



TE TIRITI O WAITANGI

BY ROSS CALMAN, MARK DERBY,
AND TOBY MORRIS

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SECOND EDITION

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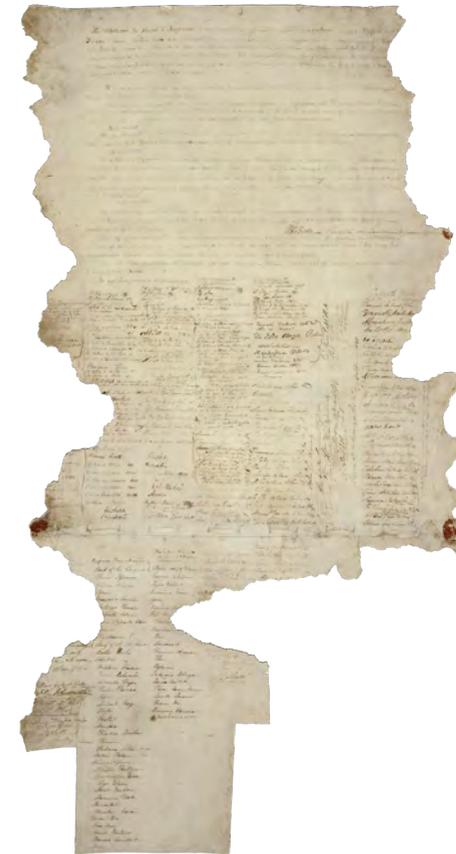
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PART 1: BEFORE TE TIRITI

When I was a kid, I didn't know a lot about Te Tiriti o Waitangi. Mostly, it was an excuse for a day off school – a day for beach cricket or water bomb battles.

Beyond that, the Treaty didn't seem to affect me much.

But as I've grown older, I've realised I was wrong. Te Tiriti is one of the most important parts of our country's history. It's about all of us, and this means we all need to understand it.

WHIZZ

So let's go back to the beginning, when the first Polynesians settled in Aotearoa New Zealand ...

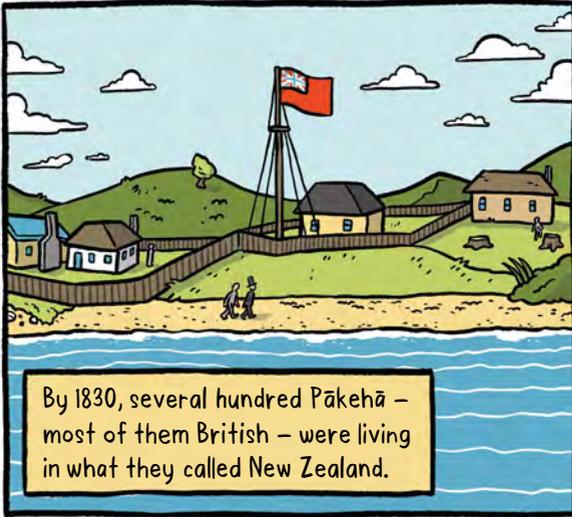
For over five hundred years, Māori had Aotearoa to themselves.

Then, in 1769, Captain Cook arrived.

In the 1790s, Pākehā came to hunt seals and whales.

Missionaries from England, and later France, followed to spread Christianity.

Traders also arrived to load their ships with timber and flax to sell overseas.



By 1830, several hundred Pākehā – most of them British – were living in what they called New Zealand.

Far from Britain, the Pākehā settlers did what they wanted. Many missionaries thought that the British government should take control and bring law and order, and some Māori agreed. They wanted protection, too – especially from those Pākehā who were dishonest or unruly.



Some Māori were also worried about other countries, mainly France, taking New Zealand for themselves. In 1831, thirteen chiefs wrote to the King of England, asking for his protection.



In response, the British government sent James Busby to New Zealand to represent it. On 28 October 1835, he presented a document to thirty-four chiefs at Waitangi. The document was called He Whakaputanga – the Declaration of Independence. It stated that New Zealand was an independent country ruled by Māori. It also asked the King of England to protect New Zealand from other countries. In return, Māori would offer friendship and protection towards the British settlers and traders. By 1840, fifty-two chiefs had signed the declaration.



