

Te Tiriti o Waitangi

by
Ross Calman

Every year on 6 February – Waitangi Day – we remember the signing of New Zealand’s founding document: the Treaty of Waitangi. This was an agreement between the Queen of England and more than five hundred Māori chiefs. So why was a treaty needed, and what does it say?

First Arrivals

Māori first came to New Zealand between 1250 and 1300. For around five hundred years, they had Aotearoa to themselves. Then, in 1769, Captain Cook came and put the country on the world map. In the 1790s, Pākehā arrived to hunt seals and whales. **Missionaries** from England and France came a few years later, as did trading ships.

By the late 1830s, around two thousand Europeans – most of them British – were living in New Zealand. Many more people in Britain wanted to come here to start new lives, and pressure was building on their government to take control of New Zealand, just as it had done with Australia. Those British people already in New Zealand also wanted their government to bring law and order, and some Māori agreed. They thought this would give them protection, too, especially from those Pākehā who were dishonest or unruly.

Back in Britain, a company had plans to buy land in New Zealand and to send boatloads of settlers to live here. This forced the British government to take action.



Whalers in Kaikōura



An artist's impression of the arrival of *Tory*, a passenger ship, in Wellington harbour

One People

At the time, Britain was a powerful country that ruled over an **empire**. It decided that New Zealand should become part of the British Empire, too. That way, Britain could make the rules about things like **colonisation** and the purchase of land. These rules would be for everyone, including Māori.

In late January 1840, a British official named William Hobson arrived in the Bay of Islands. Hobson had been sent to secure British rule over New Zealand, and he set to work writing a treaty. At the time, very few Māori spoke English, so a missionary named Henry Williams and his son Edward translated the Treaty into te reo Māori. They did this in just one night. Then Hobson invited Māori chiefs – most of them from Northland – to a hui at Waitangi.

Hobson wanted the chiefs to sign the Treaty, but there was much debate at the hui. Some were suspicious. They thought a treaty would be bad for Māori, and they advised against signing it. But two important chiefs – Hōne Heke Pōkai and Tāmami Wāka Nene – said the Treaty was a good thing because it would stop intertribal warfare. They also believed it would make trade between Māori and Pākehā easier and fairer.



Queen Victoria



William Hobson



Hōne Heke Pōkai



Tāmami Wāka Nene

The next day, 6 February, the chiefs met again. Hobson wasn't expecting a hui that day and was wearing casual clothes. He had to quickly put on his naval hat in order to look more official. The Treaty was read aloud, and then around forty chiefs signed it. As they did this, Hobson said, "He iwi tahi tātou." ("We are one people.")

A number of copies of the Treaty were made and taken around the country. Not all iwi got to see the Treaty, and some chiefs decided against signing. Others were fearful about what the Treaty would mean but signed anyway. Over the next seven months, over five hundred chiefs signed their names or moko – almost all of them on the te reo Māori version.



An artist's impression of the signing of the Treaty of Waitangi on 6 February 1840



THE TREATY

The Treaty of Waitangi is in three parts. These three parts are called articles. There are some significant differences between the articles in English and the articles in te reo Māori.

Differences in meaning between the two versions of the Treaty

	English version	Te reo Māori version
ARTICLE ONE	The Māori chiefs agree to give up their “sovereignty” to the Queen of England. (This meant Māori would give up their independence – the right to make their own decisions and to do things for themselves. Instead, they would be ruled by the Queen of England.)	The chiefs agree to give the “kāwanatanga” (translated, this means governorship) of New Zealand to the Queen of England.
ARTICLE TWO	The Queen of England promises Māori “possession” of their lands, forests, and fishing areas for as long as they wish. (This meant Māori would still own these places and be able to catch birds and fish and grow their own food.)	The chiefs are promised “tino rangatiratanga” (absolute chieftainship) over their whenua (land), kāinga (villages), and taonga (treasures).
ARTICLE THREE	In both versions, the Queen gives Māori “her royal protection” and “all the rights and privileges of British subjects ”.	

Debate

Over the years, some parts of the Treaty have caused a lot of debate. This debate is about the te reo Māori words used in the Treaty. Did those words really mean the same thing as the words used in the English version of the Treaty?

In the first article, Māori agree to give up their kāwanatanga (governorship) to Britain. Is kāwanatanga the same thing as sovereignty? Did Māori really understand that they were agreeing to give up their independence? Most chiefs wouldn't have known what governorship meant. (The nearest **governor** lived in Sydney, Australia!) These chiefs probably thought that being British subjects wouldn't affect them.

