

TE TIRITI O WAITANGI

The Treaty of Waitangi

In February of 1840, over 400 Maori together with a few dozen British settlers gathered at Waitangi in the Bay of Islands. They were there for a very specific purpose - to establish an agreement between the indigenous Maori people and the British Crown.

They were there to witness and take part in the birth of a new Crown Colony under the protection of Queen Victoria - a nation called Aotearoa (New Zealand).

BUT WHY DID THEY NEED AN AGREEMENT IN THE FIRST PLACE?

To enable us to fully understand WHY the Treaty of Waitangi exists and what makes it our founding document, we must FIRST understand the nature of the country it was signed in.

WHAT WAS OUR COUNTRY LIKE IN 1840?

It was a Maori country. The Maori population was estimated to be between 150,000 - 200,000. Scattered around the coastal areas were small European settlers - only about 2,000 by 1840 - but there was also a large transient population of whalers and traders.

It was a country that was increasingly being affected by contact with the outside world; not just by people coming into the country but also by Maori going out. The Maori were great travellers. Many had reached England and even settled there.

As a result, some Maori people spoke fluent perfect English and had seen what was happening in the world. They saw a very strong British Empire and a Britain that ruled the waves and which had defeated Napoleon's France. So they looked to Britain as the major maritime power of the period.

Maori and Europeans in New Zealand had by this stage established an understanding and a relationship with each other based on trade and mutual interests. This growing relationship and a desire for a more harmonious country set the scene for the Treaty.

MARKET ECONOMY OF MAORI FROM 1820's

Auckland	Firewood, kauri, gum, fruit and vegetables
Waikato	Flour mill, 450 acres wheat, orchards, forestry, export to Australia
Wanganui	Flour mills
East Coast	Wheat

Taranaki

2 flour mills

Bay of Plenty

Several thousand acres of wheat, potatoes, maize, kumara, 43 coastal vessels, 900 canoes, 96 ploughs, 4 water powered mills, 1000 horses, 200 cattle, 5000 pigs

UNTIL THE SIGNING OF THE TREATY
NEW ZEALAND WAS AN INDEPENDENT COUNTRY

Known habitation of New Zealand dates back over 1,000 years. Throughout the years to 1840, through the arrival of the Great Migration of Canoes, the visits of Abel Tasman and Captain James Cook, New Zealand remained very much an independent country.

"Abel Tasman or Captain Cook did not find us. We were never aware that we were lost"

Chief Judge Eddie Davis

It was not until 1840 that New Zealand was established as a colony under the British Crown. Such official British involvement came about because it was requested: both by Maori and settlers.

MAORI HAD MANY REASONS FOR WANTING BRITISH INVOLVEMENT

- * New Zealand at that time had no national government or national leaders in the way that we know it today. It was a series of independent tribes, with small European settlements, and a few traders scattered throughout the country. This made communication and co-operation difficult.
- * Two different races with very different cultures were living side by side and had little idea of how they should relate to each other. There was no one set of formal laws, particularly for the Europeans, and, as settlement increased, rules and guidelines were needed.
- * Maori land was being sold in a disorganised way.
- * Some people feared that New Zealand might be taken over by France, looked to Britain for protection. In fact, in 1831, 13 northern chiefs, afraid of a possible French invasion, petitioned King William IV for protection.

So both Maori and Pakeha groups asked Britain to provide some sort of protection and law and order.

A FORMAL RELATIONSHIP BEGINS

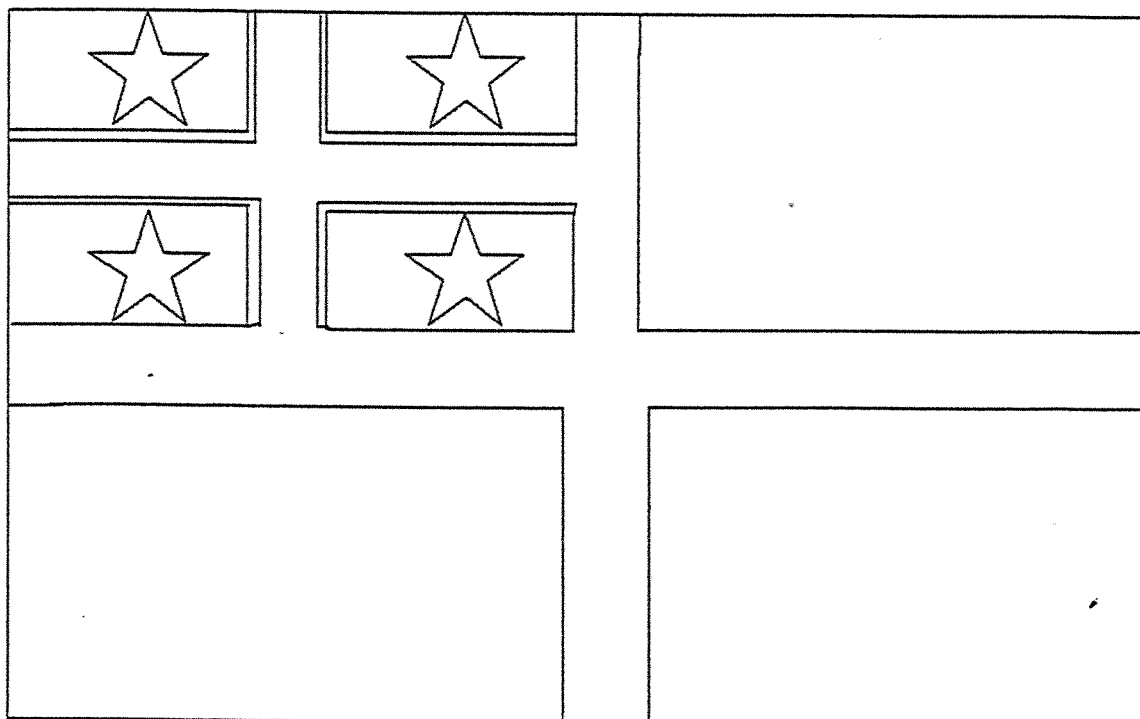
In response to these requests, Britain appointed James Busby as British Resident in New Zealand. He arrived in 1833 "with the aim of curtailing lawbreakers, reassuring settlers and traders, and meeting the express wish of the Maori people that peace be preserved".