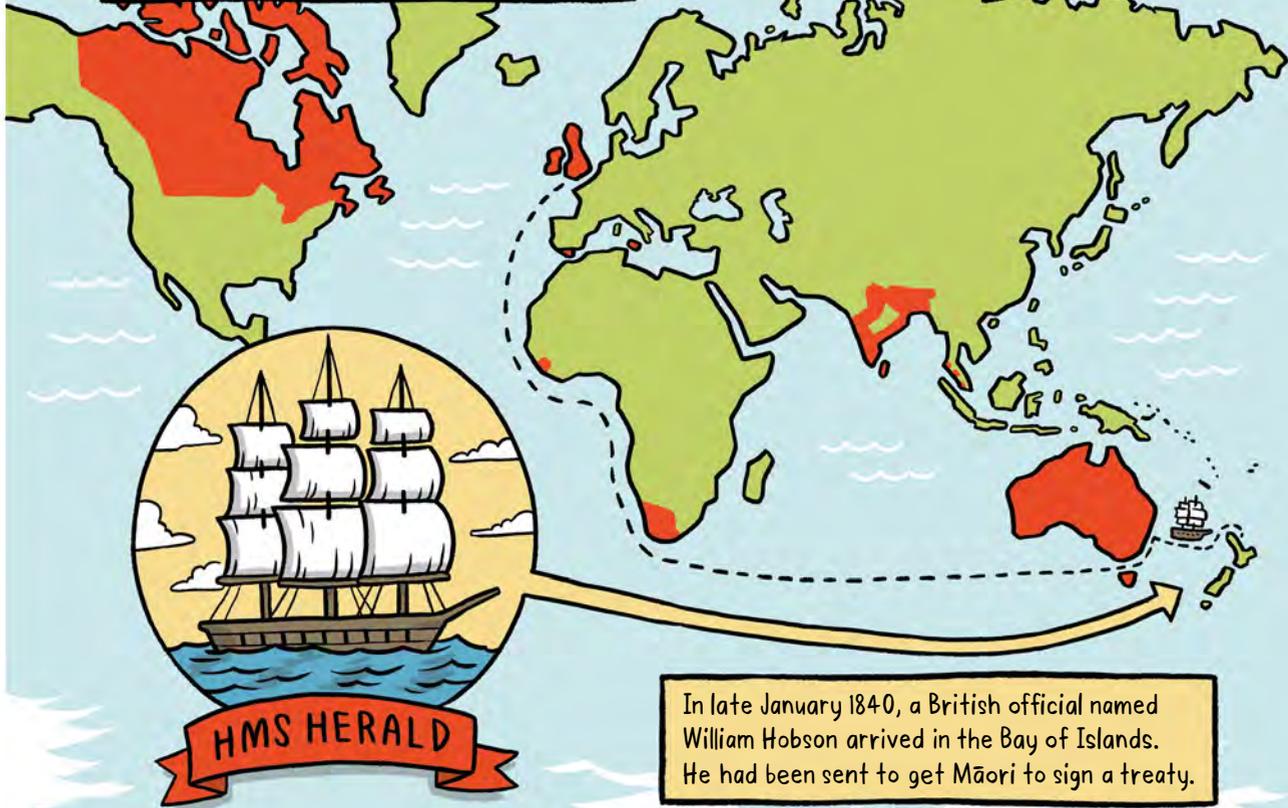
In Britain, interest in New Zealand was growing. A lot of people wanted to come here to start new lives.



A company in London made plans to buy land in New Zealand to sell to settlers for a profit. This forced the British government to take further action.

At the time, Britain ruled over a large and powerful empire. It decided that New Zealand should become part of that empire, too. That way, Britain could make laws to control the growing Pākehā population. These laws would also protect Māori.

BRITISH EMPIRE, JANUARY 1840

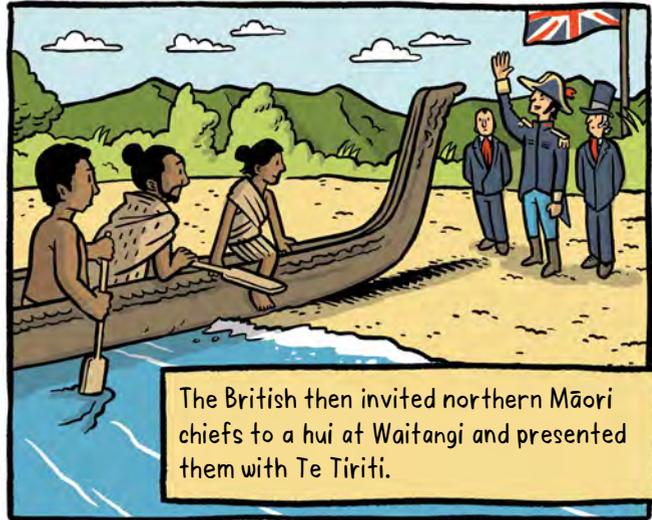


In late January 1840, a British official named William Hobson arrived in the Bay of Islands. He had been sent to get Māori to sign a treaty.

