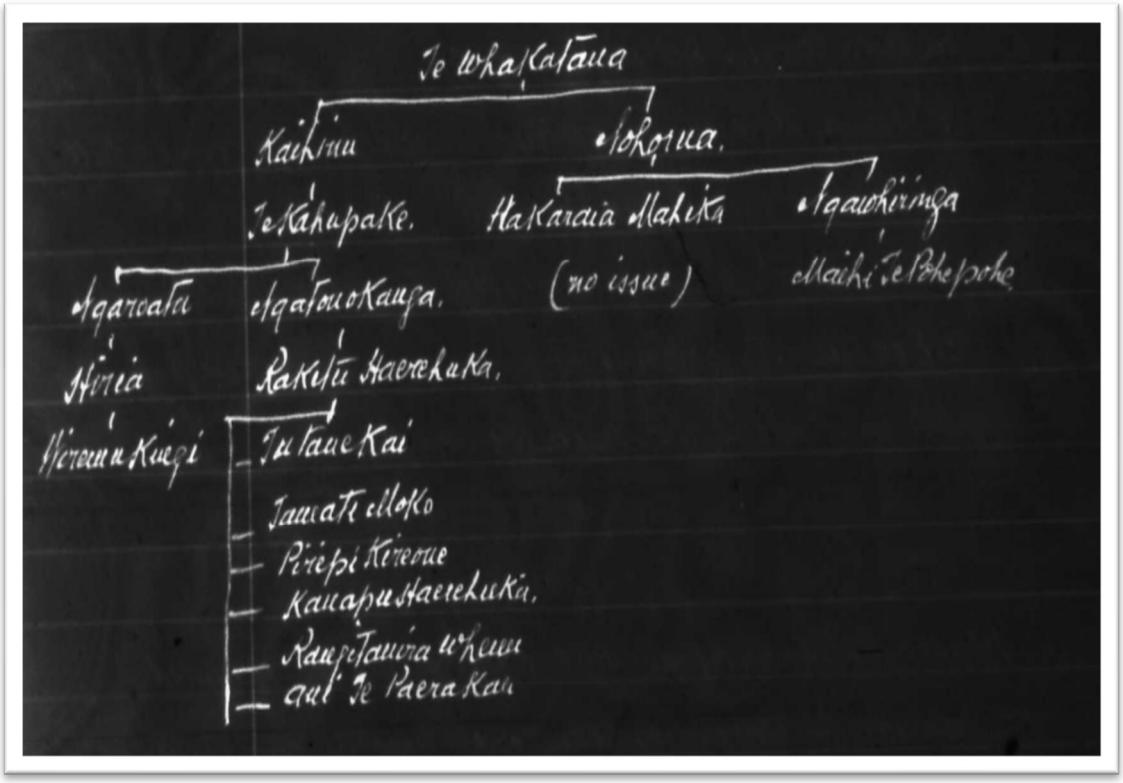


Figure 27: Whakapapa from Te Whakataua to Ngātomokanga and Rakitu Haerehuka. (Waiariki Māori Land Court 1903: 147).

Themes identified from Te Arawa kōrero

i. The ancestors of both Te Arawa and Ngāti Tūwharetoa escaped Hawaiki to seek peace in a new homeland. Unfortunately, this was not achieved as skirmishes with tangata whenua groups and other iwi led to battles and wars.

ii. Of note, here, is the minute detail of Te Arawa kōrero relating to the death of Tama-te-kapua and the rigorous instructions left for his son to follow. By not following his father's guidelines Tūhoromatakakā contravened the tapu of his father and their tūpuna. As a consequence of this both Tama-te-kapua and Tūhoromatakakā were destined to be buried on Moehau, which was within Te Arawa tribal territory at the time, but would become the territory of other iwi, and consequently, therefore, both Tama-te-kapua and Tūhoro would lose the connection with and manaakitanga from their own uri.

iii. Tūhoromatakakā also instructed his son in the correct process of whakawātea or purging tapu to ensure he was able to safely return to normal everyday activities.

iv. Several generations later, Whakaue adopted and raised Tūtānekai as his own son, and their descendant Haerehuka sought utu against actions that violated his mana, and the tapu of the kōiwi tangata of his whānau and tūpuna. The first action relates to trade goods and the fact that Haerehuka did not receive his payment, and the second relates to the use of Haerehuka's wharekōiwi for a liaison between Ngātomokanga and Te Hunga, who in addition were joined by other Ngāti Whakaue men and women. Based on the principle that a group of people had violated the wharekōiwi and therefore the tapu of Haerehuka's tūpuna, Haerehuka's response of killing, cooking and eating Te Hunga, although on the extreme end, would be considered within the realm of utu.

v. From Haerehuka's viewpoint the violation and consequent breaking of the tapu of his tūpuna, required him to seek utu from Te Hunga and those involved in the disturbance and liaison at the wharekōiwi. Tatau pounamu was achieved on multiple levels when Te Arawa were invited to participate at the opening of the whare tupuna (ancestral house) Mahinarangi at Turangawaewae. Te Arawa, in turn, invited one of Haerehuka's

mokopuna named Tūtānekai Taua to provide the karakia at the opening of Mahinarangi on 17 and 18 March 1929. Haerehuka's descendants continued to have a leadership role in Ngāti Whakaue after his death, including his daughter Rakitu Haerehuka, and her children Tūtānekai Taua, Tamati Moko, Piripi Kirione, Te Kanapu Haerehuka, Rangitauira and Ani Te Paerakau. Their whānau marae include Tunohopu in Ōhinemutu and Rangitunaeke at Waikuta. See Figure 27 for whakapapa of Rakitu Haerehuka and her children.

Conclusion

At the beginning of section two of this chapter, I indicated that I would demonstrate how the ancestors of Māori transferred their values and tikanga associated with kōiwi tangata from Hawaiki-Rangiātea to their new homeland in Aotearoa. I show how they continued to revere and venerate the intense tapu and mana of their tūpuna and associated kōiwi tangata, including how they offered respect, dignity and manaakitanga to their tūpuna. I also took a personal approach in this chapter and used my whakapapa as a means to confirm kōrero and re-affirm deep cultural *mores* pertaining to the response of violations of tapu, mana, mauri and rangatiratanga within iwi histories in Aotearoa.

In particular, through this chapter I affirmed the following:

i. The deep respect and veneration bestowed by ancestors in Hawaiki on kōiwi tangata, namely Whakatau-pōtiki, Tāwhaki, and Rata towards their mātua tūpuna (direct ancestors), was passed on to the migrant communities from Hawaiki-Rangiātea and transferred as tikanga and mātauranga. These are the descendant hapū and iwi from the waka of *Matawhaorua, Ngāiokimatawhaorua, Aotea* and *Te Arawa;*

ii. The hapū and iwi of Ngāpuhi, Ngārauru, Ngāti Ruanui, and Te Arawa continued to understand and follow tikanga associated with the intense tapu, mana, rangatiratanga and mauri associated with their direct tūpuna, which required appropriate levels of care and respect. I have shown that when tūpuna or their kōiwi tangata were violated it was the responsibility of their living descendants to seek balance in relation to these violations;

iii. As shown in Section One, the framework of seeking balance was set by the actions of tūpuna such as Whakatau-pōtiki, Tāwhaki, and Rata, to name a few. The concepts of utu, takitaki, muru, ea and tatau pounamu continued to be the framework for seeking balance, revenge, payment, retribution, repatriation, restitution, and reconciliation. These have been shown through the kōrero associated with Ngāti Ruanui, Ngāpuhi, and Ngāti Whakaue;

iv. The concepts of utu, takitaki, muru and ea were transferred from the homeland of Hawaiki-Rangiātea, brought by the migrant waka of *Matawhaorua, Ngātokimatawhaorua, Aotea* and *Te Arawa* to Aotearoa, and implemented as an important framework to seek the balance of inappropriate actions concerning living tūpuna and/or their kōiwi tangata;

v. The concept and practice of seeking muru and ea innovates from the original practice of taking ashes of the enemy by Whakatau-pōtiki in Hawaiki to compensation being sought in the form of taonga, tatau pounamu marriages, captives, lands and territories;

vi. Mana, tapu, mauri and rangatiratanga of tūpuna wāhine (female ancestors) are consistently conveyed through all the oral histories, and, particularly when they are violated, their uri seek the full range of compensation for their loss and harm.

In conclusion, this chapter has demonstrated the role of rangatira throughout these kōrero. An analysis of the oral histories highlighted in this chapter, re-affirms the role of rangatira in protecting the mana, tapu, rangatiratanga and mauri of their whānau, hapū and iwi. This is tikanga that has been passed down from tūpuna in Hawaiki-Rangiātea. When a violation occurred in Aotearoa tikanga was extended and it could take many generations to achieve utu, takitaki, muru and ea. A critical aspect of this tikanga is that it can be subjective or from the perspective of those that are harmed or violated. Therefore, it is important to confirm a violation through the oral histories of all iwi involved in the events. This chapter also confirms that this framework of tikanga lasted at least until 1840.

CHAPTER TWO

Tikanga, Tangihanga, Toi moko and the trade of Kōiwi tangata

The previous chapter identified the ancient connections between tapu, mana, mauri and rangatiratanga and demonstrated how these taonga and spiritual forces are housed within kōiwi tangata. The protection of kōiwi tangata from harm became the responsibility of their whānau and descendants. This included seeking utu, takitaki, muru and ea for violations of tapu, mana and kōiwi tangata.

This chapter covers the time from the traditional practice of creating Toi moko to the commercial trade of Toi moko with the arrival of Pākehā and then the colonisation of Aotearoa New Zealand by the British Crown. It highlights Māori perspectives of engaging in the trade of Toi moko, however it also covers the social *mores* that permitted the trade of indigenous bodies and ancestral remains from a Pākehā cultural and ethical perspective. This chapter is separated into four sections, with the first highlighting tikanga, tangihanga and the practice of preserving mummified remains. Section two covers the arrival of Pakeha and the emergence of the commercial trade of Toi moko and provides a case study of Ngapuhi's involvement in the trade of mummified heads. Section three does a deep dive into the Pakeha perspective of collecting and trading in indigenous bodies and ancestral remains from the late 1400s to 1840 and section four provides an overview of looting, collecting, and trading Maori and Moriori ancestral remains from 1840 to the present day. At the end of the chapter, a comparative analysis is provided between the trade of Toi moko from 1769 to 1840, with the trade of Māori and Moriori ancestral remains in colonial New Zealand after Te Tiriti o Waitangi was signed in 1840 to well into the 1900s.

Section One: Tikanga and Tangihanga.

The section below highlights the history and tikanga associated with Toi moko, with specific reference to the tikanga associated with the creation of Toi moko and their role, symbolism and place in Māori society.

Moe mai rā — The Passing of a whānau member.[20]

As indicated in the Chapter One the loss of a whānau member through death requires the undertaking of a set of rituals to ensure their tapu, mana, mauri and rangatiratanga is maintained and protected throughout the whole tangihanga process. For example, according to Te Arawa tradition, prior to the death of Tama-te-kapua, he asked his son Tūhoromatakakā to undertake a series of rigid rituals for a number of years. These included an extended period of tapu and rāhui with appropriate: waerea (spiritual clearing chants); karakia; waiata tangi; planting of a special garden; and an elaborate whakanoa ceremony to remove the most intense form of tapu from high ranking tūpuna (Grace 1992: 70; Stafford 1967: 24–30).

It is understood that tangihanga could take a number of days, weeks and in some circumstances months to complete, as time would be given for whānau and hapū, as well as friends from other iwi to pay their respects (Grace 1992: 434). To ensure the tūpāpaku could be grieved over for a long period the body was appropriately prepared. A Ngāti Tūwharetoa example occurred at the time of the passing of the ariki Te Rangituamatotoru who lived circa the late 1700s. At the time of his death his body was taken to Motutāiko in Lake Taupō-nui-a-Tia. A special whare was prepared for his body to lie in state. In the whare was placed his taonga such as his taiaha (wooden spear), whāriki (fine mats) and a finely prepared whāriki covered with kākā feathers was placed across the doorway. As Te Rangituamatatoru was of exalted rank his body remained in the whare until it had completely decomposed. The kōiwi tangata were then gathered and carried to a secret location or wāhi tapu (sacred repository) only known to the whānau (Grace 1992: 247).

Te Rangi Hīroa writes that some iwi had traditional knowledge of preparing deceased bodies through a mummification process. He refers specifically to iwi of Te Waipounamu who call their process of mummifying the body with oil as it is drying and applying the gum of the tarata tree as varnish, "whakataumiro" (Te Rangi Hīroa 1966: 424). Another example of a tupuna, with connections to the North Cape and the Bay of Islands, being mummified is noted by military officer Captain Richard A. Cruise (1784?–1832), an officer aboard the *H.M.S. Dromedary* who was visiting there in 1820. Cruise reports that the Ngare Raumati rangatira Korokoro and Tuai had returned from the North Cape, with one of their relatives who had died there earlier, possibly weeks or months ago. On the second day of returning with the tūpāpaku, Korokoro took Captain Skinner, Officer Cruise, Ensign

[20] Moe mai ra – a common address to someone who has passed away. In English this means 'may you sleep well'.

McCrae, Dr Fairfowl of the *Dromedary*, and the Reverend Samuel Marsden to view the body. The body was dressed with mats (kākahu), and a garland of raukawakawa (mourning headpiece made of kawakawa leaves) was placed on the head where the hair was ornamented with albatross feathers. It appeared that the insides of the body, including the intestines had been removed. The knees and legs were elevated towards the head so that the chin could rest on the knees. Cruise writes that the mummification process allowed the deceased to be moved from one location to another well after death (Orchiston 1968: 186). Several examples of tūpuna being prepared through a mummification process, have been recorded, including by William Brougham Monkhouse (?–1770), who was on Captain Cook's first voyage and received the remains of a mummified child at Uawa Bay in 1769 (Salmond 2004: 124).

Austrian Andreas Reischek (1845–1902) arrived in Aotearoa in 1877 and worked as a taxidermist at the Canterbury Museum (Prebble 1993: 1). Reischek collected native fauna and flora and stole kōiwi tangata from their wāhi tapu without the knowledge of their whanaunga. He notes that early Pākehā settlers, who arrived in Northland in the 1820s, found mummified bodies in holes and in trees, preserved in the sitting position, and that in "earlier times the corpses of the more prominent chiefs were mummified" (Reischek 1952: 214).

Reischek continues to write:

> *The intestines were removed, and the pit of the stomach stuffed with dry seaweed. Then the body was tightly bound in a sitting position, smoked, and dried in the sun. The brain and fleshy parts were removed, and the head steamed in a cooking-pit, and afterwards smoked-dried* (Reischek 1952: 215).

It is important to note that the practice of mummification, and staging of tūpāpaku in a sitting position and dressed in their kākahu with their taonga (i.e. pounamu and weaponry) beside them in this manner would only be for those with high ranking mana and tapu within a hapū and iwi. Those of lesser importance in the iwi and hapū would receive a funerary process of lesser recognition and significance. Whakapapa, tapu and mana would determine the level of recognition offered during the tangihanga process, the presence of associated taonga and the length of the mourning period.

On some occasions, the level of mana and tapu an individual also determined whether their bodies could be touched after their death. When the ariki Pikikotuku Te Kotukuraeroa of Āti Hau a Paparangi

died at the occupation of Patoka Pā near Waitōtara in 1840, his body was left to decompose where he died, as no one wished to transgress the intense tapu associated with his death (Grace 1992: 364).

As highlighted in the previous chapters, the element of noa was perceived as the opposite of tapu or having little tapu or reduced tapu. The death of a person who was associated with noa meant there was little ritual, meaning or consequence afforded to their death. For example, the death of a mōkai or an enslaved or captive person had little if any consequence for the rangatira or whānau they served, and they could be killed for any minor reason. There are many examples of this recorded in kōrero including situations where tauā returned from battles with captives who were put to death by the wives of fallen rangatira and were sometimes eaten (Te Rangi Hīroa 1966: 401–2; Urlich-Cloher 2003: 167). When mōkai passed away from natural causes their bodies would not be prepared, mummified, buried and their kōiwi tangata exhumed unlike people of rangatira status. The harsh reality for those of minor status and little mana who had been enslaved or held as captives was that they were chattels and mōkai of their masters and mistresses, and at any moment their lives could be ended and, on some occasions, they could be eaten (Te Rangi Hīroa 1966: 486–487; Ballara 2003: 424, 426).

There are many kōrero of high-ranking people being taken captive during wars between iwi. The fate of these people could be different to those of lesser ranks. The Amiowhenua taua expedition, circa 1820–1821 that travelled through the lower North Island comprised chiefs from Te Tai Tokerau, Tāmaki makau rau and Kāwhia — including Patuone, Tūwhare , Āpihai Te Kawau, Te Rauparaha and Te Rangihaeata to name a few. While in the Whangaehu and Rangitikei regions they fought a section of the Ngāti Apa people who had gathered at Oroua River. Ngāti Apa succumbed to a force equipped with muskets, and the high-ranking siblings namely Te Pikinga (also known as Te Rangipikinga) and her brother Arapata Hiria were taken as hostages by the taua. Negotiations between Ngāti Apa and Ngāti Toa Rangatira permitted a tatau pounamu or peace treaty marriage to take place and Arapata Hiria was released while Te Pikinga became the wife of Te Rangihaeata to cement the peace accord between the two iwi. In accordance with custom, Te Pikinga was presented with a large piece of pounamu called Te Whakahiamoe to present to her new husband Te Rangihaeata (Ballara 2003, 155).

There are numerous other examples of rangatira and ariki members of whānau becoming captives of war, and then being used as leverage to achieve tatau pounamu, through marriages, suing for a peace treaty, or being gifted land in compensation for the return of a high-status captive to their iwi. Examples of this include Tai Tokerau chief Te Wera Hauraki of the Bay of Islands taking Ngāti Kahungunu captives from Mahia Peninsula in about 1821, including a rangatira named Te Whareumu. Te Wera

Hauraki evidently had several wives, including one of Te Whareumu's sisters. Te Wera Hauraki returned Te Whareumu to his iwi at Mahia circa 1826, peace was made, and Te Wera Hauraki was gifted land around Mahia as well (Tiaki Hikawera Matira 1972: 163, 167).

The Tikanga Associated with the Creation of Toi moko and their Role, Symbolism and Place in Pre-European Contact Māori Society

As indicated earlier, the bodies of members of iwi could be mummified and prepared as part of the mourning process for tangihanga. This process also included the mummification of the ūpoko of men, women or children and was limited to someone of importance to the whānau, hapū and iwi, and undertaken with associated ritual and care (Robley 1998: 132).

The creation of Toi moko, according to Te Rangi Hīroa, was done for two reasons. The first was to honour a rangatira or ariki so that his or her whānau could mourn over them, remember them, and also participate in ceremonies post-mortem. This included the heads of whānau members who had died away from their wā kāinga and could include visiting whānau who married into other hapū or iwi, or iwi members who died in battle (Te Rangi Hīroa 1966: 300).

If the iwi of those who died in battle was victorious, the heads of the deceased were preserved to honour them and their deeds and were taken home for their whānau to mourn over. The heads of defeated warriors, both rangatira and ariki, were placed on public display, to be ridiculed, and mocked. The creation of Toi moko of enemies demonstrated that the victors' mana was superior (Te Rangi Hīroa 1966: 299–300). This situation is described in Chapter Two with the naming of the pā Turuturu Mōkai, where the mummified heads of the defeated hapū were placed on stakes around the pā to celebrate their defeat.

The traditional practice of preserving the head of a loved one honoured their memory, mana, and life and was carried out with care, affection and strict adherence to a process that respected the mana and tapu of the deceased. Either a close whānau member or a nominated tohunga on behalf of the whānau would actively engage in creating the Toi moko. This type of Toi moko would be housed in wāhi tapu or wharekōiwi. The only time Toi moko would be hastily made, would be in the event of the death of an ariki or rangatira during battle. If possible, their respective iwi members would sever the head from the main trunk of the body and retreat immediately to begin the mummification process in a safe sanctuary (Ballara 2003: 133). As explained previously, only those whānau members of equal

tapu and mana would have the authority and privilege of performing this activity or those people from lower-status whose skill and ability was recognised.

The victors of a battle also could take mōkai of defeated ariki and rangatira. However, in this instance, their purpose in doing so would be to secure an exchange in the future, such as a peace treaty, which might precede the marriage of one of their children (Robley 1998: 134: Ballara 2003: 158). It is significant to note that where the head of an important hunaonga (in-law) was taken by the enemy, the immediate whānau of the deceased would be offered muru. This was the case for Pohe of Ngāti Awa, the first wife of Te Rangihiroa of Ngāti Toa Rangatira/Ngāti Awa/Te Ātiawa. She is said to have been killed by Muaūpoko on the Kāpiti Coast and her head taken. Muaūpoko were duly defeated by Te Pēhi Kupe (Te Rangihiroa's elder brother), and Muaūpoko presented whenua as muru to Te Pēhi Kupe. In turn, Te Pēhi Kupe presented some of this land to Pohe's father, Haukaione, and the hapū of Kaitangata, as compensation for the loss of her life (Walz 2017: 84, 85, 467). See Figure 28 for whakapapa of Te Pēhi Kupe, Te Rangihīroa and Pohe.

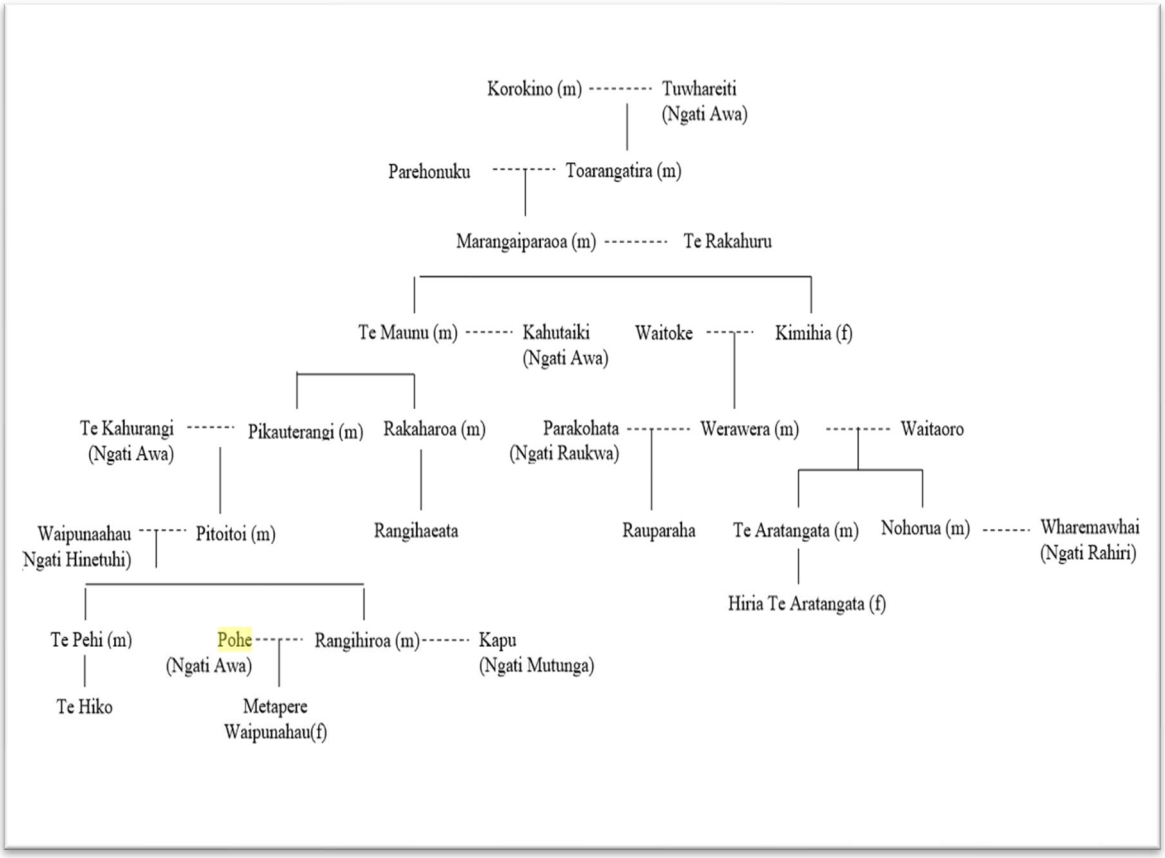


Figure 28: Whakapapa for Te Pēhi Kupe and Te Rangihiroa of Ngāti Toa Rangatira and Te Ātiawa/Ngāti Awa.

(Walz 2017: 658).

All Toi moko were created by the same technique. First, the head would be removed or severed at the upper part of the neck from the main trunk of the body. Then the inner flesh of the head would be removed, including the brains and tongue. The heads of loved ones would be treated with care, and time would be given to ensuring their original features were maintained. This meant that their eyes and mouths were discreetly sewn with fine muka thread. Their noses were stuffed with fine muka, and around the remaining upper part of their neck, supplejack cordage could be used to keep their skin taut during the mummification process. I believe that not much care was given to the heads of enemy warriors or chiefs and that their heads would be treated very differently to those of loved ones. As soon as the head was prepared it was placed in an earth oven and slowly steamed. When ready, it was cooled, dried in the sun and lacquered with natural oils or shark oil. The heads of loved ones were dressed according to their status, their hair groomed and placed in a top knot, with taonga, feathers and pounamu placed in their ears or in their hair. The heads of low-ranking warriors of the enemy received minimal care during the mummification process, as their heads could be disfigured as part of being ridiculed, or while being used as an everyday object, or put on a stake. The heads of enemy chiefs, however, required slightly more care, as they could be used strategically to sue for peace, or marriage or for a gift of whenua.

The rituals associated with creating Toi moko of high ranking loved ones required care, and, often, to be undertaken by tohunga, as opposed to the heads of the enemy which would be treated with minimal respect, as they had lost their mana as part of their death. Before the arrival of Pākehā, there would be no Māori cultural impetus for the mummification of heads of captives or those enslaved unless they were used for the purpose of training someone in the art of whakamaroke/pakipaki, the preserving and mummification process. The harsh reality of the situation is that upon death, captives or slaves served no purpose except possibly as nourishment. This, however, changed with the arrival of Europeans.

Summary

Above, the concepts of tapu and noa are highlighted and acknowledged as being pivotal to how Māori responded to death, and how they cared for those who had passed away. Descendants of ariki and rangatira were afforded respect and status related to having intense tapu, and, therefore, on their death received appropriate funerary rituals. These individuals could also be honoured by being mummified. The mummification process was also given to enemy chiefs as a means of captivity and dishonour, and in time these Toi moko could be returned to secure a tatau pounamu or peace treaty. For those

with little tapu or mana, there was no requirement or need for mummification as it served no cultural purpose.

Section Two: The Arrival of Pākehā and the Commercial Trade of Toi moko

The focus of the next section is on the arrival of Pākehā, their interest in trading with Māori, and how this interaction influenced some Māori to actively participate in the trade of Toi moko. This section identifies the changes in tikanga associated with Toi moko as a result of the arrival of Pākehā and their influence on Māori tribal society, the relationship of tikanga with the new Toi moko trade to tauiwi, and the rationale that underpinned the participation of Māori in the trade of mummified heads. Specifically, I demonstrate: (i) how some rangatira engaged in the new economic activity of trading in Māori preserved heads (ii) the circumstances and context of this trade and (iii) the rationale for their engagement in this trade. The time period discussed in this chapter is 1769 to 1840.

This section contains two key areas of interest. The first highlihgts the direct encouragement by European explorers, whalers, sealers, missionaries, and other Europeans for Māori to participate in the trade of Toi moko. This includes the context of trading in Toi moko and the rationale of Māori who actively participated in the trade; and a case study pertaining to the Bay of Islands with specific reference to hapū associated with Ngāpuhi. The second area of interest discusses the main issues raised, in particular the role in and contribution and impact of the trade of Toi moko on Māori society between 1769 and 1840, with reference to changes in tikanga, population decline, and a critical assessment of how this period in Māori and New Zealand history is viewed, perceived, and written about.

The direct influence of Europeans and Westerners on the Commercial Trade of Toi moko

When Captain Cook arrived in Aotearoa in 1769, he entered coastlines belonging to iwi. Cook and his crew were not the first Pākehā to sight Aotearoa, as this privilege was claimed by Abel Tasman in 1642, however, in October 1769 at Tai Rāwhiti they were the first Europeans to set foot on the whenua.

Europeans sailed into the Pacific for many reasons but principally they came to 'discover new lands and peoples' for conquest, colonisation, and the exploitation of resources. By 1769, European countries had colonised parts of North and South America, the Caribbean Islands, and parts of Africa. They now had their sights on other parts of the world including the Pacific and the unknown southern continent

(Terra Australis Incognita) known today as Australia. When Cook left Britain in August 1768, his task was to claim new lands and people for Great Britain (Salmond 2004: 32, 57).

A Toi moko was acquired on Cook's first voyage to Aotearoa. The mummified head was taken by Joseph Banks when the *Endeavour* was birthed in Queen Charlotte Sound in Te Tau Ihu o Te Waka during January 1770. To entice the Māori elder to hand over the Toi moko of a teenage boy, Banks produced a musket and pointed it at him. In return, the elder received a pair of used linen underwear (Te Awekotuku & Nikora 2007: 48). Historical accounts of rangatira participating in the trade of Toi moko are associated with the Bay of Islands (Jones & Jenkins 2017: 219; Duyker 2014: 208; Te Awekotuku & Nikora 2007: 48–49), Waikato (d'Urville 1909: 423), Tauranga (Bentley 2019: 1), Te Tai Rāwhiti (Ellis 2016: 41), Kāpiti Coast (Collins 2010: 114-115; Robley 1998: 173) and parts of Te Waipounamu (Evison 1993: 69). The rangatira specifically recorded as actively participating in the trade associated with the Bay of Islands, include:

- Pōmarenui also known as Pōmare 1, Whetoi or Whiria (?–1826) of Ngāpuhi (Forster 1996: 1; Robley 1998: 173; Ballara 2003: 42);
- Hongi Hika (1772–1828) of Ngāpuhi (Te Awekotuku & Nikora 2007: 48–49);
- Tuai (?–1824) of Ngare Raumati (Jones & Jenkins 2017: 219, 233);
- Korokoro (?–1823) of Ngare Raumati (Orchiston 1967: 307); and
- Pōmare II (?–1850) of Ngāpuhi (Ballara 2007: 2).

Traders associated with the Kāpiti Coast and other coastal iwi include the following chiefs and Pākehā:

- Te Hiko o Te Rangi (?–1849) of Ngāti Toa Rangatira and Ngāti Awa/Ngāti Mutunga/Te Ātiawa (Evison 1993: 51);
- Joe Rowe (?–1831) a Pākehā trader based on Kāpiti Island (Robley 1998: 178);
- Te Rauparaha (circa 1760–1849) of Ngāti Toa Rangatira and Ngāti Raukawa (Ballara 2003: 61; Evison 1993: 51); and
- Hone Tuhawaiki (?–1844) of Ngāi Tahu (Evison 1993:69).

Initially, rangatira did not actively engage in the trade of Toi moko when Pākehā first began arriving in Aotearoa. The earliest exchanges were either through forced sales or through theft of Toi moko. In the early 1800s, however, rangatira travelled overseas to understand the world beyond their tribal

territories. Leading rangatira, such as Ruatara, Korokoro, Tuai, Te Pahi, Hongi Hika, Te Rauparaha, Te Pēhi Kupe and Hone Tuhawaiki, travelled to Australia, and some travelled as far as the United Kingdom intending to educate themselves about the Pākehā and the world they came from. When they returned, some Māori had a growing appetite for Western goods including muskets, gun powder, ammunition, metal tools, Western clothes, and food (Lee 1983: 37–38; Jones & Jenkins 2017: 30–32; Urlich-Cloher 2003: 121–122; Collins 2010: 80–81, 91).

Some of these rangatira aspired to military advantage over their traditional enemies and realised they could only do this through actively trading with Pākehā. Hapū with coastal territories had trading advantages, in particular those in the Bay of Islands and the Kāpiti Coast, but between 1769 and 1840, it became apparent that coastal territories could easily be lost and transferred from one hapū to another, or from one iwi to another (Lee 1983: 37–38; Jones & Jenkins 2017: 30–32; Urlich-Cloher 2003: 121–122; Collins 2010: 80–81, 91).

To actively trade with Pākehā, the rangatira of the Bay of Islands and the Kāpiti Coast realised they needed items of value for exchange. Some of these items were easily accessible, such as fresh water, dried fish, and local vegetables including kūmara. Other items required additional planning and training to grow, produce and farm, including Western vegetables, such as pumpkins and potatoes, and Western animals such as pigs, sheep, goats and cattle (Wright 1959: 77; Anderson et al 2014: 202).

The visiting Western ships carried men who wished to enjoy the company and friendship of local women (Wright 1959: 73) and, presumably, local men as well (Binney 2004: 157). The rangatira knew that the crews wanted also to trade for taonga, such as whakairo (wooden carvings) (see Figure 33 and Figure 34 below) kākahu (see Figure 35 below), whāriki, pounamu, Toi moko and other items (Jones & Jenkins 2017: 219, 225).

Some rangatira developed their own independent hapū strategies to achieve military and trading advantages over their traditional enemies employing the traditional foundation of utu, takitaki, muru and ea as illustrated by the following case study.

Case Study: Te Pēwhairangi — Ngāpuhi and the Bay of Islands

Through his father Te Hōtete, the great chief Hongi Hika was of the Ngāi Tāwake branch of Ngāpuhi in Waimate, Northland. Close relatives of Hongi Hika, who also belong to Ngāi Tāwake and were

raised in Waimate, include the brothers Rewa, Moka Kaingamatā and Wharerahi, and their cousin Whai Hakuene Te Tai. Refer to Figure 29, Figure 30 and Figure 31 to see the genealogical connections between the rangatira named above.

Another close relative of Hongi Hika affected by these events is Titore Takiri, related through Hongi's grandfather Te Auha, who had a sister called Perenga. Perenga was the grandmother of Te Maire, who was also killed by Ngare Raumati as they journeyed from Te Rāwhiti to Waimate. Perenga was also the great grandmother of Titore Takiri. See Figure 32 which shows the genealogical connections between the tupuna Wairua and his descendants, Hōtete, Te Maire and Titore Takiri.

As indicated in Chapter One, in about 1790, Ngāre Raumati invaded Waimate and killed the mother (Te Auparo) and sister (Te Karehu) of Rewa and his brothers, Te Whakahoe the grandmother of Whai Hakuene and Te Maire, a close relative of Titore Takiri. In retaliation, Te Hōtete sought utu from Ngāre Raumati of Te Rāwhiti, but for Rewa and his brothers, as well as Titore Takiri and Whai Hakuene this was not sufficient, and they would finally complete the job in the mid-1820s.

Ngāi Tāwake (Tāwakehaunga) whakapapa connections

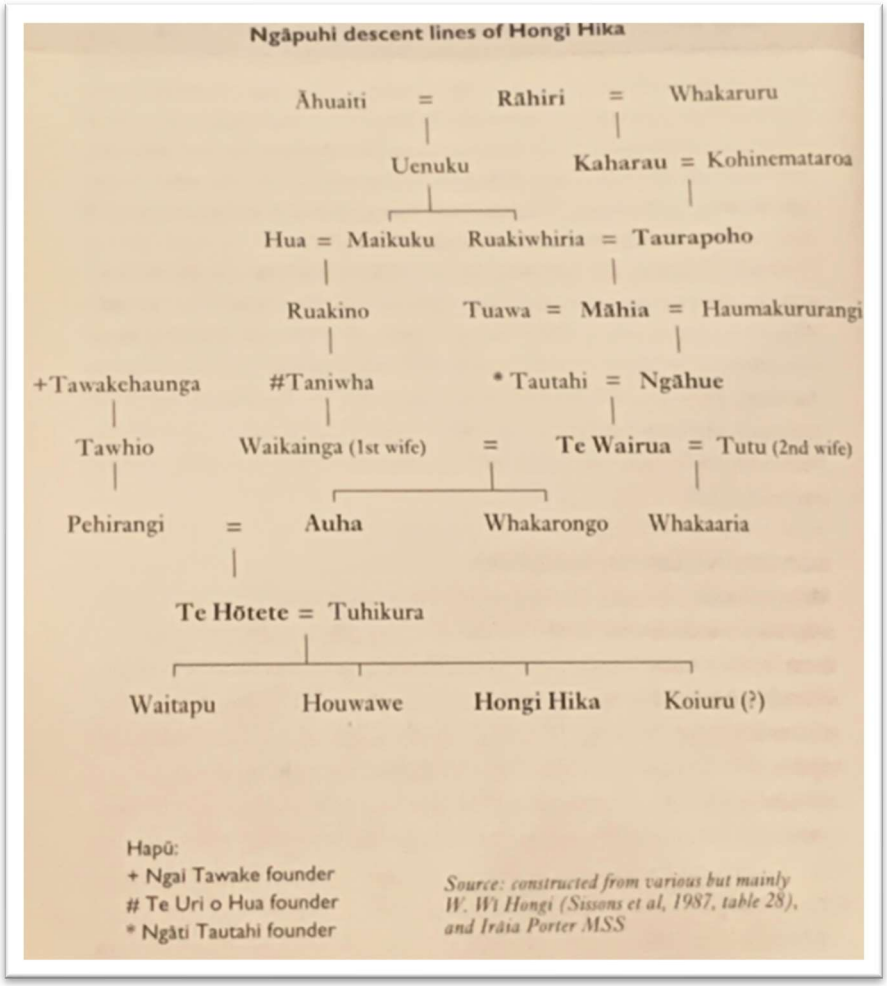


Figure 29: Whakapapa from Tāwakehaunga to Hongi Hika.

(Urlich Cloher 2003: 24)

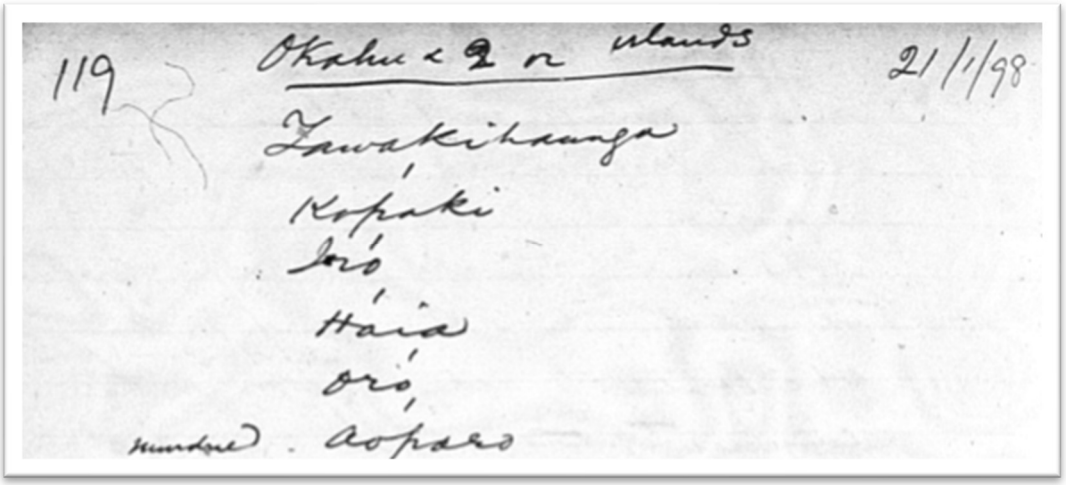


Figure 30: Whakapapa from Tāwakehaunga to Te Auparo, the Mother of Rewa, Moka, Kaingamatā and Wharerahi.
(Māori Land Court 1898: 119)

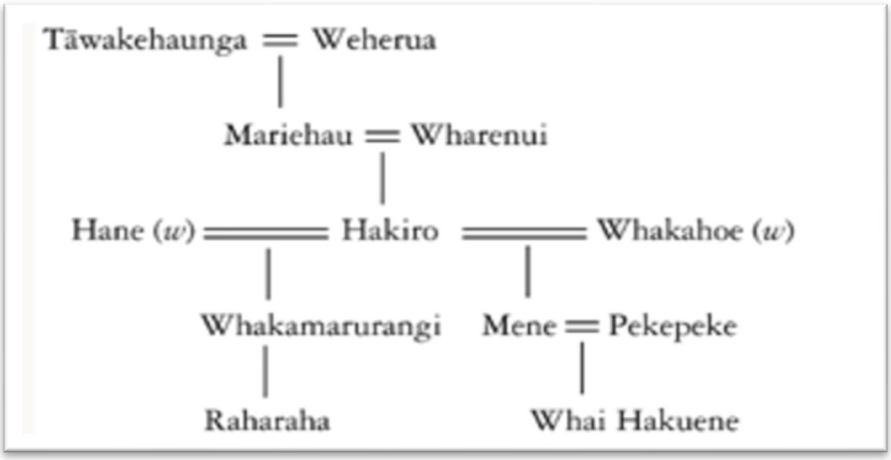


Figure 31: Whakapapa from Tāwakehaunga to Whai Hakuene.
(Oliver 1993:1)

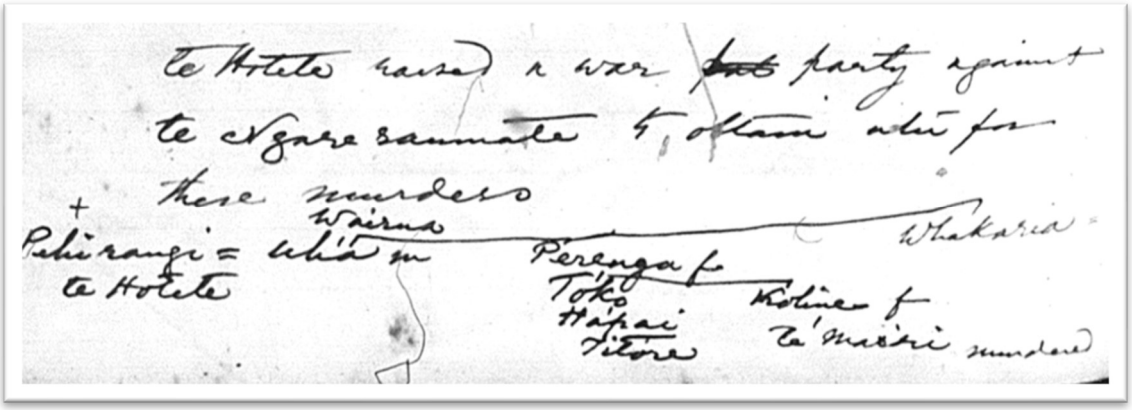


Figure 32: Whakapapa from Wairua to Hōtete, to Titore and to Te Maire.
(Māori Land Court 1898: 125)

Moreonui 1807

In 1807, Hongi Hika followed his father, brothers and sister Waitapu into the Moremonui battle. Hongi was one of the Ngāpuhi warriors seeking utu against Ngāti Whātua, Te Roroa and Te Uri o Hau. This battle was the defining point for Hongi Hika, as it was a decisive defeat for Ngāpuhi, and Hongi endured the loss of his father Hōtete, his brothers Houwawe and Hau Moka and their sister Waitapu (Urlich-Cloher 2003: 56). Other Ngāi Tāwake leaders were also lost at Moremonui, including close family members belonging to Rewa, Titore Takiri and Whai Hakuene.

