



# 01 THE TREATY OF WAITANGI

AN INTRODUCTION TO THE TREATY  
OF WAITANGI FOR MIGRANTS



# THE TREATY OF WAITANGI TE TIRITI O WAITANGI

## A GREETING FOR NEW BEGINNINGS

Immigration New Zealand, on behalf of the New Zealand Government, would like to welcome you to Aotearoa New Zealand. We hope you will enjoy sharing in our strong and unique cultural history. May we learn from each other and grow together to build a greater nation. *Welcome, welcome, welcome!*



## HE MIHIMIHI

Nau mai e rea, e ngā mana, e ngā tini mātā waka kua ū mai nei ki te whenua e hora nei te whāriki mōu a Aotearoa New Zealand. Tēnei Te Ratonga Manene o Aotearoa e whakatau ana i a koutou i raro i te korowai o te Karauna, me kī, piki mai, nau mai, whakatau mai ra.

Nō reira, whāia kia mau ki ngā morimoritanga kua waihotia ake hei huarahi mō Aotearoa New Zealand kei tua atu o āpōpō. *Whakatau mai ra! Tukuna kia rere!*

*Opposite: An extract of signatures from the Treaty of Waitangi.*

A PROVERB FOR NEW BEGINNINGS  
SET THE OVERGROWN BUSH  
ALIGHT, AND THE NEW FLAX  
SHOOTS WILL SPRING UP.

HE WHAKATAUAKĪ  
TUNGIA TE URURUA KIA  
TUPU WHAKARITORITO TE  
TUPU O TE HARAKEKE.

## WHAT IS THE TREATY OF WAITANGI?

The Treaty of Waitangi is an agreement between *Māori hapū* (subtribes of Māori people) and the New Zealand Government.

The Treaty of Waitangi:

- was signed on the 6th of February 1840 at Waitangi
- was signed by Māori chiefs and representatives of the British Crown
- is a starting place of discussion for Māori and Government
- safeguards the development of Māori culture, resources and way of life
- maintains Māori as the ancestral people of Aotearoa (the Māori name for New Zealand).

*The first Government Settlement on the Waitemata River, 1st October 1840. [Unsigned, Dr John Johnson 1794-1848].*



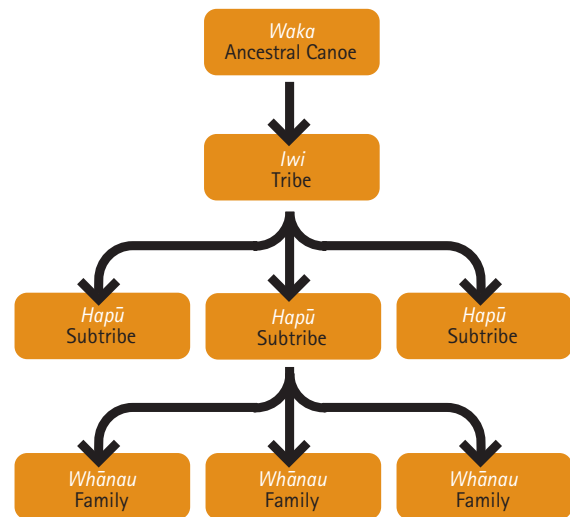
## WHO ARE MĀORI?

Māori are a tribal people indigenous to Aotearoa New Zealand and make up approximately 14.6% of the total population.

Māori societal structure is composed of basically three levels: the individual *whānau* or family, which is connected to the *hapū* or subtribe which in turn is connected to the *iwi* or main tribe and then back to the ancestral *waka* or canoe.

*Hapū* and *iwi* connection is important to Māori as it:

- is a source of Māori identity
- confirms family relationships
- connects Māori with the land
- is the traditional base of decision-making
- is the heart of Māori culture.



## THE TREATY OF WAITANGI AND IMMIGRATION IN 1840

The Treaty is recognised as the first immigration agreement between Māori and *Pākehā* (European settlers). The Treaty originally allowed settlers to emigrate peacefully to New Zealand under the British flag.

The Treaty was important, firstly, to control the thousands of future emigrants to Aotearoa New Zealand, and secondly, to protect the rights of Māori people. The benefits to both parties were clear – settlement rights for *Pākehā* and the natural right of the *tāngata whenua* (the people of the land) would be respected and affirmed.