Hobson and Busby wrote a draft of the treaty in English. Then a missionary named Henry Williams and his son Edward wrote Te Tiriti o Waitangi in te reo Māori.



They did this in just one night.



The British then invited northern Māori chiefs to a hui at Waitangi and presented them with Te Tiriti.

Hobson told the chiefs to sign Te Tiriti because more Pākehā would soon arrive. But there was a lot of debate. Some chiefs thought a treaty would be bad for Māori, and they told others not to sign it.

The missionaries took my land, and I want it back. All I have left is my name. We are the chiefs here, so why would we want a foreign governor?

Rewa



But two chiefs – Hōne Heke Pōkai and Tāmati Wāka Nene – believed a treaty would stop wars between tribes. It would also make trade between Māori and Pākehā easier and fairer.

Some of you tell Hobson to go. But that's not going to solve our difficulties. We already have many Pākehā living on our land in the north, and they will not listen to us.

Tāmati Wāka Nene



That evening, Māori discussed Te Tiriti late into the night.

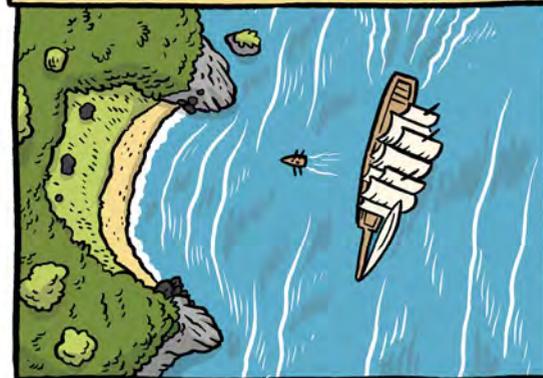


By the next morning, the 6th of February 1840, some chiefs were ready to sign.

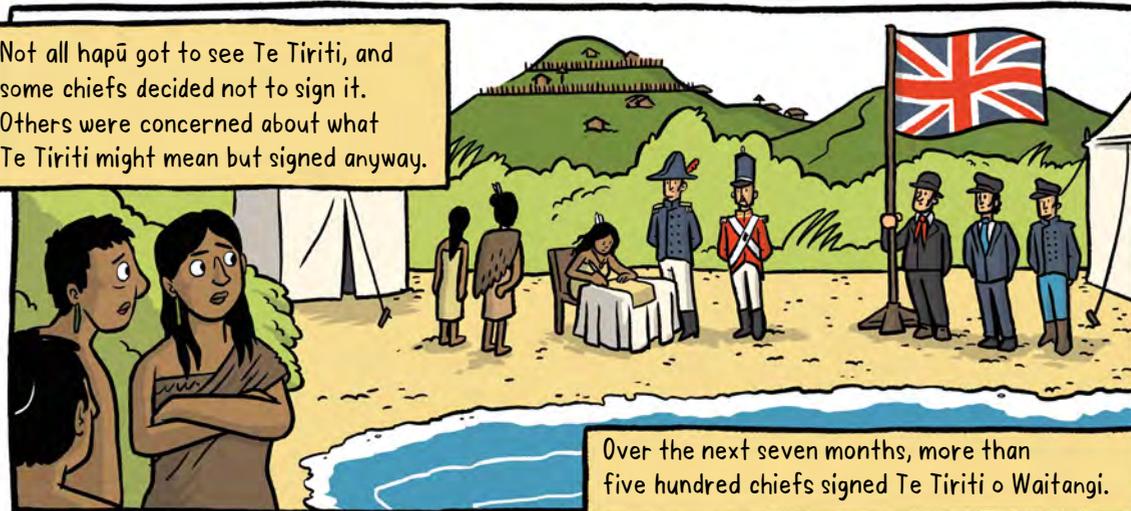
A hui was called for later that day. Williams read Te Tiriti aloud a final time, and over forty chiefs signed it. Some chose not to.