With the death of his whānau members, Hongi was required to seek appropriate utu in the future. The deaths also provided a vacuum for Hongi Hika to fill by taking on the leadership role for Ngāi Tāwake. These events provided the catalyst for Hongi Hika to implement a strategy of seeking restitution against Ngāti Whātua, Te Roroa and Te Uri o Hau from 1807 to his death in 1828.

The brothers Rewa, Moka Kaingamatā and Wharerahi, as well as the first cousins Titore and Whai Hakuene, grew up acknowledging the strong leadership of Hongi Hika within Ngāi Tāwake, and also learnt from his ability to plan, and implement strategies against their traditional enemies from the mid-1810s until his death.

Hongi Hika's long-term war strategy

Table 4, below, contains an overview of the strategy Hongi Hika implemented to achieve his goal of seeking utu, takitaki, muru and ea against the iwi of Ngāti Whātua, Te Roroa and Te Uri o Hau. This is also the foundation strategy that was pivotal for the brothers Rewa, Moka and Wharerahi as well as

the first cousins Titore Takiri and Whai Hakuene in helping to achieve utu, takitaki, muru and ea from Ngāre Raumati for the loss of Te Auparo, Te Karehu, Te Maire and Te Whakahoe circa 1790.

An analysis of the strategy follows noting the historical events that took place to provide evidence of Hongi Hika's intention, goals and aims. The strategy comprises the following key elements:

1) Overall goal and kaupapa;
2) Timeline;
3) Key relationships;
4) Key aspirations;
5) Implementation plan and outcome; and
6) Summary of strategy and overall achievement.

Table 4: Hongi Hika's Long-Term War Strategy

1. Overall Goal and Kaupapa The ultimate goal of Hongi Hika was to seek utu, takitaki, muru and ea for the loss of his father Hōtete, brothers Houwawe and Hau Moka, sister Waitapu, as well as uncles and other relatives who died during the battle of Moremonui. Connected with this is a goal to increase Ngāpuhi mana (Ballara 1990: 202). Hongi Hika could not do this as one individual, so he devised a strategy that incorporated the support of his whanaunga who were uri of Rāhiri. Through this strategy, he was able to call on most of the rangatira located in the region from the Hokianga to the Bay of Islands.
2. Timeline To achieve the kaupapa Hongi Hika began devising, planning and implementing his strategy. It took the remainder of his life — 21 years —before he achieved restitution for this loss.
3. Key relationships The key components of his strategy included: ***Thread one — whakapapa*** Use of whakapapa as the ultimate unifier — There were many descendants of Rāhiri, and as a result of strategic marriages from the time of Rāhiri, many of the chiefly lines of Te Tai Tokerau included Rāhiri as their tupuna. Other rangatira who were descendants of Rāhiri and well positioned to support Hongi Hika's initiative included Moka Kaingamatā (Ngāi Tāwake/Patukeha), Wharerahi (Ngāi Tāwake/Patukeha), Rewa (Ngāi Tāwake/Patukeha), Titore Takiri (Ngāi Tāwake/Ngāti Rehia), Whai Haukuene Te Tai (Ngāi Tāwake/Ngāti Kuta), Korokoro (Ngare Raumati/Ngāpuhi), Tuai (Ngare Raumati/Ngāpuhi), Pōmarenui (Ngāti Manu/Ngāpuhi), Te Morenga (Te Rarawa/Ngāpuhi), and Te Wera Hauraki (Ngāti Hineira /Te Uri Taniwha/ Ngāpuhi) (Lee 1983: 278–288). This shared whakapapa is emphasised in a whakataukī commonly repeated by Ngāpuhi descendants, "Ngāpuhi kōwhao rau — Ngāpuhi bound strongly together by one hundred separate connections." Many interpretations of this whakataukī say that it refers to Ngāpuhi as a fishing net, which is made of many separate connected parts but is fit for purpose to achieve its goal. In the case of Hongi Hika's strategy, Ngāpuhi was fit for the purpose of ensnaring, trapping, and defeating their common foe and enemy.

Thread two — common goal to achieve utu, takitaki, muru and ea.

Many of the rangatira listed above had whānau members who died at the Moremonui battle and, therefore, they too had a common aim to achieve restitution for their own hapū.

Thread three — strong leadership qualities

Hongi Hika is said to have had a forceful personality, which would have been considered to be a positive characteristic of leaders of those times, in particular when this trait was combined with powerful charisma and a strong ability to communicate. Hongi Hika would have stood out as superior to his peers and as a strong contender for leader amongst Ngāpuhi.

Thread four —strategy to resource hapū with muskets, guns and ammunition

Hongi Hika, like his whanaunga and peers, was born into a warrior tradition, where newly born sons at birth were dedicated to their tūpuna including Tūmatauenga, the guardian of battles, war and protector of tapu and mana. To achieve utu for his whānau and hapū, Hongi's aim was to equip his hapū and those rangatira who supported him, with modern weapons including muskets, ammunition and gunpowder (Jones & Jenkins 2017: 178).

Thread five — educate yourself about the world

Hongi Hika was inquisitive about the Pākehā, their culture and, more importantly, about their weapons. He travelled to Sydney and to the United Kingdom to understand the world beyond the Bay of Islands and, as a result, he was well-positioned to speak with authority about engaging with Pākehā and enhancing mana through this process (Urlich Cloher 2003: 73–77).

Thread six — strategy to trade with Pākehā

Hongi Hika realised that in order to acquire the modern weapons he wanted, he was required to produce produce, products and services that visiting Pākehā wanted to buy or exchange goods for, and he implemented a production strategy.

Thread seven — success in battle, trading and achieving goals

Hongi Hika is said by many to be a great warrior and leader with mana. Those elements are correct, but to achieve that level of mana required experience and a strategy to minimise defeat and enhance success. From early successes in battle, trading, and strategic positioning

around the Bay of Islands, Hongi's enhanced mana attracted more rangatira outside of Ngāpuhi whakapapa to embrace his aims.

4. Key aspirations

I have identified nine key aspirations that Hongi Hika undertook to achieve his aims:

1. Maintain and expand Ngāi Tāwake territories into the Bay of Islands to access trading opportunities;
2. Create permanent trading opportunities with Pākehā;
3. Acquire taonga and captives to produce goods and services to trade;
4. Acquire Pākehā as intermediaries in trading;
5. Sell produce and provide services to buy new weapons;
6. Win a conclusive battle against Te Roroa, Ngāti Whātua and Te Uri o Hau;
7. Expand Ngāpuhi territories into Te Roroa, Ngāti Whātua and Te Uri o Hau lands;
8. Reduce the mana of Te Roroa, Ngāti Whātua and Te Uri o Hau; and
9. Annihilate Te Roroa, Ngāti Whātua and Te Uri o Hau.

5. Implementation plan

1. Maintain and extend the Ngāi Tāwake takiwā into Kerikeri/ Bay of Islands. Although the extension of Ngāi Tāwake territory had already been achieved through Hongi Hika's father and his taua who took Kerikeri around 1800, Hongi Hika maintained his foothold and extended it into Whangaroa. This meant that Ngāi Tāwake rangatira had access to the Bay of Islands through Kerikeri Inlet at the time European ships began arriving from about 1800 (Lee 1983: 32–33);
2. Actively engage with Pākehā to learn about their world, tikanga, technology and weaponry. This began from the time Pākehā started arriving in the Bay of Islands, however, Hongi Hika made his first recorded visit to Sydney in July 1814 and visited Reverend Samuel Marsden in Parramatta (Urlich Cloher 2003: 73–77; Jones & Jenkins 2017: 43), and then visited the United Kingdom in 1820 to seek British settlers and workers, tools, guns, ammunition and gunpowder (Jones & Jenkins 2017: 178, 180). In 1821 Hongi Hika arrived back from England via Sydney with about 1000 muskets and gunpowder (Urlich Cloher 2003: 146–147; Jones & Jenkins 2017: 197);
3. Acquire taonga (refer to Figure 33 and Figure 34) and captives (women/ children/ young adults) to produce food, taonga (Figure 35), and to provide services for visiting

ships. This was achieved between 1808 and 1825 with victories by Hongi Hika and other Ngāpuhi rangatira through campaigns in Tauranga and Tai Rāwhiti (Urlich Cloher 2003: 57, 63), in Pākanae, South Hokianga (Urlich Cloher 2003: 58), and against Te Aupouri prior to 1817 (Urlich Cloher 2003: 61). After Hongi Hika's return from England via Sydney with 1000 muskets in 1821, he campaigned in Tāmaki makau rau/ Auckland, Hauraki (Ballara 2003: 217–219), Rotorua (Urlich Cloher 2003: 172–73), Waikato (Ballara 2003: 220–222) and Kaipara for the Te Ika a Ranganui battle (Urlich Cloher 2003: 183);

4. Produce goods that Pākehā are interested in buying including fresh food, flax; fish, pigs, goats, cattle, water, wooden spars, taonga (i.e. whāriki, kākahu, whakairo, pounamu, Toi moko and other items), provide rest and recreation services while in the Bay of Islands such as sex workers and waipiro for visiting explorers, sealers, whalers, traders and missionaries (Lee 1983: 27, 32, 62, 120, 145; Ballara 1990: 201; Binney 2004: 157; Urlich Cloher 2003: 69)
5. Acquire Pākehā (including missionaries) to help with trade (Binney 1990: 224; Parsonson 1990: 272);
6. Trade with Pākehā to acquire resources to buy modern weapons (Ballara 1990: 201); and
7. Modernise from traditional weapons to muskets, guns, cannons, metal weapons and ammunition (Ballara 1990: 201; Jones & Jenkins 2017: 197).

6. Ultimate Aim and Goal Achieved.

When Hongi Hika died in March 1828, he had achieved his aim of seeking utu, takitaki and ea against Te Roroa, Ngāti Whātua and Te Uri o Hau for the deaths of his whānau members in 1807 at the battle of Moremonui.

The impact of the conclusive battle of Te Ika a Ranganui in 1825 lasts to this very day. Through this battle, Ngāpuhi was able to expand its territories into Te Roroa, Ngāti Whātua and Te Uri o Hau lands. By doing this, the mana of the three iwi was reduced, and their lands were left abandoned until they felt safe to return.

Although the three iwi were not annihilated completely, they were badly wounded, and they took many years to recover. Some would say they are still in the recovery stage as is reflected

in the size of their population when compared with Ngāpuhi hapū. For example, Te Roroa in 2013 had a population of 1176, Ngāti Whātua a population of 14,784, and Te Uri o Hau a population of 1260 (Taonui 2017: 5). While Ngāpuhi had a population of 125,601 in the same year (Taonui 2017: 7).

As a result of Hongi Hika's success in battle, he was able to acquire captives for work which generated a range of taonga and fresh produce for sale and provided services that increased Hongi Hika's capacity to trade with visiting ships, and, in turn, increased his ability to acquire muskets and gunpowder. This also provided a strong foundation for success for other branches of Ngāi Tāwake, in particular, to learn, adapt and adopt Hongi Hika's strategies. This can be seen through Ngāi Tāwake/Ngāti Patukeha/Ngāti Kuta expanding their territories in Ngāre Raumati territory in 1826, as utu, takitaki, muru and ea for the loss of Te Auparo, Te Karehu, Te Whakahoe and Te Maire in about 1790.

Discussion — Te Ara Poutama — Hongi Hika's success

The aim of this discussion is to ascertain the impact the trade of Toi moko in the Bay of Islands had on the economic, social and cultural well-being of Ngāpuhi hapū, with specific reference to Hongi Hika and his hapū of Ngāi Tāwake.

Prior to 1807, the hapū of Ngāi Tāwake was expanding its territories into Waimate and Kerikeri Inlet through their rangatira Te Hōtete, Hongi Hika's father. Te Hōtete provided an example of strong and strategic leadership for his sons and his numerous nephews including, Rewa, Moka Te Kaingamatā, Wharerahi, Titore Takiri and Whai Haukene Te Tai.

With a major Ngāpuhi loss at the battle of Moremonui in 1807, Hongi Hika took on the leadership vacuum left with the death of his father and older brother. It is important to note that Hongi had important connections who provided guidance and insight into opportunities for engaging and trading with Pākehā, namely Te Pahi and Ruatara who were two of the first Ngāpuhi rangatira to travel to Port Jackson (now Sydney) to bring back mātauranga Pākehā in the form of metal tools, reading, writing, modern weapons at the time, farming animals, knowledge about growing Western crops, and also how and what to trade with Pākehā.

Prior to the death of Te Pahi in 1810, Hongi Hika joined his taua to Tauranga and to Tokomaru Bay to seek restitution for the death of Te Pahi's daughter Waipoua. The success of this experience would

have contributed to Hongi's broad understanding of how muru, taonga and Toi moko can be advantageous to trading with Pākehā. The whakairo in Figure 33 and Figure 34 may be an example of taonga acquired as a result of muru and traded to Pākehā in the Bay of Islands in 1807.

Good location for trade

One of the legacies of Te Hōtete was access to Kerikeri Inlet through the lands of Waimate. This served as advantageous to trade with Pākehā and also benefited the specific hapū of Ngāi Tāwake, as Waimate had suitable land for growing potatoes and other vegetables that could be traded with ships coming into the Bay of Islands. Potatoes could also be used for feeding taua when the Tai Tokerau rangatira led their campaigns into other tribal territories. Hongi Hika was growing potatoes as early as 1814 when he showed Reverend Samuel Marsden his Waimate gardens (Urlich Cloher 2003: 93–94), and Kerikeri became a mission station in 1818, and therefore Hongi Hika and Ngāi Tāwake had direct access to Pākehā goods including metal tools. There is also evidence that some rangatira were able to access muskets and gunpowder through missionaries as well (Wright 1959: 86-88).

Captives put to mahi

As part of seeking restitution from iwi who violated Ngāpuhi mana and tapu, Hongi Hika sought muru or took compensation in the form of captives, taonga (See Figure 33 and Figure 34) and Toi moko (Ballara 2003: 27–28). The process of taking captives, taonga and Toi moko as muru may have occurred from the time of Te Pahi, that is, prior to 1810, however, Hongi Hika's exploits, however, became documented events from the time the mission stations were set up in the Bay of Islands from 1814 (Ballara 1990: 201; Ballara 2003: 27–28). It is recorded that from 1818 taua from the Bay of Islands returned from their southern campaigns with up to 2000 captives who would be distributed amongst northern iwi (i.e. Ngare Raumati, Ngāpuhi and possibly others) and put to mahi (Ministry for Culture and Heritage 2009: 3; Smith 1910: 95).

The captives were mostly young women and men, who would be given jobs to break in land for farming and gardens, produce fresh vegetables, tend farm animals, make taonga (see Figure 35), catch and dry fish, and become servants for rangatira and missionary families. In short, they would be producing food or taonga to trade with visiting ships. The main trade item sought by Bay of Islands' rangatira was muskets or gunpowder. The crew onboard the visiting ships to the Bay of Islands from 1769 to 1840 were mostly men, many of whom would have been separated from their wives or partners for weeks or months. The sex trade in the Bay of Islands flourished, and the rangatira of both Ngāpuhi and Ngare Raumati provided mostly young women to ships in exchange for muskets and gunpowder.

These young people were captives taken as muru from iwi south of Ngāpuhi and Ngare Raumati territory (Wright 1959: 136; Jones & Jenkins 2017: 217; Urlich Cloher 2003: 63; Anderson Binney Harris 2014: 166).

There is a strong possibility that some of these captives were also made into Toi moko at some stage after reaching Te Tai Tokerau. It is evident that these types of Toi moko were purposely made for the trade to Pākehā, as there was no basis in tikanga to create Toi moko of lowly ranked people or captives before the arrival of Pākehā. If there had been no interest from Westerners in seeking and trading in Toi moko, Māori would not have created additional 'faux Toi moko' to trade with them.

Competitive leadership

Strong competitive leadership amongst themselves helped Ngāpuhi achieve their goal of seeking utu and muru from Te Roroa, Ngāti Whatua, and Te Uri o Hau. At the time, Te Hōtete was being raised by his Ngāi Tāwake and Ngāti Tautahi kaumātua. The teachings and education they provided regarding leadership, whakapapa, working together and respecting each other's mana and tapu provided the kupenga (fishing net) which enabled Ngāpuhi rangatira to work together for a common and mutually beneficial goal, and hence Ngāpuhi Kowhao rau! Ngāpuhi leadership was nimble and wise enough to know when to work together, and when to respect each other's individual mana motuhake.

In my view, this is demonstrated during 1790 to 1840, the evidence being provided by the times in which Ngāpuhi pulled together as a collective, then separated to look after their hapū interests, and then consolidated again. In 1807 Ngāpuhi came together to fight at Moremonui, and suffered a major loss. This became the catalyst for them to seek utu.

With the death of Te Hōtete, Hongi Hika became the leader of Ngāi Tāwake. His peers with Ngāi Tāwake whakapapa, however, including Rewa, Moka Kaingamatā, Wharerahi, Titore Takiri and Whai Hakuene, also had strong leadership qualities. There were many other competitive leaders across the whole of Ngāpuhi as well, including Te Pahi, Ruatara, Te Wera Hauraki, Pōmarenui, Te Hengi, Pōmare II, Hone Heke, Kawiti and Te Morenga.

When Te Pahi and Ruatara died, Hongi Hika filled the leadership space they vacated as well, and when Pōmarenui died, his nephew stepped into his leadership role. When Hongi Hika died, I speculate that several Ngāpuhi rangatira from Ngāi Tāwake stepped into the leadership role including brothers

Rewa, Moka Kaingamatā and Wharerahi, as well as cousins Titore Takiri and Whai Hakuene. I suspect that this was the tendency for all Ngāpuhi during this period.

Unfortunately, during this period that same level of leadership succession planning did not take place for the iwi of Ngāre Raumati, whose leadership completely died with the passing of both Korokoro and Tuai, and whose whenua and trading coastline and islands were taken by Ngāi Tāwake, Ngāti Kuta and Ngāti Patukeha in 1826 (Sissons et al 2001: 133).

Why did other Ngāpuhi rangatira follow Hongi's leadership?

Hongi Hika possessed a combination of qualities and values, proven experience, intelligence and understanding that enabled him to navigate between the Māori world and the imposing Pākehā world. He respected other rangatira and their kaupapa, and he was able to provide benefits of trade and military campaign assistance to other Ngāpuhi rangatira, and from time to time with Ngāre Raumati and Tai Tokerau iwi. Other hapū and iwi who worked or joined with Hongi Hika benefitted through both mana and muskets, gunpowder, access to Pākehā trade and mātauranga, as well as through captives who toiled on the land, fed the animals, grew the crops, prepared the harakeke, became wives and husbands, made taonga and offered their bodies to crews on visiting ships in exchange for muskets, metal tools and gunpowder.

Analysis of the Commercial Trade of Toi moko

Did the trade of Toi moko decrease the Māori male population? Were they the cause of major military campaigns from the Bay of Islands and Tai Tokerau, and was the trade of Toi moko the major trade item in exchange for muskets and gunpowder? I answer these questions in four different ways.

1.Number of Toi moko traded through the Bay of Islands

The trade of Toi moko was opportunistic and dependent on whether the quality of the Toi moko manufactured was of interest to the purchaser, whether a trade agreement could be reached or whether the rangatira wished to part with the Toi moko in question.

Not all crew members who came on a ship into the Bay of Islands were interested in acquiring Toi moko. Obviously, the ships exploring for scientific purposes intended to take examples of taonga back to their homelands. Would the average visiting ship with whalers, sealers and traders be seeking Toi moko to purchase? It was merely a curiosity for sale from time to time. In reality, and in simple terms,

the crews of the visiting ships wanted food, alcohol and rest and recreation, and this is what the rangatira in the Bay of Islands provided, in the form of crops grown by their captives, pigs farmed by their captives, fish caught by their captives, taonga made by their captives and time spent with their captives.

The harsh reality of the situation was that the trade of someone's head in the form of a Toi moko was not the major trading item between 1769 and 1840. The captives working for the Ngāpuhi, Ngare Raumati, and other Tai Tokerau rangatira created the produce, products and services which generated the trade that provided access to muskets, metal tools, gunpowder and other products rangatira wanted.

2. The value of Toi moko and other items of trade

The value of a Toi moko would fluctuate like any tradeable item available. In 1811 William Tucker who had lived amongst the Māori in the southern part of Te Waipounamu, stole a Toi moko from one of the local Māori communities (McFarlane 1817: 47), which he took to Port Jackson and sold for 20 pounds (Dunbabin 1896), which in 2021 would be equivalent to approximately $1800 New Zealand dollars. By 1826, however, a Toi moko purchased in Sydney would cost two gold guineas (Dunbabin 1896) or a bit over two pounds, or about $180 New Zealand dollars in 2021. This price is not relevant in the Bay of Islands or across Aotearoa between 1769 and 1840, as Māori did not trade in currency, they traded in goods. Examples are:

- In January 1770, in what is now Queen Charlotte Sound, Joseph Banks gave a pair of used linen underwear for a Toi moko of a teenage boy (Te Awekotuku & Nikora 2007: 48);

- In the Bay of Islands in 1821, Pōmarenui exchanged a Toi moko for a blue dress for his wife (Duyker 2014: 208);

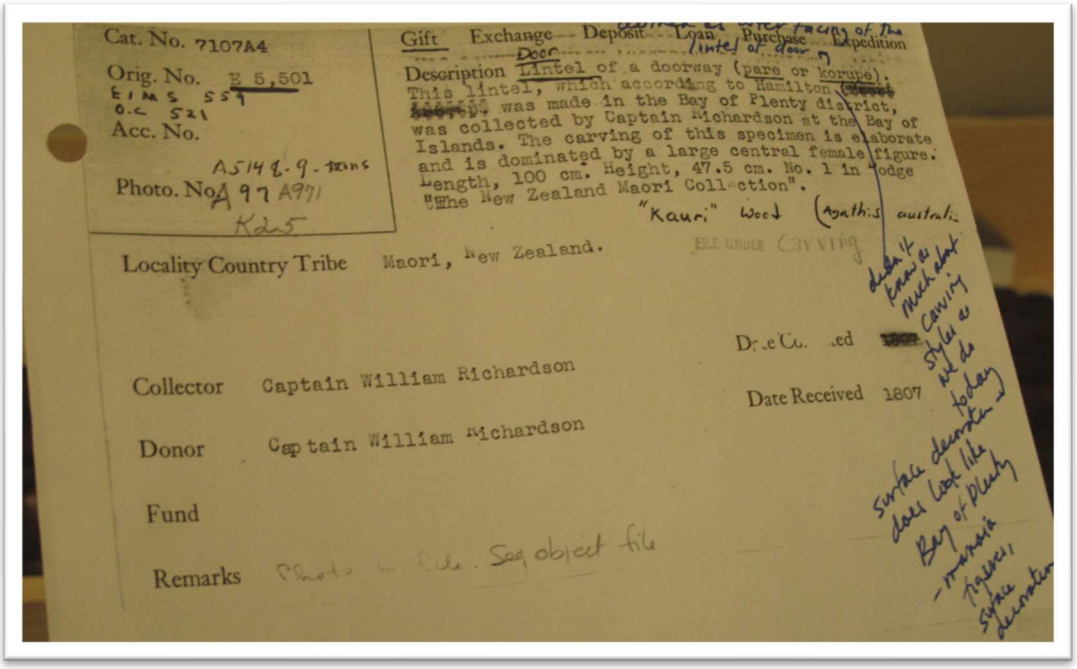
- On other occasions a Toi moko could be exchanged for a tin of gunpowder (Jones & Jenkins 2017: 219); and

- In 1833, in the South Island, Hone Tuhawaiki at Murikiku traded the Toi moko of Ngāti Toa warriors for gunpowder and muskets. He must have been a good trader as it is said he received either a keg of gunpowder or two muskets per Toi moko (Evison 1993: 69, 80).

Besides Toi moko, other items could be traded for muskets or gunpowder that were more readily available and of greater immediate value to the trader, including young women (and possibly men), baskets of potatoes, kūmara, celery, turnips, pigs, flax, and taonga. For example, in 1824 Dumont d'Urville was willing to exchange a musket with Tuai for Korokoro's whalebone hoeroa (long spear-like weapon), however, Tuai declined the offer (Jones & Jenkins 2017: 219). Hongi Hika exchanged a young woman for a musket at the request of a ship's captain (Wright 1959: 136).

While a Toi moko might fetch anything from a piece of clothing, or gunpowder, or muskets, or other items, a Toi moko could only be sold once. On the other hand, a young captive girl, over a five to 10-year period, might bring in a continuous supply of gunpowder and other goods, as well as help grow crops, make muka and provide servant duties. It is erroneous to believe that Toi moko sustained the supply of muskets, gunpowder, and metal tools. In fact, it did not. The uncomfortable truth is that it was the lives of those enslaved and captive that sustained early Māori trading ports, through their production of pigs, potatoes and flax and their services for men on the visiting ships.

Figure 33: Whakairo at the Peabody Essex Museum in Salem, Massachusetts, USA. This item is recorded as having provenance to the Bay of Plenty and traded in the Bay of Islands in 1807.
(Photo: Te Herekekie Herewini, March 2013).



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EIMS 559
O.C 521
Acc. No.
A5148-9-trans
Photo. No. A 97 A971
K2-5

Gift Exchange Deposit Loan Purchase Expedition

Description Lintel of a doorway (pare or korupe). This lintel, which according to Hamilton was made in the Bay of Plenty district, was collected by Captain Richardson at the Bay of Islands. The carving of this specimen is elaborate and is dominated by a large central female figure. Length, 100 cm. Height, 47.5 cm. No. 1 in "Lodge The New Zealand Maori Collection".

"Kauri" Wood

Locality Country Tribe Maori, New Zealand.

Collector Captain William Richardson

Donor Captain William Richardson

Fund

Remarks

Date Received 1807

Figure 34: Catalogue information of the whakairo at the Peabody Essex Museum in Salem, Massachusetts, USA.

This catalogue indicates that the taonga in Figure 34 was traded in 1807 from the Bay of Islands. (Photo: Te Herekiekie Herewini, March 2013)

3. The value of Toi moko to rangatira

On a number of occasions, Toi moko were observed by visitors on ships but could not be purchased as the 'owner' did not wish to offer them for trade. One reason why trading in Toi moko might be declined by the rangatira, is that it could be offered back to an iwi as a tatau pounamu, and the restitution received in return might include taonga of high regard, a marriage proposal, or parts of an iwi's tribal territories and/or coastline (Mead 2003: 169, 170,172,174–177). If rangatira were to compare the value of an article of European clothing, a metal tool or gun powder against a tatau pounamu, a peace treaty, and a piece of valuable land, it is not difficult to understand why they might not wish to trade Toi moko, in particular, those Toi moko that were of cultural significance.

Figure 35: Kaitaka at the Smithsonian National Museum of Natural History in Washington DC. This was traded to Pākehā during the early 1800s. (Photo: Te Herekiekie Herewini, March 2013)

4.The number of muskets in the Bay of Islands

Some sources indicate in 1818, there were 35 muskets owned by the Te Tai Tokerau chief Te Morenga (Wright 1959: 91), however, this was to dramatically change when Hongi Hika returned to the Bay of Islands from his overseas travels in 1821 with about 1000 muskets (Urlich Cloher 2003: 146–147; Jones & Jenkins 2017: 197). At the same time, Tuai of Ngare Raumati had access to 500 muskets (Jones & Jenkins 2017: 200). According to Thomas Kendall a missionary in the Bay of Islands, in 1821 there were about 2000 muskets in the possession of the "Natives" (Wright 1959: 91). In comparison, it is possible that 70 Toi moko were traded in the Bay of Islands in 1819 when Hongi Hika returned from Te Tai Rāwhiti in January of that year (Smith 1910: 95). This means that over a number of years the trade of Toi moko contributed less than 5% towards the acquisition of muskets and gunpowder. This is borne out by the evidence above that Toi moko were traded also for clothing, gunpowder, various products and services. Therefore, it would be most likely that these men would trade muskets, gunpowder and other items for a living Māori person and services, not a dead one. This indicates also that from the early 1800s up to 1821, over 95% of the trade by Māori in the Bay of Islands was in food, flax, taonga, land leasing, selling of land, and rest and recreation services.

The Number of Toi moko Recorded as Traded through Museums, Auction Houses, Academic Institutions and Private Collections.

It is important to understand how many Toi moko were traded from Aotearoa to overseas institutions and auction houses. While it may be impossible to obtain an exact number, it is possible to achieve a good understanding of the impact the trade of mummified heads had on iwi populations throughout the country. A practical way of estimating this number is to assess how many Toi moko are housed in institutions in Aotearoa and in overseas institutions today. Combining these two estimates provides an informed indication of how many Toi moko were part of the 1769 to 1840 trade. Seeking accession information and undertaking detailed research on Māori and Moriori ancestral remains located in overseas institutions are part of Te Papa's work through the Karanga Aotearoa Repatriation Programme. Based on the information gathered by Te Papa, Tables 5, 6 and 7 below provide estimates.

Table 5: Estimated Number of Toi moko Housed in Institutions in Aotearoa New Zealand.

Institution	**Number of Toi moko**	**Commentary.**
Museum of New Zealand Te Papa Tongarewa	196	As of 1 December 2020. Note this number is based on Te Papa registration information in regards to Toi moko cared for in its wāhi tapu.
Auckland War Memorial Museum.	2	As of 1 December 2020. The number was received from one of the kōiwi tangata researchers at the Auckland War Memorial Museum by Te Herekiekie Herewini.
Other institutions in New Zealand	10?	An estimate of Toi moko housed in other museums and institutions throughout Aotearoa New Zealand, excluding Te Papa and the Auckland War Memorial Museum.
Total number of Toi moko housed in	**208 (Estimate only).**	

institutions throughout Aotearoa New Zealand.		

Table 6: Toi moko Remaining in Institutions Overseas. (Estimate only as of 1 December 2020.)

Country	**Number of Toi moko**	**Commentary**
United Kingdom	15	Based on Te Papa's research with institutions in the United Kingdom.
United States of America	10	Based on Te Papa's research with institutions in the United States of America.
Russia	8	Based on information from New Zealanders who have visited the Hermitage Museum in St Petersburg, Russia, and who have passed these details onto Te Papa.
Germany	6	Based on Te Papa's research.
Belgium	3	Details received by Te Papa from the Belgium Government.
Brazil	2	Information from New Zealanders who visited the National Museum in Rio de Janeiro.
Italy	2	Details received by Te Papa from the Italian Embassy in Wellington.
France	1	Details received from international contacts in France.
Slovakia	1	Information received from New Zealanders visiting Slovakia.

Poland	1	Details received from international contacts in Poland.
Mauritius	1	Details received from international contacts in Mauritius.
South Africa	1	Details received from international contacts.
Spain	1	Details received from international contacts.
Private collectors	10	Estimate.
Total	**61**	**Estimate only.**

Table 7: Toi moko Repatriated and Returned to Aotearoa by Individuals or by Non-Te Papa Groups (estimate only).

Repatriated by	**Number of Toi moko**	**Commentary.**
Dalvanius Maui Prime	2	According to Te Papa files and newspaper reports.
Sir Graham Latimer	1	Through the New Zealand Māori Council in 1988.
Murray Thacker of Okains Bay, Otautahi, Te Waipounamu.	2	These two Toi moko were repatriated from the United Kingdom by Murray Thacker. They were deposited in Te Papa's wāhi tapu in December 2016. These two Toi moko have already been recorded in the total number for Te Papa above.
Total (estimate)	**5**	

As of December 2020, there are 196 Toi moko housed in Te Papa's wāhi tapu. The majority of these tūpuna came to Te Papa or its predecessors from institutions located in Australia, Europe, and

countries in North and South America. Auckland War Memorial Museum has two Toi moko, and there are possibly another 10 in other institutions in Aotearoa. (See Table 5). Through my work at Te Papa, I estimate there is possibly another 61 Toi moko located overseas in institutions located in Europe, South America, Africa and the Indian Ocean. (See Table 6) About five Toi moko were repatriated from overseas independent of Te Papa. (See Table 6). Therefore, the number of traded or stolen Toi moko catalogued is approximately **272**. The trade of Toi moko from Aotearoa New Zealand is estimated to have occurred during the 70-year period between 1770 up to about 1840. By dividing the number of traded Toi moko, i.e. 272 by 70, the average number traded or stolen each year is 3.88. Although this figure may not appear to be huge, the trade of these tūpuna whether within Aoteraoa New Zealand or overseas has resulted in deep emotional and spiritual loss felt by their whānau and hapū.

In pragmatic terms, the impact of 272 Toi moko traded over a 70-year period, from a population estimated to be at least 100,000 in 1769 (Ballara 1998: 239), would be minimal. Therefore, there must be other reasons why the Māori population declined from an estimated 100,000 in 1769 to approximately 42,113 in 1896 (Ballara 1998: 257).

Ballara suggests the decline of the Māori population from 1769 to 1896 can be attributed to a number of factors:

- Introduction of new diseases to the Māori population such as rewharewha (influenza), smallpox, whooping cough, measles and others, for which the Māori population had no immunity;
- Introduction of sexual transmitted diseases that affected birth rates, with many people becoming sterile or suffering reduced fertility; and
- Deaths from the wars between the 1820s and 1830s, and the connected after-effects, such as loss of tribal territories, reduced access to food supplies, and migrations in search of other territories to live in. (Ballara 1998: 257).

Conclusions of this Section

The research presented in this section of the chapter confirms that after initial hesitation of trading in Toi moko, some rangatira actively participated in the trade of Māori mummified heads. Based on Te Papa's research the number of Toi moko traded from 1769 to 1840 is approximately 272, as this is the number recorded as being housed in overseas and New Zealand institutions. The approximate number of 272 Toi moko traded over a 70-year period indicates that the negative impact on the Māori

population was minimal, as this number approximates to four Toi moko per annum being trade. The decline of the Māori population from 1769 to 1900 has more to do with the general impact of their engagement with non-Māori and the subsequent introduction of new diseases, which Māori had no defence against, changes in food and its production, introduction of new weapons such as muskets, and loss of land after 1840. The population decline is the result of a combination of factors rather than just the trade of Toi moko.

Significantly, rangatira such as Ruatara, Te Pahi, Korokoro, Tuai, Hongi Hika and others from around the country did actively seek to trade with Pākehā and their Western ships. Their interest in trading was to upgrade their tools and weapons to improve and protect the lives of members of their whānau and hapū, but they also had a broader and deeper interest in Pākehā, wishing to fully appreciate the advantages and opportunities presented by these strangers, including their mātauranga, skills, foods, tools, and weapons.

Trading with Pākehā became a priority with rangatira, as they saw this as a means of gaining access to muskets, gunpowder, metal tools and other Western goods. To access trading with Pākehā, rangatira produced goods such as food, taonga (e.g. kākāhu, whāriki, whakairo, Toi moko), provided services for visiting ships, leased and sold land to Pākehā, and encouraged minor Pākehā settlement. Another means of encouraging Pākehā engagement, trade and settlement, was the encouragement or arrangements by rangatira for their daughters and sisters to co-habit with and marry Pākehā whalers, dealers, and traders.

As is shown in the case study, in order to provide these services and goods, Hongi Hika relied on workers he had enslaved as the result of war campaigns around the country. It was in the interests of rangatira to keep captives alive, as they were the workforce needed to generate the trade with Pākehā.

It is important to note the distinction that Toi moko could be traded immediately, but slaves and captives were of 'long-term benefit' as they could produce goods and services over a long period of time. Falsely attributing the access to muskets purely to the trade of Toi moko undervalues the production of goods and services by captives and those enslaved and fails to recognise the skills and abilities of rangatira of this period to respond pro-actively within tikanga Māori and in accord with their respective cultural frameworks when engaging with the Pākehā world. By saying the above, I am not condoning the practice of enslavement, I am, however, acknowledging its existence as part of traditional Māori society. In the next chapter, I refer to enslavement within the European tradition.

The commercial trade of Toi moko and its role in the Māori economy

As can be seen from the case study above, regarding the Bay of Islands and Hongi Hika, the acquisition and trade of Toi moko played only a minor part in seeking utu, takitaki, muru and ea. The aim of rangatira in the Bay of Islands was to seek restitution, and the pathway to achieving this was through a long-term strategy based on traditional factors pertaining to the protection of their mana and tapu.

It should also be noted that in the year 1831, a total of 8000 muskets and 70,000 pounds of gunpowder were imported from Sydney, New South Wales into Aotearoa (Hart 2008:212). It is important to note also that these are figures for only one year, and the total figure for these items between 1769 and 1840 would be much greater. Based on the total figure of 272 Toi moko being traded between 1769 to 1840, this strengthens the conclusion that Toi moko represented a very small fraction of trade from Aotearoa during this period, most likely less than 1% of the total trade.

The key players in the trade of Toi moko from 1769 to 1840 include Hongi Hika, Korokoro, Tuai, Pōmarenui, Te Rauparaha, Te Hiko o Te Rangi, Hone Tuhawaiki in Te Waipounamu (the South Island), and others in Tauranga, and the East Coast of the North Island. Significantly, they all traded food, taonga, flax, land to lease and recreation services provided by their captives and slaves (Orchiston 1970: 25; Evison 1993: 30, 51, 54; Soutar 2000: 93–95; Collins 2010: 73, 75). The total number of Toi moko that exited the country is estimated to be approximately 260, demonstrating that Toi moko traded from locations other than the Bay of Islands were similarly a minor trade item.

As highlighted in the Bay of Islands case study, the trade of Toi moko plays only a minor part in the bigger story of why, how, where and when Māori actively sought to engage with, understand and trade with the outside world. Some New Zealand history researchers, writers and historians have focused on this one small element of trade, which I have shown to represent less than one percent of items traded from Aotearoa. There is another untold story that needs to be told by Māori and told through a tikanga Māori lens and perspective. One element of this untold story is the major role Māori women played in the early trading economy between Māori and Pākehā. This includes the work they contributed in food production and farming, growing and preparing flax for sale, making taonga such as whāriki and kākahu and providing recreation services for ships. Another element that remains largely unrecognised is the role that rangatira women played in securing trade for hapū. They did this

through strategic marriages with Pākehā traders, sealers, and whalers, who would settle with them and the communities they belonged to. Many Māori living today are descendants of these early Māori and Pākehā marriages

In previous chapters, the concepts of tapu and noa are highlighted and acknowledged as being pivotal in the Māori response to death, and the care of those who had passed away. The deceased who descended from ariki and rangatira within Māori society were afforded respect and status due to intense tapu and, therefore, at their death, they would receive appropriate funerary rituals. These individuals could also be honoured by being mummified. The mummification process was also applied to enemy chiefs as a means of holding them captive and dishonouring them and, in time, returning the Toi moko to secure a tatau pounamu or peace treaty. For Māori with little tapu or mana, there was no requirement or need to mummify their heads or bodies, as it would serve no cultural purpose. In saying that, however, this situation did change when rangatira realised they could create Toi moko from captives or lesser-known warriors and trade these to Pākehā as long as they were of equal artistic quality as those imbued with tapu or those of rangatira and ariki of enemy iwi. Rangatira realised that the concepts of mana and tapu did not belong to tikanga Pākehā and, therefore, Pākehā were open to receiving 'faux Toi moko' in return for Western goods. The creation of 'faux Toi moko' did not break tikanga Māori, as the 'faux Toi moko' helped the rangatira to obtain Western goods, such as muskets, gunpowder and/or metal goods, and, therefore, was part of the muru process.

There remains a deep philosophical and cultural connection between how Māori engaged and interacted with Pākehā when they arrived and sought trade with Māori communities around the country and tikanga principles observed today (See Table 8). The foundation of tikanga for many rangatira is the kōrero as highlighted above. The enduring principles provide strategies for engaging and responding to foreigners or other iwi entering wā kāinga or hapū territory.

Table 8: Core Tikanga Principles of Engaging with Other Iwi including Tauiwi to Maintain and Protect Mana and Tapu of Whānau, Hapū and Iwi.

a. Assert your mana, tapu, rangatiratanga and mauri connection to the whenua;
b. Remind them they are manuhiri;
c. Seek to understand what they want;
d. Seek to understand who they are, where they come from;

e.	Seek knowledge about them by travelling to their whenua;
f.	Learn and understand their mātauranga;
g.	Actively engage where the relationship will be beneficial;
h.	Ensure your mana, tapu, tino rangatiratanga and mauri are protected;
i.	If they harm or violate your mana, tapu, tino rangatiratanga and mauri, seek utu, takitaki, muru and ea;
j.	Develop the best plan and strategy available to achieve muru and ea; and
k.	Bide your time, and wait until it is the best time to achieve muru and ea.

Section Three: A Pākehā perspective on the collection and trade of human remains

With respect to the trade of Toi moko from Aotearoa New Zealand examined in this thesis, I have shown in the section above that a number of rangatira actively participated in the trade of Toi moko, and, through Te Papa's research, an estimated 272 Toi moko were traded between 1769 and 1840.

I have also demonstrated that the participation of rangatira in the trade of Toi moko aligns with a tikanga framework where damage has been inflicted on the mauri, tapu, rangatiratanga and mana of their whānau, hapū, iwi or whanaunga. In response, rangatira sought (i) utu; (ii) takitaki; (iii) muru and (iv) ea. This framework provided a culturally approved process to follow where harm had been caused. Situations, where Toi moko have been traded outside this sanctioned framework, can be seen as violations of tikanga.

The trade of Toi moko during this 70-year period involved at least two parties — one local and one visiting. Given the evidence presented above, it is best described as opportunistic. In short, Māori did not generate the trade but responded to the interest from Pākehā. The focus of this section is an investigation of Western cultural, religious and scientific foundations for the collection and trade of indigenous human remains, and covers the following areas, including:

- (i). Modern science and humanity;
- (ii). The Origins of Western Ethics re: Collecting Indigenous Human Remains;
- (iii). Western colonisation through the doctrine of discovery;
- (iv). Colonisation and Western views of human races;
- (v). Colonisation and enslavement and their connection to the trade-in Toi moko, and

- (vi). The summary.

(i). Modern Humans and their Settlement of the World.

According to the latest human DNA genomic scientific theory, Africa is the cradle of humankind, and the first humans migrated out of Africa over 1,800,000 years ago and moved to Eurasia. Subsequent migrations from Africa occurred during 1,400,000–900,000 years ago, and a third migration took place during 7700,000 – 550,000 years ago (Reich 2018:67). From these earliest groups came the ancestors of Neanderthals who populated Europe and parts of Asia, and the Denisovans who populated Asia. The final migration of humans out of Africa took place 50,000 years ago and headed most likely through North Africa and into the Middle East where they met Neanderthals, and where co-habitation took place. The Neanderthals died off approximately 40,000 years ago (Reich 2018: 69). Humans continued their migration through Asia, and in due course met the Denisovans (Reich 2018: 70). As with the Neanderthals, there was interbreeding between the two groups, resulting in an exchange of genes. In due course, humankind settled Europe, Asia, Southeast Asia, Australia and the Americas (Reich 2018: 75; 88–89; 122; 154; 186). Aotearoa was one of the last major islands groups to be settled by humans, approximately 800 years ago. All humans descend from the early humans from Africa (Denney and Matisso-Smith 2011; 2–3, 8**).**

(ii). The Origins of Western Ethics re: Collecting Indigenous Human Remains

Underpinning Western society's justification of actively collecting indigenous human remains, is a strong historical connection with the ways in which ancient European kingdoms and states viewed non-civilised societies. This section demonstrates how the deeply held views of Western European societies towards non-European and non-Christian peoples contributed to their self-perception as the most 'civilised' society and ordained them with the authority to colonise and enslave others whom they labelled "savages" (Blanchard et al 2011: 16, 206), "barbarians" "Saracens" and "heathens" (2010 Frichner: 7, 8, 19, 21). From this deeply ingrained authority, grew their justification to collect, display and study humans including those living and the remains of those that are deceased (Blanchard et al 2011: 21, 26, 64, 148; Kühnast 2020: 484-489; Förster 2020: 102-103; Parker 2020: 514; Eggers et al 2021: 282-283).