## WHAT DOES THE TREATY SAY?

The Treaty of Waitangi was written in Māori and English. The Government has established three main points:

- **Article One**  
Government makes law.
- **Article Two**  
Māori resources and way of life are protected.
- **Article Three**  
The basic rights of all people within Aotearoa New Zealand are protected.

However, the English and Māori text are not an exact translation of each other. Also, it was only the Māori version of the Treaty that was signed by most Māori signatories.

“BUT THEN WE MUST NOT FORGET THAT THE TREATY IS NOT JUST A BILL OF RIGHTS FOR MĀORI. IT IS A BILL OF RIGHTS FOR PĀKEHĀ TOO. IT IS THE TREATY THAT GIVES PĀKEHĀ THE RIGHT TO BE HERE. WITHOUT THE TREATY, THERE WOULD BE NO LAWFUL AUTHORITY FOR THE PĀKEHĀ PRESENCE IN THIS PART OF THE SOUTH PACIFIC.”

CHIEF JUDGE EDDIE DURIE.

# THE TREATY OF WAITANGI TEXT

## THE OFFICIAL ENGLISH VERSION

### Preamble to the Treaty of Waitangi

Her Majesty Victoria, Queen of the United Kingdom, of Great Britain and Ireland regarding with Her Royal favour the Native Chiefs and Tribes in New Zealand, and anxious to protect their just rights and property, and to secure to them the enjoyment of peace and good order, has deemed it necessary in consequence of the great number of Her Majesty's subjects who have already settled in New Zealand, and the rapid extension of emigration both from Europe and Australia which is still in progress, to constitute and appoint a functionary properly authorised to treat with the Aborigines of New Zealand for the recognition of Her Majesty's sovereign authority over the whole or any part of those islands. Her Majesty, therefore, being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary laws and institutions, alike to the native population and to Her subjects, has been graciously pleased to empower and authorise me, William Hobson, a captain in Her Majesty's Royal Navy, Consul and Lieutenant-Governor of such parts of New Zealand as may be or hereafter shall be ceded to Her Majesty, to invite the Confederate and Independent Chiefs of New Zealand to concur in the following Articles and Conditions;

### Article The First

The Chiefs of the Confederation of the United Tribes of New Zealand, and the separate and Independent Chiefs who have not become members of the Confederation, cede to Her Majesty the Queen of England, absolutely and without reservation, all the rights and powers of sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or possess over their respective territories as the sole Sovereigns thereof.

### Article The Second

Her Majesty, the Queen of England, confirms and guarantees to the Chiefs and Tribes of New Zealand, and to the respective families and individuals thereof the full, exclusive and undisturbed possession of their lands and estates, forests, fisheries, and other properties which they may collectively or individually possess, so long as it is their wish and desire to retain the same in their possession; but the Chiefs of the United Tribes and the Individual Chiefs yield to Her Majesty the exclusive right of pre-emption over such lands as the proprietors thereof may be disposed to alienate, at such prices as may be agreed upon between the respective proprietors and persons appointed by Her Majesty to treat with them in that behalf.

### Article The Third

In consideration thereof Her Majesty, the Queen of England, extends to the Natives of New Zealand Her Royal protection and imparts to them all the rights and privileges of British subjects.



W. Hobson  
*Consul and Lieutenant-Governor*

Now, therefore, we the Chiefs of the Confederation of the United Tribes of New Zealand, being assembled in congress at Victoria, in Waitangi, and we the separate and Independent Chiefs of New Zealand, claiming authority over the Tribes and territories which are specified after our respective names, having being made fully to understand the provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof; in witness of which we have attached our signatures or marks at the places and the dates respectively specified.

## THE MĀORI VERSION

### Preamble to the Treaty of Waitangi

Ko Wikitoria, te Kuini o Ingarangi i tana mahara atawhai ki nga Rangatira me nga Hapū, o Nu Tirani, i tana hiahia, hoki kia tohungia ki a ratou rangatiratanga, me to ratou whenua, a kia mau tonu hoki te Rongo ki a ratou me te ata noho hoki kau wakaaro ia he mea tike kia tukua mai tetahi Rangatira hei kai wakarite ki nga tangata Māori o Nu Tirini. Kia wakaetia e nga Rangatira Māori te Kawanatanga o te Kuini ki nga wahi katoa o te wenua hei me nga motu. Na te mea hoki he tokomaha ke nga tangata o tona iwi kua noho ki tenei wenua, a e mai nei.