Many chiefs weren't at Waitangi. Hobson had Te Tiriti copied and sent these copies around the country to be signed.



Not all hapū got to see Te Tiriti, and some chiefs decided not to sign it. Others were concerned about what Te Tiriti might mean but signed anyway.



Over the next seven months, more than five hundred chiefs signed Te Tiriti o Waitangi.

PART 2: TE TIRITI O WAITANGI

Te Tiriti o Waitangi is in four parts – a preamble (introduction) and three articles. It was drafted in English and then written in te reo Māori, but there were some major differences between the two texts. Important words and concepts, such as sovereignty, weren't properly explained in Te Tiriti. Many people now think this was done on purpose. Whatever the case, there were many contradictions.

Almost all the chiefs who signed the treaty signed the Māori text, but only a few were able to read it. This meant they had to ask questions and trust the answers. For Māori, the spoken promises made by British officials were more important than the written text. However, the main aim of these officials was to get the chiefs to sign. Their explanations about how Te Tiriti would affect the chiefs and their people were often misleading.

The decision about how to translate "sovereignty" was very important. There were several options. Henry Williams chose "kāwanatanga", meaning "government" or "governorship", even though this didn't properly capture the meaning of sovereignty.

Māori understood kāwanatanga to mean the Queen would be allowed to appoint a governor to live in New Zealand. The governor would have the power to control British subjects – meaning the Pākehā, not Māori. This would benefit Māori by protecting them from Pākehā settlers.

This was the most important part of Te Tiriti for Māori. Tino rangatiratanga referred to the role and power of a chief. It was a phrase that Māori used and understood. The article guaranteed that Māori would continue to have authority over their land and resources unless they sold them to the Crown. Chiefs would still rule their people independently, while the Pākehā governor would control the Pākehā.

TE TIRITI O WAITANGI: DIFFERENCES IN MEANING

	Te reo Māori text	English-language text
Article one	The chiefs agree to give the Queen kāwanatanga over New Zealand.	The Māori chiefs agree to give the Queen of England sovereignty over New Zealand.
Article two	The chiefs are promised tino rangatiratanga (total chieftainship) over their whenua (land), kāinga (villages), and taonga (treasures).	The Queen promises that Māori will always have possession of their land, forests, and fishing grounds for as long as they wish.
Article three	For agreeing to the Queen's government, the Queen gives the Māori people of New Zealand her royal protection and all the rights and privileges of British subjects.	For agreeing to this treaty, the Queen gives the Māori people of New Zealand her royal protection and all the rights and privileges of British subjects.

The use of the word **sovereignty** meant that the Queen of England (the Crown) would have the power to make and enforce New Zealand's laws. These laws would be for Māori and Pākehā.

Possession meant that Māori would continue to own their land and resources. They would still be able to catch birds and fish and grow their own food. If they ever wanted to sell their land, they had to offer it to the Crown first.

Article three has a similar meaning in both texts. It promised Māori the Queen's **protection** and the same **rights** as British people.

On 6 February 1840, it was also promised that the governor would guarantee freedom of religion and belief.