The old and new testaments of the Christian bible record that the kingdoms of the Middle East, North Africa and the Mediterranean enslaved people. This is not an action confined to that part of the

world but is an example of how enslavement is part of the human story in communities across Africa, Asia, the Americas, and Europe.

Before European kingdoms began engaging in the enslavement of West Africans from the 1440s, Muslim traders had already established trading routes and arrangements with North African and Sub-Saharan kingdoms of Africa for an annual supply of slaves to the Middle East (Badawi 2020: 22.00 - 26.30; Badawi 2020a: 31.50 - 32.15). A key principle of the Muslim slave traders of this time was that their ethics permitted them to enslave people who were viewed as "infidels" or non-Muslims (Cooper 2020: 22.10 - 25.00).

Part of this practice of enslaving people is the process of othering, by which groups of humans differentiate themselves from other humans. The separation of people into different groups allows for situations where people can be treated differently. Groups might be othered because they were defeated in war, or have a different skin colour, or different language, or different religion. Through othering, groups of people in power can justify their different treatment of the othered group, which on some occasions has meant enslavement (Blanchard et al 2011:62; Bhambra & Holmwood 2021:9-10; 49-51; Du Bois 2022:5-7; Wacquant 2022:286).

From the mid-1400s some African kingdoms on the western coast of Africa began engaging in the slave trade, in particular trading slaves and captives from enemy tribes and nations, or people who had committed crimes. Portugal was the first European Christian country to become involved in the slave trade from Africa from the mid-1400s (Shillington 2007: 22; Blanchard et al 2011: 62; Badawi 2020b: 8.25 - 9.00) followed by numerous other countries including Spain, England from 1562, Holland from 1626, France from the 1640s and Denmark and Sweden from the 1650s (Shillington 2007: 23; Badawi 2020b: 28.10 - 28.45).

African slaves did not only go to Europe. With the colonisation of North and South Americas by Europeans, slaves were traded from Africa to the Americas and Europe, a trade that lasted for close to 350 years (Shillington 2007: 23, 25). The number of people enslaved and shipped from Africa from the early 1500s to the mid-1800s is said to be between 12 million and 13 million people. These slaves worked in plantations in Brazil, central America, the Caribbean Islands, and the European colonies in North America that would become part of the United States of America (Shillington 2007; 25: Badawi 2020b: 25.30 - 26.45; Badawi 2020c: 15.15 - 15.30).

Although the enslavement of people is common to many societies, the underpinning philosophy that authorised enslavement of Africans and other indigenous peoples, is the same as the philosophy that permitted the taking of indigenous ancestral remains by European and Western collectors. This view is conveyed by Georg Hegel (1770 – 1831) the German historian who postulates that the enslaved African only achieves humanity and purpose in life through the enactment of being enslaved. Hegel writes:

> *..bad as it may be, their lot in their own land is even worse, since there a slavery quite as absolute exits: for it is the essential principle of slavery, that man has not yet attained a conception of his freedom, and consequently sinks down to a mere Thing, an object of no value* (Hegel in Bhambra & Holmwood 2021: 49).

This is the same philosophy that prevents the return of indigenous ancestral remains from institutions around the world, that until recently has included museums and institutions in Aotearoa. This philosophy is one by which non-European peoples are considered to be lesser human beings or non-human beings, inferior to Europeans and therefore able to be enslaved and owned (Blanchard et al 2011: 62; Smith 2012: 33; Eggers et al 2021: 282-283).

The next section demonstrates how Europeans used the Doctrine of Discovery to colonise the world, and how this colonisation process locks in the Western view of a racial hierarchy where they are at the top, and perpetuates the enslavement and commercialisation of black, brown and indigenous bodies, whether they are living or dead (Blanchard et al 2011: 84; Smith 2012: 28-29, 33; Howes 2020: 84; Bhambra & Holmwood 2021: 10, 47, 51; Eggers et al 2021: 282-283).

(iii). Western colonisation through the doctrine of discovery AD 1400s

Between the mid-1400s and today there is one key philosophical principle that permeates European religious beliefs, legal institutions, everyday culture, political and academic institutions, and justified and authorised Europeans to colonise non-European lands, kingdoms, tribal societies and first nations' peoples. This is the concept known as the Doctrine of Discovery. This doctrine is comprised of a series of Papal Bulls authorised by the Holy Roman Church between AD 1440 and the early 1500s, which gave permission to Europeans to colonise all nations and peoples outside of Europe (Brookfield 1999: 51–54; Frichner 2010: 1–2, 8–13; Williams 2012: 192–193, 230; Harjo 2014: 15–16, 68–69). The specific Papal Bulls are noted in Figure 36 and Figure 37.

The dominance of the Doctrine of Discovery and its impact on indigenous peoples in Africa, Australia, the Americas, Asia, Oceania, and Aotearoa is argued by Robert A. Williams, in *Savage Anxieties: The invention of Western Civilisation* published in 2012. Williams, a lawyer specialising in treaty law cases between indigenous people and colonising governments, is a member of the Lummi Nation in Washington State, USA. A summary of Williams' hypothesis and argument is as follows:

It is at the time of the Greek civilisation that the concepts of the 'savage' and the 'barbarian' is promulgated. This notion applies to all peoples that are not 'civilised' like the Greeks, and are defined by the following characteristics (Williams 2012: 73–74):

a. without laws;
b. without religion;
c. without private property;
d. without technology;
e. without sexual shame; and/or
f. without familial or civil bonds.

The savage barbarian is also seen to be a "natural slave", as postulated by the Greek philosopher Aristotle (BC 384 BC-322) (Williams 2012; 86–87). When the Roman Empire conquered the Greeks, they appropriated some of their teachings, ideas and philosophy, in particular, notions associated with "savage", "barbarian" and "uncivilised" tribal groups and "natural slaves" (Williams 202: 116–117).

From the embers of the Roman Empire emerged the Catholic Church also known as the Roman Catholic Church. Although many of the 'pagan' teachings of the Romans and Greeks, were discontinued and replaced by teachings from the Holy Bible and the life of Jesus Christ, Some aspects of the deep cultural philosophies of the Greeks and Romans endured. The concept of 'savages' and 'barbarians', was re-purposed as the "biblical wild man" (Williams 2012: 146–147) who was considered to be an infidel to be brought into the Holy Christian Faith or exiled from Europe and the Holy Land of Jerusalem. Hence the Holy Crusades from Western Europe against Muslims in Eastern Europe, Western Asia and the Middle East, and the expulsion of the Muslim Moors from the Iberian Peninsula from approximately AD 1095 to the end of the 1400s.

With the 'cleansing' of the Iberian Peninsula of Muslims, when the Reconquista ended in 1492 (Talbott 2020:3), and of Jews, with the Alhambra Decree of 31 March 1492 (Talbott 2020:1), the

Christian countries Portugal and Spain wished to extend their trading opportunities with the West Coast of Africa and as far as India. Where the opportunity arose, Portugal and Spain also sought to colonise these African kingdoms, but, as they were Christian and part of the Catholic Church, they needed permission from the Pope. Both Portugal and Spain argued their point that colonisation would allow these 'infidels', 'savages' and 'barbarians' to come within the influence and realm of the Catholic Church, which would be a steppingstone to their conversion (Frichner 2010: 9).

As stated above, the definition of 'savages' and 'barbarians' stemmed from the notions inherited from the Greeks and Romans, re-purposed into the 'biblical wild man' of the Catholic Church. In essence, this meant non-European kingdoms, tribal societies, and communities in 'undiscovered lands', void of Christianity, with 'primitive' social and governing structures, cannibal customs, limited technology and subsistence living would be ripe for colonisation and plunder by Portugal and Spain (Frichner 2010: 7–11, 20–21; Smith 2012: 21-22, 28-29; Williams 2012: 192–193; Bhambra & Holmwood 2021: 49).

A number of Papal Bulls, namely Romanus Pontifex (Papal Encyclicals Online 2021:1) first issued in 1436 by Pope Eugenius IV and then updated on 8 January 8 1455 (See Figure 36), gave permission to King Afonso V of Portugal to conquer saracens and pagans in Africa, to relegate those conquered to perpetual slavery, to inherit all their lands, possessions and goods, and to convert this for King Afonso's use and profit.

These Papal Bulls also gave permission to seize non-Christian lands and to enslave their peoples. When Christopher Columbus arrived in the Americas on behalf of the Spanish Kingdom on 12 October 1492, he had to wait until the signing of the Papal Bull, Inter Caetera (Papal Encyclicals Online 2021a) by Pope Alexander on 4 May 1493, who gave permission for Spain to officially colonise 'undiscovered lands' west of Africa, including parts of the Americas, islands in the Caribbean, and parts of North, Central and South America. See Figure 37 for Inter Caetera Papal Bull.

Through these Papal Bulls the Kingdoms of Portugal and Spain expanded into both Africa and the Americas. Where possible, they claimed and colonised 'newly discovered lands' on behalf of their monarchs, including claiming their resources and peoples (Frichner 2010: 10–13). As early as the 1440s, Portugal began trading in slaves from the Western Coast of Africa. Initially, these enslaved peoples would come to work in Portugal (Blanchard et al 2011: 62), and on newly established sugar

plantations on island groups off the coast of Africa such as São Tomé and Príncipe (Shillington 2007: 23).

As explained above, the Catholic Church's *mores* of the time promoted the idea that non-European and non-Christian peoples were, barbarians, savages, and heathens, who could be colonised and enslaved and their property and resources taken. An extension of this is, if a living person can be enslaved, their skeletal remains can also be owned and disposed of at will by their owner, as can the deceased's living children.

……— We [therefore] weighing all and singular the premises with due meditation, and noting that since we had formerly by other letters of ours granted among other things free and ample faculty to the aforesaid King Alfonso — to invade, search out, capture, vanquish, and subdue all Saracens and pagans whatsoever, and other enemies of Christ wheresoever placed, and the kingdoms, dukedoms, principalities, dominions, possessions, and all movable and immovable goods whatsoever held and possessed by them and to reduce their persons to perpetual slavery, and to apply and appropriate to himself and his successors the kingdoms, dukedoms, counties, principalities, dominions, possessions, and goods, and to convert them to his and their use and profit — by having secured the said faculty, the said King Alfonso, or, by his authority, the aforesaid infante, justly and lawfully has acquired and possessed, and doth possess, these islands, lands, harbors, and seas, and they do of right belong and pertain to the said King Alfonso and his successors, nor without special license from King Alfonso and his successors themselves has any other even of the faithful of Christ been entitled hitherto, nor is he by any means now entitled lawfully to meddle therewith —……

Figure 36: English Translation of part of Romanus Pontifex Papal Bull, 8 January 1455. Romanus Pontifex
(Papal Encyclicals Online 2021:1).

The biblical validation for enslaving, Black-skinned Africans, that was used by the Catholic Church (Adiele 2017: 137) and also Protestant churches that followed (Sweetser 2021: 44–46), relates to the "Curse of Noah" in the book of Genesis (Biblica 2011: 9.22). This curse pertains to an incident where

Noah fell asleep naked after having too much alcohol. His son Ham, although seeing his naked father, did not cover him with a bed covering. When Noah awoke, he cursed his son Ham for not covering him while asleep. The curse, however, is via Ham's son Canaan, and it reads as: "Cursed be Canaan, slave of slaves shall he be to his brothers" also in the book of Genesis (Biblica 2011: 9.25). The Catholic Church's interpretation of this passage in the mid-1400s stated that the descendants of Ham and Canaan had dark skin, and, therefore, provided the theological base for enslaving sub-Saharan Africans (Adiele 2017: 137).

…..And, in order that you may enter upon so great an undertaking with greater readiness and heartiness endowed with the benefit of our apostolic favor, we, of our own accord, not at your instance nor the request of anyone else in your regard, but of our own sole largess and certain knowledge and out of the fullness of our apostolic power, by the authority of Almighty God conferred upon us in blessed Peter and of the vicarship of Jesus Christ, which we hold on earth, do by tenor of these presents, should any of said islands have been found by your envoys and captains, give, grant, and assign to you and your heirs and successors, kings of Castile and Leon, forever, together with all their dominions, cities, camps, places, and villages, and all rights, jurisdictions, and appurtenances, all islands and mainlands found and to be found, discovered and to be discovered towards the west and south, by drawing and establishing a line from the Arctic pole, namely the north, to the Antarctic pole, namely the south, no matter whether the said mainlands and islands are found and to be found in the direction of India or towards any other quarter, the said line to be distant one hundred leagues towards the west and south from any of the islands commonly known as the Azores and Cape Verde…

Figure 37: Part of Papal Bull Inter Caetera of 4 May 1493.

(Papal Encyclicals Online 2021a).

Although the English Crown under King Henry VIII separated itself from the Catholic Church in 1534, it relied on the precedents enacted by the Papal Bulls highlighted above to colonise lands in North America, islands in the Caribbean, parts of South Asia, and the Eastern Coast of Australia. (Frichner 2010: 18–21). This included Jamestown Virginia in 1607, Barbados in 1627, the Bahamas

in 1648, Jamaica in 1655, New South Wales, Australia in 1770 and 1788, and India in 1858. In many cases, the acquisition of these territories included the enslavement of local indigenous people, the transport of slaves from Africa, or indenture of workers all of whom produced the trading items and products (i.e. sugar cane, cotton, tobacco, tea, and spices) to be sold in Europe (Shillington 2007: 23).

(iv). Colonisation and Western views of human races

Before Captain Cook set sail for the South Pacific in 1769, he was tasked with claiming "newly discovered lands" for the British Crown, only, however, with the agreement of the inhabitants (Salmond 2004: 32). When Cook arrived in Australia on 17 April 1770, after leaving Aotearoa, he claimed Australia on behalf of the British Crown through terra nullius, believing that the land was void of human beings (Frichner 2010: 21–22; Jagot 2017: 1). The instructions given to Captain Cook indicate that when he arrived in Terra Australis (Australia) he was to: describe the soil, animals and birds, mineral resources and flora, as well as engage with the local indigenous population and observe their "Genius, Temper, Disposition, and Number" (Salmond 2004: 32).

Cook arrived in Aotearoa on 6 October 1769. As they had done in Australia, Cook and a number of his senior crew members, including Joseph Banks kept detailed records of their encounters with Māori, took samples of native fauna and flora, assessed the land and the resources it contained from a European perspective, and appraised the Māori population, its culture, social structure and organisation and its material culture and noted its military capacity. See Figure 38 for the image of the dried kūmara sample collected by Joseph Banks and Daniel Solander during their visit to Aotearoa. The dried kūmara sample is housed in the Natural History Museum in London, England.

On Cook's first voyage, he mainly recorded positive accounts about Māori groups he met and noted their social structures, leadership, gods, and similarities to the King George Islanders (i.e. Tahitians). He reported cannibalism amongst the Māori which was a consequence of warfare (Salmond 2003, 127–128). By the third voyage, however, Cook took a more negative view of Māori and other Polynesians, noting their treachery and lefts of property from the ships and crew members (Salmond 2003, 318–319).

Figure 38: Dried kūmara (kumala) sample taken by Joseph Banks and Daniel Solander on Captain Cook's first voyage from 1769 to 1771.
(Photo: Te Herekiekie Herewini at the Natural History Museum in London, 21 November 2019.)

In the wake of Cook and in quick succession, other so-called 'scientific expeditions' arrived in Aotearoa from Britain, France, Spain, Russia, and North America including:

(a) A French expedition in May 1772, led by Marc Marion du Fresne on the *Marquis de Castries* and *Mascarin*. During the interactions with local iwi on Moturua Island in the Bay of Islands, du Fresne and a number of his men were killed. The French deaths were quickly followed by reprisals by the remaining French crew members;

(b) In late 1791 George Vancouver (1757–1798), a British Royal Navy commander on the *Discovery* led the first group of Europeans to sight and engage with Moriori peoples on Rēkohu on 29 November 1791. The group of Islands were then named after another ship on the expedition, the *Chatham*; and

(c) Two Russian ships *Mirny* and *Vostok* arrived in 1820 under the command of Fabian von Bellingshausen. They stayed for a week in Queen Charlotte Sound, although their main task was to explore the southern polar region.

Although these expeditions were commonly described as being for 'scientific exploration' many were commanded by naval officers whose purpose was reconnaissance or gathering quality information about the exact locations of lands and islands, associated resources, military capacity of indigenous peoples, and their social and leadership structures (Salmond 2004: 32; Smith 2012: 21-22). Following these European and American expeditions into Oceania and the greater Pacific Ocean all but one of the islands, the Kingdom of Tonga, was colonised by European or American nations. Colonised indigenous territories include:

- British Columbia (Canada) claimed by Spain in 1513, then Britain under Cook in 1778 and then again by George Vancouver (Britain) in 1792–93;
- Australia by Britain from 1770;
- Rēkohu (Chatham Islands) claimed by George Vancouver in 1792 on behalf of Britain;
- Aotearoa New Zealand by Britain in 1840;
- New Caledonia by France in 1853;
- French Polynesia by France from 1880 to 1897; and
- The Hawaiian Kingdom's overthrow and annexation into the USA in 1898.

The notion that these expeditions and voyages were for sole scientific purposes is misleading, as in all cases above the early expeditions and the gathering of detailed geological, societal, and military capacity information was gleaned and used as part of the process leading to colonisation and/or annexation (Smith 2012: 21-22, 83-86; Bhambra & Holmwood 2021:9-11). This was definitely the case when Cook arrived in Australia in 1770, and claimed New South Wales on behalf of the British. This resulted in several British colonies being established in Australia on Norfolk Island, Tasmania and in Port Jackson (Sydney) (Smith 2012: 115).

Explorers, Traders and Cabinets of Curiosity

With the advent of European exploration and colonisation from the mid-1400s of sub-Saharan Africa, Asia, North and South America, Southeast Asia and Oceania, 'exotic taonga' (cultural treasures), previously unknown to Europeans, became highly valued as items of trade. The acquisition of these treasures from all parts of the world by wealthy families and royalty in Europe meant that they needed storage for artefacts where they would be easily accessible, secure, and safe, but also on display for visiting guests. This led to the creation of cabinets of curiosity, also known as *Kunst und*

Wunderkammer (chambers of art and wonders) in Germanic countries. These cabinets housed wonders from all over the world and included works of art, antiques, strange shells, dried natural objects, mummified human remains and other exotic items (Blanchard et al 2011: 78).

When Toi moko became trade items and left Aotearoa New Zealand from 1770 to the 1840s, they arrived in Europe as items destined to be purchased by the wealthy, European royalty or emerging academic institutions and placed in these cabinets on display (Govor and Howes 2020: 299). Dr June Jones, a lecturer in ethics, cultural diversity, and religious studies in the United Kingdom, who has repatriated three sets of indigenous ancestral remains to their communities in California, Australia, and Aotearoa New Zealand comments:

> *... they ended up here [United Kingdom] in collections where people were also building up cabinets of curiosity and were already collecting human remains from around the world, from the previous explorations that had gone on, such as 100 to 150 years before Cook came to Aotearoa (Jones, Interview 2019).*

When the families of these original collectors became less interested in Toi moko, they would be sold or gifted to newly created museums or academic institutions in the late 1800s or early 1900s. Jones said:

> *Then how they ended up in medical schools, certainly they wouldn't have come from the museums. They must have come from private donors, who had received them from their own cabinets of curiosity, and when that became politically incorrect, and they were dismantling those cabinets (Jones, Interview 2019).*

It is important to emphasise that Western scientific thinking at this time still supported the notion that non-white and indigenous peoples were the lowest forms of humanity (Blanchard et al 2011: 64), however, this time the rationale did not only come from a religious Christian point of view but is equally consistent with an evolving Western academic and scientific paradigm (Smith 2012: 88-91; Kühnast 2020: 484; Hegel in Bhambra & Holmwood 2021: 49). Clearly the racial prejudice against non-white and indigenous people was a cultural paradigm deeply held by Europeans that underpinned their entrenched Christian *mores* and their evolving 'scientific thinking'. The invention of 'races' of humankind in Western scientific thought is attributed to Carl Linnaeus (1707–1778), a Swedish botanist, zoologist, taxonomist, and physician. He is known as the "father of modern taxonomy"

(Warne 2021:1; New Scientist 2021: 1). It was Linnaeus who separated humankind into four groups. Table 9 is adapted from Linnaeus' theory of the hierarchy of mankind dating to 1749 and which has no scientific merit, where he placed Europeans at the top of the hierarchy and all other races of humankind below (Blanchard et al 2011: 84).

Table 9: Hierarchical Classification of Humankind by Carl Linnaeus.

Type of Human	**Colour of skin**	**Reasoning**	**Attributes**
Europeans	Pale	Sanguine	Clever and inventive.
Asians	Yellow	Melancholy	Inflexible, severe and avaricious.
American Indians	Red	Choleric	Enthusiastic and combative.
Africans	Black	Phlegmatic	Slow and negligent.

(Blanchard et al 2011: 84)

Phrenology

Franz Joseph Gall (1758–1828) was a German anatomist and physiologist and, along with his assistant Johann Gaspar Spurzheim (1776–1832), created the pseudoscience known as phrenology that became popular in parts of Europe and their colonies from 1810 to the end of the 1800s. Phrenology proposed that the mental functions of the brain were located in different sections below the cranium. Part of this reasoning included that a well-developed brain caused bulges and bumps in overlying crania bone, and feeling, studying and assessing these bumps provided a means to understand an individual's intellectual ability. Today, the study of phrenology is seen as having no scientific validity, however, for much of the 1800s, it gained support from academics and caught the imagination of certain sections of Western society (Fforde et al 2020: 3, Knapman et al 2020: 569). To some degree, it fuelled an interest in collecting skulls from indigenous people from around the world, with skulls collected during European and American "scientific expeditions" (Govor & Howes 2020: 296–297).

When Toi moko reached Europe from 1770 and well into the mid-1800s they too could be assessed according to this new pseudoscience. After examining a Toi moko a phrenologist remarked:

…the intellectual and moral region were decidedly above the British average…In all, Benevolence, Veneration, Self-esteem, Conscientiousness, Imitation, Constructiveness, Wonder, and the perceptive faculties were very predominant (Wright 1959: 108).

Charles Darwin (1809–1882)

Charles Darwin was born in Britain in 1809 to a wealthy family. It was his theories and writing on evolution in the mid-1800s that generated social Darwinism in Western academic institutions. As a young inquisitive intellectual he circumnavigated the world on the *H.M.S Beagle* between December 1831 and October 1836. During these travels Darwin visited and studied indigenous peoples in South America, Tahiti, Aotearoa New Zealand, Australia and South Africa. Darwin postulated that there was a hierarchy of civilised peoples. At the top were 'civilised' peoples who had artificial forms of government and private property. He considered the Polynesian groups he met to be somewhat 'civilised' as they were governed by hereditary chiefs. The Tahitians were more 'civilised' than their Māori cousins, he concluded, noting that Aotearoa New Zealand comprised individual iwi and hapū republics without an ultimate ariki or high ranking king or queen as in Tahitian society (Darwin 1957: 208–209). Other elements of being 'civilised' included:

(i) building stable housing;
(ii) building active modes of transport (i.e. canoes);
(iii) possessing agriculture; and
(iv) creating weapons and tools.
(Darwin 1957: 396-397)

Darwin's framework of civilised communities is based on the rationale that physical and social culture is a true reflection of one's 'civilised' and sophisticated state. The level of sophistication and complexity of the social and physical cultures of a people, he concluded, was a direct indication of how 'civilised' the people and community were. This philosophical thinking has a direct connection to the original description the Greeks and Romans gave to people they considered to be 'savages' or 'barbarians', and the Christian nations gave to 'saracens', 'infidels', non-Christian and indigenous people referred to at the beginning of this chapter.

The colonisation of indigenous people

Darwin wrote about his concern for indigenous people being actively colonised by European countries:

> *Wherever the European has trod, death seems to pursue the Aboriginal. We may look to the wide extent of Americas, Polynesia, the Cape of Good Hope, and Australia, and we find the same result* (Darwin 1957: 397).

Furthermore he writes:

> *The varieties of man seem to act on each other in the same way as different species of animals — the stronger always extirpating the weaker* (Darwin 1957: 397).

Darwin's theories on evolution had a major impact on Western thinking when he published his first book *On the Origin of Species by Means of Natural Selection* in 1859. He identified that plant and animals evolved through a process of natural selection. For example, an animal or plant might evolve in a number of species and compete for a finite number of resources. The plant or animal that is able to out-compete the other species will survive and dominate their areas of occupation.

In Darwin's second book *The Descent of Man* published in 1871, his theory on evolution directly challenges Christianity's notion of the world that everything contained within it is created by God. Darwin's theory proposes that humans, like every other animal and plant in the world, evolved from one original source and, through natural selection, evolved into their present form. Darwin's theories proposed in his books became highly influential in Western academic thinking, what is known as "Social Darwinism", in the study of science in general and in the social sciences such as anthropology and sociology (Smith 2012: 52, 65; Kühnast 2020: 484).

Herbert Spencer (1820–1903)

Herbert Spencer, an English sociologist and philosopher, was a contemporary of Darwin and an active supporter of the theory of scientific based evolution. Spencer is remembered for the term 'survival of the fittest' which claimed that human groups and races were subject to the same laws of natural selection as Darwin had applied to plants and animals. This thinking became generally known as social Darwinism and generally purported that the more 'civilised' and sophisticated groups of people would outcompete 'primitive' and 'uncivilised' peoples who would die out as a result of colonisation. Social Darwinism provided that the colonisation by European and Western nations of Africa, Asia, the Americas, Australia, and Oceania with a scientific rationale for why indigenous populations were diminishing in numbers and were being overtaken by 'stronger', 'more civilised', and 'more

sophisticated' nations and empires (Weinstein 2019: 1; Acton 2021: 1). An alternative name for this concept is the fatal contact theory which will be discussed in more detail in chapter five.

(v). Colonisation and enslavement and their connection to the trade-in Toi moko.

The theft, looting, collection and trade of African, non-white, and indigenous humans and their remains began with colonisation by European kingdoms and nations (Solomon & Forbes 2010: 216-219; Smith 2012: 20-22; Förster 2020: 102-103; Eggers et al 2021: 282-283). The term theft, here, is understood to mean the taking of human remains without the approval of the whānau or family of the deceased and includes the taking of stolen ancestral remains for the purposes of commercial trade, academic study or gifting to institutions, museums, and cabinets of curiosity.

The theft, collection, and the commercial trade of indigenous human remains from Oceania, Australia and Aotearoa New Zealand began with the arrival of European and American explorers entering the Pacific Ocean (Solomon & Forbes 2010: 216-219). This included the Spanish, Portuguese, Dutch, Germans, Russians, British, French, as well as North and South Americans. From the 1500s exotic taonga (cultural treasures) were taken, collected, or traded with local indigenous peoples in Southeast Asia and the Pacific (Perminow 2006: 11). From the late 1700s to the mid-1800s indigenous human remains were stolen, collected, or traded for cabinets of curiosity, and displayed as exotic curiosities of savage and barbarian peoples in wealthy and royal homes across Europe (Sharp 1971: 59; Museum of New Zealand Te Papa Tongarewa 2012: 4–5).

With the emergence of Western science, evolution, phrenology, and social Darwinism became important areas of discussion, study and further investigation within emerging academic institutions and museums throughout Europe and the Americas from the late 1700s (Fforde et al 2020b: 542–543). Race science, or the study of human races, their evolution, their differences in phenotype and intelligence emerged. To cater for this new academic interest in the study of humankind, collections of human remains were established in these institutions, which included collections of indigenous remains with provenance to Australia, Oceania, Africa, Asia, and the Americas (Winkelmann and Fruendt 2018; Scheps-Bretschneider 2019; Kühnast 2020: 484-493; Parker 2020: 497-515; Eggers et al 2021: 282-283). Human skull collections with provenance to all parts of the world were established in museums and academic institutions such as in the Royal College of Surgeons (London), British Museum (London), Natural History Museum (London), Pitt Rivers Museum (Oxford, England), American Museum of Natural History (New York), Smithsonian Institute (Washington DC), Mcleay

Museum (University of Sydney), National Museum (Rio de Janeiro) and many others including Aotearoa New Zealand.

The whole process of theft, collection and trade of indigenous human remains from the 1500s by Europeans and their colonial representatives is predicated on deep-rooted European and Western *mores* that permitted and still permit this trade and retention of these ancestral human remains. These include situations where:

(i) European and Western societies gave themselves permission to own the bodies of indigenous peoples to be held in museums and academic institutions without any repercussions for themselves. The rationale originated from their version of Christianity through the Papal Bulls, was passed into colonial law, and emerged in race science (Blanchard et al 2011: 84; Smith 2012: 28-29, 33; Howes 2020: 84; Bhambra & Holmwood 2021: 10, 47, 51; Eggers et al 2021: 282-283; Knapman 2021 564-579).

(ii) European and Western societies privileged their own world view, academic, research and museology aspirations above other world views and practices (Smith 2012: 28-29, 33); and

(iii) European and Western societies created legislation, high level government policies, state level polices, and institutional policies that re-inforced their privileged position as gatekeepers and holders of indigenous remains (Lubina 2009: 456-458; Besterman 2020: 946-952).

Pākehā collectors and traders who are recorded as seeking and obtaining Toi moko include:

(i) Dumont d'Urville, French Explorer aboard the *Astrolabe*. D'Urville purchased a Toi moko while in the Bay of Islands in March 1824 from Pōmarenui. The head is recorded as being that of a tupuna name Hou, a rangatira from Waitematā in Tāmaki makau rau (Auckland)(Duyker 2014: 208);
(ii) Officers aboard the French ship *La Coquille*, who in April 1824 purchased a variety of taonga while in the Bay of Islands including Toi moko (Jones & Jenkins 2017: 219, 233);
(iii) Rene Primavere Lesson, one of the French officers aboard *La Coquille* purchased three Toi moko in April 1824 while in the Bay of Islands. Lesson gave one of the heads to a museum in

Paris, one to the Rochefort Anatomy Collection, and the third to a rich private collection (Sharp 1971: 59); and

(iv) The United States exploring expedition, in March 1840, purchased two Toi moko while berthed in the Bay of Islands. The heads were obtained from a steward aboard a missionary brigantine. One of these is said to have come from a tupuna from Whanganui, and the other from a tupuna from Taranaki. Both heads became part of the Wilkes Collection in the Smithsonian Institute in Washington D.C. (Simmons 1986: 66–67).

The list above is not a complete list, as many of the transactions may not have been recorded or are lost due to the passage of time. Toi moko obtained in Aotearoa were taken to other ports around the world and traded. Some Toi moko arrived in Port Jackson, while others were taken to Rio de Janeiro Brazil, Mauritius, Rhode Island, Guernsey, Rouen, and ports around the world (Museum of New Zealand Te Papa Tongarewa 2023: 1).

When they arrived overseas from 1770 to the 1840s Toi moko were sold to wealthy collectors for their cabinets of curiosity, or presented, gifted, or sold to emerging museums or medical institutions where they would be viewed, examined, put on display, and/or stored (Jones & Herewini 2020: 668; Kohen 2020: 421; Jean 2020: 430; Paterson 2021: 65-66; 92-93). Like many international institutions, many museums in New Zealand displayed Toi moko as part of their collections up to the 1970s and 1980s, including the Whanganui Regional Museum and the National Museum (now Te Papa). Other local museums housing Toi moko include the Auckland War Memorial Museum, Canterbury Museum and possibly others around the country. This uncertainty is reflective of how regional museums operate, as they are independent of Te Papa as the national museum, and there is no official public record of all Māori and Moriori ancestral remains housed in museums and institutions around the country.

What are the ethical issues associated with trading Toi moko?

Through the slave trade black, brown and indigenous bodies could be owned, commercialised, and traded within mainstream European cultural and religious groups from the 1400s up to 1800s. In general, Europeans and Westerners actively participated in the trade of Toi moko, with little ethical concern for Māori, and the circumstances of how Toi moko were obtained (Hole 2007: 8; Paterson 2021: 41-60).

In my interview with her, Jones comments about ethics and the trade of Toi moko as follows:

> *My personal view is that it is abhorrent, it should never have happened, and I know there's lots of verbal discussion and it's in literature as well. That it was a different time and they had different morals and we can't judge what people did, the actions they took, and values they had from two hundred years ago. They are so different to ours, but I just don't agree. I think there has never been a time in history when people thought it was ok to go to the other side of the world and to take tattooed heads and bring them back to the UK. There was never a time when that was acceptable morally, and if it had been acceptable morally, then they wouldn't have needed to be so clandestine about doing it. They would have been much more open about it than they actually are. The very fact that they tried to hide what they did, shows that they did actually know what they were doing wasn't actually acceptable. But I think the Victorian times were a period in our history when there was a great stratification of society and people at the lower points in society were used for the benefit of higher people (Jones, Interview 2019).*

After about 245 years of actively participating and benefitting from the transatlantic slave trade between West Africa and the Americas, in 1807 the United Kingdom eventually enacted laws that began the slow process of formally exiting from the enslavement of black, brown and indigenous peoples. Jones explained to me about the social changes in the United Kingdom in the late 1700s and early 1800s:

> *…a lot of people that were from Christian backgrounds got involved in parliament and started changing the laws, which means children had to be protected, and slavery had to stop. Well, if people didn't think it was wrong, we wouldn't have gone through that change in social history. So, we did know it was wrong, but we excused it and justified it, and I just think it's an abhorrent shameful part of our history (Jones, Interview 2019).*

On the abolition of the slave trade Jones had this to say:

> *…it was in the early 1800s. Sometimes it happened in stages. At first, they made it unlawful to sell slaves, so that stopped the actual trade going from Africa to Liverpool, and across to America. The trade-in slavery stopped first, and then they started freeing slaves that were on British plantations at a later point. So it all happened over a 60 year period (Jones, Interview 2019).*

The law abolishing the slave trade was enacted on 25 March 1807 (Shillington 2007: 27; Tibbles 2008: 293). This meant in practice that the United Kingdom and its business interests could no longer participate in transporting enslaved Africans, to the United Kingdom and then to British colonies in the Caribbean, Central America and South America. This law did not free Africans already enslaved in British colonies. This took more than 25 years to achieve, an outcome encouraged by a major revolt of slaves in Jamaica in 1831, and financial compensation offered to slave owners by the British government in 1833. Slaves who were emancipated by the Abolition of Slavery Act of 1833, received no compensation through this process (Shillington 2007: 27). This act came into force throughout the British Empire in 1835. This act may have stopped the enslavement and sale of living human beings in the British Empire, but it did not stop the collection and trade of ancestral human remains from communities in Africa, Asia, the Americas, and the Pacific.

Summary

Section three of this chapter provides evidence of the long-standing historical foundations of European religious, social and scientific attitudes to non-European peoples in Africa, the Americas, Asia and the Pacific. These European attitudes towards other human races from the 1400s to the mid-1800s placed themselves (Europeans and white people) at the top of a human hierarchy. Within this hierarchy of humankind, Christian European nations considered themselves to be at the pinnacle of human civilisation, allowing other humans to be colonised and enslaved, and their property confiscated. The enactments of papal bulls by the Catholic Church, enabled European legal fiction to take place through the Doctrine of Discovery which justified the enslavement of African people and the colonisation of the homelands of peoples in Asia, the Americas, and the Pacific.

Through European exploration into Africa, Asia, the Americas, and the Pacific from the 1500s, cultural curiosities including human remains were collected, stolen, and traded. At this time, cabinets of curiosities became popular amongst wealthy collectors and royal families and became the forerunner to establishing museums as cultural and scientific institutions. Between 1769 and 1840, Toi moko were traded from Aotearoa New Zealand to Australia, the Americas and Europe. The trade of Toi moko was viable due to their high commercial value as a cultural curiosity, and with supportive social, cultural, religious and early scientific collection practices permitting the trade of black, brown and indigenous bodies, whether they be living or deceased.

Section Four: Trade of kōiwi tangata and kōimi t'chakat from 1840

This section details the trade of kōiwi tangata and kōimi t'chakat from Aotearoa New Zealand from 1840 to the present day. It identifies the groups of people actively participating in the trade, the rationale for the trade, and the links and connections with colonial museums, academic institutions and officials within the New Zealand Government and international institutions. It provides evidence that earlier Māori participation in the trade of Toi moko was short-lived, opportunistic, and based on a tikanga Māori framework of seeking utu, takitaki, muru and ea. In contrast, this new period of trade was enduring, calculated and deliberate, and based on tikanga Pākehā (Western frameworks) of othering, commodifying and commercialising black, brown and indigenous bodies and their ancestral remains.

It is important to note that this occurred despite the abolition of slavery throughout the British Empire in 1833 through the Abolition of Slavery Act (Shillington 2007:27). This act came into force in the British Empire in 1835 (Shillington 2007:27), however, indigenous, black and brown bodies continued to be seen as commodities through the practice of blackbirding in the Pacific (Speedy 2015: 344–345). Through this period Māori and Moriori ancestral remains were collected, looted, stolen, traded, and researched with little ethical concern demonstrated by institutions, museums and their leaders. This section considers the extent of the trade of Māori and Moriori ancestral remains both internationally and domestically, and the associated role the New Zealand colonial government had in the trade.

In this section I pose the following questions:

1. What is the connection between this period of trade, the collectors and the traders and those who traded before 1840?
2. Did Māori have an active role in this period of trade?
3. What is the role of the colonial government in this trade and did they implement policies that would prevent the trade of Māori and Moriori ancestral remains?
4. How does this period of trade connect with tikanga Māori and those Māori that traded in Toi moko? and
5. What is the rationale for active Pākehā and Western participation in the trade of indigenous remains?

Obtaining Māori and Moriori Ancestral Remains

As identified previously, Māori were experienced and active traders across hapū and iwi (Te Rangi Hīroa 1966: 187; Ballara 2003: 190–191, 396–397; Kaumātua and Kuia of Ngāpuhi 2012: 48). When Europeans arrived rangatira took the opportunity to trade in the heads of enemy chiefs, warriors, and slaves. The most intense period of the trade of Toi moko was from 1810 to 1840. However, Toi moko were not the primary item of trade for Māori, but a small element among numerous items including taonga, fresh food and produce, wooden spas, flax, seals and whales, leasing of land, and rest and recreation activities.

From the time Cook arrived in 1769, rangatira actively sought trade with visiting ships, and with colonies established in Australia from 1788. The rangatira of Te Tai Tokerau were active traders and strategically planned to build stronger trading relationships with Pākehā. To achieve this, they strategised to utilise tikanga Pākehā (Pākehā mechanisms, methods and *mores*) such as:

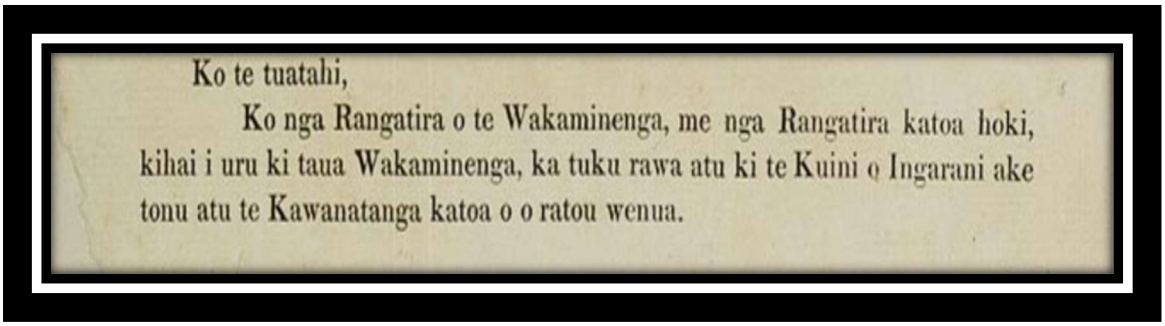
i. Gathering of Te Whakaminenga o ngā Hapū o Nu Tireni (The United tribes of New Zealand) and choosing a trading flag in 1834 (Kuia and Kaumātua of Ngāpuhi 2012: 46);
ii. The signing of He Whakaputanga o te Rangatiratanga o Nu Tireni (the Declaration of Independence of the United Tribes of New Zealand) in 1835 by northern rangatira (Brookfield 1999: 96, Kuia and Kaumātua o Ngāpuhi 2012: 138); and
iii. In 1840 signing Te Tiriti o Waitangi between rangatira and the British Crown (Kuia and kaumātia o Ngāpuhi 20212: 144).

These rangatira assessed that Te Tiriti o Waitangi would be the bridge to protecting their rangatiratanga, mana, tapu and mauri as well as building trade and political alliances with the British (Kaumātua and Kuia o Ngāpuhi 2012: 144), however, after signing Te Tiriti it was revealed that the British Crown had motives, intentions and aspirations alternative to those of rangatira.

Te Tiriti o Waitangi – The Treaty of Waitangi

Te Tiriti o Waitangi is the founding document for the establishment of New Zealand as a country under the kawanatanga/governorship of the British Crown. It is important to acknowledge the understanding of Te Tiriti from a Māori point of view, in particular the te reo Māori version of Te Tiriti which differs in meaning to the English language version of the Treaty of Waitangi. See Figure 49, Figure 50 and Figure 51 for the reo Māori version of Te Tiriti o Waitangi. At the time of the signing of Te Tiriti from 6 February 1840 to September 1840 close to 500 rangatira signed the te reo Māori version, and only

39 signed the English version. It is important to remember, that in 1840 te reo Māori was the dominant language of the country and most Rangatira were not fluent in the English language. The important fact is that the rangatira agreed to the following three articles in the te reo Māori version in Te Tiriti including:



Ko te tuatahi,

Ko nga Rangatira o te Wakaminenga, me nga Rangatira katoa hoki, kihai i uru ki taua Wakaminenga, ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu te Kawanatanga katoa o o ratou wenua.