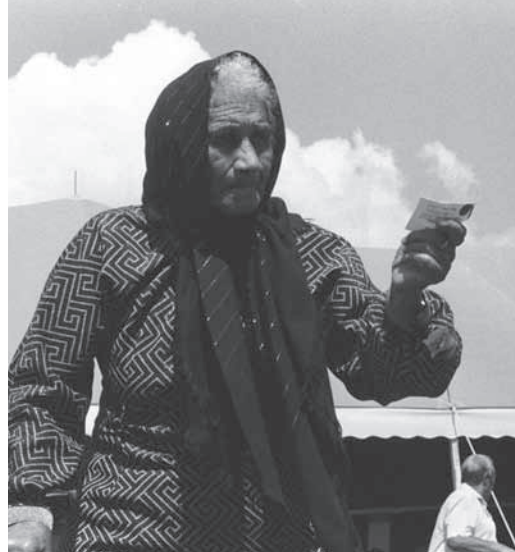
Some people now think that tino rangatiratanga is a better term for the idea of sovereignty than kāwanatanga. Māori understood the concept of tino rangatiratanga – it referred to the role and power of a chief – but this term was only used in article two. Perhaps Henry Williams and his son thought that if they used “tino rangatiratanga” in article one, then the chiefs wouldn't sign.

Keeping Promises

The government didn't always honour the Treaty. Only a few years after the Treaty was signed, promises were broken. For example, the government didn't ensure that Māori kept their land. By 1900, a lot of Māori land had been **confiscated** because of the New Zealand Wars, or it had been bought very cheaply or unfairly. Without land, many Māori couldn't grow or catch enough food to feed their families. No land also meant fewer opportunities for earning an income.

Over the decades, Māori continued to protest against the loss of their land. The Māori King Movement (Kīngitanga) and Māori Parliament (Kotahitanga), which were supported by many iwi, were both ways for Māori to speak out, especially on land issues.

In 1960, a law was passed that made 6 February New Zealand's national day to acknowledge the importance of the Treaty. In 1974, the day was renamed New Zealand Day and became a national holiday. Some Māori thought this was disrespectful of the Treaty, and the name was changed back to Waitangi Day. By this time – the 1970s – Waitangi Day had become a day of protest. Māori called for the government to “honour the Treaty”, meaning to keep its promises.



Dame Whina Cooper spent her whole life fighting for Māori land rights. Here, she is speaking at Waitangi in 1985.



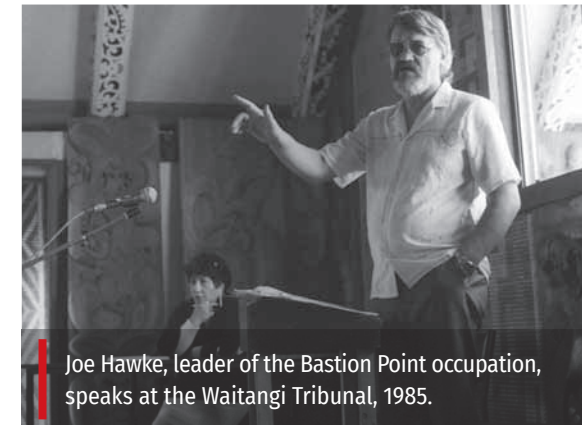
Protesters arrive at parliament, Waitangi Day, 1986.

The Waitangi Tribunal

In response to calls by Māori, the government set up the Waitangi Tribunal in 1975. This is a kind of court that investigates whether the government has broken Treaty promises. Māori are able to make **claims** to the tribunal, and tribunal members listen to evidence, just like a jury. At first, the tribunal couldn't look into claims about issues before 1975. This rule changed in 1985, and now the tribunal can investigate as far back as 1840.

During a hearing, evidence is given by lawyers, historians, and iwi members. Afterwards, the tribunal writes a report. The reports are used by the government to reach agreements with iwi, called Treaty settlements. Settlements often include an apology for the wrongs of the past as well as money, which is paid as **compensation**. More than two thousand claims have been made to the tribunal.

These days, most New Zealanders understand that the government and Māori are the Treaty partners. Together, the two work to ensure that promises in the Treaty are respected. As our founding document, the Treaty will always remain relevant. It defines who we are as a country and helps make us unique.



Joe Hawke, leader of the Bastion Point occupation, speaks at the Waitangi Tribunal, 1985.

GLOSSARY

claim: a request for something you believe belongs to you or is your right

colonisation: when a country takes control of another country and sends people to live there

compensation: a payment for something that was wrongly taken or for harm done

confiscate: to take something away as a punishment

empire: a group of countries ruled over by one country

governor: an official who represents the British monarch and has the same powers as a government

missionary: a person sent by a church to spread their religion in another country

subject: a person under the control and protection of a king or queen

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