PART 3: AFTER TE TIRITI

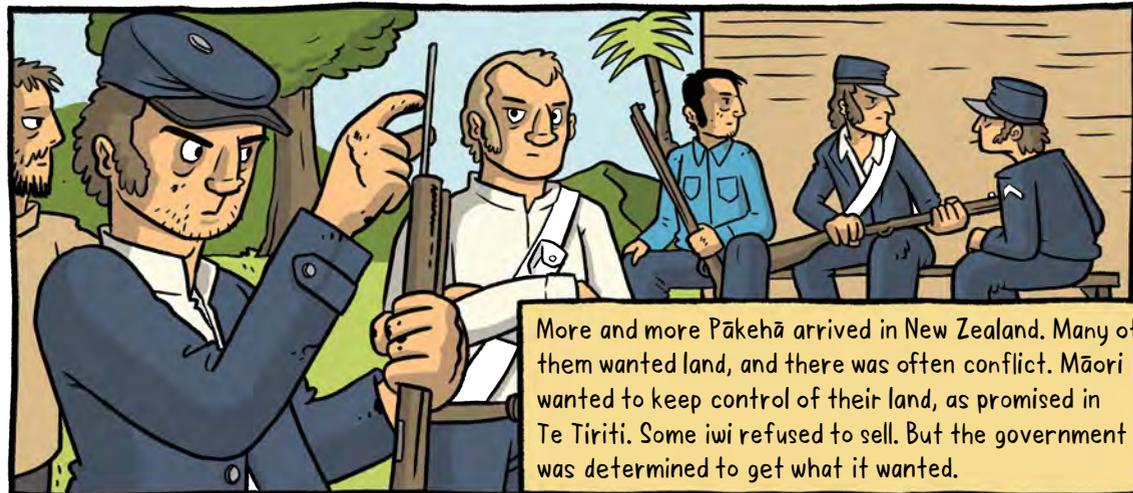
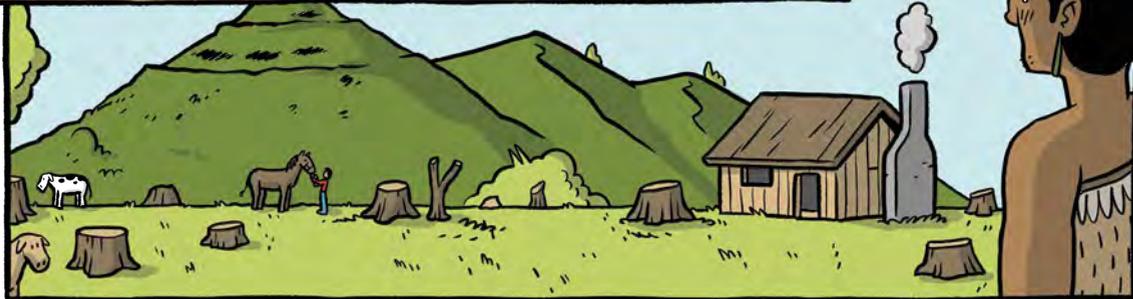
Before 1840, almost all the land and natural resources of Aotearoa belonged to Māori. Chiefs who signed Te Tiriti were told that unless they decided otherwise, this wouldn't change.



Remember, Māori were guaranteed tino rangatiratanga – absolute authority – over their land, villages, and taonga. But it didn't turn out that way.

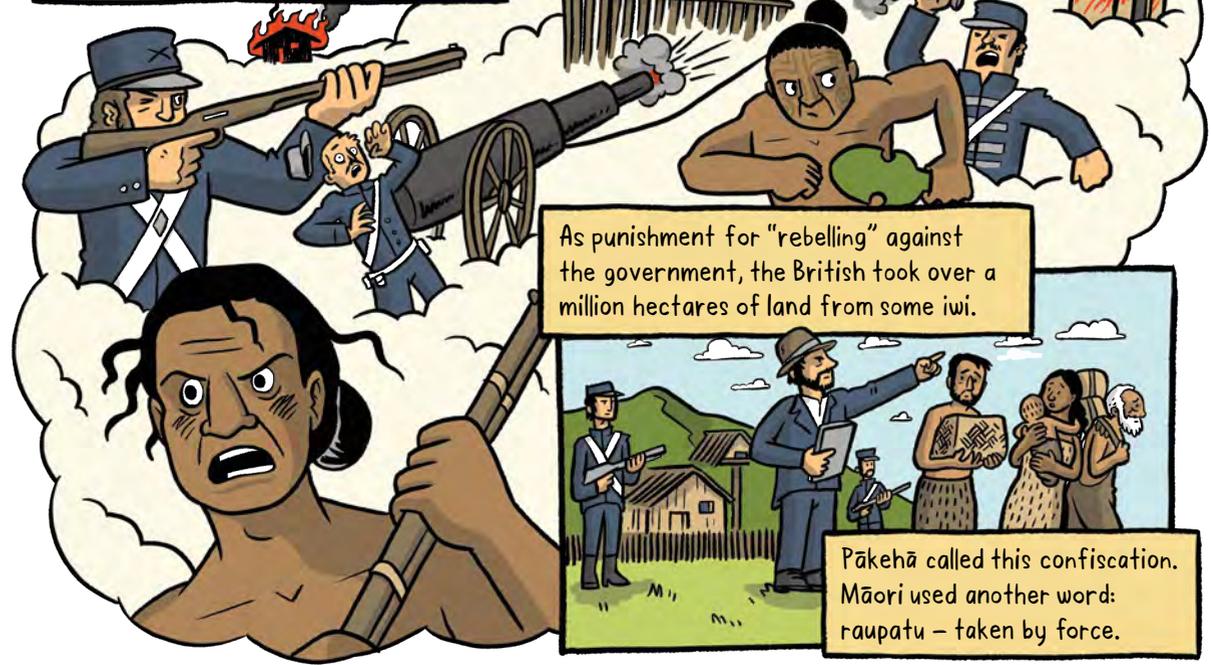


After Te Tiriti was signed, the governor and his officials encouraged Māori to sell their land. In Māori society, land was owned by an entire iwi or hapū. The Crown bought it for a low price, often without the full permission of the group. Then they resold it to Pākehā settlers for a profit.