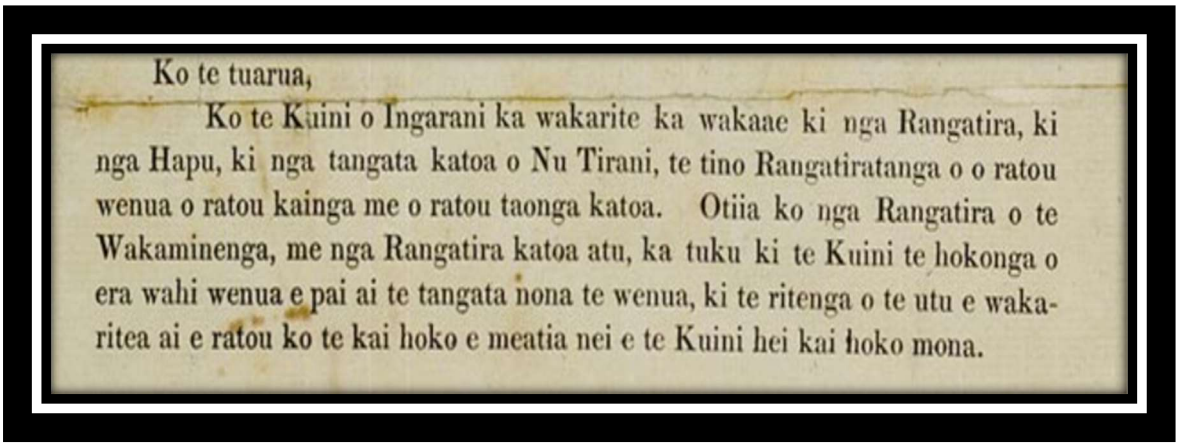
Figure 39: Article 1 of Te Tiriti o Waitangi.

(Wilson 2016: 1)

I have translated Article 1 above as:

> The rangatira of the confederation, as well as those who are not, release to the Queen of England the governorship of their lands.

This means the rangatira agreed for the Queen of England to extend governorship over their lands. This article, however, can only be fully appreciated when it is read alongside articles 2 and 3 below, as they provide the full context of the understanding of Te Tiriti arrangements and aspirations.



Ko te tuarua,

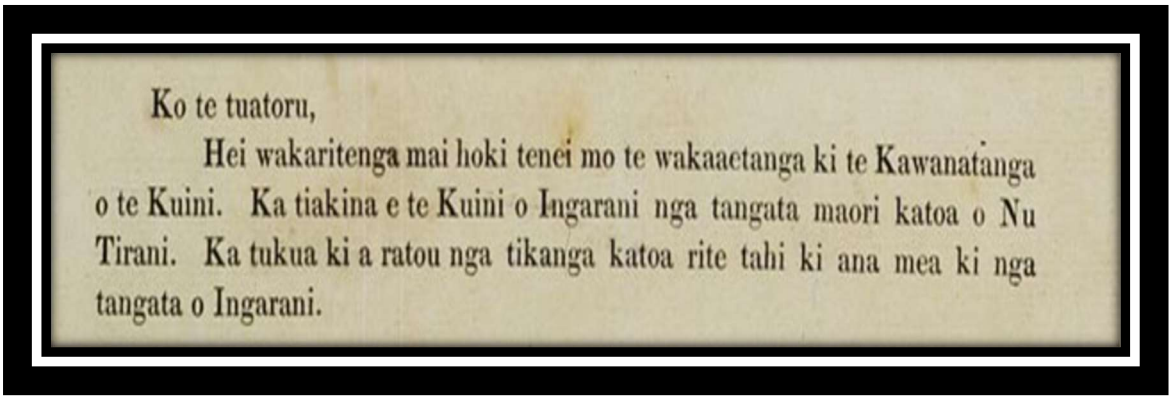
Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira, ki nga Hapu, ki nga tangata katoa o Nu Tirani, te tino Rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te Wakaminenga, me nga Rangatira katoa atu, ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te wenua, ki te ritenga o te utu e waka-ritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

Figure 40: Article 2 of Te Tiriti o Waitangi.

(Wilson 2016: 1)

I have translated Article 2 as:

The Queen of England agrees to these arrangements with the Rangatira, the Hapū, and all people of New Zealand, that they have complete Rangatiratanga over their homelands and all their treasures. The Chiefs, however, agree to release to the Queen their property for sale, as well as to negotiate the purchase through the Queen's purchasing agents.


Ko te tuatoru,

Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini. Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani. Ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

Figure 41: Article 3 of Te Tiriti o Waitangi.

(Wilson 2016: 1)

I have translated Article 3 as:

> It is arranged in this agreement with regard to the governorship of the Queen. The Queen of England will provide care for all Māori people of New Zealand. She (the Queen) will provide care according to all tikanga (laws, policies, legislation, customs, rights etc) afforded to the peoples of England.

The reo Māori version of Te Tiriti offers four key dimensions of understanding from the perspective of the rangatira, which are:

i. The British Crown was permitted to establish a government in their iwi territories;

ii. The British Crown recognised the rangatira's ultimate chiefly authority in their iwi territories including all property (i.e. territories and all within) and treasures of value to them including wāhi tapu and kōiwi tangata / kōimi t'chakat;

iii. The British Crown had the first right of refusal to buy land from the rangatira if they wished to sell; and

iv. Rangatira and Māori in general became British subjects with all the rights and privileges of being a British subject.

Te Tiriti (the Māori language version of the Treaty) offers protection for rangatiratanga, whenua and taonga. This means in principle that it supports tikanga Māori by offering dignity and respect to Māori ancestral remains and their long-term care in wāhi tapu. As indicated in Chapter Three wāhi tapu are often located in very isolated and difficult places to reach, which includes caves along the coast, or in hills or on mountain slopes. Wāhi tapu themselves were offered protection through the traditional sanctions of tapu and rāhui, as well as physical protection through isolation, distance and inaccessibility.

Post-1840 — The British Governor and Settlers Arrive

After the signing of Te Tiriti o Waitangi process was completed the British Crown began to establish their governorship over the country. From 1840 to 1900, with the establishment of the British Crown and its government in Aotearoa New Zealand, rangatira, hapū and iwi experienced extreme change. This included:

i. Major decline in the Māori population (Anderson et al 2014: 323);
ii. Some iwi labelled as "rebellious" and their land confiscated (Anderson et al 2014: 264–267);
iii. Some iwi left landless by the actions of the crown (Anderson et al 2014: 267–268);
iv. The alienation of hapū and iwi land which was either sold or taken through questionable means by the Crown (Anderson et al 2014: 256, 267);
v. British soldiers brought in to fight against iwi who resisted in selling their lands (Anderson et al 2014: 264, 268);
vi. Valuable blocks of land owned by iwi confiscated by the Crown and sold to new British settlers or given to kūpapa (Māori who sided with the Crown) (Anderson et al 2014: 267–268);
vii. The loss of these valuable land blocks led to the diminishment of iwi economic power (Anderson et al 2014: 267–268); and
viii. The political power of rangatira and iwi diminished and declined as the newly established government structure failed to give individual Māori the vote or recognise traditional Māori leadership structures (State Services Commission 2006: 8–11, 141–5).

When Tauiwi arrive after the Treaty they begin taking kōiwi tangata

When Aotearoa New Zealand officially became part of the British Empire in 1840, Pākehā settlers of British descent were encouraged to settle in this new part of the empire. Some travel from established colonies in Australia or other parts of the empire such as South Africa, India, Southeast Asia or Canada. Some of these intended settlers stayed for only a short period, while others saw themselves as permanent settlers. Some Pākehā became collectors of kōiwi tangata from wāhi tapu, or from existing or abandoned Māori villages. Below are examples of people who stole Māori ancestral remains and traded them to institutions within Aotearoa New Zealand, Australia, the United Kingdom and North and South America.

From my perspective the theft of human remains means the taking of skeletal remains without the approval of their whānau or family. In the context of Aotearoa New Zealand, this means people going into wāhi tapu, urupā (cemeteries) or tribal territories and taking ancestral remains without approval. Importantly, Article 2 of Te Tiriti o Waitangi 1840 supports this view that Māori have an enduring connection with the physical remains of their tūpuna and is further protected as British subjects in article 3. See Figure 40 and Figure 41. In 1840 when Māori signed Te Tiriti o Waitangi, the document clearly stated that under Article 2 Māori had authority and sovereignty over lands and territories, kāinga and taonga. Therefore, the collection of kōiwi tangata and kōimi t'chakat without the approval of Māori/Mōriori communities violates this article. This is further supported by Article 3, that indicates that Māori will receive the rights and privileges of a British citizen. One of the expectations of this article is the protection of funerary practices and care of those that have passed on.

The theft of indigenous remains without the approval of their communities was a common practice of Western collectors, traders and scientists in the 1800s and early 1900s. This is highlighted in the 2003 report completed by the Working Group on Human Remains, which was commissioned by the English Department for Culture, Media and Sport. This department has oversight of collections in public museums within England. In reference to international human remains in English museums the report states:

> *First, much of the overseas human material in English museums was removed from its original location after the death of the subject without the informed and prior consent of that person, or his or her kin or community.*
> (Department for Culture, Media and Sport 2003: 31)

In the United States, the theft of Native American human remains and their funerary items was so extensive that a federal law was enacted to ensure the protection of native American burial sites, on native reserves and federal lands. This federal act was passed into law in 1990 and is named The Native American Graves Protection and Repatriation Act (NAGPRA). One of the purposes of the Act is to criminalise the trafficking of Native American human remains and funerary items (Lubina 2009: 194).

Robert K. Paterson, a professor emeritus of law who has been researching the trade and repatriation of Toi moko for over 20 years, has been very critical of the theft of kōiwi tangata from wāhi tapu in Aotearoa New Zealand, commenting:

> *For the latter part of the nineteenth century onward, the collection of Māori ancestral remains involved the acquisition-mostly through illegal or unethical means – of other remains, besides mokomōkai. In effect, the early trafficking in heads was supplanted by the looting of graves and burial sites. Unlike the removal of mokomōkai during the precolonial period, grave robbing was a response to both increased local demand from collectors and newly established museums, along with demands from museums outside of New Zealand that were eager to acquire Māori remains, to compare them with the remains of other indigenous peoples in their collection. (Paterson 2021: 89-90).*

In response to the theft of Māori and Moriori ancestral remains from wāhi tapu the New Zealand Government initially responded through the Māori Councils Act of 1900 to empower Māori communities to protect their wāhi tapu and kōiwi tangata with:

> *For the protection and control of burial-grounds other than public cemeteries; to fence and repair fences of such burial-grounds, construct roads and paths in such grounds, plant trees or remove trees therein, and generally regulate and manage such burial-grounds (Māori Councils Act 1900: 17).*

Within three years the Māori Councils Act was amended to include provisions to target trespassers of wāhi tapu to be fined and imprisoned. The 1903 amendment stipulates:

> *Every person who knowingly and wantonly without due and lawful authority trespasses on or desecrates or interferes in any manner with any Māori grave, cemetery, burial-cave, or place*

of sepulture is liable on conviction to a fine not exceeding twenty-five pounds, or to three months' imprisonment, or to both fine and imprisonment (Māori Councils Act 1903: 275).

The theft and trade of Māori and Moriori ancestral remains would continue despite the amendment to the Māori Councils Act enacted in 1903.

How can we understand the Pākehā View of Taking Indigenous Remains?

The two case studies presented below provide insight into tikanga Pākehā with respect to collecting indigenous ancestral remains, with specific reference to collections practices, ethics and social *mores*. These case studies provide evidence of the theft of Māori and Moriori remains against the wishes of their communities. Both case studies are examples of how Western collectors had little respect for kōiwi tangata and wāhi tapu and entered wāhi tapu against the wishes and knowledge of local hapū and iwi, acquiring kōiwi tangata to send overseas to institutions in Europe, Australia and North America.

Case Study: Colonial Museums in Aotearoa New Zealand

Early colonial museums were established in Aotearoa New Zealand from the 1850s, including the Auckland Museum in 1852, the Colonial Museum in Wellington in 1865, the Canterbury Museum in Christchurch in 1867, and the Otago Museum in Dunedin in 1868. The directors or leaders of these museums had strong working relationships with each other, and many of them were experienced in collecting and recording the country's fauna and flora as well as surveying its geological features through government contracts (Maling 1990: 167–169; Parton 1993: 1; Te Papa Press 2004: ix; Canterbury Museum 2021). They, in turn, used their experience, connections and knowledge of wāhi tapu and tribal lands through surveying the country to access and acquire Māori and Moriori ancestral remains without the knowledge or against the wishes of local whānau, hapū and iwi (Smith & Aranui 2010: 190; Solomon & Forbes 2010: 217; New Zealand Government Moriori Settlement 2021: 41–42). See Figure 42.

3.18 Over a period of many years the Crown, through the Colonial Museum, collected, removed and traded kōimi t'chakat (Moriori human remains) from Rēkohu. For these actions, which violated the t'chap of these miheke and caused great distress, the Crown is profoundly sorry.

Figure 42: Moriori Imi Settlement Trust and the Crown Deed of Settlement of Historical Claims. (New Zealand Government 2021: 42)

These aspects of early museums' collection practices are forgotten, overlooked, or seldom referred to when the museums refer to their histories and establishment. This is, however, overwhelmingly how they obtained, received, exchanged and traded in Māori and Moriori ancestral remains. They also had an active role in sending Māori and Moriori ancestral remains overseas, actions documented in the accession records of international institutions. Examples are:

i. Accession records from the Charite Institution in Berlin Germany, indicate that a German collector, Otto Finsch, during a trip to Aotearoa New Zealand in 1881, obtained Māori ancestral remains from a variety of local collectors and traders including Sir James Hector of the Wellington Colonial Museum and Thomas Cheeseman of the Auckland Museum (Winkelmann and Fruendt 2018: 87). See Table 10.

Table 10: Local Collectors who Traded Māori and Moriori Ancestral Remains with German Collector Otto Finsch. (Winkelmann and Fruendt 2018: 87).

No. S-Collection	Local collector	Place	Ethnicity	Sex	Age
S2244	Davies	Wellington	Maori	?	10-14
S2245	Hogg	Wanganui	Maori	?	adult
S2246	Hogg	Wanganui	Maori	m	adult
S2247	Hector	Chatham Islands	Moriori	?	adult
S2248	Hector	Chatham Islands	Moriori	f?	adult
S2249	Hector	Chatham Islands	Moriori	f	adult
S2250	Hector	Chatham Islands	Moriori	f?	adult
S2251	Cheeseman	Mauku	Maori	m?	adult
S2252	Cheeseman	Mauku	Maori	m	adult
S2253	Cheeseman	Mauku	Maori	m?	adult
S2255	Potts/Chudleigh	Chatham Islands	Moriori	m	adult
S2256	Potts/Chudleigh	Chatham Islands	Moriori	m	adult
S2257	Potts/Chudleigh	Chatham Islands	Moriori	m?	adult
S2258	Cheeseman	Mauku	Maori	?	5

ii. The Charite Institution also notes that German collector and anatomist, Dr Heinrich Wilhelm Poll (1877–1939) received three Moriori skulls with provenance to the Chatham Islands. These skulls were sent from Canterbury Museum and presented by Sir Julius von Haast the director of the museum in 1902 (Winkelmann and Fruendt 2018: 23);

iii. The Smithsonian Institute in Washington DC documents in its accession records that it received the skeletal remains of three Māori individuals via the American Medical Museum. These kōiwi tangata originally entered Otago Museum in December 1883 and were received by the American Medical Museum on 18 August 1887 (Burgess and Pearlstein 2015:14); and

iv. The annual report for the Wellington Colonial Museum for 1883/84 records that it sent one Chatham Islander skull and one Māori skull to the national museum in Brazil. See Figure 43.

20 NINETEENTH ANNUAL REPORT ON THE

PATENT LIBRARY.

No.	Date.	Name of Publication.	Name of Sender.
	1883.		
10	20 July	Canadian Patent Office Register, Vol. X., Title, &c.; Vol. XI., Nos. 2–7	The Registrar, Ottawa.
11	20 „	English Specifications: 1879, Nos. 4944–5388; 1880, Nos. 1–5517; 1881, Nos. 1–1943 Commissioner's Journal, 1881, Vols. 1–4; 1882, Vol. 1.	The Commissioner, London.
	1884.		
12	21 Jan.	English Specifications, 1881, Nos. 2101–3757; 1882, Nos. 1–1200 Commissioner's Journal, 1882, Vols. 2, 3, 4 Abridgments, 1 vol.	The Commissioner, London.
13	18 Mar.	Canadian Patent Office Record, Vol. XI., No. 10	The Registrar, Ottawa.
14	19 June	Canadian Patent Office Record, Vol. XI., Nos. 8, 9, 11, 12; Vol. XII., Nos. 1, 2	
15	19 „	English Specifications, 1881, 1201–6241 (4801–4849 missing) Commissioner's Journal, 1883, 3 vols. Abridgments, 5 vols.	The Commissioner, London.
16	25 „	Handbook of Patent Law: by W. P. Thompson, C.E. Sixth Edition. London, 1884	The Author, Liverpool.
17	25 „	Patent Acts of Queensland, Western Australia, Tasmania, South Australia, New South Wales	The Hon. the Colonial Secretary.

LIST IV.—COLLECTIONS SENT FROM THE COLONIAL MUSEUM.

FROM 1ST JULY, 1883, TO 30TH JUNE, 1884.

No.	Date.	Article.	To whom sent.
114	20 Nov.	26 Species of Foreign Shells (named)	H. Winkelmann, Wellington.
115	20 „	6 Species Eggs of Birds (native and foreign, named)	H. Harper, Wanganui.
116	20 „	13 Species Crustacea (native, named); 5 Species Echinodermata (native, named)	Canterbury Museum, Christchurch.
	1884.		
117	15 May	45 Specimens New Zealand Lepidoptera; 24 Specimens New Zealand Coleoptera	A. Glama, St. Petersburg, per J. R. George.
118	15 „	Bones of Moa; Skull of Chatham Islander; Skull of Maori; 1 Kiwi (*Apteryx australis*)	National Museum, Rio de Janeiro.
119	4 June	40 Specimens New Zealand Minerals; 124 Specimens New Zealand Rocks; 347 Specimens New Zealand Fossils	S. H. Cox, Sydney.

Figure 43: Page 20 from 1883–1884 Annual Report for the Colonial Museum in Wellington.

Contains evidence of one Chatham Islander skull and one Māori skull sent to the National Museum Rio de Janeiro, Brazil.

The Case of the Colonial Museum in Wellington

As indicated earlier the doctrine of discovery provided the rationale for European nations to colonise indigenous people and to dispossess them of their lands, property and culture, which was reinforced via Western religions, culture, philosophy, academic institutions, and political institutions. Fanon argues that the colonised are a social construct of the settler, and that both the colonised and settler are mutual

constructions of colonialism (Fanon in Smith 2012: 27). This social construct is reinforced with the establishment of the Colonial Museum in Wellington in 1865 (Te Papa Press 2004: ix), which then formally became part of the New Zealand Institute in 1867 (Morrell 2014:1, New Zealand Institute Act 1867). The New Zealand Institute through its Act had the specific purpose of "promoting art and science" within Aotearoa New Zealand (New Zealand Institute Act 1867: 3). As part of the inaugural address to the New Zealand Institute on 4 August 1868, the New Zealand Governor, Sir George Bowen, stated that the main purpose of the Institute was to "provide guidance and aid for the people of New Zealand in subduing and replenishing the earth – in the 'heroic work' of colonisation" (Sir George Bowen cited in Morrell 2014:2). This was then followed by the acknowledgement speech of William Fox, member of the House of Representatives. Fox emphasized the central role of the new British Colony by saying:

> *...we in New Zealand were here to lay the basis of a true civilization, not only to subdue nature, and till the soil, but impelled by Anglo-Saxon ardour and energy, to develop all that was worthy of development. (William Fox cited in Morell 2014: 2).*

These speeches highlighted the expectations leaders within the colony had for the New Zealand Institute and its Colonial Museum, that of it being a beacon and reservoir of the heroic powers of Western colonisation. These incredible powers would lead to taming, replenishing, and civilising the country. The only thing in the way was "the pesky and troublesome Māori" (Sir James Hector cited in Nolden et al 2012: 94).

With the establishment of Colonial Museum and the New Zealand Institute, there is an underlying theme that it would be used as a tool to colonise, till, and tame the country and to put it to proper use by the British. In practice the New Zealand Institute and the Colonial Museum were part of a series of actions by the British Crown that were implemented to actively disenfranchise Māori from their property, their native culture, and those things of value and importance to them as protected by Te Tiriti o Waitangi. These actions were reinforced by nullifying Te Tiriti o Waitangi in 1877, which is discussed further below. As part of this process all colonial museums received, collected, looted, and traded Māori and Moriori ancestral remains. These ancestral remains were also placed on display as they were considered part of the fauna, flora and wildlife of the country (Butts 2003: 92, 96: 193; Paterson 2021: 9).

Case Study: Theft of Recognised Rangatira from Wāhi Tapu

Andreas Reischek (1845–1902) — Collector and Thief

Andreas Reischek was born in Linz, Austria and, following the death of his mother, was raised by a family member who worked as a gardener at Weinburg castle in Kefermarkt to the northeast of Linz. The castle provided an opportunity for the young Reischek to engage with and learn about collections of mounted natural specimens, artefacts, and exotic flora (Preeble 1990: 416). While living in Austria, Reischek became acquainted with Ferdinand von Hochstetter who at the time was the intendant at the Imperial Natural History Museum. Through Hochstetter's connection with Julius von Haast, Reischek was recommended as a taxidermist for the Canterbury Museum. In 1876 Reischek moved to Aotearoa New Zealand for 12 years and worked for both Canterbury Museum and the Auckland Museum. Reischek undertook epic journeys around the country including the West Coast and the east coast of the South Island, the Whanganui region, Te Tai Tokerau, the King Country and Waikato.

While undertaking these expeditions Reischek would collect plant and bird specimens with the intention of taking these collection items back to Vienna to sell them to the Imperial Natural History Museum. In February 1889 he left Aotearoa New Zealand for Austria with the biggest collection of natural history items to leave the country. This included 2278 ornithological items and 453 ethnological specimens (O'Hara 2020: 439). Of those 453 ethnological items about 50 included Māori ancestral remains stolen by Reischek during his journeys around the country. During his escapades into Māori communities, Reischek spent time to become familiar with and befriend rangatira and their whānau (Reischek 1952: 62, 163). While in Northland, he was told by local Māori not to enter wāhi tapu as rāhui had been placed on them. But through subterfuge, he entered locations at night and stole both tūpuna and taonga (Reischek 1952: 65). The most notorious example of the theft of tūpuna by Reischek was the taking of two mummified remains from the Hauturu caves in Kāwhia. These two tūpuna belonged to the kahui ariki, the senior line of *Tainui* ancestors, and are said to be the ancestral remains of Tūpāhau and one of his young descendants who died as a baby (Preeble 1990: 417; O'Hara 2020: 440). This was done in April 1882 with the help of two half-caste Māori paid for their services. Knowledge about the mummified remains housed in wāhi tapu at Hauturu Kāwhia had become public knowledge through a newspaper article (O'Hara 2020: 440) but Reischek may have been notified about them also through his network of peers including Ferdinand von Hochstetter (Hole 2007: 11).

Andreas Reischek and his behaviour are considered to be "characteristic of nineteenth-century scientific thought" (Preeble 1993: 1), similar in many ways to that of his peers, including Cheeseman, Hector, von Haast and von Hochstetter, who gave themselves permission to steal, collect and trade

Māori and Moriori ancestral remains. According to tikanga Pākehā, they were collecting Māori and Moriori ancestral remains for science in order to better understand the evolution of humankind from the most primitive form to the most advanced. At the time of the collecting by Reischek, von Haast, Hector, von Hochstetter and Cheeseman, Māori and Moriori were regarded to be dying races and, therefore, they considered it important to collect remains in order to understand their demise from a scientific, sociological and anthropological point of view (Hole 2007:13).

The story of these tūpuna taken by Reischek to Vienna and sold to wealthy benefactors in Austria, who then gifted the collection to the Imperial Natural History Museum in Vienna does not end here. The long process of seeking their formal and eventual return to Aotearoa New Zealand is discussed in the case study about international repatriations from Europe and Australia in Chapter Three.

What was the rationale for Pākehā taking Māori and Moriori ancestral remains?
From 1841 to the early 1930s the theft, collection, and trade of Māori and Moriori ancestral continued. Indigenous remains continued to be seen as either commercial property for Westerners to trade and profit from or for Western research purposes. The types of research undertaken on Māori and Moriori ancestral include:

- The area of phrenology which is now considered a pseudoscience (Fforde 2020: 542);

- Race science to show, highlight and confirm through a thorough examination of skulls and human remains the hierarchy of humankind (Hole 2007: 7,13; Aranui 2020: 403; Fforde 2020: 3; Förster 2020: 103);

- Examination of human remains to investigate how they died, what diseases and illnesses they had, what sort of life they may have led, and the social structures and cultural *mores* of these people (Hole 2007: 7); and

- To retain examples of indigenous people who were on the verge of becoming extinct (Hole 2007: 7; Solomon & Forbes 2010: 219).

While it might be intriguing to consider the findings of research undertaken on stolen ancestral remains this type of research is best undertaken with the approval of the living descendants of the

deceased. A small number of recognised scientists and anthropologists of the time erroneously proclaimed through their research that Moriori were not Polynesians by culture, language and phenotype. These findings we know today have no scientific merit (King 2000: 169). A rudimentary analysis of these aspects easily confirms Moriori as an extension of Polynesian societies and cultures adapted to living on a small group of islands situated in a temperate climate isolated from other Polynesian societies (Solomon & Forbes 2010: 220). It is suggested that the othering of Moriori peoples by Western researchers and academics fitted in with social Darwinism and the tenet of "survival of the fittest" as expressed by Herbert Spencer (Solomon & Forbes 2010:219).

a. Did anything relevant to Māori or Moriori communities, such as improving knowledge of their history, or improving their status in respect to education, physical health and well-being or economic improvements emerge from the research conducted on Māori and Moriori ancestral remains studied overseas or in Aotearoa New Zealand in respect to phrenology or race science? The answer to this is an emphatic no.

b. Did the Crown have an active role in the trade of Māori and Moriori ancestral remains?
Article 2 of Te Tiriti o Waitangi confirms and guarantees that Māori retained their "te tino rangatiratanga", or "ultimate chiefly authority" over their whenua, kāinga, and taonga katoa. The expectation by Māori, whānau, hapū and iwi was that their whenua, villages and taonga would be protected and not impinged on by the Crown or their agents (i.e. museum directors and or government-appointed land surveyors). With respect to kōiwi tangata, for example, it was understood that they would be protected in wāhi tapu and not taken to be traded to local or international museums or academic institutions.

Unfortunately, this is not the case. The Crown failed to deliver on Article 2 of Te Tiriti with respect to recognising and supporting Māori aspirations towards maintaining an enduring relationship with kōiwi tangata, wāhi tapu and whenua. This Crown failure is based on three aspects:

(1) The Crown not recognising its obligations to Māori as per Te Tiriti o Waitangi;
(2) The complicit nature of the Crown by doing little to stop the theft of kōiwi tangata and kōimi t'chakat from wāhi tapu; and
(3) The extent of the number of kōiwi tangata and kōimi t'chakat taken from wāhi tapu and traded domestically or internationally.

Explanations for each of the above points follow:

Point 1: The Crown Nullifies Te Tiriti o Waitangi — Chief Justice Sir James Prendergast *Wi Parata v The Bishop of Wellington*

The Crown's failure to recognise its obligations is apparent in the delivery of judgement in the case of *Wi Parata v The Bishop of Wellington* (See Figure 44). Wi Parata Te Kākākura is the grandson of Te Rangihīroa of Ngāti Toa Rangatira and Waipunahau of Te Ātiawa and Ngāti Mutunga. He was the Member of Parliament for Western Māori from 1871 to 1875. I am one of Wi Parata's many uri through my biological father. Wi Parata sought the return of land given by Ngāti Toa Rangatira to the Anglican Church to build a school that was never built. The Anglicans kept the land and received a land grant from the Crown. Chief Justice Sir James Prendergast (1826–1921) was the presiding judge for the case and his judgment had an impact on how the Crown interpreted Te Tiriti and its articles for close to 100 years.

(*Wellington District.*)

PRENDERGAST, C.J. RICHMOND, J. 1877. 13 July, 17 Oct.	WI PARATA *v.* THE BISHOP OF WELLINGTON & THE ATTORNEY-GENERAL.

Crown Grant—Native title—Jurisdiction—Matter not appearing on the face—Acts of State—Native Rights Act, 1865 *—Procedure—*Scire facias *— Failure of Trust for specific purpose—* Cy pres.

The Court has no jurisdiction, except by sci. fa. *or other proceeding on the part of the Crown, to annul a Crown grant for matter not appearing on the face.*

The issue of a Crown grant implies a declaration by the Crown that the native title to the land has been extinguished.

The title of the Crown to the territory of New Zealand was acquired, jure gentium, *by discovery and priority of occupation, the territory being inhabited only by savages. The Treaty of Waitangi, so far as it purported to cede the sovereignty of these islands, was a nullity. But when the Crown acquired by occupation the exclusive right of extinguishing the native title, it assumed the correlative duty of securing the natives against any infringement of their right of occupancy. This duty is in the nature of a treaty obligation; and therefore one in the discharge of which no other power in the State can pretend to interfere.*

Transactions with the natives for the cession of their title to the Crown are acts of State, and cannot be examined in any Court.

There does not exist any body of customary law known as "the Ancient Custom and Usage of the Maori people," and the

Figure 44: New Zealand Supreme Court Judgement. Wi Parata v The Bishop of Wellington SC Wellington [1877] NZJurRp 183; (1877) 3 NZ Jur (NS) 72 (SC); 1 NZLRLC 14 (17 October 1877).

use of that phrase in the Native Rights Act, 1865, *is not a statutory recognition of such custom.*

The jurisdiction of the Native Lands Court, constituted by that statute, is not exclusive. The right of determining when the native title has been extinguished is a prerogative of right; and the Crown not being named in the statute is not bound by it.

A Maori tribe gave land to a Church in trust for the establishment and maintenance of a school for the education of their children at a certain place. The trust was not executed for thirty years, and in the meanwhile the tribe was dispersed and greatly diminished in number, the execution of the trust being no longer desired by the survivors, on the ground that it would be useless for their purposes: Held—

1. *That the doctrine of* cy pres *would apply.*

2. *That the land would not in any case revert to the surviving donors, but to the Crown.*

Quære, *whether a Maori chief can sue on behalf of his tribe.*

Figure 44: Continued from above.

This judgment by Prendergast declares Te Tiriti "worthless" and a "simple nullity". Through the judgment of 17 October 1877, Prendergast erroneously proclaims that the country was acquired by "right of discovery" as the land was only inhabited by "savages". He goes even further, declaring that Māori had no ancient customary law pertaining to the ownership and use of land. Prendergast was the Attorney-General for New Zealand from 1865 to 1875, and the Chief Justice from 1875 to 1899. He was influential in interpreting New Zealand law and how it applied to Te Tiriti and indigenous rights. His judgement, in *Wi Parata vs the Bishop of Wellington*, was based in part on the 1823 United States case *Johnson vs McIntosh* where the Supreme Court ruled that American Indians did not own land but did have a right of occupancy. This judgement recognised that the United States Federal Government came into ownership of the country's territories through succession from the English Crown. This succession came through the Doctrine of Discovery as interpreted by Chief Justice John Marshall who presided over *Johnson vs McIntosh* (Williams 2012: 231-233; Harjo 2014: 68–69). This judgement influenced Māori land ownership and rights from that time. In 1881, as administrator during the absence of the governor, Prendergast sanctioned the raid on Parihaka by the Armed Constabulary, and in November 1881 he was knighted (Bassett and Hannan 1990: 354–355).

Point 2: Was the Crown Complicit in the Trade of Kōiwi Tangata and Kōimi T'chakat?

While Māori were trying to prevent the sale and confiscation of their land, they were also becoming aware that their tūpuna were being taken by tauiwi and Pākehā, and they began the process of transferring kōiwi tangata from vulnerable locations to places that offered protection and sanctuary from preying hands and eyes (Hole 2007: 14).

What did the Crown do to Prevent the Trade of Kōiwi Tangata?

The Māori Councils Act of 1900 and its amendment in 1903 relates to this question, refer to earlier pages of this chapter to revisit the elements of the act that directly sought to prevent the theft of kōiwi tangata from wāhi tapu, however, despite this act being in place it was not appropriately resourced to stop the theft of Māori and Moriori ancestral remains.

In 1901, sixty-one years after the signing of Te Tiriti o Waitangi. Māori Member of Parliament Sir James Carrol (1853–1926) presented the Māori Antiquities Act 1901 to the New Zealand Parliament (Māori Antiquities Act 1901). This legislation was enacted to stop the trade of taonga (Māori cultural treasures), as there was concern by both Māori and Pākehā that taonga were leaving the country, and this act was designed specifically to ensure there was no further loss of taonga (Fforde et al 2020a: 387):

> *Māori relics, articles manufactured with ancient Māori tools and according to Māori methods, and all other articles or things of historical or scientific value or interest and relating to New Zealand, but does not include any private collection not intended for sale, nor botanical or mineral collections or specimens. (The Māori Antiquities Act 1901: 38, cited in Fforde et al 2020a: 387).*

In reality the act was too little, too late and had no effective method of preventing kōiwi tangata being traded or transferred overseas. An example of blatant disregard for the 1901 Act is seen in the actions of Henry H. Travers (1844–1928) a prolific collector of kōimi t'chakat. In 1906 Travers sought permission, through the 1901 act, to send a number of Moriori ancestral remains overseas. This request was declined by the Colonial Secretary Sir James Carroll in the same year however, Travers still sent the karāpuna to the J. F. G. Umlauff a natural history trader in Hamburg. These karāpuna were later traded to the American Museum of Natural History in New York (Fforde et al 2020a: 387). Evidence of Māori and Moriori ancestral remains leaving Aotearoa New Zealand after the 1901 Act became law

is contained in the accession records belonging to institutions in the United Kingdom, Germany, and the United States of America. See Tables 11, 12 and 13 for details.

Table 11: Page 7 of Māori and Moriori Ancestral Remains Report from the American Museum of Natural History (New York). (Refer to the Additional Information column for dates of accession into the museum.)

Attachment One 7

American Museum of Natural History Anthropology Division Human Remains: Māori, Moriori

Cat no	Catalog Description	Typewritten catalog description	Locale	Additional Information?
99/75	Cranium, Maori		New Zealand	Giffort Bros. Note in box reads "1922, taken for Polynesian exhibit."
Cat no	Catalog Description	Typewritten catalog description	Locale	Additional Information?
99/4381	Skull, Maori		New Zealand	M. Abbott Frazer, purchase, 1904-30. '22381' written in red ink.
Cat no	Catalog Description	Typewritten catalog description	Locale	Additional Information?
99/4624	Moriori Skull		Chatham Islands	"Gift of a T.E. Donne, Wellington, New Zealand. Presented to Dr. Bumpus, Moriori skull. A typical Moriori skull from the Chatham Islands."
99/6561	Skeleton, nearly complete, Maori		Auckland, New Zealand	T. E. Donne, donation, 1908-51
99/6562	Skull, Maori		Auckland, New Zealand	"
99/6563	Skull with lower jaw, Maori		Auckland, New Zealand	"
99/6907	Skull, Maori		New Zealand	T. E. Donne, purchase, 1913-31
99/6908	Skull		New Zealand	"

(American Museum of Natural History 2013:7).

Table 12: Page 1 of Māori and Moriori Ancestral Remains Report from the Anthropology and Ethnology Museums of the State of Saxony, Germany. (Refer to the Zeit (time/date) column for accession dates.)

Anthropologische Sammlung Neuseeland, Museum für Völkerkunde Dresden und Leipzig

Dr.Birgit Scheps-Bretschneider

Stand: 7.6.2019

Dresden

Kat.-Nr.	Bezeichnung	Herkunft	Sammler	Zeit	Zusatzinfos
3841	Schädel mit Unterkiefer	Neuseeland Maori, Petone Bay (?), 14 Miles v. Wellington, W. Küste N.S. (Orig.-Eintrag Pitoha oder Pitoa)	Travers, Wellington	Kauf 26.5.1903	
3851	Schädel m. Unterkiefer	Neuseeland, Chatham Islands	Travers, Wellington/A. Baessler	Leihgabe, Februar 1904	H.H.Travers, Sohn von W. Travers (Politiker in Wellington und Hobby-Naturforscher), bereiste 1863-64 und 1871-72 die Chatham-Inseln
3852	Schädel m. Unterkiefer	Neuseeland, Chatham Islands	Travers, Wellington/A. Baessler	Leihgabe, Februar 1904	
3853	Schädel m. Unterkiefer	Neuseeland, Chatham Islands	A. Baessler von Travers, Wellington/	Leihgabe Februar 1904	
3854	Schädel m. Unterkiefer und defekter Basis	Neuseeland, Chatham Islands	Travers, Wellington/A. Baessler	Leihgabe Februar 1904	
3855	Schädel ohne Unterkiefer	Neuseeland, Chatham Islands	Travers, Wellington/A. Baessler	Leihgabe Februar 1904	
3320	Schädel mit Unterkiefer	Neuseeland, Chatham Islands	Edward Gerrard & Sons, London, "Travers coll."	Geschenk (Jahr?)	
3875	Schädel o. Unterkiefer	Neuseeland, N-Insel	Henry Suter, Auckland /A. Baessler	15.7.1904, Leihgabe a. Baessler	Ngapuhi, Hokianga - Whangarei, wahrscheinlich vom Ende des 18. Jh., am 29.3.1904 gekauft von H. Suter, Auckland,

(Scheps-Bretschneider 2019: 1).

Key to table:

- Kat.-Nr = Accession number.
- Bezeichnung = Designation.
- Herkunft = Origin.
- Sammier = Collected by.
- Zeit = Time/date.
- Zusatzinfos = Additional Information.

Table 13: Sample of Māori and Moriori Ancestral Remains Report from the Natural History Museum in London, England. (Refer to the Donation date column for dates of arrival after 1901.)

	B	C	D	E	F	G	H	I	J
1	Other numbers	Skeletal Element	Donor	Donation date	Original Collection	Age & Sex	Collection location	Collection Information	
2	1968.8.8.78			UCL 1895					
3	H.10	Cranium	Prins, HM	NHM 1968	UCL, Anatomy Dept.	Adult male	Chatham Island	Unknown	
4									
5	1968.8.8.79			UCL 1895					
6	H.11	Cranium	Prins, HM	NHM 1968	UCL, Anatomy Dept.	Adult male	Chatham Island	Unknown	
7									
8	POL 11/7		Skinner, HD	Otago 1924	Otago University Museum (Dunedin, NZ), Oxford University				
9	D.24.216	Cranium	Blackwood, B	Oxford 1930		Subadult	Ocean Mail Point, Chatham Island		
10				NHM 1946					
11	POL 11/809	Cranium	Haast, J	Oxford 1871	Canterbury Museum (Christchurch, NZ), Oxford University Museums	Subadult	Chatham Island	Unknown	
12				NHM 1946					
13	POL 11/3		Skinner, HD	Otago 1924	Otago University Museum (Dunedin, NZ), Oxford University Museums				
14	D.24.178	Cranium	Blackwood, B	Oxford 1930		Adult	Mairangi, Chatham Island		
15				NHM 1946					
16	POL.11/3		Skinner, HD	Otago 1924	Otago University Museum (Dunedin, NZ), Oxford University Museums				
17	D.24.175	Cranium	Blackwood, B	Oxford 1930		Adult male	Mairangi, Chatham Island		
18				NHM 1946					

(Bonney & White 2017).

Research undertaken by Te Papa into the trade of Māori and Moriori ancestral remains, confirms that close to 900 tūpuna/karāpuna have been collected, traded, or sent overseas from 1840. This number does not include the approximate 272 Toi moko traded between 1769 and 1840.

Point 3: The extent of theft of kōiwi tangata and kōimi t'chakat from wāhi tapu

Confirmation of institutions that house Māori and Moriori ancestral remains.

There is one further element associated with the theft, collection and trade of kōiwi tangata and kōimi t'chakat — not all uplifted Māori and Moriori ancestral remains left the country. Although the Karanga Aotearoa Repatriation Programme has identified that approximately 1200 kōiwi tangata and kōimi t'chakat were traded overseas (Museum of New Zealand Te Papa Tongarewa 2020:1), another 2000 plus Māori and Moriori ancestral remains were stolen and collected by colonial museums and academic institutions throughout Aotearoa New Zealand, including the Colonial Museum in Wellington, Auckland Museum, Canterbury Museum, Otago Museum and others. These tūpuna and karāpuna remained in the country and have been kept at these institutions (Ministry for Culture and Heritage 2021:1).

Analysis: The Trade of Māori and Moriori Ancestral Remain before 1840

By comparing the two periods of trade of Māori and Moriori ancestral remains, the first being from 1769 to 1840 and the second from 1841 to 2023, it becomes apparent that there are significant differences in who actively participated in the trade, the number of kōiwi tangata/kōimi t'chakat that were collected, and who benefitted from the trade of these tūpuna/karāpuna. The characteristics of the first era of trade from 1769 to 1840 include:

a. Rangatira (chiefs) were active participants in the trade;

b. The trade of ancestral remains at this time was overwhelmingly in Toi moko and collected alongside whāriki, whakairo, pounamu and kākahu as curiosities;

c. Rangatira validated their participation in the trade of Toi moko through the premise of seeking utu, takitaki, muru and ea and traded in the heads of enemy heads and warriors;

d. Rangatira also traded in the heads made from captives and those enslaved whom they had captured through military campaigns as part of the process of seeking utu, takitaki, muru and ea;

e. European and Western collectors of Toi moko included explorers, missionaries, traders, government officials, as well as whalers and sealers;

f. Close to 272 Toi moko may have been traded during this period;

g. On arrival on locations outside of Aoteaoa New Zealand Toi moko went through the hands of numerous collectors and traders and were placed in cabinets of curiosities of the wealthy and royals, and/or institutions that would later become museums, medical schools or universities;

h. The research conducted on Toi moko mostly pertained to phrenology which is now considered pseudoscience, and has no scientific value;

i. *Moko The Art and History of Māori Tattooing* by Horatio G. Robley is the only piece of research that would be considered of historical value today;

j. The rangatira who participated in the trade of Toi moko are mostly recognised by mainstream writers as bloodthirsty 'savages' and 'barbarians', who led warring parties seeking revenge during the musket wars. Although there is equal evidence to indicate they were established traders in fresh food produce, cattle and pigs, flax, taonga, encouraged strategic European settlement, developed and maintained diplomatic relationships with newly established settlements in Australia. They we responsible also for strategic planning with regard to seeking a formal relationship through a treaty with the British Crown;

k. The Europeans and Westerners involved in the trade are recognised as being explorers, seeking scientific truths about humanity and natural history with little connection to the colonisation of indigenous peoples and lands;

l. Toi moko that were traded were seen by rangatira as having no or little tapu, mauri, mana and rangatiratanga; and

m. Westerners and Europeans viewed Toi moko as cultural objects and curiosities, devoid of human connection.

