

Introduction to the Treaty of Waitangi

Office of Māori Development



What do we know about the Treaty of Waitangi?



Arrivals to Aotearoa

- @ 1642 Abel Tasman
- @ 1769 Captain James Cook
- @ 1790's Whalers and Sealers
- @ 1800's Aotearoa a stopover, supply base
- @ 1820's Musket Trade and War
- @ 1838 Land Speculators acquiring land
- @ 1840 Signing of the Treaty of Waitangi



Impacts on Māori

GAINS	COST
New skills	Loss of land
New tools	Diseases/Epidemics
New knowledge	Alcohol
New technology	Loss of life
Muskets	Defragmentation of kinship & societal structures



Declaration of Independence

- ② Petition to King George from northern Rangatira (1831), asking for his protection
- ② James Busby (1833), British Resident, sent to ensure protection and better control British subjects
- ② Signatories (some 52) continued to be collected until 1839
- ② Constituted and declared NZ to be an Independent State under the designation: *United Tribes of New Zealand*
- ② Articulated authority of iwi as sovereign people of NZ
- ② An invitation for all iwi to join the *Confederation of United*

Tribes



Treaty of Waitangi – An Overview

Who? What? When? Where? How?

- ② The Treaty was enacted in 1840 between many Māori Chiefs & the Queen (her agents)
- ② 3 articles, each envisaged to operate simultaneously
- ② Official versions – Māori & English
- ② Māori only signed the Māori text
- ② Crown representatives signed the English text

For electronic copies:

<http://www.govt.nz/aboutnz/treaty.php3>



Deconstruction of the Treaty of Waitangi

- ② How many articles are in each version?
- ② What does each version of the Treaty actually say – content and intent?
- ② Understanding and interpretation of the words chosen?



Treaty of Waitangi - Preamble

English version – British intentions were to:

- ② Protect Māori interests from the encroaching British settlement;
- ② Provide for British settlement; and
- ② Establish a government to maintain peace and order.

Māori version – the Queen's main promises to Māori were to:

- ② Provide a government while securing tribal rangatiratanga and Māori land ownership for as long as they wished to retain it.



Treaty of Waitangi

Article 1

The Chiefs of the Confederation, and all these chiefs who have not joined in that Confederation give up to the Queen of England for ever all the Governorship (Kawanatanga) of their lands.

Kawanatanga – Article 1 provides for the Government to govern, though not in isolation from other provisions of the Treaty of Waitangi. The right to govern is qualified by an obligation to protect Māori interests. This aspect of the agreement is further established within the other articles of the Treaty.



Treaty of Waitangi (2)

Article 2

The Queen of England agrees and consents (to Give) to the Chiefs, hapus, and all the people of New Zealand, the full chieftainship (rangatiratanga) of their lands, their villages and all their possessions (taonga: everything that is held precious) but the Chiefs give to the Queen the purchasing of those pieces of land which the owner is willing to sell, subject to the arranging of payment which will be agreed to by them and the purchaser who will be appointed by the Queen for the purpose of buying for her.

Tino Rangatiratanga – Article 2 provides for iwi to exercise authority in respect of their own affairs. To some extent, tino rangatiratanga denoted the prerogatives of iwi/hapu in controlling their own affairs including their physical, social cultural resources, within a tribal development context. A characteristic of tino rangatiratanga is iwi autonomy.

Treaty of Waitangi (3)

Article 3

This is the arrangement for the consent to the governorship of the Queen. The Queen will protect all the Māori people of New Zealand, and give them all the same rights as those of the people of England.

Oritetanga – Article 3 contains a provision which guarantees equality between Māori individuals and other New Zealanders. As long as socio-economic disparities remain, the provision is not fulfilled.



Key Treaty Milestones

- ② 1852 – NZ Constitution Act
- ② 1863 – Suppression of the Rebellion Act
- ② 1860s – Land Wars (eg: Taranaki)
- ② 1860s – Kingitanga Movement



Treaty Principals

② Partnership

- The sharing of power and decision making

② Protection

- The exercise of chieftainship and autonomy

② Participation

- Equity of access and participation – equity of outcome?



Summary

- ④ Māori had their own functioning society and structures prior to arrival of British settlers
- ④ Māori are not an homogenous cohort (whānau, hapū & iwi)
- ④ Declaration of Independence (28 Oct. 1835)



Summary (2)

- ④ The Treaty of Waitangi/Te Tiriti o Waitangi (6 Feb. 1840)
 - 2 versions (Māori and English)
 - Signed at Waitangi and across NZ
 - Independent chiefs of hapū and iwi signed
 - Preamble, 4 Articles and subsequent principles have been a contemporary tool to consider the Treaty
 - the Treaty is not solely a ‘Māori ’ issue