Na, ko te Kuini e hiahia ana kia wakaritea te Kawanatanga, kia kua ai nga kino e puta mai ki te tangata Māori ki te Pākehā e noho enoho ture kore ana.

Na, kau pai te Kuini kia tukua a hau, a Wiremu Hopihona, he Kapitana i te Roira Nawi, hei Kawana mo nga wahi katoa o Nu Tirini, e tukua aianei amua atu ki te Kuini e mea atu ana ia ki nga Rangatira o te Wakaminenga o nga Hapū o Nu Tirini me era Rangatira atu enei ture ka korerotia nei.

### 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 Ingarangi ake tonu atu te Kawanatanga katoa o ratou wenua.

### Ko Te Tuarua

Ko te Kuini o Ingarangi ka wakarite ka wakaae ki nga Rangatira, ki nga Hapū, ki nga tangata katoa o Nu Tirini, te tino Rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otia 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 wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

### Ko Te Tuatoru

Hei wakaritenga mai hoki mo te wakaetanga ki te Kawanatanga o te Kuini. Ka tiakina e te Kuini o Ingarangi nga tangata Māori katoa o Nu Tirani. Ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarangi.



W. Hobson  
Consul and Lieutenant-Governor

Na ko matou, ko nga Rangatira o te Wakaminenga o nga Hapū o Nu Tirani, ka huihui nei ki Waitangi. Ko matou hoki ko nga Rangatira o Nu Tirani, ka kite nei i te ritenga o eni kupa, ka tangohia, ka wakaetia katoatia e matou. Koia ka tohungia ai o matou ingoa o matou tohu.

Ka meatia tenei ki Waitangi, i te ono o nga ra o Pepuere, i te tau kotahi mano, e waru rau, e wha tekau, o to tatou Ariki.

## TRANSLATION

### TRANSLATION OF THE MĀORI VERSION (THE ARTICLES ONLY), BY PROFESSOR SIR HUGH KAWHARU

#### The First

The Chiefs of the Confederation and all the Chiefs who have not joined that Confederation give absolutely to the Queen of England for ever the complete government over their land.

#### The Second

The Queen of England agrees to protect the Chiefs, the Subtribes and all the people of New Zealand in the unqualified exercise of their chieftainship over their lands, villages and all their treasures. But on the other hand, the Chiefs of the Confederation and all the Chiefs will sell land to the Queen at a price agreed to by the person owning it and by the person buying it (the latter being appointed by the Queen as her purchase agent.

#### The Third

For this agreed arrangement therefore, concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand (ie, the Māori) and will give them the same rights and duties of citizenship as the people of England.

*A reconstruction  
of the signing of the  
Treaty at Waitangi  
in the Bay of Islands.  
Leonard C. Mitchell,  
1901-1971.*



*A carving from the Waitangi  
Meeting house.*



## THE TREATY OF WAITANGI TODAY

The New Zealand Government has been responsible for all immigration matters from 1852 until today. It recognises that the Treaty is a 'living' agreement which must grow and develop with time. Therefore, it has formed 'principles' to aid and help in furthering the understanding of the Treaty. This means that when the Government deals with Māori, they must act with regard to the following principles: **the principle of government** (the Government has the right to govern and to make laws); **the principle of self-management** (iwi Māori have the right to organise themselves, and, under the law to control the resources they own); **the principle of equality** (all New Zealanders are equal under the law); **the principle of reasonable co-operation** (the Crown must act reasonably and in good faith towards its Treaty partner); **the principle of redress** (the Crown is responsible for providing effective processes for the resolution of grievances in the expectation that reconciliation can occur).

Māori political demonstration has kept the Treaty debate alive. Although it has been a struggle for the political demonstrators, and the following generation, we are now beginning to see the rewards within mainstream society. And even though the gap between Māori and the Government in relation to the Treaty continues, it is through the valid efforts of many people that the dialogue has truly begun.

## THE TREATY OF WAITANGI AND IMMIGRATION IN THE 21ST CENTURY

Immigration New Zealand recognises that the Treaty of Waitangi is the *"founding document of our nation"*. This means that Immigration New Zealand will consult with Māori on immigration matters.

Immigration New Zealand understands also the social and economic benefits that you will bring to our country. These benefits will be shared with the rest of Aotearoa New Zealand.