Analysis: The Characteristics of the Second Era of Trade from 1840

Below is an analysis of the second era of the trade of Māori and Moriori ancestral remains from 1840 up to 2023. The analysis suggests the following general characteristics of the trade, including:

a. The main collectors and traders of Māori and Moriori ancestral remains were either European or Western settlers, visiting academics, medical practitioners, workers associated with colonial museums, government officials, amateur archaeologists or others with an interest in natural history;

b. Many of the collectors in Aotearoa New Zealand were peers and worked in newly established colonial museums;

c. Tūpuna and karāpuna were offered manaakitanga by their uri who wished to protect them from theft and collection;

d. Western and European collectors were well aware that Māori and Moriori communities and leaders did not wish their tūpuna/karāpuna to be stolen, collected and traded;

e. Stealing, collecting and trading these tūpuna and karāpuna was based on the desire by Western academic institutions to validate their 'theories' on racial purity and racial hierarchies. None of this work has proved to be of any academic or scientific value;

f. Another rationale for stealing and collecting Māori and Moriori remains was to preserve knowledge about indigenous people before they became extinct through the process of being colonised by 'superior' peoples. This was another theory not based on sound academic or scientific principles;

g. The thieves of Māori and Moriori ancestral remains have been acknowledged for their academic and scientific work pertaining to natural history or geology, and on occasions have been given knighthoods;

h. Little is written about or acknowledged regarding the major theft of Māori or Moriori ancestral remains during this period or the extensive network and black market in Māori and Moriori

ancestral remains through their international network of academic peers, collectors and traders by curators, directors or leaders of colonial museums;

i. In Aotearoa New Zealand Andreas Reischek is regarded as the only European collector of questionable ethics, yet his ethics and attitude towards collecting Māori and Moriori ancestral remains are typical of his associated peers;

j. The New Zealand Government was complicit in the trade through colonial museums, and also through not protecting wāhi tapu from theft by ignoring Article 2 of Te Tiriti o Waitangi; and

k. During this period over 3000 kōiwi tangata and kōimi t'chakat were stolen, collected or acquired. The majority of these kōiwi tangata/kōimi t'chakat were accessioned into institutions in Aotearoa New Zealand, and approximately 900 were traded overseas (Ministry for Culture and Heritage 2021b: 1-2; Ministry for Culture and Heritage 2021c: 1; Karanga Aotearoa Repatriation Programme 2021: 5).

Conclusion

This chapter notes the steps rangatira pursued to actively engage with Pākehā through mutually beneficial relationships of trade. Rangatira of Northern iwi traded Toi moko, however, they also built relationships with British colonies in Australia through a series of actions between 1830 and 1840, which included the formation of Te Whakaminenga in 1834, the signing of He Whakaputanga in 1835, and the signing of Te Tiriti o Waitangi in 1840.

The 500 rangatira who signed Te Tiriti o Waitangi aspired to building a political relationship with the British Crown, where they could prosper as hapū and iwi, but also allow the establishment of a British form of government in Aotearoa New Zealand. According to Te Tiriti o Waitangi the rangatira had agreed to protect their lands, fisheries, wā kāinga and taonga, as well as receive the benefits of being British subjects. Between 1840 and the early 1900s, rangatira saw a continuous decline in their hapū populations, confiscation of hapū, whenua and experienced manipulating land purchasing practices by the Crown which resulted in their loss of economic and political power, and mana, mauri, tapu and rangatiratanga.

Although rangatira signed Te Tiriti o Waitangi in 1840 with good intent, the British Crown by 1877 had decided Māori as a group of people were "savages" and Te Tiriti and its articles were a nullity,

and, therefore, the New Zealand Government was not obliged to fulfil the articles it contained. As one of the consequences of not incorporating the articles of Te Tiriti o Waitangi into domestic law, Māori and their resources, including land, became vulnerable to actions undertaken by the Crown and/or their agents. One of these actions included raiding wāhi tapu of their taonga and kōiwi tangata by individuals associated with colonial museums and academic institutions. These individuals then traded these tūpuna and karāpuna to overseas institutions, where they would be studied to assess their intelligence, health, age, sex, prognosis of death, and which part of humanity they belonged to, such as 'savage', 'barbarian' or 'civilised'. Despite all this research being undertaken, very little if any of it has any scientific, sociological, or anthropological value.

Significantly, while many recognised Māori leaders of this period such as Tāwhiao Te Wherowhero, Te Whiti o Rongomai, and Tohu Kākahi were taking actions to protect their lands, fisheries and taonga from being lost to the Crown, the very perpetuators of the thefts of tūpuna and karāpuna such as Cheeseman, Hector, von Haast and Reischek were being celebrated and honoured by receiving academic awards, memberships into exclusive academic and scientific groups, and distinctions of honour from their respective governments. The Māori leaders named above in return for their efforts to maintain their mana, tapu, rangatiratanga and mauri of their hapū, iwi and tūpuna either received imprisonment and/or confiscation of their whenua.

As history has shown, the colonisation process from 1840 to the early 1900s by the British Crown resulted in the implementation of policy and legislation validating tikanga Pākehā superiority over tikanga Māori, and therefore supressing and oppressing Māori, their whānau, hapū and iwi. During this period, approximately 900 Māori and Moriori ancestral remains were traded overseas by Pākehā and tauiwi collectors. In addition, more than 2100 ancestral remains were taken from wāhi tapu or wāhi tchap burial places and placed in museums and institutions around the country.

This chapter provides evidence of the collection practices of museums and institutions and the little regard they showed for the spiritual and cultural practices of Māori and Moriori, and for their wāhi tapu and wāhi tchap. It demonstrates a continuation of the long established Western and European practice and tradition of owning, commercialising and commodifying black, brown and indigenous bodies. In the next chapter, I move on to discuss the deep history of repatriation from a tikanga Māori point of view, with specific reference to the connections between ancient tikanga of the time of Whakatau-pōtiki, Tāwhaki, Rata and their whānau and Māori communities of the last 200 years. I

show how Māori and Moriori have been active in seeking the return of their tūpuna and karāpuna from the earliest period of sustained European contact up to the present time.

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CHAPTER THREE

The whakapapa of the repatriation of Māori and Moriori ancestral remains

> "The dead cannot cry out for justice,
> it is the duty of the living to do that for them".
> (Tarig Yahia 2021).

This chapter focuses on the history of the international repatriation of Māori and Moriori ancestral remains from the time of Cook's arrival in 1769 to the present day. It includes three case studies:

1. In 1831, a Te Tai Tokerau assembly of rangatira sought the return of 14 Toi moko of their whanaunga who died in a battle on Mōtītī near Tauranga;
2. A series of early international repatriations in the 1980s, include the complex case that sought the return of the mummified remains of Tūpāhu of Kāwhia and his tamaiti uri rangatira (child of chiefly descent); and
3. The repatriation of 21 Toi moko from France in 2011 (Museum of New Zealand Te Papa Tongarewa 2011; 27) and 2012 (Museum of New Zealand Te Papa Tongarewa 2012: 30).

The case study pertaining to France is placed towards the end of the chapter, as it comes close to 25 years after the initial repatriations from Europe in the mid-1980s, and over seven years after the establishment of the Karanga Aotearoa Repatriation Programme. Studying these three separate cases identifies the common threads and themes associated with the repatriation process. These include the meaning that the repatriation process holds for leaders who actively seek and support the return of Māori and Moriori ancestral remains to Aotearoa New Zealand. The common threads of post-European arrival repatriation are analysed and assessed with regard to its whakapapa with ancient repatriation tikanga from the time of the tūpuna living in Hawaiki such as Whakatau-pōtiki, Tāwhaki, and Rata, and with repatriation tikanga from the time tūpuna arrived in Aotearoa until 1840.

Part of this chapter provides the cultural, social, and political context of the repatriation movement, including mention of the local leaders who generated the momentum to garner support from the New Zealand Government to actively resource the return of Māori and Moriori ancestral remains from overseas institutions from 2003 to the present day.

Case Study: 1831 - The First International Request for Repatriation

The first recorded example of seeking the international return of Māori ancestral remains relates to events in the Bay of Islands and Tauranga. This case study concerns the trade of Toi moko connected to the taua led by the tohunga Te Haramiti who, along with all but two of his followers, died on Mōtītī Island in April 1831 (Ballara 2003: 147, 204, 260). Fourteen Toi moko were made from members of the taua who died on Mōtītī and they were traded with Captain Jack on the *Prince of Denmark* in or near Tauranga. While the *Prince of Denmark* was heading back to Port Jackson in Sydney it made a stopover in the Bay of Islands. During this stopover, the Toi moko became known to some of the local rangatira who recognised their relatives. Immediately the *Prince of Denmark* made a rapid escape to Sydney before the rangatira of the Bay of Islands could recover the heads of their whanaunga aboard the schooner.

The story does not end there, as, in May 1831, the rangatira of the Bay of Islands assembled and instigated a plan to repatriate their whanaunga (Fforde et al 2020a: 383). They planned to nominate one of their kin to travel to Sydney and seek the support of missionary Reverend. Samuel Marsden to rescue the Toi moko. My proposition is that the identity of the rangatira who went to Sydney to undertake this task was Wharepoaka of Ngāti Hikitū of Ngāpuhi, who lived at Rangihoua Pā (Waitangi Tribunal 2022: 100, 110). My investigation into this incident reveals Wharepoaka had a long and lasting relationship with Reverend Samuel Marsden, Rangihoua Pā was the location of the first mission station in Aotearoa New Zealand, and it is recorded that "his mana was put to important use in April 1831, when Wharepoaka visited Governor Darling in Sydney" (Ministry for Culture and Heritage 2022:1). Marsden, Wharepoaka and a Ngāi Tahu rangatira named Ahu petitioned Darling on two related kaupapa, one related to the *Elizabeth* Affair where the Master of the brig John Stewart became involved with Ngāti Toa Rangatira to help them extract utu on Ngāi Tahu at Akaroa in 1830 (Waitangi Tribunal 2022: 110), and the second kaupapa where Wharepoaka sought the return of 14 Toi moko connected with the Tai Tokerau and taken to Sydney on the *Prince of Denmark*. In part, Wharepoaka was able to secure the support of Governor Darling, who requested that the Toi moko be returned to their whanaunga (McKeown 2020:26; Fforde et al 2020a: 382-383). This ultimately led to the ban on

British citizens trading in Toi moko in New South Wales, however, this did not stop the trade altogether as Aotearoa New Zealand was not part of the British Empire in 1831 (Fforde et al 2020a: 384–385). It is understood that the petitioning rangatira Wharepoaka was able to visit the *Prince of Denmark* and for the chief to mihi and poroporoaki his whanaunga (Fforde et al 2020a:384; Paterson 2021:52-53), however, I have not found any evidence that he was able to secure the return of these 14 tūpuna.

Case Study: 1980s - Early International Repatriations Europe and Australia.

In the 1980s there were a number of international repatriations of Māori and Moriori ancestral remains housed in institutions in Australia and Europe. The repatriations from Australia included the tūpāpaku of a rangatira belonging to the Whanganui people, named Hohepa Te Umuroa. This rangatira in 1846 was wrongfully imprisoned by the early New Zealand Colonial government and sent to Maria Island, Tasmania for incarceration. In 1847, Te Umuroa died while in prison, and with the support of Thomas and Jane Mason was buried with a headstone written in te reo Māori on Maria Island. More than 130 years later, an agreement was reached between Whanganui rangatira, the Ministry of Māori Affairs on behalf of the New Zealand Government and the Australian Government to return the tupuna.

In 1988, Te Umuroa was uplifted by a small delegation of six elders representing the Te Awa Tupua (Whanganui River), including the late Matiu Mareikura, George Waretini, Nohi Wallace and Joan Akapita, who travelled to Tasmania to exhume the body and bring the rangatira home. On the day of the burial at Hiruharama (Jerusalem) on the Whanganui River, one of Te Umuroa's descendants, Aarena Allen, lifted away the cloak covering the new tombstone and Bubs Rerekura, another descendant, spoke:

> *Te Umuroa was a courageous servant of his people, who stood against the tyranny of his time. He was wrongly imprisoned, and he and his fellows were later pardoned by the New Zealand government…*
> *Escorted, returned and welcomed home to the tears of his people. Te Umuroa now finally rests in peace, in this, his final resting place.*[21]

[21] The article was located on the Whanganui Chronicle online platform dated 2013, however, I was unable to locate the name of author of this article.

The hura kōhatu or unveiling of the headstone is acknowledged as a big day for people of the Whanganui River, and the rangatira now rests surrounded by his whanaunga and uri in the Roma Cemetery, Hiruharama on the banks of the Whanganui River.

The other repatriation from Australia was from the Australian Museum in Sydney in 1989. Three Toi moko were returned through negotiations led by the National Museum of New Zealand and Māui Woodbine Pōmare of Ngāti Toa Rangatira and Ngāti Mutunga, who was a member and chair of its council at the time. Pōmare was be highly influential in negotiating the safe return of many tūpuna during this period.

As far as repatriations from Europe is concerned two Toi moko were separately repatriated from the United Kingdom when they were independently placed for auction by their owners in the late 1970s and 1980s. One was 'owned' by the Lord of Tavistock (also known as the Marquess of Tavistock) who placed the ancestor on auction three times, during April 1979 at Christies in London, then in June 1980 at Sothebys in London, then again in June 2003 at Sothebys in London (Paterson 2017:9). Eventually, this tupuna came home through the work of Pōmare, who negotiated that the Toi moko be housed in the Woburn Abbey Museum until his journey home in 1989 through the National Museum.

The second Toi moko repatriated from England was scheduled to go to auction at Bonhams in London in May 1988. The person who placed the tupuna on sale was Mrs Weller-Poley, whose family obtained the tupuna (ancestor) in the 1820s (Harrison 2002:129–130). Sir Graham Latimer, chair of the Māori Council of New Zealand, who was also a member of the Council of the National Museum of New Zealand at the time, sought an injunction stopping the ancestor's sale. The injunction stopped the sale however, the process included the New Zealand High Court and also the High Court of the United Kingdom and was played out in front of the world's media including other indigenous people who watched with extreme interest as their kōiwi tangata and taonga continued to be placed on auction in Europe.

At this time, community groups such as Survival International in the United Kingdom were actively supporting the human rights of indigenous people, including the repatriation of their ancestral remains, and they became publicly active in supporting the return of the Toi moko. Through public activism towards Bonhams and Weller-Poley, the auctioneer and the vendor became acutely aware that their views on auctioning the tupuna were out of line with general public opinion (Harrison 2002:133). The two different tikanga pertaining to human remains were actively sparring with each other in full public

view. The attitudes of Bonhams and Weller-Poley and their perseverance to auction the Toi moko, belong to the deep-rooted European and Western perspective identified in Chapters Six and Seven.

In the Western context of the 1980s, the preserved tattooed head was still perceived to be a member of a savage, barbarian and uncivilised group of indigenous people, an attitude reflective of the original status the tupuna held when he arrived in the United Kingdom as a commodity with no humanity. In the opinion of Bonhams, he remained a commodity. Bonhams encouraged Weller-Poley to make a stand on principle, "the right of ownership, the sanctity of private ownership, the right to make money by selling people parts" (Harrison 2002:132). Once again, Europeans were enacting their traditional right to own and commodify the deceased bodies of black, brown and indigenous people, as if the Toi moko was enslaved to them. Latimer found this view abhorrent and fully at odds with the tikanga he had been raised with. He felt connected to the tupuna and became his repatriation champion:

> *...angered by the firm's arrogance, by its belief that part of the human body was a commodity, an item, number 181, in a catalogue. As a Māori he was also offended because of the spiritual and cultural significance Māori people give to the person's head (Harrison 2002:130).*

Through his quest to seek the repatriation of the Toi moko, Latimer was helped and supported by national Māori leaders and academics including Dr Joan Metge (Ngāti Whātua), Professor Whatarangi Winiata (Ngāti Raukawa), John Bennett (Te Arawa) and Professor Hirini Moko Mead (Mataatua), and received legal advice from the Ministry of Māori Affairs. Latimer and the New Zealand Māori Council broke legal precedent in this case and argued through the New Zealand High Court and the British High Court that Sir Graham Latimer was the guardian of 'tupuna', the Toi moko being sold by Weller-Poley through Bonhams Auction House. The action to rescue the tupuna were successful, the auction was stopped by the British High Court, and further negotiations took place directly with Weller-Poley.

At their personal expense, Latimer and his wife met with Weller-Poley in England, a handover ceremony with karakia, inoi, waiata tangi and whaikōrero was undertaken at the New Zealand High Commission in London, and on return to Aotearoa New Zealand, the tupuna was taken to Latimer's tribal territory in Whatuwhiwhi, Karikari Peninsula in the Tai Tokerau (Northland), and buried in the Te Potakapu wāhi tapu (Harrison 2002:137-139). Latimer's approach to seeking the return of this Toi moko was very different to that of Pōmare, as this negotiation was played out in front of media, involved the high courts of both Aotearoa New Zealand and the United Kingdom, and Latimer and his wife were personally involved in the ancestor's uplift from England. Pōmare's preferred modus

operandi in seeking the repatriation of Māori and Moriori ancestors was to negotiate behind closed doors, to build and develop relationships of mutual understanding and appreciation of the trade of Māori and Moriori ancestral remains, and to repatriate ancestors away from the glare of the media. This approach was, in general, very successful and between 1985 and 1994 Pōmare, through the National Museum, reached repatriation agreements with institutions in Ireland, Switzerland, Sweden, Australia and Germany.

Return of Tūpāhau of *Tainui*

It is well-known that Andreas Reischek stole the remains of two mummified tūpuna from Hauturu caves in Kāwhia. These kōiwi tangata are said to be the ariki Tūpāhau, and one of his descendants who died as a child. In the early 1880s, most likely in 1882, these ancestral remains were taken by Reischek with thousands of other collection items from New Zealand to Vienna Austria and sold to a wealthy benefactor, who then gifted them to the Imperial Natural Museum in Vienna (Reischek 1952:215; Preeble 1993:1; O'Hara 2020:440–442).

Andreas Reischek's memoirs, released by his son in 1930 as *Yesterdays in Māoriland*, explicitly describe his thefts of human remains and taonga. The government of New Zealand was approached several times between 1945 and 1970 to seek the return of the mummified ancestral remains of Tūpāhau and the mummified child (O'Hara 2020:443–447). The approaches were made by Māori leaders with strong iwi associations and connections to the Kāwhia and Waikato regions. The earlier requests for repatriation fell on the deaf ears of both the New Zealand Government, who did not fully understand the significance of the repatriation request by Māori leaders, and the Austrian Government who did not believe the collections associated with Reischek were stolen (O'Hara 2020:443).

Things changed, however, after 1970 with the intervention of Te Arikinui Dame Te Atairangikaahu and her advisers, who were seeking the repatriation of Tūpāhau and the child. Although there was potential for the repatriation to occur when Te Arikinui Dame Te Atairangikaahu visited Vienna in 1975, there were a few missteps by the governments of both New Zealand and Austria, who still failed to understand the importance and significance of repatriation from a Māori worldview. Both governments were willing to exchange Tūpahau in return for another taonga or cultural treasure, but this was unacceptable for Te Arikinui Dame Te Atairangikaaku (O'Hara 2020: 447). In fact, no such exchange could take place, as there is no taonga that holds an equal or greater amount of tapu, mauri, rangatiratanga and mana as Tūpāhau, and, hence, Tūpāhau remained in Vienna for another 10 years

(O'Hara 2020:447). It would also be seen as offensive, from a Māori point of view, to provide or exchange a gift for ancestral remains that had been taken against the wishes of the whānau, hapū and iwi. The ancestral remains of Tūpāhau and the child had been stolen, although the Austrian Government did not wish to acknowledge the theft. Māori would regard providing a gift in exchange for an obvious theft of ancestral remains as going against tikanga too. The correct tikanga for the Austrian Government to follow would be to return the tūpāpaku freely, to apologise, and to offer ways of building a relationship with the iwi of Waikato and *Tainui* and the Kīngitanga.

In 1985, with renewed support and interest by Te Arikinui Dame Te Atairangikaahu and her advisers, who included the Hon. Koro Wetere, the Minister of Māori Affairs, the ancestral remains of Tūpāhau were finally returned to *Tainui* through the Kīngitanga and buried on Taupiri, the final resting place of Ngāti Mahuta and the Kīngitanga (Preeble 1993:1). The National Museum, and possibly Māui Pōmare quietly involved behind the scenes, ensured the safe return of Tūpāhau to Aotearoa New Zealand. In addition to Pōmare, Latimer, Te Arikinui Dame Te Atairangikaahu, and the rangatira of Whanganui, Dalvanius Māui Prime (1948–2002) of Ngāti Ruanui, Ngārauru Kītahi and Ngāruahine was a strong repatriation activist in Australia and the United States for the return of Toi moko. In an interview, while standing in front of the American Museum of Natural History in New York, Prime explained why Toi moko housed in United States institutions needed to come home to Aoteraoa:

> *These heads have not had their spiritual journey, their spiritual journey is incomplete. Their bones lay back in New Zealand, but their heads are over here (AP Archive 1998: 2.00 -2.11).*

Discussion of early repatriations from overseas to Aotearoa.

Although coming with their own sets of challenges, there was a series of successful repatriations from Australia, the United Kingdom and Austria in the 1980s. A critical analysis of these repatriations indicates a number of common factors that attributed to their success:

- Strong Māori leadership in all international repatriations either as kaumātua, iwi representatives, government representatives, national leaders, museum leaders or recognised iwi and community leaders;

- The involvement of kaumātua ensuring that tikanga pertaining to tangihanga protocols and engaging with tūpāpaku are strictly followed;

- Support of local allies in international locations either historical or contemporary;
- Tūpuna were not exchanged for monetary compensation;
- On most occasions repatriation was done with the support of the New Zealand Government; and
- Māori determined the resting place of returning tūpuna.

These are significant themes as they led to the next step in repatriation with respect to a nationally mandated programme that was established in the early 2000s. In order to discuss the programme, it is important to understand developments with regard to Te Tiriti o Waitangi, Māori land rights, recognition of te reo Māori, and the *Te Māori* exhibition in the 1970s and 1980s. This discussion focuses in particular on how all these developments and movements underpinned a range of Māori initiatives supported by the New Zealand Government in recognition of its breaches of Te Tiriti o Waitangi.

Establishment of the Waitangi Tribunal

The tide was beginning to turn regarding the recognition of Te Tiriti o Waitangi, with Māori leaders across the country stepping up to make the Crown accountable for their past misdeeds in legislation and crown policies that had little or no regard for, and therefore were in breach of, the Treaty (Walker 2004: 270–271, 274, 276, Anderson et al 2014: 448).

As shown in Chapter Two, Te Tiriti o Waitangi was nullified in the 1877 court case between Wi Parata and the Bishop of Wellington. In response to this, Māori sought ratification of Te Tiriti o Waitangi through various means which included the Kīngitanga (King Movement) (Walker 2004:112–113,114,152), the Kotahitanga Political Movement (Walker 2004:152–153) and the Rātana Movement (Walker 2004:183–184). Through the Rātana Movement and its alliance with the Labour Party, the Rātana members of parliament attained small levels of compensation for land confiscations in Taranaki and Waikato, and recognition of breaches of Te Tiriti in sales of Ngāi Tahu land in the South Island with (Ballara 1998: 1). In 1975, the same year as the Māori Land March, the Treaty of Waitangi Tribunal was established through Matiu Rata, a Rātana member of parliament for Northern Māori. Rata was the Minister of Māori Affairs at the time and steered the legislation through the house of

parliament (Walker 2004: 212). The Tribunal was established under the Treaty of Waitangi Act 1975 to:

> *…inquire into and make recommendations to the Crown in respect of (in brief) both legislative and executive acts of government 'inconsistent with the principles of the Treaty' that have 'prejudicially affected' Māori'. (Brookfield 1999: 151)*

In 1985 there was an important amendment to this act, by which its jurisdiction was retroactively extended back to matters of complaint arising since 6 February 1840. Through the Treaty of Waitangi Tribunal and its settlements, elements of Te Tiriti were beginning to be ratified by the Crown (Walker 2004: 263). Recognition of Treaty rights was further confirmed by the Court of Appeal in Wellington in June 1987 in respect to the transfer of Crown Land to State Own Enterprises (SOE) through their respective acts of parliament (Walker 2004: 263). In response, the Māori Council, led by Latimer, sought an injunction against the transfer of land in the High Court. The legal point of the injunction rested on Treaty Section 9 of the SOE Act which stated that nothing in the Act shall permit the Crown to act in a manner that is inconsistent with the principles of the Treaty of Waitangi (Walker 2004: 264). The inclusion of the Treaty in the SOE Act, as well as the inclusion of Māori fishing rights in the Fisheries Act, gave leverage for Māori leaders to seek redress in the courts, which was not available to Māori leaders in the past such as Wi Parata Te Kākākura in 1877.

The High Court delivered its judgement on 29 June 1987. The five judges were unanimous in their finding that the Treaty of Waitangi, given effect by section 9 of the State-Owned Enterprises Act, prevented the Crown from transferring land to SOEs without entering into proper arrangements to protect Māori claims (Walker 2004: 265). Judge Bisson concluded that the advent of legislation invoking the principles of the Treaty of Waitangi meant that it could no longer be treated as a "simple nullity" (Walker 2004: 265). Significant results of the Treaty of Waitangi settlement process include the Māori Fisheries Settlement in 1992, the Treaty settlement with Waikato-*Tainui* in December 1997 valued at $170 million, the Treaty settlement with Ngāi Tahu in November 1999 valued at $170 million, and numerous other hapū and iwi settlements around the country.

What impact did these developments make on the management of kōiwi tangata, kōimi t'chakat and Toi moko in museums?

In the 1980s, and through the influence of Pōmare, Latimer, Walter Waipara and supportive directors, such as Dr Alan Baker (1940–2017), the National Museum began making changes to how it treated

and considered Māori and Moriori ancestral remains that had been at the museum since the time of the establishment of the Colonial Museum. These initiatives were inherited by Te Papa. One of the first changes was to take Māori and Moriori ancestral remains off display. Another was to create a wāhi tapu or sacred repository in the museum in Buckle Street, Wellington (Harrison 2002:134). From 1990, through the work of Pōmare and Baker, the National Museum began the process of repatriating Māori and Moriori from international institutions (Karanga Aotearoa Repatriation Programme 2012:3). These initiatives became the responsibility of Te Papa when it was established, along with the formal creation of a Kōiwi Tangata Policy in 1998, which recognised the deaccession of all Māori and Moriori ancestral remains housed in the wāhi tapu. Māori ancestral remains began leaving Te Papa during this period, with major repatriations to iwi in Te Waipounamu, Tāmaki Makau Rau and Te Tai Rāwhiti. Through the work and legacy of Pōmare, Waipara, Baker and other supportive senior leaders of the National Museum, the newly established museum became the recognised leader in repatriating Māori and Moriori ancestors from overseas and returning kōiwi tangata to their iwi around the motu.

Establishment of the Karanga Aotearoa Repatriation Programme

Tukuna mai ki au he kapunga oneone
Provide me with a handful of soil from my homeland
So I may feel the spirit of my ancestors and weep.

From the mid-1980s, through the leadership of Pōmare, as chair of the National Museum's council, the museum's reputation for successful repatriation was becoming recognised by the New Zealand Government, Māori, Moriori and the general New Zealand public. In early 2003, the Ministry for Culture and Heritage sought tenders for establishing an international repatriation programme for the return of Māori and Moriori ancestral remains on behalf of the New Zealand Government with the support of Māori and Moriori. There were two applications, one from the Auckland War Memorial Museum and the other from Te Papa. After careful assessment and due diligence, the Ministry for Culture and Heritage nominated Te Papa as the successful applicant to seek the international return of kōiwi tangata, kōimi t'chakat and Toi moko (Department of Internal Affairs 2003). In order to carry out the programme on behalf of the New Zealand Government, Te Papa established the Karanga Aotearoa Repatriation Programme with a specific set of aims and objectives and overarching key principles:

- The government's role is one of facilitation — it does not claim ownership of kōiwi tangata;

- Repatriation from overseas institutions and individuals is by mutual agreement only;
- No payment for kōiwi tangata will be made to overseas institutions;
- Kōiwi tangata must be identified as originating from New Zealand;
- Māori are to be involved in the repatriation of kōiwi tangata, including determining final resting places, where possible; and
- The repatriation of kōiwi tangata will be carried out in a culturally appropriate manner.

(Department of Internal Affairs 2003).

How Does Karanga Aotearoa Operate?

Karanga Aotearoa is sited within Te Papa, and is supported by its bi-cultural policies and practices, including:

- Leadership offered by the kaihautū, Te Papa's co-leader;
- Goodwill from international institutions generated by the mahi of Pōmare, Waipara, Latimer and Baker;
- Supporting kōiwi tangata policy managing the care of tūpuna and karāpuna; and
- Strong relationships with iwi and imi throughout the country through developing its bi-cultural approach within Te Papa.

Another important element of Te Papa that resonates with museums all over the world and helps facilitate repatriations, is that it is an institution like those it is seeking ancestral remains from and shares a common history of establishment and development.

A Māori (and Moriori-) focused programme

Although the Karanga Aotearoa Repatriation Programme is based within a national museum, it is supported by legislation that recognises the mana of tikanga Māori and Māori culture. The programme is underpinned by overarching government policy that supports Māori leadership and Māori customary practise throughout the whole repatriation process. The programme is administered by three full-time positions that have specific roles:

- The Head of Repatriation Pou Whakahaere Kaupapa Pūtere Kōiwi — this role provides the managerial oversight, strategic oversight and resources allocation for the programme, including being responsible for the management of the wāhi tapu and care of tūpuna and karāpuna housed

in the wāhi tapu. This position prior to 2017 was called Repatriation Manager — Kaiwhakahaere Kaupapa Pūtere Kōiwi;

- Repatriation Researcher — this role identifies the locations and institutions that house Māori and Moriori ancestral remains and confirms and verifies their provenance to Aotearoa, Te Waipounamu and Rēkohu; and

- Repatriation Coordinator — this role provides administrative support for the functions of Karanga Aotearoa including the Repatriation Advisory Panel, and provides guidance with regard to international freighting, travel for the programme, and ensuring that records and accession information for all kōiwi tangata, kōimi t'chakat, and Toi moko are appropriately recorded in Te Papa collection management systems.

These positions are held by: Te Herekiekie Herewini (present head of repatriation), Te Arikirangi Mamaku (present repatriation coordinator), and Susan Thorpe Forbes (present repatriation researcher).[22]

Repatriation Advisory Panel

Members of the Repatriation Advisory Panel provide key expert advice on te reo Māori, tikanga Māori, iwi histories and whakapapa, and overcome international repatriation challenges. This group comprises of recognised authorities and leaders amongst Māori and Moriori, and meets up to four times a year. Members of this panel past and present include the late Dorothy 'Bubbles' Mihinui (Te Arawa), the late Professor Sir Hugh Kawharu (Ngāti Whātua), the late Sir Paul Reeves (Te Āti Awa), the late Te Aue Davis (Ngāti Maniapoto), former chair Edward Ellison (Ngāi Tahu), present chair Professor Sir Pou Temara (Ngāi Tūhoe), Professor Sir Derek Lardelli (Ngāti Konohi, Rongowhakaata, Ngāti Kaipoho), Professor Pare Hopa (*Tainui*), Alfred Preece Jnr (Moriori, Ngāti Mutunga), the late Hokimoana Te Rika-Hekerangi (Ngāi Tūhoe), Te Kanawa Pitiroi (Ngāti Tūwharetoa), Aroha Mead (Ngāti Awa), Haami Piripi (Te Rarawa), Te Taru White as former Te Papa kaihautū (Te Arawa), Michelle Hippolite as former Te Papa kaihautū (*Tainui*/Rongowhakaata), Rhonda Paku (former acting

[22] Other position holders include Dr Amber Aranui (repatriation researcher on secondment), Lee Rauhina-August (previous repatriation coordinator); Anna Willet (previous administration support) Mona-Pauline Mangakahia (previous repatriation coordinator); Aaron Brown (previous repatriation researcher); Natasha Barrett (previous repatriation researcher); Cathy Nesus (previous repatriation researcher) and Kay Harrison (previous repatriation manager).

kaihautū), Jonathan Mane-Wheoki (Acting Director of Repatriation), Dr Arapata Hakiwai as present kaihautū of Te Papa as well as representatives of iwi-in-residence at Te Papa from 2003 until the present time.

Members of the panel also actively participate in domestic and international repatriation, providing leadership and support with negotiations in reaching international agreements, uplifting tūpuna and karāpuna from international institutions, pōwhiri or formal welcoming ceremonies for returning karāpuna and tūpuna as well as returning tūpuna/karāpuna to their iwi around the country.

Four dimensions

The programme is designed in accordance with a four-stage process:

1. Scoping and research of Māori and Moriori ancestral remains located in international institutions;
2. Negotiation for their repatriation to their homelands in Aotearoa and Rēkohu;
3. Physical uplift from the international institutions and care in Te Papa's wāhi tapu; and
4. Return to their iwi or to a final resting place for those kōiwi tangata without regional provenance.

Strategic direction and operational plans

The programme has been supported by both strategic plans and operational plans that provide guidance and direction over a three-year period. These plans are written by the head of repatriation who seeks peer review from the Repatriation Advisory Panel. The purpose of these plans is to recognise the priority areas (i.e. issues to work through, challenges to overcome, priority countries, priority institutions, key research areas, and resourcing for priority areas and so forth) (Herewini 2008; Herewini 2013; Herewini 2018; Herewini 2021).

Wānanga

Since the programme was established in 2003, it has held three national repatriation wānanga in 2004 (Karanga Aotearoa Repatriation Programme 2004), 2005 (Karanga Aotearoa Repatriation Programme 2005) and 2006 (Karanga Aotearoa Repatriation Programme 2006) to seek guidance and advice from iwi and Māori leaders with regard to the appropriate care, research and ways of seeking provenance for tūpuna and karāpuna. The focus for these wānanga has been to gather information that would improve and inform its internal processes, care of tūpuna or karāpuna and management of the

programme. A further three wānanga in 2010 (Herewini 2011), 2017 and 2020 have been conducted by the programme in regards to Toi moko research with guidance from leading tā moko artists from around the country.

Funding

Karanga Aotearoa receives annual funding of $500,000 per annum from the Ministry for Culture and Heritage (Ministry for Culture and Heritage 2020:1). This funding covers the activities of the programme including its operations (freighting, care of tūpuna and karāpuna, administration, research etc) and salaries of kaimahi (workers) employed (Karanga Aotearoa Repatriation Programme 2021: 3). Karanga Aotearoa is regularly audited by Audit New Zealand and has been included in the annual reports for Te Papa since 2003 (Museum of New Zealand Te Papa Tongarewa 2003: 22, 35; Museum of New Zealand Te Papa Tongarewa 2004: 4, 10, 28, 48; Museum of New Zealand Te Papa Tongarewa 2011: 6, 27; Museum of New Zealand Te Papa Tongarewa 2012: 15, 30; Museum of New Zealand Te Papa Tongarewa 2013: 16, 29, 30; Museum of New Zealand Te Papa Tongarewa 2015: 9, 19, 32, 34, 35; Museum of New Zealand Te Papa Tongarewa 2016: 9, 17, 20, 32, 37, 49, 50, 51, 124, 125; Museum of New Zealand Te Papa Tongarewa 2017: 9, 29, 32, 34).

Mahi tahi — working together

One of the key principles underpinning Karanga Aotearoa is mahi tahi or working together, which is supported by two components. The first component is a whole-of-government approach, which includes the Ministry for Culture and Heritage, the Ministry of Māori Development, Customs New Zealand and the Ministry for Foreign Affairs. This means in practice that Karanga Aotearoa leads the research, negotiations, uplift, care and physical return to iwi, however, this process is supported by the experience, skills and expertise of the other parts of government. For example, Te Papa benefits from the deep experience of international diplomacy offered by the Ministry for Foreign Affairs and Trade, which is shown in the repatriation of Toi moko from France in 2011 and 2012. The Ministry for Culture and Heritage provides high-level repatriation policy support, alongside the Ministry of Māori Affairs which connects directly with iwi around the country, and finally Customs New Zealand offer their expertise in guiding tūpuna and karāpuna swiftly through Aotearoa New Zealand's customs procedures on arrival from overseas. Te Papa also offers safety and care in its wāhi tapu. This second component is the Repatriation Advisory Panel whose leadership emphasises the importance of being both pragmatic and working with kotahitanga (unity) on repatriation requests to international institutions. This means in practice that the panel's focus is on ensuring the safe return of tūpuna and karāpuna,

primarily according to tikanga Māori in the most effective and efficient way, as well as protecting the mana, tapu, mauri and rangatiratanga of each tūpuna and karāpuna.

Case Study: France.

The third case study in this chapter, which is situated in the period after the changes in the museum sector and the establishment of Karanga Aotearoa described above, pertains to the repatriation of 21 Toi moko from France in 2011 (Museum of New Zealand Te Papa Tongarewa 2011: 27) and 2012 (Museum of New Zealand Te Papa Tongarewa 2012: 30). An overview of each repatriation includes the following themes:

- Background of the repatriation request;
- Challenges to achieve formal agreement to repatriate;
- Process implemented to achieve repatriation; and
- Tikanga associated with achieving repatriation.

An analysis of the key factors in achieving a favourable response to Te Papa's repatriation request concludes this section. These key success factors are assessed according to their connections to tikanga Māori from the time of the most ancient tūpuna to identify their direct links, connections and differences.

Repatriation of Toi moko from France

Background

In 2006 Sebastien Minchin became the new director of the Natural History Museum of Rouen and discovered a Toi moko in storage. In his new role, he considered whether it was appropriate and ethical for the Toi moko to continue to be part of the Rouen Museum's collection or whether it was more appropriate for the tupuna to be repatriated back to his homeland (Rouen Museum 2011:2; Rouen Museum 2021:1)

Initial contact with Te Papa confirmed that the Toi moko was authentic, and a formal request to repatriate the tupuna was forwarded to the Rouen Museum. Minchin approached his team at Rouen Museum to seek their agreement to return the Toi moko to Aotearoa New Zealand. They agreed and Minchin approached the Rouen Municipal Council to garner their political support. This approach was successful and gained the backing of Catherine Morin-Desailly who was part of the municipal council

and in charge of cultural affairs at the time. Rouen's local government supported the move to repatriate the Toi moko back to his place of origin, as they wished to implement and support UNESCO's 2005 charter of cultural diversity which was supported by the French Government (Rouen Museum 2011:1-2; Tourancheau 2013: 15.35 - 17.04; Rouen Museum 2021:1). The charter embraces the principles of equal dignity and respect for all cultures:

> ③ **Principle of equal dignity of and respect for all cultures**
> The protection and promotion of the diversity of cultural expressions presuppose the recognition of equal dignity of and respect for all cultures, including the cultures of persons belonging to minorities and indigenous peoples.

(UNESCO 2005: 8)

It was significant that Catherine Morin-Desailly became a senator in the French Government and continued her support for repatriation of Toi moko in her new position. On 23 October 2007 in Rouen France, a handover ceremony was arranged between Rouen City and a delegation from New Zealand for the tupuna. Unfortunately, the following day the representatives of Rouen were notified by the French Minister of Culture Christine Albanel that the Toi moko could not be removed from a public collection without the approval of the government of France. Rouen's local government was accused of violating the correct legal procedure as according to French law the Toi moko was no longer human but a piece of cultural heritage, a piece of cultural property or, in other words, a cultural commodity. Albanel stated in late 2007: "They are nonetheless social objects, they are ritual objects, and I think they have a very special status, you can not consider them as just human remains for example" (Tourancheau 2013: 21.20 - 21.55).

By referring to tūpuna as objects, Albanel was saying that French law had removed the Toi moko's humanity making it into a commodity that the government could own. After this challenge was raised by the Minister of Culture, a different strategy was put in place by the City of Rouen and the champion of this kaupapa Morin-Desailly who was now a senator. Support was also garnered in early 2008 from some French scientists who favoured the return of the ancestral head. A committee of French scientists was established by the French Government to consider the proposal to repatriate the Toi moko, with Pascal Picq, a respected paleoanthropologist in France, as its chair. The scientific committee concluded

that a precedent of repatriation of international human remains from France was set by the return of the ancestral remains of Saartjie Baartmen to South Africa in January 2002. For these ancestral remains to be repatriated a special piece of legislation had been required to be approved by the French Senate and then followed by the lower house of the French Parliament. The repatriation of the Rouen Toi moko required that the same process be followed. This enabled Morin-Desailly to submit a private bill to the French Parliament seeking the repatriation of all Toi moko in French public museums to their homeland. As with the return of the ancestral remains of Saartjie Baartman the rationale for the return is based on the historical nature and context of how museums in France received these ancestral remains. It was identified that these ancestors were part of an illicit trade in human remains, where heads had been purposefully removed and mummified through conflict and violence (Rouen Museum 2011: 1—2).

The role of Karanga Aotearoa and the Repatriation Advisory Panel was very important in this process. To support this repatriation request, Karanga Aotearoa provided key background information and educational materials about its kaupapa and work to the French Parliament and all museums in France. The programme did this with the support of Simon Jean, a masters degree student from Rouen with an interest in Māori studies and repatriation, who initially came to Te Papa as an intern in 2009 (Jean 2022: 14, 17, 18, 49). One of the activities Simon Jean was asked to carry out in order to support Karanga Aotearoa, was translating all the materials about Karanga Aotearoa into the French language, which could then be sent to the New Zealand Embassy in Paris and directly to museums all over France. The basic content of these materials included:

- the rationale, purpose and key objectives of the programme;
- the programme's mandate from the New Zealand Government and support from Māori and Moriori;
- the list of successful international repatriations Te Papa and its predecessors has completed, including through the work of Pōmare, chair of the National Museum council;
- the importance of the return of these ancestors to their homeland; and the
- continuous connection and respect Māori living today have with their tūpuna.

The purpose of providing information in the French language directly to the French Government and French institutions was to manage it and ensure accurate information about Karanga Aotearoa was delivered directly. In addition, providing translated information directly highlighted the humanity of the ancestors and their continuous connection with their uri; and limited the impact of scaremongering

in France by opponents of the return of Toi moko who claimed that the release of Toi moko from French institutions would create an avalanche of other requests for taonga and human remains.

The repatriation from France required two different groups representing the New Zealand Government to work together - an example of mahi tahi - Te Papa and the Ministry for Foreign Affairs and Trade in the form of the New Zealand Embassy in Paris, which became the conduit between Te Papa (Karanga Aotearoa), the French Government, and the City of Rouen. Māori networks extending into France include ancient connections between Māori, French Polynesians, the indigenous Kanak people of New Caledonia, and the Polynesian peoples of Futuna and Uvea (Wallis) Islands. It is important to note that these territories of France in the Pacific have representatives and politicians who are part of the French senate and lower house. These representatives voted in favour of the repatriation of Toi moko.

As part of the lead up to the French Parliament's vote on Morin-Desailly's private member's bill, Te Papa was approached by a number of French documentary makers planning to follow the story of the repatriation of the Toi moko from Rouen. These approaches came with the support of Morin-Desailly and the City of Rouen and, in turn, were presented to the Repatriation Advisory Panel who considered them in-depth with respect to tikanga and the challenges of receiving an agreement to repatriate from French institutions with the support of the French Government. The Repatriation Advisory Panel decided to take a very pragmatic approach and agreed to support the documentary requests.