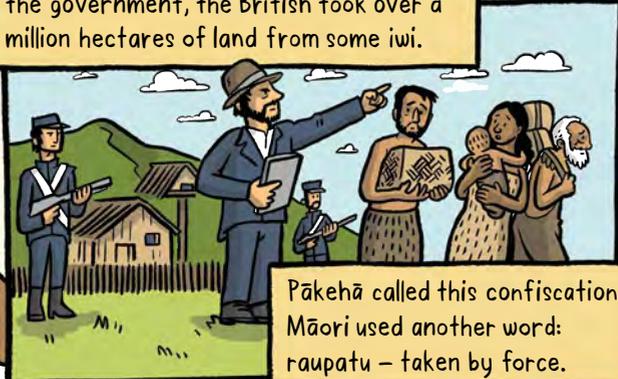


More and more Pākehā arrived in New Zealand. Many of them wanted land, and there was often conflict. Māori wanted to keep control of their land, as promised in Te Tiriti. Some iwi refused to sell. But the government was determined to get what it wanted.

From 1845 to 1872, Māori and the British fought a series of battles known as the New Zealand Wars.



As punishment for "rebell" against the government, the British took over a million hectares of land from some iwi.



Pākehā called this confiscation. Māori used another word: raupatu – taken by force.



Māori also had land taken through the Native Land Court system, set up in 1865. The court changed the way Māori land was owned to make it easier for Pākehā settlers to buy.

Māori called the court "te kōti tango whenua" (the land-taking court).

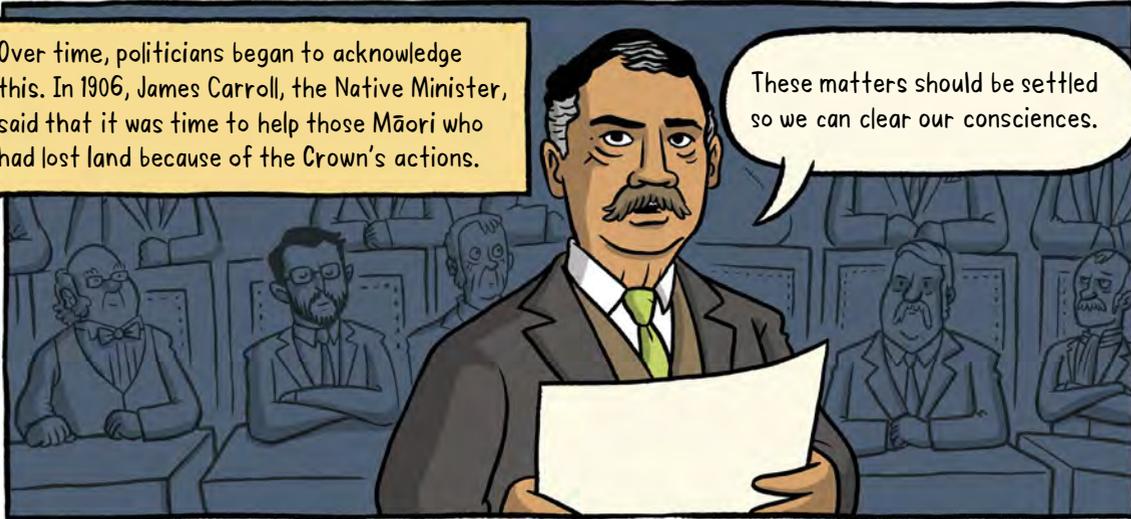
Without land, Māori found it difficult to feed their families and earn money.



By the turn of the twentieth century, the promises made in Te Tiriti had been well and truly broken.



Over time, politicians began to acknowledge this. In 1906, James Carroll, the Native Minister, said that it was time to help those Māori who had lost land because of the Crown's actions.



But in the following decades, iwi only received a very small amount of land or money, making no real difference to their situation.