Busby believed that Britain could enter into a more formal relationship that would further his country's interest in this part of the world.

In 1835, in the hope of discouraging further foreign intervention, including a Frenchman's plan to set up his own dependent state in Hokianga, Busby organised 34 northern chiefs into signing a Declaration of the Independence of New Zealand.

However Busby had no means of enforcing his authority and was replaced by William Hobson, a naval captain, sent specifically to negotiate with the Maori for the sovereignty of the country.

The first flag - approved for flying on ships built in New Zealand.
The two crosses were red, with the smaller one edged in black
against a blue background. The stars were white.



In Britain a group of wealthy and important men had set up the "New Zealand Company" and were planning to send out shiploads of settlers, no matter what their Government did. Many citizens believed that emigration - going to live in overseas colonies - was a solution to problems of poverty and crowded cities. They thought they had a perfect right to do this. The Maori population was thought to be fewer than 200,000, so there must be plenty of room to spare for the emigrants.

A big fuss had been raised in Britain following inquiries about the rough way the indigenous peoples had been treated in various colonies of European nations. Important people in the "Colonial Office", the government department which dealt with such matters, were eager to see that, in future, the "natives would have a better deal". When Captain Hobson was chosen to be New Zealand's first governor, he was given special instructions before he left England.

WHY HAVE THE TREATY AT ALL?

In 1835 Britain had accepted the Maori chiefs' request to recognise their independence. It was already acknowledged internationally that New Zealand was an independent country. Britain also agreed to the chiefs' request to extend Crown protection to New Zealand. By 1837 the British Colonial Office was receiving widespread reports of New Zealand being troubled by Maori fighting, crimes by British subjects, disagreements between Maori and Pakeha and threats to lives and trade. All this was happening at a time when more British emigrants than ever before were planning to head for New Zealand.

As a result, the British Government decided it was imperative to secure Maori acceptance and co-operation in establishing New Zealand as a British colony. So Hobson was instructed to get the 'Free and intelligent Consent' of chiefs to a treaty and to deal with them 'openly'. His instructions also explained why Britain had decided to make a colony of New Zealand - not because of the 2,000 settlers already here but to control the thousands of expected emigrants and to protect the rights of the Maori people.

THE TREATY OF WAITANGI WAS SIGNED!

On 29 January 1840, Lieutenant Governor Hobson arrived in New Zealand. A meeting of chiefs was organised for a week later. Before then, Hobson had to decide on the wording of the Treaty he had been instructed to make with the chiefs. Missionaries and others offered advice, and Busby helped draft the Treaty. On the evening of 4 February, the missionary Henry Williams and his son translated the English text into Maori.

The following morning, Wednesday 5 February, over 400 Maori attended a meeting in front of Busby's house at Waitangi to hear the Treaty read in English by Hobson and in Maori by Williams. Vigorous debate followed. Some chiefs made it plain they were not prepared to share power. They criticised the way in which Busby and missionaries had obtained land. They sought regulation of middlemen coming between the direct trade of the Maori with visiting ships. They were only prepared to accept the extension of British power in New Zealand on certain terms - for example equal rank of chiefs with the Governor.

The meeting ended indecisively and the Maori withdrew to the other side of the Waitangi River to debate throughout the night. They sought the advice of Henry Williams who told them that it would probably be in their best interests to sign the Treaty.

There was also the very important clause that Busby had inserted that guaranteed Maori possession of their lands, forests, fisheries and other prized possessions. Busby believed that without this promise, the chiefs would not support the Treaty. On Williams' advice the chiefs decided to sign the Treaty the following day.

On February 6, 1840, over forty signatures or marks were appended to the Maori text of the Treaty. Most were from chiefs around the Bay of Islands. Over the next seven months, missionaries and officials carried the Treaty around the country. Finally more than 500 chiefs signed the Treaty of Waitangi at approximately 50 meetings. With the exception only of 39 Waikato chiefs, all signed the Maori version of the Treaty.