Morin-Desailly's private member's bill to release all Toi moko housed in French public museums was submitted in 2010 and approved by the French Senate in early April 2010 and then by the French lower house on 5 May 2010. In supporting the bill Morin-Desailly said:

> *Unfortunately, experience shows us how much time is necessary before we can accept as one of us those people who appear different from us, either by external appearance or by their customs. Charles Darwin said this in 1871, and unfortunately, it sounds just as pertinent as the story of the Māori head at the Rouen Museum proves, this prospective law must allow France to be in tune with many other countries and to return finally and rationally all the Māori heads of which there are considered to be 15 and 20 in our museums today (Tourancheau 2013: 30.12 - 30.56).*

The Minister for Culture Frederic Mitterrand said:

> *I simply wanted to make two observations. We don't build culture on the back of the trafficking of objects. We don't build culture on crime, and I think especially on slavery. On people who found themselves caught in horrible commercial traps, such as those once practised by Europeans. Instead, culture is built on respect and mutual exchange, by drawing on collective memory, and by a certain number of laws and procedures (Tourancheau 2013: 31.45 - 32.33).*

After her private member's bill was approved by the French Parliament, Morin-Desailly explained why she supported the repatriation of indigenous human remains from French museums whose history indicated mistreatment and violence:

> *…What has guided us in the matter, has been able to put France in tune with these other countries. France is the country of the rights of men, and it is not honourable of us to refuse to return these heads. We were 20 years late, as heads had been returned to New Zealand by other countries. I would like to make it clear this law does not just concern the Māori head in the Rouen Museum, but all the heads in all the museums in France (Tourancheau 2013: 30.55 - 31.22).*

Table 14: Toi moko Returned from Institutions in France, 23 January 2012.

Museum/Institution in France and location.	**Number repatriated**	**Date Repatriated**
1. Rouen Natural History Museum	1	5 May 2011.
2. Musée du Quai Branly, Paris.	7	January 2012.
3. Museum National d'Histoire Naturelle, Paris	4	January 2012.
4. Musée National de la Marine, Paris	1	January 2012.
5. Museum de Nantes, Nantes.	1	January 2012.
6. Museum de Lille, Lille.	1	January 2012.
7. Musée des Beaux-Arts of Dunkerque (Dunkirk).	1	January 2012.
8. Musee des Confluences of Lyon, Lyon.	2	January 2012.
9. Musée de Sens, Sens.	1	January 2012.

10. Musée des Arts Africans, Oceaniens, Ameridiens d Marseille.	1	January 2012.
11. University of Montpellier, Montpellier.	1	January 2012.
Total Toi moko	**21**	

(Table compiled by Te Herekiekie Herewini 2012)

In discussing ngā tikanga ki te tiki tūpuna (the pathway to uplifting ancestors), I would argue that, as can be seen from the description above, the pathway to repatriation from France for the 21 Toi moko housed in institutions (refer to Table 14) has been complex and challenging. The achievement of repatriation has relied on key factors associated with Te Papa, Karanga Aotearoa, the Repatriation Advisory Panel and the New Zealand Government. These include:

i. The long-term reputation of Te Papa and the National Museum working from the 1980s to repatriate Māori and Moriori ancestral remains housed in international institutions. This includes the work of Pōmare and, Baker in the 1980s and the activities of Latimer and Prime;

ii. Strong, cohesive, unified and continuous Māori leadership in seeking the return of Māori and Moriori ancestral remains from the 1980s up to the membership of the Repatriation Advisory Panel as part of Karanga Aotearoa and Te Papa;

iii. The ability to strategically plan over a long-term period by Te Papa, Karanga Aotearoa and the Repatriation Advisory Panel, and to operationalise these plans based on tikanga Māori frameworks and Māori repatriation principles;

iv. The whole-of-New-Zealand-Government approach to repatriation, and in this case the tremendous support received from the Ministry for Foreign Affairs and Trade through the New Zealand Embassy in Paris; and

v. Long-term financial support received from the New Zealand Government.

What was learnt on the the French side?

It is also very important to acknowledge that the repatriations from France could not have happened without the tremendous support of French repatriation champions including members of the French

Government, French Parliament, the local Rouen regional government, and senior museum leadership in France who acknowledged that:

- Toi moko are human and not chattels or objects devoid of humanity;
- Toi moko were taken as a result of violence and injustice, and through the repatriation process; and
- France's colonial past needs to be redeemed and restitution offered where this is politically and ethically possible.

In this case, Toi moko have returned to their homeland, however, other important repatriation requests followed the repatriation of Māori ancestral remains from France. These will be referred to in the case study pertaining to the handover ceremony at Quai Branly in Chapter Nine.

Ngā tikanga ki te tiki tūpuna (The pathway to uplifting ancestors)

While the French Government provided a comprehensive agreement through a specific piece of legislation to repatriate all Toi moko in public museums, the pathway to repatriation in the United States was negotiation with individual museums or institutions. Each institution has its individual set of repatriation policies to be understood and navigated, as well as its own separate board of trustees, senior management structure, and/or governance structure. Each relationship and repatriation negotiation is individually crafted for that specific institution. It should be noted that there is still work in the United States to complete, and part of the success of repatriation agreements there includes:

i. Strong, cohesive, unified and continuous Māori leadership in seeking the return of Māori and Moriori ancestral remains from the 1980s up to the membership of the Repatriation Advisory Panel as part of Karanga Aotearoa and Te Papa;

ii. Through Te Papa, Karanga Aotearoa and Repatriation Advisory Panel strategic planning over a long-term period, and operation of the repatriation strategy based on tikanga Māori frameworks and ancient Māori repatriation principles;

iii. Building strong, productive, nimble and responsive relationships with key leaders and repatriation champions in individual museums and institutions;

iv. Willingness to share with, present and show to repatriation champions in the United States, in a constructive manner, how Māori and Moriori have a continuous cultural and spiritual connection to their tūpuna and karāpuna;

v. Acknowledgement of the indigenous connections Māori have with Native American and Hawaiian peoples in the United States; and

vi. The ability of Māori leaders to embrace and implement the tikanga principles of mana, tapu, mauri, and rangatiratanga throughout the repatriation process including strategic planning, building key relationships, karakia and mihi with tūpuna and formal handover ceremonies held in respective institutions.

An Analysis of Karanga Aotearoa and its connection with Ancient Repatriation Tikanga

As indicated earlier in this chapter Karanga Aotearoa was established in 2003 and it is supported by six core principles. These principles were developed by representatives from the Ministry of Māori Affairs, the Ministry for Culture and Heritage, and the Prime Minister's Office. One of the key representatives providing advice from the Ministry of Māori Affairs at this time was Aroha Mead, a well-respected senior policy advisor, and one of the daughters of Professor Sir Hirini Moko Mead, a well respected academic and one of the exhibition leaders who took the *Te Māori* exhibition to the United States in the mid- to late 1980s, and for a short-term was a member of the Repatriation Advisory Panel when it was established by Te Papa in 2003 (Museum of New Zealand Te Papa Tongarewa 2004: 10). Aroha Mead has followed in her father footsteps, and as indicated earlier in this chapter is a member of the Repatriation Advisory Panel.

The core principles are the pou (pillars) that guide how Karanga Aotearoa operates and implements it repatriation strategies and operational plans. They provide the framework for the programme to engage in strategies to secure the safe return of tūpuna and karāpuna from international institutions. Therefore, I will analyse these six pou to determine their whakapapa to repatriation tikanga from the time of Whakatau-pōtiki, Tāwhaki and Rata, through the generations up to the time of initial engagement with Pākehā, and then after 1840 to the work of Māori leaders securing their return from the 1980s.

Table 15: Connections between the Core Principles of Karanga Aotearoa and Ancient Māori Repatriation Practices.

Karanga Aotearoa and their six core principles	Connection to original repatriation tikanga
(1) The government's role is one of facilitation – it does not claim ownership of kōiwi tangata.	This principle affirms it is the responsibility of the whānau, hapū, iwi, Māori and Moriori leaders to seek the return of kōiwi tangata/kōimi t'chakat. This principle aligns with all kōrero pertaining to the repatriation of kōiwi tangata.
(2) Repatriation from overseas institutions and individuals is by mutual agreement only.	One method to secure the return of Toi moko is through the process of tatau pounamu. This is done through a negotiation process where both groups come to an agreement, and a taonga is provided in exchange for the tupuna. This principle aligns with the kōrero pertaining to the tatau pounamu between Ngāi Tai and Whakatōhea and the exchange of Waiwhārangi, a toki pounamu for the head of Tūterangikūrei.
(3) No payment for kōiwi tangata will be made to overseas institutions.	Yes, this principle affirms tikanga Māori, as ancient tikanga is not based on monetary exchange, and therefore a monetary payment for tūpuna would not be in agreement with this. To add a tatau pounamu is also not a payment in the Western sense, but an exchange of a taonga/whenua that has equal tapu and mana.
(4) Kōiwi tangata must be identified as originating from New Zealand	Yes, this principle affirms the importance of direct whakapapa to Aotearoa New Zealand for returning tūpuna and karāpuna, Toi moko, kōiwi tangata and kōimi t'chakat.

(5) Māori are to be involved in the repatriation of kōiwi tangata, including determining final resting places, where possible.	Yes, this principle affirms Māori and Moriori involvement including developing strategy, operational plans, uplift, research, care and return to iwi/imi. In the case of Karanga Aotearoa, this is through Māori and Moriori leadership in the programme including the Repatriation Advisory Panel. The programme has actively been working in partnership with the Hokotehi Moriori Trust in securing the return of karāpuna.
(6) The repatriation of kōiwi tangata will be carried out in a culturally appropriate manner.	Yes, this principle affirms the active inclusion of tikanga Māori and tikane Moriori in the repatriation process. In the case of Karanga Aotearoa the programme embraces mātauranga Māori / tohungatanga Moriori, whakapapa/hokopapa, te reo Māori/ta rē Moriori and tikanga/tikane as pou for its mahi.

Similarities between Repatriation Tikanga then and now

As highlighted in Table 15 above, an analysis of the six core principles of Karanga Aotearoa indicates that they broadly align with the repatriation tikanga expressed in the past. I argue that the above principles are derived from the core elements of repatriation rescue missions by Māori leaders from the ancient times of Whakatau-pōtiki, Tāwhaki and Rata up to the present day. These core elements include:

(i) Karanga Aotearoa and the Repatriation Advisory Panel are Māori-led, and they decide the strategic direction and operationalise these plans. This element has a direct whakapapa link to the ancient practices of Whakatau-pōtiki, Tāwhaki and Rata who were the strategists and planners for their operations. This also aligns with the Ngāpuhi approach in 1831, as well as the approach of Māori leaders in the 1980s.

(ii) The principle of reaching repatriation by mutual agreement, aligns with the traditional concept of tatau pounamu or achieving a repatriation agreement through mutual agreement.

(iii) The negotiation process to seek an agreement, however, is based on a framework of whakaaro pai, such as building relationships and goodwill partnerships with international institutions, which has proved to be an important element that leads to successfully reaching repatriation agreements. The tatau pounamu element can be seen in the repatriation efforts of Ngāi Tai with Whakatōhea in the early 1800s.

There are, however, innovations in the modern version of tatau pounamu operationalised by Karanga Aotearoa and the Repatriation Advisory Panel. For example, I would feel extremely uncomfortable if a gift in the form of a taonga was offered to the institutions for the return of kōiwi tangata stolen from wāhi tapu. That would not be correct tikanga, however, the tatau pounamu Karanga Aotearoa offers to all institutions through this process is the ability for all sides to bring the misdeeds of the past to closure, which includes the theft of tūpuna and karāpuna from wāhi tapu and wāhi tchap, as well as the receipt by institutions of Toi moko that were traded through atrocities and violence. In my view, that is the very purpose of the handover ceremony at the institution — it allows for the process of tatau pounamu to be achieved in a symbolic form.

Another innovation is very similar to the approach implemented by Ngāpuhi rangatira in 1831 when their rangatira travelled to Poihakena to negotiate the return of 14 Toi moko belonging to the heads of whanaunga and pursued utu, takitaki, muru and ea with the iwi that initially traded the Toi moko. It is clear that the Ngāpuhi chiefs understood the politics and importance of diplomatic negotiations with Pākehā and Western peoples, and hence sought an approach that was more amenable to Pākehā, but relied on the traditional approach of force with other iwi (Ballara 2003: 147; Ministry for Culture and Heritage 2021d: 1; Ministry for Culture and Heritage 2021e: 1)

In the case of Karanga Aotearoa, the approach through whakaaro pai, including negotiation talks, the building of relationships and awareness of the importance of repatriation to Māori and Moriori which has led to tatau pounamu, has been successful. This approach, however, does not prevent the iwi or imi, whose tūpuna or karāpuna have been taken by theft or looting after the signing of Te Tiriti o Waitangi in 1840, from seeking muru and ea from the New Zealand Government. I encourage them to do this as part of their Treaty Settlement process.

The process of seeking the return of Toi moko, kōiwi tangata and kōimi t'chakat from overseas institutions is through whakaaro pai in order to achieve tatau pounamu or reconciliation of the events of the past. Whakaaro pai is an important element in repatriation as it smoothes the pathway towards reaching a repatriation agreement with overseas institutions or with their respective regional or state governments. Note that whakaaro pai is the word I have selected, as I am familiar with it through the Biblical verse:

> He honore, he kororia ki te Atua
> He maungarongo ki te whenua
> He whakaaro pai ki ngā tāngata katoa.[23]
>
> Honour and glory to God
> Peace on earth, and
> Goodwill to all people

My understanding is that this particular verse in the Christian Bible is one of the principal verses emphasised by the teachings of Te Whiti o Rongomai and Tohu Kākahi the two prophets of Parihaka who, when faced with te riri Pākehā (Pākehā and colonial aggression), asserted that the response should remain whakaaro pai. My Ngārauru Kītahi, Whanganui, and Ngāti Ruanui tūpuna were followers of Te Whiti and Tohu, and subsequently followed T. W. Rātana from 1918. The history of whakaaro pai, and the passive resistance of Parihaka in particular when the Mōrehu at Parihaka engaged with the colonial troops, reassures me that this is an appropriate word to use when engaging with international institutions in seeking the return of tūpuna and karāpuna. In practice, it means engaging with people where whakaaro pai (goodwill) takes centre stage, as in the modern context it requires goodwill from both institutions for an agreement to be reached.

Another traditional Māori word for the process of reaching a peace agreement is hohou rongo, the hohou element of the word meaning to bind and lash the agreement together (Mead 2003:167). I have chosen, however, not to use this word when engaging with overseas institutions, as I believe the appropriate place to use it is between Te Papa and iwi seeking the return of tūpuna in the form of Toi moko. In 1988 Sir Graham Latimer, then chair of the Māori Council of New Zealand had no other option

[23] Māori verse derived from Ruka 2:14 (Luke 2.14).

but to use the force of the New Zealand Court system and the British High Court to secure the return of a Toi moko. This process, however, was followed by a form of tatau pounamu when Latimer exchanged a taonga with the 'owner' of the Toi moko. There are, however, a number of differences between the traditional tikanga of repatriation and the modern versions practised since 1831. These differences include: the important role the international repatriation practitioners and champions have in securing a repatriation agreement; the high number of Toi moko, kōiwi tangata and kōimi t'chakat that need to come home from overseas institutions; resourcing from the New Zealand Government; and in general, a national Māori approach versus a specific iwi approach.

This chapter has highlighted the connections with the ancient Māori practice of repatriation and contemporary repatriation practice analysed in the case studies above. These case studies have identified common themes and practices that demonstrate the continuous connection between the ancient past and the present. These areas of strong connection include: the continuous spiritual and cultural connection contemporary Māori and Moriori have with their tūpuna and karāpuna, whether these are in Aotearoa New Zealand or housed in institutions located overseas; the strong desire of contemporary Māori and Moriori leaders to have their ancestors repatriated from overseas institutions; the strong desire for Māori and Moriori leaders to take up leadership roles in seeking the return of Māori and Moriori ancestral remains; the strong desire for Māori and Moriori leaders to actively strategise and plan, negotiate, and seek resources to ensure the safe return of Māori and Moriori ancestral remains; and the strong desire for Māori and Moriori leaders to ensure Māori cultural and Moriori practices are part of the process of engaging, connecting, receiving, uplifting and repatriating Māori and Moriori ancestral remains.

Key differences between the modern process of repatriation and the processes undertaken by the ancestors of Māori are identifiable in kōrero pertaining to Whakatau-pōtiki, Tāwhaki, and Rata which record their desire to seek utu, takitaki, muru and ea for the harm inflicted onto the mana, tapu, mauri and rangatiratanga of the kōiwi tangata belonging to their close relatives. In the modern repatriation context, the majority of the Toi moko, kōimi t'chakat and kōiwi tangata recovered were taken over one hundred years ago and, therefore, the people involved in the trade, collection and theft are no longer alive and no longer connected to the institutions or collection managers offering care for the tūpuna and karāpuna.

Me utu te kino ki te pai

Respond to bad intentions with those that are good

Furthermore, in the modern context of repatriation, there is a strong desire by Māori and Moriori leaders to build relationships of understanding when seeking the repatriation of tūpuna and karāpuna. The roles of repatriation champions associated with international institutions, local, state or federal governments become critical to opening channels between international institutions and Karanga Aotearoa.

Conclusion

This chapter has identified the key rationale as to why these international repatriation champions support the return of indigenous ancestral remains, including a strong desire to offer restitution and reconciliation with the colonial activities of the past. It is important to highlight this factor because all groups engaging in repatriation, need to take ownership of the means by which they can offer restitution and reconcile with the past. For Māori reconciling with the past can be achieved through appropriate tikanga Māori processes. These processes are highlighted in the next chapter.

The next chapter presents the views of contemporary Māori repatriation practitioners. This includes their perspectives on the importance of and rationale behind the physical return of tūpuna or karāpuna to Aotearoa New Zealand, from the time of the handover ceremony overseas, through to their care in Te Papa's wāhi tapu, and the work that is undertaken by Karanga Aotearoa to ensure their safe return to their rohe and iwi/imi. This work and these activities are seen through the eyes of two repatriation practitioners belonging to the Repatriation Advisory Panel and the Karanga Aotearoa Repatriation Programme, as they explain why tikanga and honouring the tūpuna are so important to the repatriation process. Alongside these perspectives are the insights of an international repatriation practitioner from the United Kingdom.

CHAPTER FOUR

Contemporary views of the repatriation of Māori and Moriori ancestral remains

This chapter highlights the importance of and rationale behind the physical return of tūpuna and karāpuna to Aotearoa New Zealand. An important element of the physical return is the associated tikanga as part of the rituals as they begin their journey home from the international institutions. This includes, in particular, the engagement with tūpuna and karāpuna at the international institutions with karakia and a formal handover ceremony. [24]

To understand its place, importance, significance and on occasion, the misunderstanding, of the practice of tikanga at international institutions, this chapter recounts the impressions of three international repatriation practitioners. Two of these belong to the Repatriation Advisory Panel and the Karanga Aotearoa Repatriation Programme. Their perspectives help to explain why tikanga and honouring tūpuna and karāpuna are central and vitally important to the repatriation process.

These insights and views belong to Whaea Hokimoana Te Rika-Hekerangi (Ngāi Tūhoe), the kuia who has been on the Repatriation Advisory Panel since 2008, and who has represented Te Papa at international repatriations and at the return of tūpuna to their wā kāinga throughout the motu. The other person interviewed for this chapter is Te Arikirangi Mamaku (Ngāi Tūhoe, Te Arawa, Mataatua, Ngāpuhi), who has been the repatriation coordinator for the Karanga Aotearoa Repatriation Programme since 2009. Mamaku has represented the programme at both international and domestic repatriations as repatriation coordinator, senior Te Papa representative, tohunga/kaikarakia (spiritual leader), kaikōrero (speaker) and tonotono (courier) for the tūpuna and karāpuna.

Alongside these Māori-centred impressions are the insights of international repatriation practitioner, Dr June Jones. Jones has led three international repatriations of indigenous ancestral remains back to their indigenous communities of origin, including to the Salinan people in California United States, Māori ancestral remains to Aotearoa New Zealand in 2013, and Australian Aboriginal ancestral remains to Australia in October 2016. This insight into the work of a repatriation practitioner beyond Aotearoa is significant as it highlights the importance of international repatriation practitioners and champions based in the international institutions themselves in progressing indigenous repatriation requests.

[24] Note the karakia may include taonga puoro, karanga, waerea, mihi, waiata tangi, mōteatea, kōrero, karakia and inoi whakamutunga.

A critique by two academics and anthropologists, Dr Natacha Gagne, an anthropologist from Quebec, and Melanie Roustan, an anthropologist from the Natural History Museum in Paris, who attended the handover ceremony of Toi moko at Quai Branly Museum in Paris in January 2012 provides another perspective on how tikanga is received by an international audience. The views of the three repatriation practitioners are considered alongside both the academic critique of Roustan and Gagne and the context of ongoing resistance to repatriation by the museum sector.

The issues highlighted in this chapter include: repatriation resistance and the rationale for this by Western institutions; power imbalances between Western institutions and indigenous peoples seeking the return of ancestral remains; the underpinning rationale for Māori seeking the return of their tūpuna; and the continuous importance of tikanga while engaging with tūpuna.

Western Resistance to Repatriation

Seeking the return of ancestral remains is not unique to Māori and Moriori, as it is a journey experienced by many indigenous peoples in North and South America, Australia, the nations of the Pacific Ocean and the Sami of Northern Europe. Each of these indigenous people and communities may receive various types of support from their respective settler governments for their efforts to return their ancestral remains either domestically within their homelands or from international institutions.

As noted earlier, the Native American Graves Protection and Repatriation Act (NAGPRA) was passed by the United States Congress in 1990. This act has three purposes:

(i) Allowing Native Americans (including Native Hawaiians) to legally seek the return of ancestral remains and burial items from federally funded museums;

(ii) Criminalising the trafficking of Native American (including Native Hawaiians) human remains and cultural items; and

(iii) Providing procedures i.e. notification and consultation for excavation of native human remains and cultural items on tribal and federal lands (Lubina 2009:194).

In Australia there is no overarching federal government legislation similar to that of NAGPRA, that protects indigenous Australian ancestral remains and burial items, however, there are some protections in place in the state of Tasmania specifically for Tasmanian indigenous remains housed in public museums (Lubina 2009:197). With respect to international and domestic repatriation of indigenous

Australian ancestral remains, the Australian government provides a programme and resourcing to indigenous communities through its Office for the Arts (Australian Government 2021:1).

On the Polynesian Island of Rapa Nui, local indigenous community-based initiatives to seek the return of tūpuna and tao'a (cultural treasures) from overseas institutions are hampered in part by the central Chilean government as its repatriation policies through the National Monuments Act privilege the ownership of monuments of national interest (which may include ancestral remains, Moai and other tao'a belonging to the people of Rapa Nui) in the hands of the central Chilean government (Arthur 2021: 228).

As explained previously, there are three pieces of legislation that were directed towards preventing the trade of Māori and Moriori ancestral remains. The first in April 1831 was Governor Darling's proclamation outlawing the trade of dried or mummified Māori heads in New South Wales, Australia, the next two through the New Zealand Government, namely the Māori Council Act of 1900 (with an amendment in 1903), and the third the Māori Antiquities Act of 1901. Despite these Acts and pieces of legislation being in place, more than 260 Toi moko were stolen or traded from Aoteraroa New Zealand between 1769 to 1840, and between 1840 to the 1970s approximately 3000 Māori and Moriori were stolen and uplifted from wāhi tapu and wāhi t'chap and placed in either local museums or academic institutions within Aotearoa New Zealand or traded to international institutions and museums.

To acknowledge this international trade of Māori and Moriori ancestral remains the New Zealand Government through its Ministry for Culture and Heritage has mandated the Karanga Aotearoa Repatriation Programme to seek the return of Māori and Moriori ancestral remains from international institutions, but only provides guidance to regional museums when they consider the domestic return of Māori and Moriori ancestral remains.

In response to increasing requests from indigenous people and formerly colonised countries from the 1980s for the return of cultural artefacts and ancestral remains held in Western institutions around the world, in December 2002, 18 museums in North America, Europe and Russia released "The Declaration on the Importance and Value of Universal Museums" (The Art Institute of Chicago et al 2002:1). This declaration argues against the repatriation and return of cultural objects and ancestral remains to their place or community of origin. Many of the museums that signed the declaration have collections of cultural treasures, fine works of art, and ancestral remains associated with colonisation, political power imbalances, and theft during World War I and World War II. This declaration reaffirms and attempts to legitimise their continued ownership of these fine art pieces, cultural treasures and ancestral remains

despite the questionable history associated with many of the objects and ancestral remains in their collections. Identified below in Part A and Part B are two extracts from the declaration that attempt to diminish the argument for the repatriation of unethically acquired art pieces, taonga and ancestral remains.

Part A From the Declaration on the Importance and Value of Universal Museums

The international museum community shares the conviction that illegal traffic in archaeological artistic, and ethnic objects must be firmly discouraged. We should, however, recognize that objects acquired in earlier times must be viewed in the light of different sensitivities and values, reflective of that earlier era. The objects and monumental works that were installed decades and even centuries ago in museums throughout Europe and America were acquired under conditions that are not comparable with current ones (The Art Institute of Chicago et al 2002:1).

Part B From the Declaration on the Importance and Value of Universal Museums

Calls to repatriate objects that have belonged to museum collections for many years have become an important issue for museums. Although each case has to be judged individually, we should acknowledge that museums serve not just the citizens of one nation but the people of every nation. Museums are agents in the development of culture, whose mission is to foster knowledge by a continuous process of reinterpretation. Each object contributes to that process. To narrow the focus of museums whose collections are diverse and multifaceted would therefore be a disservice to all visitors (The Art Institute of Chicago et al 2002:1).

Professor George H. O. Abungu, a former director of the National Museums of Kenya, and also a former vice-president of ICOM, critiqued the declaration as follows:

> *I should say I have never been a proponent of massive repatriation, but I have been a proponent of the need to recognize rights, the right to own, and the right to make a decision about use and the need of museums to recognize these and negotiate with people claiming these rights. And so this begins by respecting the others and their needs (Dean 2018: 233).*

The position offered above by Abungu, echoes the kaupapa of mana taonga, as expressed by Te Papa, where the national museum recognises that there are continuous connections between taonga and the communities they originate from. Te Papa in particular:

acknowledges the role of communities in the care and management of taonga at the Museum of New Zealand Te Papa Tongarewa, and their willingness to engage and mediate in new ways. Mana Taonga is central to Māori participation and involvement and in a very tangible way it connects iwi (Māori tribes) to Te Papa via the whakapapa or genealogical relationships of taonga and its knowledge (Schorch & Hakiwai 2018).

As Te Papa supports the notion of a continuous connection and relationship between taonga and iwi through the principle of mana taonga, many contemporary Māori extend this principle to tūpuna and kōiwi tangata (skeletal remains), Mamaku argues:

Māori have a special relationship with te hunga mate (those who have passed away), with a consistent view among the iwi I believe, a consistent view that the spiritual relationship in the connection between the living and the deceased endures throughout time. The proximity the ancestral remains have to their descendent communities plays a big factor in terms of that special, enduring connection. So, that kind of creates, a really compelling case, a compelling case for, kōiwi tangata to be returned home to their source communities and to their actual, more important to the whenua as well, from which they came (Mamaku, Interview 2019).

This view expressed by Mamaku of Māori having a long-standing connection with kōiwi tangata is reflected in the kōrero highlighted in chapters one to three, which show the importance of repatriation from the most ancient of kōrero, through the continuation of seeking the return of kōiwi tangata and Toi moko by whānau, hapū and iwi.

When indigenous people begin the process of seeking the repatriation of their ancestral remains from Western institutions, they are fully aware of the resistance they may encounter. This resistance is reflected in the declaration above, however, in recent years the tide has changed as can be seen in the following comments provided by Jones during our interview, on the matter of the importance of ancestry remains returning to their communities of origin:

I think it is important on a whole range of levels. It's important to respect Māori people today and what they want, and how they want to have autonomy for their own ancestors. So in the same way as I get to decide what happens when my grandmother died, where she's buried, what her

funeral looks like, and how we remember her (my grandmother). Then, that is important for Māori people, to have that dignity to be able to decide on their own ancestors as well.

Although politically the colonial period ended, in terms of museums' legacy it hasn't ended at all, because if you request your ancestors back and you are told no that's just perpetuating that colonial policy of 200 hundred years ago, and nothing's changed. I think it's really important that they return home, so that museums can address their own legacies so they can do some internal reflection on policies that they still perpetuate, and that they can start to behave ethically and morally responsibly now (Jones, Interview, 2019).

Edward Halealoha Ayau, a respected long-term repatriation specialist from the Hawaiian Islands, highlights the importance of centring the repatriation claim for ancestral remains on cultural values important to indigenous peoples because "cultural values ground the claim for return where it properly belongs" (Ayau 2020: 78).

Māori and Moriori repatriation claims are underpinned by two key principles stemming from the Karanga Aotearoa Repatriation Programme: first Māori are to be involved in the repatriation of kōiwi tangata, including determining final resting places where possible; and the repatriation of kōiwi tangata will be carried out in a culturally appropriate manner (Department of Internal Affairs 2003).

The connection of contemporary Māori international repatriation practitioners to tūpuna and karāpuna is spiritual, cultural, and with a deep sense of mahi tika (doing the right thing) by them, such as bringing them home to be reunited with their whānau, hapū, iwi and whenua. Te Rika-Hekerangi emphasises this connection:

Ki au nā runga te whānau ērā mahi. Ko tōna tikanga ko te whakahoki mai ki te wā kāinga, koirā, te kōingo i roto i taku ngākau ngā wā e whai atu ana au i a koutou. Kei te kite katoa au, ko te tikanga me hoki mai rātou me whakahoki mai rātou. Ahakoa i roto i ō rātou pōhēhētanga he painga kei reira, me ngā whanakohia, te hunga whanakohia i a rātou. Ko taku whakaaro me whakahoki mai rātou ki te wā kāinga ki te wāhi i tapaina i ō rātou pito. Ki te kore, kāore e tino tau ō rātou whānau whakatipuranga. Ki te hoki mai, ka koa ka kotahi ngā whakaaro o te hunga kāinga nei kua hoki mai ō rātou tīpuna. He āhuatanga tauraherenga anō i ngā whānau e noho nei i konei. Ki te mōhio kua hoki mai ō rātou tīpuna, koina aku whakaaro (Te Rika-Hekerangi, Interview 2019).

English Translation: On reflection, it becomes the responsibility of the whānau to lead this work, as it comes from their enduring heartfelt connection for their tīpuna (ancestors). Our customs commit us to seek the return of tīpuna. It is unfortunate and quite misguided that international institutions which hold these ancestors still believe this is okay. In my view, these ancestors need to come home, back to the places where their pito (umbilical cord) was cut and named. If they do not return, their spirit will not fully rest or settle. If they do return, then their communities will be pleased, relieved and find comfort in the return. Those are my views.

Both Te Rika-Hekerangi and Mamaku regard seeking the return of ancestral remains as an important primary task associated with whānau, hapū and iwi. Karanga Aotearoa does this work on behalf of, and with the agreement of Māori and Moriori. Separation by time and the physical distance does not sever the connection between contemporary Māori and Moriori from their ancestral remains, an important point also expressed by the two repatriation practitioners.

As shown in Chapter Three, this view of international repatriation being the responsibility of whānau, hapū and iwi begins in 1831 with Wharepoaka seeking the return of 14 Toi moko associated with the Tai Tokerau, then with representatives from Tainui and Waikato seeking the return of Tūpāhau and his tamaiti rangatira from Austria, and then with the Whanganui people seeking the return of Hohepa Te Umuroa in the 1980s. This, however, was not reflective of all international repatriations.

Changing Tikanga Connected to International Repatriation

The 1980s was also a pivotal period for change in the nature of tikanga associated with the international repatriation of kōiwi tangata, kōimi t'chakat and Toi moko. With the return of Toi moko from Australia and the United Kingdom through the repatriation work of Māui Pōmare, Sir Graham Latimer and Dalvanius Prime, they were returning Toi moko to Aotearoa New Zealand without an explicit whakapapa connection to themselves. For Latimer, as the Chair of the Māori Council of New Zealand, he was undertaking international repatriation mahi on behalf of Māori, but he also felt a deep spiritual connection to the specific Toi moko he was seeking to repatriate despite not knowing the direct whakapapa link. Latimer's response below shows the depth of the connection felt by him:

I can't prove that he came from the Tai Tokerau, that he was Ngāpuhi, but I felt for him. I had an inner feeling that I wasn't treating the head as a stranger, there was a spiritual acknowledgement (Harrison 2002:138).

This view of a spiritual connection with an unknown Toi moko, and the challenging piece of international repatriation work completed by Sir Graham Latimer and his supporters to bring him home to Aotearoa, highlights a dramatic change in Māori thinking pertaining to tikanga associated with the trade of Māori mummified heads and the loss of associated mana for these tūpuna. Basically, Toi moko that were traded overseas, as I have highlighted in Chapters Four, Five and Six fell into one of the three following categories, namely:

- A small number was stolen by Pākehā for trade;
- Mummified heads of fallen rangatira and warriors who died in battle; or
- Heads of those enslaved and traded.

Of the three categories highlighted above, the last two are associated with the loss of mana, and therefore the loss of status to the victor iwi that enslaved the individual. There would be no loss of mana with a Toi moko whose head had been stolen, however, it would be difficult today to discern which head belonged to which category.

It is important to note the view expressed by Latimer in the 1980s was not unique, but the view held by many contemporary Māori at that time to the present day. To show evidence of this, I refer you to research conducted in September 2007, by Lissant Bolton, a British researcher who came to Aotearoa New Zealand on behalf of the British Museum to seek the views of contemporary Māori in respect to seeking the repatriation of Toi moko by Te Papa. Of those Māori she undertook research with, most spoke in favour of the repatriation of Toi moko (Bolton 2007:112), with responses such as:

- Māori only traded in Toi moko because Europeans sought mummified heads, Māori did not create the trade;
- Māori practice has changed, and those changes needed to be accepted and acknowledged;
- all mummified heads should come home;
- The return of heads offers healing and reconciliation to the Māori past; and
- They should return to Aotearoa New Zealand so the provenance research can be conducted.

The minority of views not in favour of repatriation of Toi moko (Bolton 2007:112) expressed the following points: Toi moko were traded by Māori; Māori need to take ownership of this past and deal with the consequences; and research should be conducted to find their provenance before they return from overseas. In response to the view that Māori needed to take ownership of their involvement concerning the trade of Toi moko, this process has been taking place from the 1980s through Pōmare, Latimer and Prime, as Toi moko were and are being repatriated as part of the reconciliation process for both Māori and non-Māori. The final point that research needs to be conducted overseas to confirm provenance to Aotearoa New Zealand, is also moot, as the unique nature of Toi moko (i.e. mummified heads of Māori origin, with mataora and tā moko) confirms their provenance. For example, no other people have the same mataora and tā moko patterns as Māori and combined with the mummification process they only existed in Aotearoa and Te Waipounamu before the arrival of Pākehā. This is the very reason why they were a sought-after curiosity and earnt a high price in Australia, North and South America and Europe, because of their uniqueness.

A simple critique of Bolton's research and analysis is that it is helpful in understanding the general position of the people she interviewed in regards to the repatriation of Toi moko, however, by 2007 the New Zealand Government's position, which was supported by Māori and Moriori leadership was already well known through the establishment of the Karanga Aotearoa Repatriation Programme in 2003. So what was the point of Bolton's research on behalf of the British Museum? I will talk more about this aspect in the section further below pertaining to Te Papa's request to repatriate from the British Museum.

One aspect Bolton's research highlighted is that contemporary Māori acknowledged that Māori views about Toi moko had changed over the time they had been traded offshore before 1840. Most were in favour of their repatriation despite not knowing who they were, their regional provenance, and the loss of their personal mana through the trade. There was, however, one view of a naysayer that was identified in detail, which was:

> *that if his grandfather had been captured and enslaved, and then his head tattooed and then sold, he would not seek the return of his grandfather's head. Deprived by these events of his mana and power, the head would no longer be that man anymore, but rather something (like a pair of shoes), that could remind his grandson of him (Bolton 2007:112).*

I do not wish to say this view is not authentic for this specific individual, however, it may not be a view shared by the majority of this person's whānau. Put simply what is shown by historical accounts is that whānau, hapū and iwi did seek the return of Toi moko of their rangatira and warriors fallen in battle under these same circumstances, as that is the rationale that underpins tatau pounamu. It is through the active repatriation of Toi moko by their whānau that provides the catalyst for their mana and tapu to be restored.

I also wish to further dissect this view pertaining to the loss of mana and power of the Toi moko, through the events of losing a battle, his life, his head, and then his mana and power. According to Professor Sir Hirini Moko Mead, Wiremu Maihi Te Rangikāheke (refer to Chapter One), the Ngāti Whakaue rangatira of the mid-1800s echoed a similar position about people who had become part of the tūtūā or enslaved class:

> *It needs to be said that Te Rangikāheke did not believe that pūmanawa could be passed on to people of low class, such as tūtūā. In his time tūtūā did not qualify as being treated as human beings. By becoming slaves these people lost their birthright and thus their right to be treated the same as other members of the hapū (Mead 2003:39).*

To expose the fragility of the argument from both the gentleman about the hypothetical case of the captured head of his grandfather and that of Te Rangikāheke about the lowly and continuous enslaved state of tūtūā. As highlighted in Chapter One, the kōrero about Māui-tikitiki-a-Taranga provides the aspirational basis that a person of lowly status, can overcome such a cultural disability through mana-enhancing actions. These mana-enhancing actions can either be done by the individual, such as Māui-tikitiki-a-Taranga, or by members of their whānau. For example, for those that have been captured whether as a living person or in the form of a Toi moko, their whānau can seek tatau pounamu and through this process restore the mana and tapu to the person. Lastly, Te Rangikāheke was considered a rangatira, a puna mātauranga, and scholar amongst Ngāti Whakaue and Te Arawa, yet as a young boy along with his mother, they were captured as part of the Ngāpuhi military raids into Rotorua in 1823. Te Rangikāheke and his mother were only returned by Ngāpuhi upon the receipt of a ransom that was negotiated by Te Rangikāheke's father (Curnow 1990:1). According to his own tikanga framework Te Rangikāheke only escaped tūtūā status, through the actions of his father, and hence my argument that it is possible for this to be done for all people that were placed in the tūtūā position or those considered mummified slave heads between 1769 and 1840.

To further support my view that tūtūā status was not constant and inflexible but could change over time. There are a number of well-known leaders that were taken as captives or enslaved as young people as part of the inter-iwi wars from the late 1810s to the late 1830s but returned to their iwi without the legacy of being enslaved as their defining identity. These examples include Rāpata Wahawaha of Ngāti Porou (Soutar 2000:5, 85-95; Oliver 1990a:1) Te Mānihera Poutama of the Tangāhoe hapū of Ngāti Ruanui (Church 1990:1), and Te Whareumu of Rakaipaaka of Ngāti Kahungunu (Ballara 1990k:1).

Engaging with Unknown Tūpuna

For most of the Toi moko returning from overseas, their iwi affiliation is unknown, as they were traded at a time when they were a commodity and a curiosity, as a native Māori head, and their name or tribal association was not considered important to record at that time. To highlight the changing tikanga related to Toi moko from the period of 1769 to 1840 to the perspectives held by Māori from the 1980s, two notable Māori academics and scholars, namely Te Rangi Hīroa and Professor Sir Hirini Moko Mead have written about the following changes in Māori society over that period of time.

Firstly, Te Rangi Hīroa stated in the 1960s in respect to the collapse of Māoridom's traditional hierarchical society, "the Māori of today have become merged in an introduced democracy, in which all are rangatira and the tūtūā class has strangely disappeared" (Te Rangi Hīroa 1966: 338). This view is further supported by Mead who states the traditional understanding of Māori spirituality had changed from the time of Te Rangikāheke who proposed that only rangatira and their descendants could possess spiritual gifts from the traditional atua. Mead states:

> *The whole nature of Māori society had changed and the social distinctions of the past no longer exist. An important consequence is that all Māori now belong to the rangatira class. All are related to the chiefs and have nobility of birth (Mead 2003: 45).*

Therefore, if contemporary Māori people, in general, believe they have rangatira whakapapa it is reasonable to suggest as highlighted by Bolton in her research, that Māori have a sympathetic disposition to Toi moko, as, like their own specific tūpuna, Toi moko were once of rangatira origins and respect is accordingly offered. The point being made is that the tikanga related to honouring rangatira and recognising their mana has changed from the time of 1840 to the 1980s. The strict tuakana teina relationships of the past and the regimented hierarchies pertaining to ariki, rangatira and tūtūā have evaporated for most Māori. This tikanga and philosophical change has influenced how contemporary Māori think about the past and their tūpuna, and also as highlighted by Bolton in her research that Toi

moko should come home, and they should be respected like all returning tūpuna and karāpuna. Although remnants of the old tikanga pertaining to the heads of those enslaved, captured, or the heads of the defeated still exist, however, they now fall into a minority way of thinking. Karanga Aotearoa carries on the underpinning philosophy as expressed by Latimer, Pōmare, and Prime that all tūpuna and karāpuna should come home, whether they are Toi moko, kōiwi tangata or kōimi t'chakat, and whether their iwi is known or not.

Repatriation Request to the British Museum

The following case study shows the complex nature of seeking the return of ancestral remains from the British Museum in the United Kingdom by indigenous people when the very act of seeking repatriation challenges one of the last vestiges of British colonial power and authority. Chapter Three highlights Māori leaders had successfully sought the return of Māori ancestral remains from institutions and private collectors in Austria, the United Kingdom and Australia. Other indigenous communities were also making repatriation requests for their ancestral remains from the 1980s, such as the Tasmanian Aboriginal Centre which had also sought the return of their ancestral remains from British institutions (British Museum 2022:1). As the repatriation requests from colonised indigenous people began to grow, this challenged institutions in the United Kingdom to reconsider the ethics of its collections practices, and also how it approached the request for repatriation (Stumpe 2005:130).

From mid-2001 to November 2003 the British Government established the 'Ministerial Working Group on Human Remains' (WGHR) to examine the current legal status of human remains held within publicly funded galleries and museums in the United Kingdom. The release of the WGHR report in November 2003 signalled upcoming changes in how publicly funded institutions would consider repatriation requests for human remains. As a response to the report, in 2004 an amendment was made to the UK Human Tissue Act allowing for the voluntary return of human remains held in the collections of museums in the United Kingdom (University of Geneva 2022:1; (Human Tissue Act 2004 Part 3. Section 47).

In June 2006 Te Taru White, the Kaihautū at Te Papa at that time made a formal request seeking the return of the seven Toi moko and nine kōiwi tangata. Between late 2006 to the end of 2007 the British Museum requested three reports to be compiled to provide an overview of the relevant issues pertaining to Te Papa's request to repatriate Māori ancestral remains housed in its collections. The three reports included:

- A cultural significance report by Tristram Besterman which highlighted the intricacies of the history and trade of Toi moko, which identified that Māori actively traded the heads of their enemy who were most likely taken as a result of conflict, however, it also highlighted the problematic situation of continuing to hold onto such ancestral remains who were taken, traded and collected under questionable historical events (Besterman 2007);
- A scientific significance report by Philip Endicott (Endicott 2007) which placed a high value of genetic and isotopic testing on the Māori ancestral remains at the British Museum despite the existence of contemporary living Māori population in Aotearoa New Zealand, with also an active diaspora in London, United Kingdom; and the
- Final report by Lissant Bolton (Bolton 2007) which I have highlighted above, which seemed to question the validity of Māori seeking repatriation of their ancestral remains, including the repatriation legacy of leaders such as Pōmare, Latimer and Prime, as well as the philosophical basis of Karanga Aotearoa's establishment.