As a result, many Māori protested about the way the government had treated them – and was still treating them. They were tired of being ignored.



It took a long time, but the government finally started listening to Māori. In 1975, it set up the Waitangi Tribunal.



The Waitangi Tribunal is like a court. It investigates claims by Māori that promises made in Te Tiriti haven't been kept.



Any Māori person can make a claim to the tribunal. Claims can be about a specific area of land, or they can be about a government policy that Māori consider unfair. At first, claims could only be about present-day issues. But in 1985, the rules changed, and the tribunal could investigate claims about things that had happened since 1840.



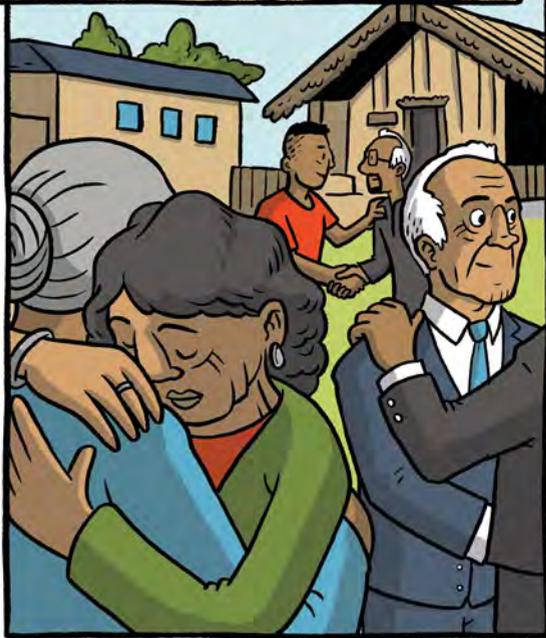
During a hearing, evidence is given by iwi members, lawyers, and historians. The tribunal members listen to the evidence, just like a judge, and write a report. The reports are then used by the government to reach agreements with iwi, called Treaty settlements.



Each settlement is different, but they almost always include:

- an agreed account of what happened in the past
- an apology
- some form of compensation, usually made up of money and the return of Crown-owned land.

Some Māori feel a great sense of achievement when a settlement is finally signed.



The settlements can lead to a new future with new opportunities. Māori use the money and land from settlements to grow businesses, create better jobs, and build stronger communities. For some, the settlements pay for scholarships for workplace training or to go to university. These opportunities help Māori to achieve success in all kinds of ways.



At the same time, Māori realise that nothing can truly make up for what was taken when New Zealand became a colony. And some say not enough has been offered in the settlement packages. Some iwi had their land taken. Māori children were often punished at school for speaking their language. The consequences of these experiences still affect people today. However, the settlement process is one way of acknowledging past wrongs. Some settlements allow authority to be shared, and the process encourages a greater understanding of what happened to Māori.

Many people think we need to look to the past to shape our future. Te Tiriti was signed more than 175 years ago. What happened after that isn't always the nicest story, but we can't pretend it didn't happen.



If we're honest about our country's past, we can try to fix some of the damage that still affects us today.



We all want a country that is fair for everyone – where all New Zealanders have the same opportunities.

To me, that's what Te Tiriti is all about.



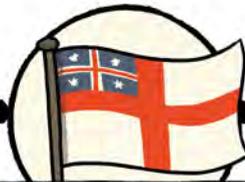
TIMELINE



1250–1300: The first Polynesians arrive in Aotearoa.



1769: Captain Cook arrives in Aotearoa.



28 October 1835: He Whakaputanga o te Rangatiratanga o Nu Tireni / The Declaration of Independence is signed.



6 February 1840: Te Tiriti o Waitangi is signed.



1845: The New Zealand Wars begin.



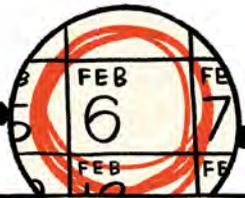
1865: The Native Land Court is established.



1872: The New Zealand Wars end.



1906: James Carroll makes his speech in Parliament.



1960: Waitangi Day is established as a national day of commemoration. Thirteen years later, it becomes a national holiday.



1975: The Waitangi Tribunal is set up. In 1985, its powers are extended to investigate historic claims.



1989: The first modern Treaty settlement is agreed over land at Waitomo Caves.



2–6 February 2018: Prime Minister Jacinda Ardern spends five days at Waitangi meeting with Māori. It's the longest visit of any prime minister so far.

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