As part of its consideration, the British Museum actively sought to verify Te Papa's repatriation mandate with a meeting with the New Zealand High Commission in London to ensure that the New Zealand Government endorsed the request. In March 2008 Te Papa through Karanga Aotearoa sent a detailed response to the British Museum and the reports they had commissioned. This response highlighted the following points (Karanga Aotearoa Repatriation Programme 2007):

- Te Papa does not accept the return of koiwi tangata on the basis of long term loan;
- That Karanga Aotearoa is dedicated to provenancing kōiwi tangata with the aim of returning the ancestral remains to their iwi where possible;
- The issue of scientific research was ultimately the decision of the British Museum as the koiwi tangata were in their care. However, the destructive and invasive nature of the testing would be considered offensive by Māori and Moriori;
- It was noted that Te Papa does not currently carry out any scientific testing on kōiwi tangata; and that
- Te Papa would be happy to inform the British Museum of the final resting places of kōiwi tangata if they were repatriated and would also pass on all relevant research information and view this as the start of a mutually beneficial relationship between the two institutions.

According to the April 2008 meeting minutes of the British Museum Trustees, they considered the request by Te Papa under section 47 Human Tissue Act 2004 (Human Tissue Act 2004 Part 3. Section 47) for the repatriation of seven preserved tattooed heads and nine human bone fragments.

Their recorded response included:

> *the dossier of evidence, including the opinions of independent experts, which had been published on the Museum's website and included the case submitted by Te Papa Tongarewa, in relation to the Museum's policy, dated 6 October 2006.*
>
> *They agreed that the remains were probably 100-200 years old; and that (in relation to paragraph 5.12 of their policy), Te Papa Tongarewa's claim was endorsed by the New Zealand government.*
>
> *The museum policy starts from a presumption of retention which can be outweighed in certain circumstances. They concluded that in the case of the seven preserved tattooed heads it was not clear whether or not a process of mortuary disposal had been interrupted or disturbed; and that it was not clear that the importance of the remains to an original community outweighed the significance and importance of the remains as sources of information about human history.*
>
> *On the other hand, they concluded that it was very probable that the fragments of human bone had been part of a process of mortuary disposal, and that the importance of the remains to the claimants outweighed any likely public benefit of retaining the remains in the collection. Therefore they agreed that the nine human bone fragments should be transferred to Te Papa Tongarewa (British Museum 2022a:1).*

How are we to understand the British Museum's Decision?

It is important to note the British Museum is well-known for its conservative approach to repatriation requests whether they are for ancestral remains or cultural treasures. Examples of this include the refusal by the British Museum to agree to the return of the Parthenon Marbles to Greece although the request was made by the Greek Government (Opoku 2010:1; British Museum 2022b:1), as well as the request from the Oba of Benin alongside the Nigerian Government for the return of the Benin bronzes ransacked from the Kingdom of Benin by British soldiers in 1897 (Opoku 2010:1; British Museum 2022c:1). Both cases continue to be highly controversial for the British Museum.

It, however, has agreed in part to repatriate ancestral remains to indigenous Australian communities, similar to the outcome of the request made by Karanga Aotearoa, where they consider scientific benefit over the indigenous cultural and spiritual connection, as well as determining whether traded ancestral remains by indigenous peoples were ever meant to be placed into a final resting place.

Does the rationale of retention for scientific study stand up?

The argument that indigenous remains should remain outside the country of origin so that they can be scientifically studied against the wishes of the indigenous people for many would seem ethically questionable. Furthermore, it would not meet the minimum ethical rigour and standards set by academic institutions in Aotearoa New Zealand, where active Māori approval and participation would be essential to any scientific research proposal and study.

As I have highlighted in Chapter Two regarding the theft and trade of indigenous ancestral remains from their resting places so that they could be scientifically studied in the 1800s across academic institutions and museums in New Zealand, Australia, Europe, and the rest of the Western world, has shown that the research undertaken has not been beneficial to their indigenous communities of origin. Professor Linda Tuhiwai Smith responds to the sad history of research undertaken on indigenous people with:

> *The belief, for example, that research will 'benefit mankind' conveys a strong sense of social responsibility. The problem with that particular term, as outlined in the previous chapters, is that indigenous people are deeply cynical about the capacity, motives or methodologies of Western research to deliver any benefits to indigenous peoples who science has long regarded, indeed has classified, as being 'not human.' Because of such deep cynicism, there are expectations by indigenous communities that researchers will actually 'spell out' in detail the likely benefits of any research (Smith 2012:122).*

The specifics of the type of research that could be undertaken on Toi moko as highlighted by Philip Endicott in his 2006 report refer to genetic studies and how this would directly benefit health outcomes for Māori. To date, direct health benefits have been shown to remain elusive for this type of research. Furthermore, in France, prior to the repatriation of seven Toi moko from the collections of Musee du Quai Branly, DNA testing was undertaken, which verified that these ancestors were of Polynesian origin, something that was already known prior to DNA testing. Therefore, the value of scientific testing so that

Māori health could benefit is overstated and has no real academic or scientific support behind it, and what Endicott reported is aspirational at best.

Could commercially traded Toi moko be placed in wāhi tapu?

The question of whether traded Toi moko were meant to be placed into a final resting or not led to the Trustees of the British Museum deciding to retain them for scientific study. If the question is only considered within a historical framework, and even though some Toi moko were made for trade, there are those that weren't specifically created for trade but were stolen, so it's not a black and white situation, there are nuances involved. But that is a historical perspective**,** and societal attitudes, social *mores*, ethics and tikanga change, and it would be reasonable to understand that contemporary Māori now have a very different view, attitude and tikanga towards Toi moko, which has been explained above.

In practice, the answer to that question from a Māori perspective is yes, as this is and was the tikanga followed by Te Papa, Pōmare, Latimer and Prime, however, I will talk more about this below in the section about the importance and significance of tikanga and kawa during the international karakia and handover ceremonies. What is highlighted in the above repatriation request process between Karanga Aotearoa and the British Museum is the uphill struggle indigenous people encounter when they seek the return of their ancestral remains in respect to the privileged position held by institutions such as a museum like the British Museum. The privilege they have includes: access to resources provided by their government; the ability to commission research, and seek legal advice; and the privilege to decide on the outcome of the request resides with the public institutions, without being critiqued by an independent board of repatriation experts including indigenous representatives.

Karanga Aotearoa is in a unique position in that it is also based in the museum sector and has the ability to develop long-term relationships with institutions like the British Museum as it is resourced with the specific aim to seek repatriation agreements. It is also supported by strong Māori and Moriori leadership, and has the expertise of nationally recognised leaders, academics, leading cultural practitioners and a secretariat, however, not all indigenous peoples have the same level of support to actively engage in seeking the return of their ancestral remains. A critique of the British Museum decision is that they failed to appreciate the continuous connection Māori have with their tūpuna, and the British Government failed to establish an independent body of repatriation experts including indigenous representatives to consider and decide on repatriation requests.

To summarise this section, there are two main themes which I have highlighted and analysed. One includes the confirmation that the underlying tikanga for Māori and Moriori seeking the repatriation of their ancestral remains is their continuous whakapapa, cultural and spiritual connection to contemporary Māori. In the 1980s a tikanga innovation takes place in international repatriation for Māori, where Toi moko are being repatriated without a direct whakapapa connection to those leaders seeking their return. This change in tikanga can be aligned with a cultural shift by Māori in general, where status and tikanga associated with the pre-European social hierarchies associated with ariki, rangatira and tūtūā status have evaporated and all Māori and their tūpuna are considered to be of rangatira status. This view has also been superimposed on Toi moko, where there is general acceptance that they whakapapa to rangatira status as well. Through Karanga Aotearoa, Māori in general, support the work to bring home ancestral remains whether they are kōiwi tangata, kōimi tangata or Toi moko, and whether they have iwi or regional provenance or not.

The second theme pertains to the continued reluctance of European and other Western institutions to return cultural treasures or ancestral remains to indigenous people. However, gradual steps towards repatriation have taken place by these institutions, in response to repatriation requests and challenges presented by indigenous leaders from the 1980s. The case study of the British Museum and its partial agreement to repatriate nine Māori skeletal remains and not the seven Toi moko, indicates further repatriation conversations and negotiations are required so that Western institutions can better understand indigenous cultural and spiritual perspectives, and to also highlight the major ethical concerns related to their aspirations to complete genetic research on Māori ancestral remains, without the support and approval of Māori communities, as well as the limited benefit of this type of research to Māori health. At best the research proposal is aspirational. This type of misinformed scientific research replicates those studies undertaken on stolen indigenous remains in medical institutions around the world in the mid to late 1800s and noted in Chapter Two that are now discredited.

Māori cultural ceremonies in repatriation practice

Why are Māori cultural ceremonies important when engaging with tūpuna and karāpuna at international institutions?

Latimer above highlighted the spiritual connection when he engaged with the Toi moko he repatriated. In London, he arranged with the Archdeacon the very Reverend Sir Kīngi Īhaka (1821 -1993) who was visiting England at that time, for a handover ceremony to take place at the New Zealand High Commission. As part of this ceremony Īhaka "conducted the ceremony, reciting pre-Christian

incantations as a mark of respect for the warrior's spiritual traditions" (Harrison 2002:138). Through the international repatriation process, Māori repatriation practitioners representing Te Papa, Karanga Aotearoa or the Repatriation Advisory Panel take their mātauranga, pukenga and experience of tikanga as tools and mechanisms to safely engage with tūpuna and karāpuna housed in international institutions.

In respect to engaging spiritually with tūpuna and karāpuna Te Rika-Hekerangi as kuia does this through her karanga as she initially encounters the Māori and Moriori ancestors at the international institutions. Te Rika-Hekerangi says highlights:

> *Ko te mina o te wā he maioha tonu ki a rātou kia hoki mai ki ō rātou, ki ngā wā aianei ki ngā tapahanga o te aho o ō rātou aho o ō rātou pito e tika ana me hoki mai rātou ki ērā wāhi, ērā mōmō kupu. Tēnā ka heria atu ki te wāhi tapu ko te whakaaro i ngā wā katoa ko te whakaaro i roto i a tātou mahi. Ko te kimi nō hea rātou, kia whakahokia ai ki tana kāinga ake?*
>
> *Ana, ko tāku ko te kōrero ki a rātou kia wānanga a wairua waenga i a rātou kia wawe mai te mōhio nō hea rātou kia wawe rātou te* whakahokia. *Ko taku te kōrero hāngai ki a rātou, kia wawe rātou te whakahokia ki ō rātou marae, kāinga ki a rātou whanaunga ki te maha o rātou wā kāinga. E tatari ana ki a rātou kia hoki atu (Te Rika-Hekerangi, Interview 2019).*
>
> (*Translation: There is a deep desire inside to greet the ancestors when they return, I wish to acknowledge the past that separated them from home, but now the focus is that they are finally returning. When the tūpuna are taken to the wāhi tapu, I often wonder where they come from, as that is our mahi to discover their provenance?*
>
> *Through the karanga when we are engaging with tūpuna in the spiritual dimension, I often think and express it is important these tūpuna return to their whānau and communities as quickly as possible. I express with urgency their communities are waiting for them to return.*)

Mamaku also reflects on engaging with tūpuna at international institutions and says:

I think, like on the scale of these kaupapa. Having the responsibility, if you're back home if you have the responsibility to go to the other side of the country, to carry out the karakia, to prepare the tūpāpaku for their return. That whole process was, particularly when you're travelling with the tūpāpaku, you're in a state of tapu. When these kaupapa occur overseas, you are basically superimposing all of these responsibilities and all of those actions on top of that. In particular with the couriers when they actually bring the tūpuna back. Then they actually do have to carry a lot of tapu, with that responsibility for the tūpāpaku. There are a lot of responsibilities, rites and rituals, that need to occur. Even until they are placed inside the wāhi tapu. I think that the responsibility finishes there. Actually, technically after the hakari is completed. But, until the point where they are placed inside the wāhi tapu that responsibility is carried on throughout to the end (Mamaku, Interview 2019).

As highlighted by Mamaku and Te Riki-Hekerangi above the engagement with Māori and Moriori ancestral remains housed in international institutions is framed through their existing understanding of tangihanga processes, and appropriate rituals are given and offered. This is a continuation of the ritual tangihanga practice offered on marae around the country and also provided by Latimer and Īhaka for the Toi moko repatriated from the New Zealand High Commission in London in 1988 (Harris 2002:138).

Why are Tikanga and Kawa Important to the Process of Engaging with Tūpuna?

Central to the process of uplifting tūpuna and karāpuna is engagement with them both culturally and spiritually. Ancient tikanga and kawa practices provide the tools, the frameworks, and the pathways to do this appropriately. The people nominated to undertake this work must be proficient in tikanga, kawa, karanga, waerea, karakia, whaikōrero, mōteatea, waiata tangi, inoi and te reo Māori and have extensive experience in implementing the concepts of manaakitanga, tonotono and whakaaro pai. In addition to this, these kaimahi and kaimanaaki from Te Papa need to be competent administrators, tonotono (couriers), and quick at troubleshooting the different challenges that may arise. Te Rika-Hekerangi explains how the connection with tūpuna can be felt immediately when in their presence, after the initial arrival at an international institution:

Mōhio koe anō nei i mōhio au ki a rātou. Koirā taku tata ki a rātou taua wā ehara i te mea he haere atu ka aha? Ka whakatangi anō i a au, i roto i a au te kapakapa i roto i a au te koa, anā i runga i tērā te koa ka kite au i a rātou, i aua kōiwi. I a tātou rā, koina te koa ka kanapa katoa o

roto o taku ngākau, me te aha ka maringi noa te roimata. Me taku mōhio pērā anō wētahi atu o tātou ka whai atu i a koutou ki ngā haere nei. Pēnei te wairua, te wairua ka hono, ka hono ki a rātou. Tērā anō ki te heke ki raro rā, pai rā anō te wairua ki a rātou (Te Rika-Hekerangi, Interview 2019).

(Translation: Engaging with tūpuna allows the spiritual aspects to connect. When I engage with tūpuna I have a purpose and connection, my soul and heart beats, I feel a deep cry within, but also a deep relief and joy to see these ancestors. Then the tears flow, and the spiritual dimension allows the living and deceased to reconnect.)

Mamaku responds to tūpuna with ultimate respect, and undertakes duties that ensure their tapu is maintained:

As far as integrity goes, I think there's space for tikanga, there's space for Māori protocol and to express them. That's in preserving the tapu nature of the tūpuna, and in carrying out our responsibilities, in ensuring that the tūpuna get home safely. We have a responsibility to ensure that the tapu nature of the tūpuna is preserved (Mamaku, Interview 2019).

The question of the relevance, significance and need to take kawa and tikanga as part of the process of receiving ancestral remains housed at international institutions is an important question to consider? To some, it may be considered quite a challenging and confronting question, however, Hema Temara who was the Marae Tikanga Coordinator at Te Papa for over 15 years, and who was invited to travel as a kuia to repatriate Māori and Moriori ancestral remains from overseas institutions in 2009, 2014, 2016 and 2018 was quite straightforward when she explained the importance of tikanga, kawa and te reo as part of the process of engaging with Māori ancestral remains:

When we engage with tūpuna, we use tikanga, kawa and te reo as part of this process. Because when these tūpuna were alive over 150, 200, maybe over 300 years ago this is what they were familiar with.[25]

When the delegation from Te Papa arrives at the international institution, its initial request is to be given time with tūpuna and karāpuna in order to engage with them, however, as indicated earlier, the

[25] Personal communication from Hema Temara in 2009.

invitation to attend is extended to the collection managers who may wish to be included. The process of honouring tūpuna involves opening the doors of connection through taonga puoro, karanga, waerea, whaikōrero, mōteatea, waiata tangi, hīmene and karakia whakamutunga. Once the delegation is in their physical presence and spiritual realm the connection is made by introducing the delegation's whakapapa, its intentions, and its impending role to guide the ancestors to their home. The manaakitanga offered by the delegation ensures that throughout this process the tūpuna do not encounter any person or object that would violate or harm their mana or tapu. This includes being in close proximity of food, having the media take images of them, or suffering damage to their ancestral remains or their travelling cases. Mamaku as a tikanga and kawa specialist describes the encounter and engagement with tūpuna:

> *I think the main focus for tikanga, especially in repatriation, looking at the overall, is the main kaupapa for Karanga Aotearoa. The key areas are, the return of tūpuna, kōiwi tangata and Toi moko as far as te hunga mate (the people who are deceased) goes. A lot of the tikanga, how Māori interact with the deceased, mirrors protocols that are established, in particular around the funeral, tangihanga, urupā, and wāhi tapu. Then I guess that the main underpinning Māori principle is really around tapu and noa and how that is managed. How the preservation of tapu, which is very, very important, especially in repatriation is maintained (Mamaku, Interview 2019).*

Mamaku acknowledges that the tikanga practices taken internationally reflect the practices and expectations experienced once the tūpuna are returned to be cared for in Te Papa's wāhi tapu, then uplifted and taken home to another part of the country.

Ritual process

As highlighted above by Mamaku and Te Rika-Hekerangi the rituals of encounter and repatriation are culturally and spiritually significant for Māori. Karanga Aotearoa implements these rituals during the uplift, engagement, physical return to Te Papa, and then return to iwi. These rituals include:

(1) Karakia at the international institution with the returning Toi moko, kōiwi tangata and kōimi t'chakat;
(2) Formal Handover ceremony of tūpuna and karāpuna at the international institution;
(3) Pōwhiri / Hokomaurāhiri of tūpuna and karāpuna at Te Papa's national marae named Rongomaraeroa;
(4) Care of tūpuna and karāpuna in Te Papa's wāhi tapu; and

(5) Return of tūpuna and karāpuna to their iwi/imi.

The significance of having a repatriation agreement in place with an international institution is very important, as this confirms the repatriation and restitution of the physical remains will take place. In regards to tikanga Māori, however, it is rituals and tikanga associated with the physical uplift by the kaumātua on behalf of Māori and Moriori that reconnect Toi moko with mana, tapu, mauri and rangatiratanga. It is the delegation, through their spiritual actions that provide the pathway of reconnection to mana and tapu. The karakia with Toi moko, kōiwi tangata and kōimi t'chakat open the spiritual pathway, and this is built upon with the ritual of the formal handover ceremony, the pōwhiri on Te Papa's national marae, karakia in the Te Papa's wāhi tapu, and then the final and safe return to their wā kāinga. Without the ritual elements pertaining to tikanga Māori, the ancestral remains will physically return, but their spiritual return would be incomplete from a Māori point of view, as their mana and tapu would not have been reinstated by the actions of the Te Papa delegation representing their whānau, hapū and iwi. This is further highlighted below with the case study of the Toi moko handover ceremonies in France in 2011 and 2012.

With the approval of the French Parliament to repatriate Toi moko in their institutions, arrangements for the formal handover ceremonies in France began. From a tikanga Māori point of the view, the handover ceremony allowed for the recognition of the mana, tapu, mauri and rangatiratanga of each tupuna to be acknowledged through the cultural practice of the tangihanga ritual, which is supported with the ritual elements of taonga puoro (traditional Māori instruments), karanga, karakia, whaikōrero and mōteatea. The tangihanga ritual is intensely tapu as it is a means of offering respect to the deceased, their mana, tapu, rangatiratanga, mauri, memory, and continuous whakapapa to Aotearoa New Zealand.

From a Te Papa perspective, the handover ceremonies also provided a mutually agreed space to acknowledge the history of how the tūpuna came to be in international institutions, the trade and practice of collecting Māori and Moriori ancestral remains, and the importance of returning ancestors to their wā kāinga. The first handover ceremony of one Toi moko was conducted in the City of Rouen on 9 May 2011. The second ceremony of 20 Toi moko from 10 institutions was conducted on 23 January 2012 at Musée du Quai Branly in Paris. The preparation and arrangements for these two important handover ceremonies involved the New Zealand Embassy in France, Te Papa, the French Ministry for Culture, and the respective institutions returning Toi moko. For the French it allowed

them to acknowledge how the tūpuna came to France, and to establish the rationale for their repatriation and its significance. Importantly, the ceremonies provided a defined space and time for the formalities of restitution, repatriation and reconciliation through speeches and actions enhanced by a formal ceremony. The arrangements for each respective ceremony involved: acknowledgement and respect offered to the tūpuna through the tangihanga ritual process; formal speeches acknowledging the kaupapa of repatriation and its importance; signing of a transfer document; and an agreement to manage media in partnership and to provide a joint media package in English and French.

Musée du Quai Branly handover ceremony on Monday 23 January 2012

It is important to note that the handover ceremony at Quai Branly Museum was part of another important activity at the museum that was timed to coincide, that is, the closing of the *E Tū Ake: Māori Standing Strong* exhibition. The exhibition was one of Te Papa's international travelling exhibitions, which followed on from the success of the *Te Māori* exhibition, which travelled through North America in the 1980s. *E Tū Ake* showcased both traditional and contemporary Māori arts, taonga, and history alongside stories of indigenous perseverance and cultural renaissance. The exhibition opened on 4 October 2011, and closed at 9.45 am on Monday 23 January 2012(Museum of New Zealand Te Papa Tongarewa 2011: 5, 24, 25).

Leading up to the closing of the exhibition was a weekend of Māori and Pacific cultural activities that complemented the exhibition. A delegation of Māori artists nominated by Toi Māori (Māori Arts Collective) presented Māori culture, art, tā moko, waiata, taonga puoro and mau patu (the art of Māori weaponry) and told traditional stories. The artists and specialists included Joe Harawira, Tamahou Temara, Hinemihiata Lardelli and Poutaka Kihi.

The planned closure of the *E Tū Ake* exhibition on 23 January 2012 meant that Te Papa had also sent to France members of their collection management team to de-install the exhibition and prepare it for its next venue. This team included Mark Kent (Touring Exhibitions Manager), Moana Parata, (Collection Manager), and Nirmala Balram (Conservator).

At 8 am on Monday 23 January 2012, the delegation of New Zealanders including members of the New Zealand Embassy, Te Papa and Toi Māori came together at Musée du Quai Branly. Their first task was to enter the auditorium for the handover ceremony and dress it appropriately for the 20 Toi moko. A Pasifika whāriki from Uvea (also known as Wallis and Futuna Islands) was provided by one of the Quai Branly collection managers who was originally from these islands. Professor Sir Derek

Lardelli positioned the large images of tūpuna he had brought from Aotearoa, the New Zealand Embassy, headed by Ambassador Rosemary Banks, and her husband provided the plants for the stage, and members of Toi Māori and Te Papa located greenery and arranged the chairs. Lardelli had also curated a number of selected images of landscapes from various parts of Aotearoa and placed them on a USB stick, which was displayed on a large screen towards the back of the auditorium, behind where the 20 Toi moko were placed. See images of the handover ceremony below.

The New Zealand delegation then uplifted all the tūpuna from the storage location, and transferred them to the auditorium with karakia, where they were placed on the whāriki on the atamira (stage), then dressed with black sheeting, kākahu and greenery. As soon as this part was completed the New Zealand delegation led by Lardelli, Joe Harawira, Tamahou Temara, Georgina Kerekere, Moana Parata and Michelle Hippolite arrived at the entrance of the *E Tū Ake* exhibition to formally close it at 9.40 am. On completion of the closing karakia for the *E Tū Ake* Exhibition, the New Zealand delegation proceeded to the Quai Branly auditorium to mihi, karakia and tangi with the 20 Toi moko. This ceremony began at 10 am. All those attending the formal handover ceremony were already in their seats in the auditorium. The French government officials and heads of institutions were positioned on the right-hand side of the stage.

Figure 45: Stephane Martin, Director of the Quai Branly Museum makes the opening speech in the museum auditorium at the repatriation handover ceremony for 20 Toi moko.
(Photo: Natacha Gagne, January 2012).

Table 16: Outline of Toi moko handover ceremony at Musée du Quai Branly on Monday 23 January 2012.

Time	**Ceremonial Activity**
10 am.	To signal the commencement of the handover ceremony, the French Minister and guests will be invited to stand **Taonga puoro** (Māori musical instruments) will sound from the New Zealand delegation entering through the top entrance of the auditorium. The main instrument heard will be the conch shell trumpet that signals the visiting party from New Zealand is entering the domain of encounter and exchange. As the New Zealand delegation slowly walks down the auditorium's aisle towards the Toi moko on stage the following Māori cultural rituals may take place, and include: **Karanga** (Call of acknowledgement) – Georgina Kerekere from the New Zealand delegation will acknowledge the people of France and the Toi moko through her karanga providing the initial voice of contact between the groups gathered. **Karakia** (Incantations) – Professor Sir Derek Lardelli will lead the karakia as the group walks towards the Toi moko. The karakia are incantations that honour the ancestors and their deeds of the past that creates a safe pathway of the ritual encounter between the deceased and the living. **Tangi** (Lamenting) **-** As the group stands before the Toi moko they will stop to lament the memory of the ancestors.
10 .15 am	The New Zealand delegation will proceed to take their seats on stage, and those in attendance will be invited to take their seats. **Whaikōrero (Speeches of acknowledgement)**

	French delegation to commence their speeches of acknowledgement (20 - 30 mins approx). The speakers are Stephane Martin (Director of Musee du Quai Branly, and Hon. Frederic Mitterrand Minister of Culture. The New Zealand delegation will offer their appreciation to the French government and the respective museums and institutions through three speakers who will reflect on the importance of this occasion to Māori communities, the New Zealand government, and the museum sector. The speakers are: • Professor Sir Derek Lardelli (Te Papa's Repatriation Advisory Panel) –speaker 1 for New Zealand delegation. *Reflections of the Māori community*. (15 mins approx). Kinaki (sung poetry imbued with accounts of important tribal narratives) will be sung to support Derek's speech. • Rosemary Banks (New Zealand Ambassador) – speaker 2 for New Zealand delegation (5 - 10 mins approx). *Significance to the New Zealand government*. Kinaki (sung poetry imbued with accounts of important tribal narratives) will be sung to support Rosemary's speech. • Michelle Hippolite (Te Papa's Kaihautū) – speaker 3 for the New Zealand delegation (5 - 10 mins approx). *Building relationships between museums.* Kinaki (sung poetry imbued with accounts of important tribal narratives) will be sung to support Michelle's speech.
	The signing of transfer documentation Michelle Hippolite, Professor Sir Derek Lardelli and Rosemary Banks will meet Minister for Culture at the table in front of the

	French delegation to sign the transfer documents. At the conclusion of the signing of the documents, all are invited to return to their seats. The New Zealand delegation will present a koha (gift) to the Minister of Culture and the Directors of each Museum. Once completed, the New Zealand delegation will walk over to the French delegation for the hongi (pressing of noses and shaking of hands). This is an important Māori greeting and is a symbolic gesture of sharing the breath of life.
	Wai whakanoa – For those that wish to participate, bowls of water will be available to dip fingers into and lightly sprinkle water over your respective head. This element of the ceremony allows the participants to separate themselves from the intensity of the ceremony and to safely re-enter the domain of the everyday world.
11.30 am to 12 pm.	All attendees are invited to proceed to the designated area for kai (light refreshments) Representatives of both delegations are available for interviews with media.

Figure 46: Professor Sir Derek Lardelli acknowledges Frederic Mitterrand Minister of Culture with a hongi at the completion of his speech.
(Photo: Natacha Gagne, January 2012).

Figure 47: Professor Sir Derek Lardelli, Michelle Hippolite, Rosemary Banks and Frederic Mitterrand (left to right) sign the transfer document between the French Government, the New Zealand Government, and Te Papa.

(Photo: Natacha Gagne, January 2012).

To complete the ceremony for the New Zealand delegation Lardelli provided the final karakia before the tūpuna were moved to their awaiting transport. Te Herekiekie Herewini accompanied the tūpuna from Paris as they were driven to London England, where they stayed overnight, and the following day flew directly from London to Auckland via one stopover. On arrival at Auckland Airport, Te Herekiekie Herewini had a karakia with the tūpuna, however, extremely strong winds had prevented the flight from Auckland to land at Wellington airport after two failed attempts. The pōwhiri for the tūpuna at Te Papa in Wellington, therefore, was postponed to the next day and followed pōwhiri and tangihanga protocols. After the pōwhiri, the tūpuna were carried to Te Papa's wāhi tapu, where they are cared for according to strict tikanga and a high standard of museum conservation care, as research progresses to locate their regional or iwi provenance.

French Critique of Quai Branly Handover Ceremony

Ko te manu i kai i te miro nōna te ngāhere
The bird that eats berries from the miro tree belongs to the forest.

Ko te manu i kai i te mātauranga nōna te ao
The bird that eats from the tree of knowledge belongs to the world.
(Traditional Māori saying as spoken by a tupuna).

The handover ceremony of 20 Toi moko at Musée du Quai Branly captured the interest of many academics and museum professionals familiar with repatriation politics within French and European museums. Roustan, who works in the Department Homme et environment, Museum National d'Histoire Naturelle in Paris and Gagne of the Department d'anthropologie, Universite Laval, Canada attended the ceremony not only to view and take part as a member of the audience but also to observe and critique the ceremony from academic and anthropological perspectives. Their combined paper, *French Ambivalence Towards the Concept of 'Indigenous People': Museums and Māori (31 March 2019)* record their observations of the ceremony and review the understanding of indigenous issues and perspectives of audiences who attended Te Papa's *E Tū Ake* exhibition held at Musée du Quai Branly from 4 October 2011 to 22 January 2012 and at Musée de la civilisation in Quebec, Canada from 21 November 2012 to 8 September 2013 (Museum of New Zealand Te Papa Tongarewa 2013: 19, 24). The repatriation of ancestral remains housed in public collections in France is extremely rare. The handover ceremony at Quai Branly was the second ceremony for Toi moko, and may have only been the third for France, with

possibly the human remains of Sarah Saartjie Baartman (refer to Case Study 6) an indigenous South African receiving the first handover ceremony before she was repatriated back to South Africa in 2002.

In their paper, Roustan and Gagne focus on a ceremonial *more* that has been ingrained in French culture from the time of the French revolution in the late 1700s. This is the French Republic's core principle of laïcité that separates state and religion thereby making French public ceremonies neutral — devoid of religious rituals (Gagne & Roustan 2019: 96–97). According to members of the mainly French audience, the Toi moko handover ceremony broke this French social rule, either knowingly or unwittingly (Gagne & Roustan 2019: 106). They observed Māori funerary rituals alongside the expected formalities of signing transfer documents between the French Government, Te Papa and the New Zealand Government:

> *French citizens [in the audience] —watched Māori women singing and sobbing, an Elder paying homage to their ancestors in kōrero, and government representatives abiding by Māori customs — for example, by pressing noses to greet each other and when sealing their new relation at the end of the ceremony (Gagne & Roustan 2019: 106).*

As Mamaku points out above, the tikanga practices taken to international institutions are grounded in the practices and expectations set and followed by Māori throughout Aotearoa. In this regard, the handover ceremony at the Quai Branly Museum fulfilled the expectations set by officiating kaumātua, Te Papa, the New Zealand Embassy in Paris, and most importantly was considered and agreed to by the French officials belonging to the Ministry for Culture of the French Government. During his speech at the ceremony, the French Minister of Culture Frederic Mitterrand dutifully acknowledged tikanga Māori and Māori reverence for tūpuna when he quoted a passage from a book written by Victor Selagen, a doctor in the French Marines at the beginning of the twentieth century and stationed in Tahiti, French Polynesia. Minister Mitterrand said:

> *Selagen noticed during his journey in the South Pacific the cultural links maintained with memory, ancestors, and genealogy. These links exist in all cultures, but have an exceptional dimension for the Māori people, which .....was evidenced by the handover ceremony (Mitterrand 2012: 1)*

It is interesting to point out that in 2007 when the United Nations adopted the Declaration on the Rights of Indigenous People, France voted with a majority of countries that affirmed their support, while

the four countries that voted against the resolution included New Zealand, Australia, Canada and the USA, however, by 2010 New Zealand changed its position and finally affirmed the Declaration. France along with many other former colonial powers in the world are responding to repatriation issues. The British Empire and its former colonial governments have reviewed their history including their relationships with First Nations and indigenous peoples. Dr June Jones, who is based in the United Kingdom, provides further insight into her experience with repatriating ancestral remains to indigenous people, through preparations for the formal handover ceremony at Birmingham University in 2013. When asked about this ceremony and the inclusion of tikanga Māori, Jones said:

> *My understanding of tikanga is that it is inseparable from Māori heritage. It's about your customs, your beliefs, your practices, your values, as passed down through different generations, through your traditions, for each iwi. Each iwi might have a slightly different tikanga, there might be a shared tikanga as well, so it's ancient. So I'm aware there is a specific tikanga around when somebody dies and somebody passes on, and that is there, whether that person died today or they died three or four hundred years ago. That there are still practices that need to happen to respect that person but to also respect the people of where they come from (Jones, Interview 2019).*

As shown above, through Jones' commentary, there is growing acceptance and comfort in other European countries of handover ceremonies which are inclusive of cultural traditions belonging to the indigenous communities directly connected with the ancestral remains.

What are we to make of differing expectations and power dynamics in France when it comes to France?

Ceremonies honour and reflect important kaupapa for a particular social group and they contain important symbols of significance. The handover ceremony at Quai Branly was an important event, a strong symbol of cooperation and partnership between France and Aotearoa New Zealand. According to E. R. Leach, an anthropologist with an interest in rituals and their meanings within indigenous communities of Southeast Asia, makes an observation about the expression of ritual and writes:

> *ritual makes explicit the social structure. The structure which is symbolised in ritual is the system of "proper" relations between individuals and groups. These relations are not formally recognised at all times (Leach 2014: 75).*

According to Gagne and Roustan, the repatriation ritual encounter at Quai Branly for the 1.5 hour period was rare and unique on all accounts. For 90 minutes the auditorium of France's National Museum, located within Paris, the capital of France contained Māori tangihanga practices for honouring the dead. For at least ninety per cent of the people in the ceremony, they were encountering Māori ritual and ceremonial practices that were unfamiliar and unknown to them. Leach provides a framework by which to consider the handover ceremony, in particular how the ritual's social structure between active participants provides insight into the "proper" (Leach 2014: 75) relations reflected in the ritual, albeit on a temporary basis of ninety minutes.

An analysis of the handover ceremony's social structure identifies the Toi moko are placed at the centre of the auditorium's stage, with four female kaiāwhina (helpers) sitting next to the tūpuna and comforting them. A Māori warrior dressed in piupiu (Māori garment make of flax) and with taiaha (Māori wooden staff) stands behind the tūpuna next to the New Zealand delegation. On stage to the right-hand side of the Toi moko the French dignitaries are seated, and on the left-hand side of the Toi moko the New Zealand guests are seated, the remainder of those in the auditorium is the audience. Behind the Toi moko, a screen is presenting images of New Zealand's natural environment, and four large portraits have also been placed on stage, two kuia rangatira placed directly behind the Toi moko, and two koroua rangatira each placed to the far sides of the stage.

I have interpreted the social structure in the following fashion. The social hierarchy is based on the importance of the role in honouring the Toi moko. Of central importance are the Toi moko, who are placed at the top of the social structure. Then comes the kaiāwhina and kuia rangatira who are seen as comforting the tūpuna. The Māori warrior is next, and below him come the two delegations of representatives and their speakers, and finally of those onstage are the koroua rangatira on the edge of the two delegations. Audience members are seen as the least important in the hierarchy, as their role is not active, but one of observation.

Of significance is that the hierarchy of social structure portrayed on stage reflects tangihanga protocols and practices on marae through Aotearoa New Zealand. For the ninety-minute period the Quai Branly auditorium took on the persona of a marae for the New Zealand delegation. Importantly the French officials actively were part of the discussion and agreed to the stage layout, seating arrangements, and were informed about the portraits of the koroua and kuia, and the images of New Zealand natural environment being presented on stage. The structure and format of the ceremony honoured the Toi moko through tikanga Māori, and the social structure within the ceremony gave status and importance to all

active participants. The ceremony provided space for Māori ritual practice to sit alongside the technical requirements, such as signing the transfer document to transfer the care of tūpuna from the French Government to that of Te Papa via the New Zealand Government.

Auguste Comte (1798-1858) the father of positivism, philosophy and sociology once said: "the dead govern the living" (Comte in Fathi 2022:1). According to David Fathi, a French social commentator, the meaning behind the quote is that: "it is the best of the dead that lives on. Society makes progress through the accumulated knowledge of those before us" (Fathi 2022:1). Honouring the dead comes in many forms, Mitterrand in his speech acknowledged the early French explorers that came into Oceania and then the French museums who housed numerous curiosities, taonga and indigenous human remains taken, collected, traded and stolen from indigenous communities. The ceremony was hosted at Musee du Quai Branly – Jacques Chirac, a museum and building that honours the work and memory of a former French president; and the ceremony was conducted within the auditorium named after Belgium and French anthropologist, sociologist and ethnologist Claude Levi-Strauss (1908 – 2009) who is well known for two main theories, one being his structuralism theory pertaining to indigenous societies, where the narratives within their myths and legends have common universal themes and storylines which reflect important ideologies underpinning those respective cultures and peoples, and the other theory pertaining to the binary opposite narrative across media formats, such as good versus evil, rich versus poor, and capitalism versus communism for example. I will use the binary opposite framework further below to help understand the interaction between Māori and French ceremonial practices.

To have an auditorium in the national museum named after a particular individual means the nation holds that person's contribution to their society in high regard, and Claude Levi-Strauss is an acknowledged academic not only in France but also across Europe and North America. There is, however, an element of one of his theories pertaining to primitive indigenous people and modern civilised people, which is summed up in the following quote by Levi-Strauss:

> *It will be objected that there remains a major difference between the thought of primitives and our own: Information Theory is concerned with genuine messages whereas primitives mistake mere manifestations of physical determinism for messages (Levi-Strauss in Latour 2014: 493).*

The above quote is taken from Bruno Latour's paper on 'Relativism' where he highlights that the meaning of Levi-Strauss' quote, is that all human societies have the same developmental potential, however, the main difference between primitive and modern societies, is that modern societies have the

scientific knowledge to inform them, and primitive people without this scientific knowledge construct knowledge systems only based on their interpretation of the natural and animal world around them. Latour further argues that according to Levi-Strauss if you "give the primitive a microscope they will think exactly as we do" (Latour 2014: 493). Levi-Strauss in other words is saying indigenous knowledge systems are not based on science, and therefore science only exists outside of indigenous cultures, for these indigenous cultures to develop into modern societies they need to replace their knowledge systems with Western and modern science. From my point of view, there is a misunderstanding of the relationship Western science and indigenous knowledge systems have with each other, a point of tension and disagreement that is presently playing out between academics within New Zealand (Radio New Zealand 2021:1). I do not wish to go further into this but to say mātauranga Māori and Western science are each of value as distinct knowledge systems, that they come from a different genesis, and they can progressively add value to each other.

May I say there does seem to be an irony of holding a very rare event such as the repatriation of Toi moko hosted by the Ministry for Culture of France, within an auditorium that honours an academic such as Claude Levi-Strauss whose body of work positions indigenous knowledge systems as being of lesser value and development, with no scientific merit. The ideologies underpinning tikanga Māori and laïcité are binary opposites if these are framed and considered through the binary opposite theory according to Levi-Strauss' (Dundes 1997:46-48). This fundamental difference is that in France the concept of Laïcité makes public ceremonies devoid of religion. This fundamentally makes it opposed to tikanga Māori as Māori customary practices are deeply rooted in Māori spirituality, where te taha wairua and te taha kikokiko work together.

Underpinning Laïcité and its influence across all French ceremonial procedures is supporting French legislation and the societal acceptance of having ceremonials devoid of religious practices. The pou supporting tikanga Māori and implementing their practice within an international repatriation handover ceremony of Māori ancestral remains is that they are:

- cultural practices highly valued by Māori, which are supported as a taonga by Article Two of Te Tiriti o Waitangi;
- indigenous cultural and spiritual practices are recognised in the Declaration on the Rights of Indigenous People (2007), and
- Karanga Aotearoa supports and values tikanga practices as part of all its international repatriation work.

The Quai Branly handover ceremony presented a conflict for the New Zealand delegation and the French Ministry for Culture. Te Papa was informed through the New Zealand Embassy that the French wanted a ceremony devoid of religious elements. To overcome the conflict, I responded to the New Zealand Embassy with a full draft of what the handover ceremony would look like, with all the tikanga elements in full view (refer to Table 16 above). My experience of being in the New Zealand Public Service for 35 years, provided me with a wealth of knowledge from engaging with Pākehā colleagues who were unaware of tikanga Māori and would instantly respond negatively to their inclusion in work events. From these experiences, I learnt to reframe tikanga in a manner and fashion that they could appreciate and consider its value. I also learnt a meeting and discussion with these people could help to overcome their negative attitude. I used this skill when I crafted the draft outline of the handover ceremony. I purposefully decided not to use the terms 'religious' or 'spiritual' but instead used the term cultural and focussed on informing and educating at the same time through the draft format. This draft was presented and explained to the French Ministry for Culture by the New Zealand Embassy in Paris, and it passed their thorough critique and review. It should also be noted that the French of course would highlight their commitment to laïcité, however, they also had a responsibility to affirm an equal commitment to the United Nation's Declaration on the Rights of Indigenous People. While the New Zealand delegation of Te Papa, the New Zealand Embassy, and kaumātua had a responsibility to uphold Te Tiriti o Waitangi, their commitment to the Declaration on the Rights of Indigenous Peoples, and Karanga Aotearoa's policy to support tikanga practices throughout its mahi.

The tension between the French Ministry and the New Zealand delegation was resolved through discussions, diplomacy and carefully crafted descriptive words, however, this process did not alleviate the tension for those in the audience unaware of the above discussions. It is noted in Gage and Roustan's paper that some of the French audience felt uneasy with participating in a ceremony where a different cultural form of acknowledging death, ancestors and the reaching of an agreement to repatriate took place before them. They watched an alternative way of being a citizen of a country where Pākehā and Māori New Zealanders spoke English and te reo Māori and openly followed tikanga Māori. They saw and heard forms of Māori chanting, lamenting and honouring tūpuna, and experienced living Māori cultural expressions, including the tears offered in remembrance of Toi moko. The handover ceremony was crafted to allow the Māori, New Zealand and Te Papa voice and ideology of bi-culturalism to sit alongside a more subdued French voice in comparison. According to Leach's social structure theory, the Toi moko handover ceremony is an example of how normal social structure dynamics can be altered within a ceremonial ritual to temporary reflect the "proper" (Leach 2014: 75) dynamics between an

individual and group. In everyday French society, the average person's individual view and perspective are entrenched in the social contract between the French state and their citizens (Gagne and Roustan 2019: 108), therefore in their everyday social life, they are central in determining and controlling their social environment. For the Toi moko handover ceremony, the social control and set expectations were taken away from the French audience, and they became observers with no voice, while the Toi moko and their representatives the New Zealand delegation became the central focus with the ability to lead and direct the ceremony. From an analysis through the ritual social structure framework offered by Leach, this potentially is the cause of tension with the handover ceremony from the French audience's perspective, as they may feel uncomfortable with not having direct control over their social environment, the ritual and its narrative.

An extension of this situation which is important to consider is that the only other direct engagement members of the audience may have had with Māori is through the display of Māori cultural artefacts at museums in France. This, however, may have been a more comfortable and palatable experience as the taonga on display have no voice, no control over their observation, and they (the observer) could directly manage their engagement within their own cultural expectations. The central issue causing tension may not be that tikanga Māori and laïcité are binary opposite ideologies, but that the audience for ninety minutes had no control over the ceremony, the narrative of the ritual, or how they wished to engage with Toi moko. In other words, they may have felt culturally displaced, and that possibly is the tension they felt at the handover ceremony.

Signs of Change

Alan Dundes (1934 – 2005) an American academic specialising in American folklore, critiqued the work of Levi-Strauss by indicating his binary opposites' theory had a broader application beyond myths and extended this to tales, legends and folklore. Dundes quotes Levi-Strauss with the statement "mythical thought always works from the awareness of oppositions towards their progressive mediation" (Levi-Strauss in Dundes 1997: 46).

I view Roustan and Gagne's paper as a provocative thinking piece that is part of that progression from the tension identified at the handover ceremony towards mediation as highlighted above. Their paper provides an opportunity for the reader to digest and consider issues as seen and observed at the Quai Branly handover ceremony, as well as those extrapolated from the E Tū Ake exhibition survey. Importantly Gagne and Roustan's paper considers a number of issues connected with the repatriation of indigenous ancestral remains and cultural treasures. They raise two important questions, including:

1. How is France responding to the expectations of indigenous people and governments of former colonies of European countries in seeking the return of their tūpuna and taonga?

2. What are the underpinning issues related to French ambivalence, as per the findings from the Quai Branly survey regarding Māori aspirations towards rangatiratanga and mana motuhake as symbolic themes of the E Tū Ake Exhibition directly?

The paper also offers a number of responses to the above questions. Firstly, the French Government and its cultural sector are becoming more aware of changing aspirations of indigenous people and former colonies of actively engaging with the taonga and tūpuna, however, they are progressing their French response at a pace and style that reflects their own respective museology practices. Secondly, the paper highlights that while the French Government has a growing appreciation of indigenous issues, French society, in general, do not understand or have empathy for these issues, or France's long history and strong connection with colonisation. There is a great opportunity for the French and other Europeans to actively engage with indigenous perspectives and museology practices. Part of this requires an understanding that there are many ways of managing collections, curating exhibitions, and offering care to ancestral remains. The expertise does not necessarily reside with museums and institutions in the Western world.

As Māori philosophy implies through the whakataukī at the beginning of this case study, the bird that only eats from the forest belongs to the forest, but the bird that eats from the tree of knowledge belongs to the world. This view in general affirms the sociological view that societies are social constructs and are informed by the knowledge of their membership. Where there is limited informed knowledge between societies the potential to misunderstand each other is great. Therefore, the transfer of knowledge between indigenous people and former colonial societies is helpful, where those colonial societies are open to learning about their historical actions towards indigenous people, in particular from the unfiltered perspective of those respective indigenous communities.

This chapter notes the point of tension between tikanga Māori and laïcité was resolved through consultation, active discussions, and diplomacy from both sides. Significantly the New Zealand delegation was able to call on a number of resources including Te Tiriti o Waitangi, high-level government policies and international declarations to affirm their position of supporting tikanga Māori through the handover ceremony.

Following the repatriation of Toi moko, other important repatriations took place from France. In 2014, this included the head of Atai, a Kanak chief from New Caledonia. This indigenous ancestor was killed by French colonial soldiers in 1878, taken to Paris, and held in the Museum of Natural History. The French Prime Minister agreed to repatriate Atai's head to his homeland (Vigneron 2020; 320). Furthermore, other ancestral remains from French colonial territories held in France were returned to Algeria in 2020, and further research is being conducted in French institutions to locate further ancestral remains from other former French colonies (Vigneron 2020:320, 325).

It is reassuring that the insistence of the New Zealand delegation to have tikanga Māori present at the Quai Branly handover ceremony, may have opened additional doors for future ceremonies involving New Zealanders to include tikanga Māori as well as tikanga Pākehā. Following the handover ceremony in January 2012, a number of World War 1 Memorial Services were held to commemorate the 100 year anniversaries of battles in France where New Zealand soldiers died. It is important to note for the ceremonies at Longueval on 15 September 2016 (New Zealand Defence Force 2017) and at Le Quesnoy on 4 November 2018 (New Zealand Defence Force 2018), tikanga Māori such as karanga, karakia, waerea, mōteatea and himene were woven as important elements of the ceremony, alongside the singing of the New Zealand national anthem "E Ihowa Atua - God of Nations".

Conclusion

This analysis of the perspectives of repatriation practitioners provides insights into how they wish to engage with tūpuna and karāpuna, the significance and importance of tikanga and kawa to the repatriation process, and the importance of the ceremonies at international institutions. The chapter highlights that in the 1980s a tikanga innovation takes place in international repatriation for Māori, where Toi moko are being repatriated without a direct whakapapa connection to those leaders seeking their return. This change in tikanga can be aligned with a cultural shift by Māori in general, where all Māori and their tūpuna are considered to be of rangatira status. This view has also been superimposed on Toi moko. Through Karanga Aotearoa, Māori and Moriori in general, support the work to bring home ancestral remains whether they are kōiwi tangata, kōimi tangata or Toi moko, and whether they have iwi or regional provenance or not.

There is continuing resistance experienced by indigenous communities in seeking the return of their ancestral remains, as illustrated by the signing of the 2002 Declaration of the Importance and Value of

Universal Museums by 18 Western museums (The Art Institute of Chicago et al 2002:1). The underlying philosophy of the declaration is the maintenance of the status quo which signals the intention of the 18 museums to limit and close down conversations pertaining to repatriation and to stop the re-engagement of indigenous communities with their taonga and their tūpuna. The partial repatriation of tūpuna from the British Museum is an example of how an institution is able to default to the universal museum principle of maintaining the status quo, for example, where Toi moko were not repatriated, the British Museum erroneously argues that DNA scientific research will be of great historical and health benefit to Māori, therefore of universal importance to all people.

Te Papa, through its bi-cultural aspirations, has implemented the principle of mana taonga, which emphasises the continuous connection between taonga and iwi. All Māori working the repatriation of ancestral remains, express a similar principle of the continuous connection tūpuna have with their uri and to their pito or whenua. When engaging in the repatriation process with Māori and Moriori ancestral remains housed in overseas institutions, there is a general understanding by Māori repatriation practitioners that they are bringing ancestors home on behalf of Māori and Moriori, as the connection between the living and the dead continues despite the length of time away from the homeland and the distance to travel to uplift them.

The handover ceremony allows the physical ancestral remains to be repatriated with dignity and respect by the international institution, however, it is the physical and spiritual uplift of the Toi moko, kōiwi tangata and kōimi t'chakat by the kaumātua, tohunga and associated delegation that allow for the reinstatement and maintenance of the tapu and mana of the returning tūpuna and karāpuna from the international institution to Te Papa's wāhi tapu. The underlying principle of seeking the return of these tūpuna, both physically and spiritually, is to return them so they may once again be embraced by their whānau, hapū and iwi, as well as by their whenua.

The repatriation ceremony of 20 Toi moko at Quai Branly in January 2012 is an example of how the importance of supporting treaties, declarations and high-level government policies alongside well-crafted diplomacy is able to navigate and alleviate tensions between different cultural and ideological perspectives when offering respect to ancestral remains through a formal handover ceremony. Importantly progression towards repatriation takes place where both sides of the conversation are able to discuss, consult and learn from each other's respective views and perspectives.

Finally, this chapter highlights the point that the legacy of repatriation leaders from the 1980s helped to establish the Karanga Aotearoa Repatriation Programme which has the resources and expertise to persist in seeking repatriation agreements with international institutions through the framework of tikanga Māori. The final chapter brings this thesis to a conclusion by discussing in detail tikanga Māori, mātauranga Māori and Western academic theories regarding the trade of Toi moko and the subsequest repatriation six generations later of the same ancestors from international institutions.

CHAPTER FIVE

DISCUSSION, ANALYSIS AND FINDINGS

This chapter builds on all the previous chapters by providing a critical analysis and discussion of their main themes. As indicated in Chapter One, whakapapa or genealogy is a concept that underpins the Māori worldview. Everything, whether tangible or intangible, has whakapapa, and each word or concept has whakapapa that connects it with its origin and the period in history when it originated. Therefore, each word or concept connects to an original ancestor or ancestors, and or events and through understanding these connections, greater insight can be gained about their meaning. In this chapter I will use the whakapapa of the three main words used today to describe a mummified tattooed head of Māori origin. These words are (i) mokamokai, (ii) moko mōkai and (iii) Toi moko. My argument is that each word has a different genesis, and they provide an important and helpful framework to understand, analyse and discuss the concepts of tikanga, ethics, social *mores,* religious and spiritual value, othering, political agency, colonisation, imperialism, mana motuhake (Māori resistance) restitution, repatriation, and reconciliation.

The are four sections to the chapter. Section one is about the word mokamokai and refers to the time period from 3000 BC to the 1810s. Section two is about the word moko mōkai and refers to the time period from the 1810s to the late 1970s. Section three is about the word Toi moko and refers to the time period from the early 1980s to the present day; and Section four provides the summary for this chapter.

Section One: The period of the term Mokamokai

E. R. Leach in his analysis of myth and ritual says "Myth, in my terminology, is the counterpart of ritual: myth implies ritual, ritual implies myth, they are one and the same" (Leach 2014:74). Leach's analysis in my view fits well with the ancient kōrero highlighted in Chapter One pertaining to the repatriating ancestral remans and the direct connections these tikanga have with tangihanga practice of contemporary Māori, as well as the repatriation practices embedded in the contemporary tikanga implemented by the Karanga Aotearoa Repatriation Programme, and its repatriation practitioners such as Whaea Hokimoana Te Rika-Hekerangi and Te Arikirangi Mamaku. Malinowski in his view about the creation of cultural symbolism and values, suggests this provides evidence of a society that has moved from a state of nature to a state of culture and writes: "The formation of habits, skills, values and symbols consists essentially in the conditioning of the human organism to responses which are determined not by nature but by culture" (Malinowski 2014: 98-99).

This suggests that Malinowski would consider ancient Māori kōrero and tikanga as evidence of a people of culture as opposed to a people living in a natural state of being. Malinowski also understands that even "primitive" peoples are capable of building knowledge systems from experience and the logical formation of its principles (Malinowski 2014: 99). Once again this suggests Malinowski would view mātauranga Māori as a knowledge system based on science and logical observation. Words provide an important key to mātauranga Māori or the reservoir of knowledge systems. In *He Pataka Kupu*, an important culturally enriched and embedded dictionary released by the Taura Whiri i te Reo / The Māori Language Commission in 2008, the term mokamokai (Taura Whiri I Te Reo 2008: 465) has two definitions. The first is associated with the tūpuna Ranginui and Papatūānuku and defined as: "He hanga rerekē, he taonga kāore i tino kitea, he mea miharo. Ahakoa haere ia ki hea, ka haria taua mokamokai i tana pūkoro". I have translated this as: "A unique object, a treasure seldom seen, astonishing and an object to admire. No matter where s/he went, s/he carried the mokamokai in its container". Mokamokai is also connected to the word mōkaikai, through Tūmatauenga or the guardian and champion of war, and is defined as: "He ūpoko tangata kua whakamaroketia". I have translated this into English as: "A human head that has been preserved/dried". In my analysis when this word is associated with Tūmatauenga, it refers to the head being preserved as a result of battle and conflict. This means when the head has been taken by the enemy tribe its normal state of tapu is transferred to the state of noa. Therefore, the term mokamokai can either be aligned with tapu or noa. When the head has a whakapapa connection to the whānau, hapū and iwi there is an association to tapu, however, when the word is associated with the term mōkaikai or its variant mōkai (Taura Whiri i Te Reo 2008: 465) it comes under the influence of noa, and it relates to a person that has been captured, held under duress, and or has been enslaved.

Sacred and Profane

Emile Durkheim defines religion as:

> *...a unified (solidaire) system of beliefs and practices relative to sacred things...beliefs and practices which unite into a single moral community called a church, all those who adhere to them. (Durkheim in Giddens 1987: 107).*

The label of church used by Durkheim is not specific to the Christian religion, but relates to all groups of followers of religions whether primitive (i.e. indigenous totemism) or civilised. Furthermore, Durkheim in his writings offers an understanding of the connections between cultures, religions and those items considered "sacred" and "profane". Durkheim proclaims the basis of all human religions

whether "primitive" or "civilised" is composed of two aspects the "sacred" and the "profane" (Durkheim in Giddens 1987: 107). For Durkheim the sacred is separated by the profane by ritual prohibitions and prescriptions (Durkheim in Giddens 1987: 107), and for "primitive peoples" the totem "is the very prototype of sacred things" (Durkheim in Giddens 1987:108). Although Durkheim does not specifically refer to Māori in his writings but other indigenous people from Oceania, Australia, and the Americas, he suggests the totems of these indigenous peoples are spiritual symbols of their god/s and identities of their clan, which process a divine energy and sacred force (Giddens 1987:109). Given the understanding that I provided in Chapter One that kōiwi tangata possess the special qualities of rangatiratanga, tapu, mana and mauri this supports the notion that kōiwi tangata are held in high regard by the ancestors of the Māori, and therefore required special treatment and consideration. According to Durkheim's theory, this would make kōiwi tangata an important 'totem' for Māori, who are a sacred symbol held in high regard by their iwi or descendants. As a mummified head is an extension of kōiwi tangata it therefore is an extension of this concept of totem.

For Durkheim the connection between individual thought and a society understanding of the "sacred" and "profane" is through his discourse about "social facts" (Giddens 1987: 87), which comprise of two connected parts. One of these parts exits externally to the individual which is the culture the person is born into, the institutions and the accepted religion and social *mores* of that society. The second part is that social facts are created by multiple social interactions between individuals, therefore in society a social fact exists beyond the body of one individual and would continue to exist whether that individual person exits or not. Regarding the concept of "social facts" and Māori society before sustained European contact from the early 1800s. In Aotearoa, Māori tribal groups were only engaging with other iwi and therefore there is a mutual and common understanding of the meanings associated with the concepts of kōiwi tangata, mummified heads, tapu and noa, utu, takitaki, muru and ea, therefore there are a set of commonly understood social facts held by iwi within a dominant Māori cultural framework.

Karl Marx is well known for having negative views about religion, as for him religious beliefs is based on illusion and legitimises the subordination of lower socio-economic classes (Giddens 1987: 220). This is similar to Durkheim's theory where religion has the capacity to console the poor and to make them content with their position in the social order, as it is God's will (Giddens 1987:220). I do not, however, see the traditional Māori genesis in the same light as Marx and Durkheim, who view religion as a mechanism and tool to subordinate lower social-economic groupings, on the contrary, I see the Māori genesis story of doing the opposite. This is shown through Levi-Strauss's binary opposites theory which I highlighted in Chapter Four, an analysis of Māori oral histories from the time of Ranginui

and Papatūānuku to the early 1800s through the binary opposite lens provides a refreshing understanding of the main themes highlighted by Māori stories and histories, including theories and philosophies pertaining to (i) comfort of parents versus desired growth of children, (ii) status quo versus innovation, (iii) duty to whānau versus disconnection with whānau, (iv) preparedness versus being unprepared, (v) unity in effort versus individual effort, (vi) whakahihi (arrogance) verses tapu and mana, (vii) teina versus tuakana and many other combinations. The above themes provide insights into the kaupapa that underpin tikanga Māori, social *mores*, ethics, and philosophy, and indicate a complex set of relationships between them all. Central to this, however, is seeking new knowledge, a spirit of innovation, the protection and care of the core elements of tapu, mana, rangatira and mauri, which all have deep spiritual, religious and cultural connections for Māori.

In considering the application of the Māori genesis, tikanga Māori, Māori spirituality, and concepts of kōiwi tangata and mokamokai to Western academic frameworks or theories, such as Marx, Durkheim, Malinowski and Levi-Strauss. I have noted one thing they all have in common regarding indigenous people's religion, spirituality and or society, which is that they all use frameworks that place indigenous people or non-Western peoples into categories that relegate them to being "primitive", "savage" or in a "state with nature" (Giddens 1987: 24-25, 107, 220-221; Smith 2012: 52; 69; Latour 2014: 493; Bhambra & Holmwood 2021: 29-30). I will talk further about this in section two as is it pertains to being a verified fact or a "social fact" as coined by Durkheim as a set of beliefs held by Western and European people and academics about indigenous people. To summarise section one, the period of the term mokamokai coincides with Māori and the ancestors of Māori having mana motuhake over their lives, culture, social *mores*, ethics, tikanga, societal symbols and how they engaged with each other. Their lives, culture and societal norms were from their own place of knowing and provided the kaleidoscope of how to view and shape their destiny.

Section Two: The period of the term moko mōkai.

The period of section two is from the early 1800s to the late 1970s. The period is represented by the word moko mōkai and covers the period of active engagement of Māori with Pākehā, the transition from mana motuhake to colonisation, and then the period of seeking ratification of Te Tiriti of Waitangi. As highlighted in Chapter One, Pākehā are not the first foreign people that the ancestors of Māori engaged with in Te Moananui a Kiwa, or Oceania. Ancient kōrero provide insights in how the ancestors of the Māori in tropical Polynesia engaged with foreign invaders. In two of the ancient kōrero the invaders are

called Ponaturi and these groups of people captured whānau members both living and deceased. The duty of the whānau at this point was to repatriate their family by being strategic, working together, fully appreciating the strengths and weaknesses of the enemy, and completing the task of utu, takitaki, muru and ea with limited negative impact on the family group. The ultimate aim is to unify in kaupapa and show aroha for the whānau while protecting their mana, tapu, mauri and rangatiratanga. With continuous contact between Māori and Pākehā from the late 1700s, Māori society began to be influenced by Western and European ideas. One of these influences is the formation of a new word to describe a preserved Māori tattooed head, namely the word moko mōkai.

How can we define the word Moko Mōkai?

The word moko mōkai or written alternatively as mokomōkai deserves careful analysis. In 1820 the word moko mōkai appeared in Samuel Lee and Thomas Kendall's book *A Grammar and Vocabulary of the Language of New Zealand*, defined as a tattooed decapitated head of a man (Lee & Kendall 1820: 182). In 1844, moko mōkai was recorded also in the original Williams dictionary, and it is translated as a "dried human head" (Williams 1844: 70). In the second edition of the Williams dictionary published in 1852, the word moko mōkai remains the same as before (Williams 1852: 84). In the third edition of the Williams dictionary, published in 1871, the word moko mōkai is deleted, and replaced by "mokamokai" meaning a captured animal, or a "dried human head" (Williams 1871: 85). Despite the correction to the word from moko mōkai to mokamokai in Williams, and Tregear's use of mokamokai in his dictionary in 1891, the form moko mōkai still appears in early printed material in the English language and continues to be used today (Walsh 1894: 611; Robley 1896; Simmons 1986: 140; Higgins 2013; Paterson 2021).

The word moko mōkai means a mummified and tattooed head of a Māori person, that was purposely made for trade by Māori for Western or European traders (Royal Society of New Zealand 1894: 611–613; Robley 1998: 139). The term mōkai has been explained further above and refers within the term moko mōkai to a captive, someone enslaved, and someone without mana. A person becomes a mōkai through an event, when their hapū loses a battle or war, and where, therefore, the whakapapa connection to this loss is through Tūmatauenga, and they become noa, with little or no mana.

It could be argued that the term moko mōkai originated as a misspelling of the word mokamokai. The word moko mōkai is recorded as early as 1820 in a Māori word list, however, by 1871 the word was corrected to mokamokai in the Williams dictionary and has remained with this spelling in following editions up to the present time. Mokamokai is also featured in *He Pataka Kupu* where moko mōkai is

also absent. People like H. G. Robley, D. R Simmons, Philip White and Dalvanius Prime understood the word to have a nuanced meaning related specifically to the commercial trade of preserved tattooed heads, in particular those heads of captives or slaves, whose heads are decapitated, tattooed post-mortem, and traded to Europeans. During this period, it is important to note, that Māori society knew the difference between a mokamokai and moko mōkai, however, this does not seem to be the case for Pākehā society. Pākehā in general adopted the term moko mōkai to mean a head of a captive or someone enslaved. By doing this they relegated all Māori mummified heads to that of a captive or enslaved person, without mana or tapu.

As highlighted in section one above, kōiwi tangata and mokamokai when connected to their whānau of origin, were important symbols of identity and required rituals that honoured them with respect and dignity. The use of the term moko mōkai by the general Pākehā population including people who had studied Māori culture and language, indicates and signals how Māori culture and tikanga is viewed as "primitive", Rev Philip Walsh writes "Most of the early writers on New Zealand mention the practice of preserving heads, which appears to be universal amongst the Maori in their primitive state" (Walsh 1894: 601). Durkheim's theory on social facts provides a framework to consider changes in Māori society due to their colonisation from 1840 to the late 1970s. For Pākehā arriving in Aotearoa and engaging with Māori, they came with their social facts or preconceived ideas of the place of indigenous peoples in Western societies. These ideas had been built up from the time of the late 1400s with engaging with peoples on the African continent and indigenous peoples in the Americas and the Pacific Ocean (Bhambra & Holmwood 2021: 6-7). As highlighted in Chapter two the basic tenet of the Western or European social fact about indigenous people is layered and includes the following thinking highlighted by Smith:

> *Imperialism provided the means through which concepts that counts as human could be applied systematically as forms of classification, for example through hierarchies of race and typologies of different societies. In conjunction with imperial power and with 'science', these classifications systems came to shape the relations between imperial powers and indigenous societies (Smith 2012: 26-27).*

In Chapter Two I referred to social Darwinism and the connected theory to this is the fatal impact theory, where "primitive peoples" become dominated or become extinct due to contact with more "civilised peoples" (Belich 2011: 4). Edward Markham an English visitor to northern Aotearoa in the 1830s wrote:

It seems to me that the same causes that depopulated the Indian Tribes are doing the same all over the World. In New Zealand the same as in Canada or North America, And in Southern Africa the Hottentots are a decreasing people and by all accounts the Islands of the South Seas are the same. Rum, Blankets, Muskets, Tobacco and Diseases have been the great destroyers; but my belief is the Almighty intended it should be so or it would not have been allowed, Out of Evil comes Good (Edward Markham in Belich 2011: 4).

Many New Zealand historians including Robley blamed the decrease in the Māori population on the 'Musket Wars' (Keane 2012: 1) and the taking of Toi moko for trade (Robley 1998: 169), however, what I have shown in Chapter Two is that about 300 Toi moko were traded from 1769 to 1840. Walker (2004: 79-80) notes that although the 'Musket Wars' did have a negative impact on the Māori population it was important to recognise the fatal impact of introduced diseases on all populations in the Pacific, where on some island groups up to 90 per cent of the population diminished due to European diseases. My alternative view is that it was in the interest of rangatira to keep their iwi and captive populations alive, so they could produce tradeable items for visiting ships. This is an area of further research in the future.

By placing the colonisation process in Aotearoa New Zealand through Levi-Strauss's binary opposites theory several revelations become apparent. Firstly, there is the continuation of the Western conceptual myths of (i)'civilised' (Western & European) versus 'savage' (indigenous), (ii) 'heroic colonialism' versus 'primitive' cultures, (iii) proper use of land versus land left in natural state, and (iv) science versus fauna and flora. As in the past the Doctrine of Discovery was used to dispossess indigenous people. "In this way Europeans justified to themselves their domination of others, and this justification was incorporated into modern social theory, as secular justifications replaced religious ones" (Brambra & Holmwood 2021:10). These colonial myths are built on social facts believed by the settlers and their colonial governments but are still myths, none the less.

As indicated at the beginning of this chapter, according to E. R. Leach "myth implies ritual, ritual implies myth, they are one and the same" (Leach 2014:74). With the establishment of colonial museums around Aotearoa, these became the centre of telling colonial myths about Māori and their culture. The placement of preserved tattooed Māori heads or moko mōkai on display in several of these museums including the museums in Auckland, Whanganui, Wellington, and Christchurch was part of the ritual of enacting and making the myth a social fact for the new settlers to the country. As the colonial museums

became symbols of the heroic work of colonisation, the placement of moko mōkai on display within class cabinets for the public to view, signalled the ritual of taming and colonisation of Māori, their customs and culture. These types of displays at museums would remain until the late 1970s, when the voices of Māori communities began to rise against the mistreatment of their tūpuna in museums.

An analysis of this period from 1840 to the 1970s indicates that Māori society, their tikanga and symbols of respect and dignity moved from a state of tapu under mana motuhake to noa under the governorship of the British Crown and their representatives. In section two above, the dominant term for a Māori tattooed preserved head is moko mōkai, which is a term appropriated by the general Pākehā population to mean of Māori head that was made for sale, however, by default this term came to mean all preserved tattooed heads of Māori origin. During this period moko mōkai became a symbol for Pākehā that confirmed the primitive nature of Māori. They became part of the colonisation myth of Māori as they were collected alongside other Māori and Morori ancestral remains and ritualistically displayed in colonial museums throughout Aotearoa. They became part of the rationale as Pākehā and the Crown justified the colonisation of Māori and Aotearoa through a series of imperial and colonial myths created to dispossess indigenous peoples of their property, lands, culture, humanity, mātauranga, self-worth and mana motuhake over their everyday lives and ability to create their own future destinies.

Section Three: The period of the term Toi moko

The period for Section Three is from the late 1970s to the present day. The term Toi moko came into prominence through its association with Māui Woodbine Pōmare (1941–1995), an important leader in the museum sector and repatriation movement in Aotearoa from the 1980s.[26] Pōmare, for a period in the 1980s, was chair of the council for the National Museum, the predecessor to Te Papa. In a 1993 letter, Pōmare uses two specific terms to describe a tattooed preserved head. One is moko mōkai, and the other is a newly created term Toi moko or its plural form in te reo Māori, Ngā Toi moko. Pōmare states that the term moko mōkai refers specifically to tattooed preserved heads of slaves, and, as not all preserved heads belonged to this criterion, he offers an alternative word to describe them, which is "Ngā Toi Moko" (Pōmare 1993: 1).

[26] Māui Woodbine Pōmare is a mokopuna of Sir Māui Pōmare (1875/1876? – 1930).

In 2003, the Karanga Aotearoa Repatriation Programme was established and is administered by the Museum of New Zealand Te Papa Tongarewa. As part of the documentation in establishing this programme, the meaning given for Toi moko by the New Zealand Government's Cabinet Policy Committee minute (POL Min (03) 11/5) is "tattooed, preserved heads of Māori and Moriori origin". Together, the two concepts in the word Toi moko, refer to an object that is unique, special, of outstanding creative beauty; an object above all else. The term Toi moko conveys a deep appreciation of the source and origin of moko and tattooed preserved heads become the ultimate repository and appreciation of this unique form of Māori art. Toi moko are, therefore, ancestral remains of beauty, of high art, and repositories of tapu, mana, rangatiratanga and mauri. When Pōmare used the word Toi moko in reference to all ancestral preserved heads, including those that in the past were labelled moko mōkai, he re-aligned all these tūpuna with tapu and, therefore, reasserted their mana, mauri and rangatiratanga.

The creation of the new word Toi moko by Māui Pōmare signals a change in how Māori wished to re-engage with their tūpuna housed in institutions throughout Aotearoa. Although the British Crown had actively colonised Māori from the 1840s to the 1970s. As shown in chapters two, three and four Māori have actively resisted colonisation and taken actions to seek justice through the ratification of Te Tiriti o Waitangi. The template and range of strategies to seek justice can be seen through the ancient kōrero pertaining to the Ponaturi, and how Tāwhaki, Karihi and Rata used these ancient strategies of utu, takitaki, muru and ea to recover kōiwi tangata of their tūpuna. In the modern context, the Pākehā and British Crown were the Ponaturi, and the whole of Māoridom became the modern embodiment of Tāwhaki, Karihi and Rata, while the repatriation and restitution of Toi moko and kōiwi tangata, alongside seeking the ratification of Te Tiriti o Waitangi became the principal objective. During this period the ultimate aim for Māoridom is to transfer Te Tiriti o Waitangi from a state of noa to a state of mana and tapu.

The underlying focus and rationale to seek ratification of Te Tiriti by Māori, is based on tikanga, or a commitment to follow the intent of the document signed by Māori ancestors in 1840, as a means to honour them and Te Tiriti. The political action taken is also tikanga based, as it recognises that the way forward is through passive resistance and by coordinated political action (Durie 2010: 24-27, 124-125; Orange 2011: 216-217).

Methodical, and persistent political action by Māori led to the establishment of the Waitangi Tribunal in 1975 by the New Zealand Government, with the purpose of considering contemporary grievances Māori had with the Crown for not abiding by its commitments to Te Tiriti o Waitangi

(Durie 2010: 185; Orange 2011: 230-235; Anderson et al 2014: 445-449). In 1985 the purpose of the Tribunal was extended so it could consider grievances dating back to 1840. The actions of the Waitangi Tribunal and its recommendations provided a formal avenue for the Crown to redress Māori grievances as well as compensating Māori and Moriori. Through the Tribunal, resources are allocated by the Crown to meet its Te Tiriti commitments to protect taonga and miheke (Moriori cultural treasures) of importance to Māori and Moriori, including their languages.

Establishing the Museum of New Zealand Te Papa Tongarewa

At the time of the establishment of the Waitangi Tribunal, there were also social and cultural changes happening within Aotearoa New Zealand. At the National Museum the immediate predecessor to Te Papa, the key members of its Council in the mid to late 1980s were Sir Graham Latimer and Māui Pōmare. Both were highly influential in seeking the return of Māori and Moriori ancestral remains in the 1980s and 1990s. It was Māui Pōmare that led the development of the National Museum establishing a wāhi tapu at the museum before it became Te Papa in 1998. In the 1990s, the National Museum became the Museum of New Zealand Te Papa Tongarewa. As part of this development a new piece of legislation was enacted called the Museum of New Zealand Te Papa Tongarewa Act 1992 (Te Papa Press 2004: xi-xii). Of significance, is a major shift to include Māori and Moriori as part of the process of telling their own stories alongside the accepted Western and European approach to accepted museum practice. The key changes included:

(i) Signalling the importance of the Treaty of Waitangi as the founding document of nationhood for Aotearoa New Zealand;

(ii) Biculturalism is seen as key foundation for the museum, where both Māori (including Moriori) and non-Māori traditions are acknowledged and incorporated into the museum's practices. This included being inclusive of te reo Māori and ta rē Moriori (the Moriori language) with exhibition labels;

(iii) Mana taonga or ensuring communities of origin of important national treasures at Te Papa are included in the conversations and development of exhibitions containing their cultural treasures; and

(iv) All Māori and Moriori ancestral remains were immediately deaccessioned from the collections and offered for repatriation to their iwi/imi

The major shift for the country was recognising that the traditional Western Museum practice of museum curators holding the authority to tell the story of national treasures did not apply to taonga and miheke, and that the best people to do this was Māori or Moriori who are still the keepers of the knowledge pertaining to taonga and miheke (Te Papa Press 2004: 2). As highlighted earlier taonga is a broad term and includes a range of important items, such as cultural treasures, ancestral remains, wāhi tapu, the natural environment, wildlife and geological specimens. Te Papa has done this to some degree by recognising the importance of connection through its mana taonga policy, inviting iwi to tell their stories within their national museum and through the repatriation of Māori and Moriori ancestral remains. In addition, Te Papa has already recognised its role in re-establishing the connection between iwi/imi and wildlife specimens (i.e. whale specimens, moa eggs, turtles) and geological items (i.e. pounamu) originating from their tribal territories. Further work can be done by Te Papa and other government agencies to build on these initial steps to build stronger connections between taonga, wildlife and geological specimens to build a unique knowledge system that reflects peer reviewed scientific knowledge, mātauranga Māori and tohungatanga Moriori (traditional Moriori knowledge).

From Noa to Tapu

During the period of Section Three Māori benefitted from long standing political resistance to their colonisation by the British Crown. Ancient kōrero thought to be myths by Western and European coloniser provided the template and strategies for Māori to reclaim their mana, tapu, rangatiratanga, mauri and their tūpuna this period. The re-activation of Te Tiriti also provided Māori with the political agency to actively seek the return of their tūpuna housed in international institutions. With the creation of the Museum of New Zealand Te Papa Tongarewa the social facts according to Durkheim about the 'primitive' and 'savage' nature of indigenous peoples, started to dissolve. While the myths and rituals of reinforcing museum practices that relegated Māori and other indigenous peoples to ancient unsophisticated and primitive peoples of the past were dismantled and replaced by practices and principles that included recognition of mana taonga, national exhibitions generated by iwi, the deaccession of Toi moko, kōiwi tangata and kōimi tchakat from national collections and placement in a dedicated Wāhi Tapu, and Te Papa becoming a bi-cultural institution. The process of achieving these actions was to follow the ancient strategies provided in ancient kōrero which is to understand the weaknesses and strengths of the perpetrator, mahi tahi, whaia te iti Kahurangi - identify your long-term goal, take time to execute your plan, and use the power of the perpetrator against them. This is to seek justice in the Māori sense, which is to ensure the mana, tapu, mauri and rangatira of iwi is recognised, acknowledged, honoured, and respected, and moved from a state of noa to a state of tapu and mana.

Karl Marx in his writing is hostile towards religion as it "serves to content men with the existence of misery on earth" (Marx in Giddens 1987: 207) and he is equally despondent with Western academics and philosophers and writes: "The philosophers have only interpreted the world in a certain way, the point is, to change it" (Marx in Giddens 1987: 207). For many Māori leaders, history has shown they take a different view from Marx as they see religion and spirituality as strong intertwining elements, that when combined in the leadership offered by the Māori King Movement, Te Whiti and Tohu, Tahupōtiki Wiremu Rātana and many contemporary Māori leaders as proven pathways to obtaining political justice and recognition for Māori. As proven by this thesis tikanga and mātauranga Māori offer mechanisms, templates and strategies to overcome political challenges as experienced by Māori through the generations.

Conclusion

The chapter analyses three contemporary Māori words used to describe a tattooed preserved head of Māori origin. The analysis included the whakapapa connections between each of these words and the original ancestors and their connections with tapu and noa. The results demonstrate that each word derives from a different time period and from unique circumstances, and that their meanings and definitions are influenced by their whakapapa connections and the context in which they are used. While the word, mokamokai, comes from the distant past it is connected with the period of iwi autonomy, and with the creation of tikanga and mātauranga that protects mana motuhake.

The word, moko mōkai, derives from the period from 1769 to the 1840s when there was an active commercial trade in ancestral preserved heads, Māori became overcome by the colonisation of the British Crown after 1840. Social facts generated by Western and European religious ideas and Western academic theories, relegated Māori to be 'savages', 'primitive' people, and the British settlers waited for the Māori population to become extinct. With the establishment of colonial museums in Aotearoa Toi moko were placed on display and kōiwi tangata and kōimi t'chakat were looted, collected and traded overseas. In the view of the Pākeha missionaries, the concept of tapu was relegated to superstition and Māori political agency through Te Tiriti o Waitangi was nullified and Māori were treated as part of the fauna and flora of the country.

Toi moko as a word is created to offer dignity and respect to all preserved heads of Māori origin. Te Papa is opened in 1998 and deaccessions all Toi moko, kōiwi tangata and kōimi t'chakat. In 2003 the Karanga Aotearoa Repatriation Programme is established and resourced by the New Zealand

Government to seek the repatriation of all Māori and Moriori ancestral remains housed in overseas institutions. During this period Te Tiriti o Waitangi has been slowly ratified by the Crown, and Toi moko have reconnected to their mana and tapu again through the repatriation process. This thesis has shown the continuous connection of repatriation tikanga used by contemporary Māori repatriation practitioners including the Karanga Aotearoa Repatriation Programme to the legacy and mātauranga established by Tāwhaki, Karihi and Rata and handed down through the generations to Māori living today.

CONCLUSION

Hei aha au i mate noa ake ai, ka tupu aku pākārito!
Although I have passed away, my legacy prevails!
Tūnohopu of Ngāti Whakaue (Te Arawa waka).

I bring this PhD study to a conclusion with an overview of its main points and findings. First is the importance of whakapapa to Māori history. Whakapapa is the backbone of Māori history, and through this research project I have employed my whakapapa to highlight the direct connections contemporary Māori have with ancient practices associated with repatriation and the trade of Toi moko. This is important to me as a contemporary repatriation practitioner following in the footsteps of Māui Pōmare, Sir Graham Latimer, Dalvanius Prime, the Whanganui kaumātua of the 1980s, and Te Arikinui Dame Te Atairangikaahu.

Second is the importance of Tikanga. I have revealed through this research that repatriation tikanga has endured for more than 3000 years, from the time of Whakatau-pōtiki, Tāwhaki and Rata to contemporary repatriation practitioners who actively work to seek the return of Māori and Moriori ancestral remains. The primary aim of repatriation has remained the same, which is to spiritually and physically connect with ancestral remains and to return them to the comfort and embrace of their whānau, hapū, iwi and whenua. The processes of strategically planning, mahi tahi and obtaining resources to implement plans are key to successfully achieving repatriation both today and in the ancient past.

This research also shows that tikanga can change and adapt when rangatira, whānau, hapū and iwi think this is possible and beneficial. The examples above which highlight the use of negotiation and tatau pounamu with international institutions record some instances when Māori have been aware of political sensitivities, the importance of diplomacy and relationship building in order to achieve desired outcomes, from the time when Pākehā arrived and wished to engage and trade with the local inhabitants.

There is one finding of this research project that is particularly significant for me, namely, the central importance and significance of tapu and noa. I have always understood tapu to be a powerful element, and for noa to have the opposite quality of being free of tapu, or having an ordinary or neutral state. In effect, they are opposing forces. The trade of Toi moko demonstrates the power of noa, and its ability to reduce the tapu nature of rangatira, warriors and those enslaved.

The process of successfully seeking utu, takitaki, muru and ea against an offending iwi, reduced that iwi to being noa in the eyes of the victors, and hence to becoming chattels either dead or alive. Between 1769 and 1840 some of these people became moko mōkai and were traded overseas with little ceremony or concern for their fate by the victors.

Over 150 years later Māori leaders began requesting the return of these Toi moko from overseas institutions and private collectors. As highlighted by respected Māori academics Te Rangi Hīroa and Professor Sir Hirini Moko Mead, by the 1960s to the 1980s it became apparent a major cultural shift had occurred in social status within Māoridom, with reference to the collapse of traditional hierarchical status pertaining to ariki, rangatira and tūtūā. It was noted by Mead that amongst contemporary Māori, they viewed themselves as uri rangatira, and prior connections to those enslaved had disappeared or mysteriously evaporated. I have linked this cultural shift in having a direct positive connection with how contemporary Māori in general view Toi moko and those kōiwi tangata with no direct whakapapa connection to them, or those kōiwi tangata with unknown provenance. My assertion is that this cultural shift permits many Māori today to feel culturally and spiritually connected with these tūpuna who were taken overseas, including myself. I have no concerns when engaging with these tūpuna, whether they were treated as rangatira, warriors or those enslaved. That is of little concern for me. What is important is that they come home to be embraced spiritually, culturally and physically and rest within their wa kāinga.

The acquisition of heads for trade in the early 1800s was a process intended ultimately to whakanoa them and reduce the tūpuna to common status without tapu or mana. Contrary to this, the process of repatriation of Toi moko, kōiwi tangata and kōimi t'chakat from the 1980s to the present day through the ceremonial processes of karakia, pōwhiri, manaakitanga in the wāhi tapu to their return to iwi, reactivates and reaffirms the mana and tapu of all repatriated tūpuna and karāpuna. This is something that was well understood by repatriation leader and champion Māui Pōmare of Ngāti Mutunga and Ngāti Toa. By renaming preserved tattooed heads from moko mōkai (enslaved heads) to Toi moko (pinnacles of art excellence), enabled their respective tapu, mana, rangatiratanga and mauri to be reactivated by Māori living today. Seen in this light, repatriation ceremonial practices possess a tapu quality of reconciliation for those Toi moko that were traded overseas, this is an important and key finding of this research project.

In conclusion, based on the research findings I have presented in this PhD thesis concerning the commercial trade of Toi moko from 1769 to 1840, I have revised the original hypothesis to fit with these findings. The revised hypothesis is as follows:

That the active participation of rangatira in the commercial trade of Toi moko between 1769 to 1840 can be connected to a set of tikanga Māori principles, where their (or their whānau, hapū or iwi) mana, tapu, mauri and rangatiratanga have been harmed or violated. In response to this harm and violation, these rangatira have sought utu, takitaki, muru and ea from the offending rangatira and their iwi. The taking and trading of Toi moko from the offending iwi is an acknowledged and sanctioned part of the muru process of that period.

The repatriation of the same Toi moko from the 1980s to the present day by Māori and Moriori leaders is still based on the primary kaupapa of repatriation tikanga as expressed by tūpuna such as Whakatau-pōtiki, Tāwhaki and Rata, where the core kaupapa is to repatriate the kōiwi tangata of tūpuna, however, instead of seeking the repatriation through the process of utu, takitaki, muru and ea, this is now replaced with the practice of tatau pounamu enhanced with the philosophy of whakaaro pai. Māori repatriation practitioners employ tikanga Māori as a means to reconnect, reactivate, maintain, preserve and protect the mana and tapu of tūpuna and karāpuna through rituals such as karakia, pōwhiri, care in the wāhi tapu, and the final return to iwi and imi.

The seconday kaupapa is to provide ritual processes that allow for tatau pounamu to take place between Māori, Moriori and international institutions which provide safe platforms for expressions of reconciliation and restitution.

Finally, I give the last few words of this PhD to Professor Sir Pou Temara the Chair of the Repatriation Advisory Panel at Te Papa, who conveyed the most important element of seeking the return of Toi moko, kōiwi tangata and kōimi t'chakat by their uri is aroha, the type of unrelenting aroha that never ceases to disappear despite the length of time and physical distance of separation, e kore e mimiti e kore e mutu te aroha kia a rātou mā o te wāhi ngaro.

Nō reira, e aku nui, e aku rahi,e aku tūpuna, moe mai rā i runga i te aroha mutunga kore o te hunga ora hei korowai manaaki i te wairua me te tinana.
Moe mai rā, moe mārie i te wāhi ngaro.

Matua, Tama, Wairua Tapu, me ngā Anahera pono me Te Māngai
whakaūngia mai mātou ki roto i tā koutou aroha noa
paiheretia ki te rangimārie i nga wā katoa
Ko Ihoa o ngā mano te timatanga
me te whakamutunga
o ngā mea katoa
aia nei ake nei
Āe!

As I provide my farewell, I ask that an enduring peace prevails!

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