When you come to live in Aotearoa New Zealand, it will be useful for you to know about the Treaty, as it will help you to:

- understand the nature of society within Aotearoa New Zealand
- realise the significance of the Treaty within every aspect of life in Aotearoa New Zealand.

"TODAY WE ARE STRONG  
ENOUGH AND HONEST ENOUGH  
TO LEARN THE LESSON OF THE  
LAST 150 YEARS, AND TO  
ADMIT THAT THE TREATY HAS  
BEEN IMPERFECTLY OBSERVED.  
I LOOK UPON IT AS  
A LEGACY OF PROMISE."

QUEEN ELIZABETH II

(TREATY OF WAITANGI CELEBRATIONS, 1990)

## THE TREATY AND EMPLOYMENT

When looking for work, you may (in addition to relevant experience and qualifications) also find knowledge of the Treaty of Waitangi useful when:

- working alongside Māori
- working on issues that affect Māori
- Māori protocol is recognised within your workplace
- Māori health, economics and politics are points for discussion
- applying for a job, especially in the public service.

In most cases, showing some regard for the Treaty relationship in employment is encouraged.

## THE TREATY AND EDUCATION

*Te reo Māori* (the Māori language) is an important aspect of the education system and society within Aotearoa New Zealand. Although English is primarily spoken, it is highly likely your children will be exposed to Māori language, culture and customs while attending schools in Aotearoa New Zealand. However, the levels of awareness regarding Māori culture will vary from place to place, so it is important that you anticipate Māori language, culture, and its values in the education system.

An alternative to mainstream education is 'immersion'. This uses the Māori language as the primary source of communication, and is available through *Kōhanga Reo* (similar to Kindergarten, but taught in Māori language and immersed in Māori culture), *Kura Kaupapa* (Māori secondary school), and *Whare Wānanga* (tertiary education in Māori).

This option is favoured by over 10% of the current population within Aotearoa New Zealand today.

*Kaiako me ngā tamariki  
(teacher and children)  
from a local Kōhanga Reo  
(Māori preschool).*



## WHAT CAN I DO TO LEARN MORE?

To help you settle into Aotearoa New Zealand, it would be good for you to be aware of/have an understanding of the following:

- **the Māori language**
- **Māori protocol**
- **Māori culture and customs**
- **the Treaty and partnership.**

To find out more you can contact the following organisations, or visit the websites listed.

## OTHER TREATY AND MĀORI RESOURCES

- **New Zealand/Māori history**

To view Māori treasures (taonga) and learn more of Māori culture and history, visit New Zealand's national museum, Te Papa Tongarewa/Our Place, in Wellington.

Visit: [www.tepapa.govt.nz](http://www.tepapa.govt.nz)

- **Māori claims**

Contact The Waitangi Tribunal Information Service for the latest information on Treaty claims.

Visit: [www.waitangi-tribunal.govt.nz](http://www.waitangi-tribunal.govt.nz)

- **Māori and Government**

Contact Te Puni Kōkiri (Ministry of Māori Development) for the latest information on Māori issues.

Visit: [www.tpk.govt.nz](http://www.tpk.govt.nz)

The following websites are worth visiting if you require further information on the Treaty of Waitangi and the past and present history of Aotearoa New Zealand:

**[www.govt.nz](http://www.govt.nz)**

*Official government portal; provides comprehensive information on Māori culture, history and society.*

**[www.tpk.govt.nz](http://www.tpk.govt.nz)**

*Run by the Ministry of Māori Development provides comprehensive information on Māori issues.*

**[www.natlib.govt.nz](http://www.natlib.govt.nz)**

*Information on the Māori holdings in New Zealand's national library.*

**[www.tepapa.govt.nz](http://www.tepapa.govt.nz)**

*Information on the Māori treasures held in the national museum, Te Papa.*

**[www.archives.govt.nz](http://www.archives.govt.nz)**

*Information on the Māori holdings in New Zealand's national archives.*

**[www.nzhistory.net.nz](http://www.nzhistory.net.nz)**

*Popular guide to New Zealand history and culture.*

**[www.waitangi.net.nz](http://www.waitangi.net.nz)**

*Specialist site dealing with the Treaty of Waitangi.*

**[www.teara.govt.nz](http://www.teara.govt.nz)**

*Online encyclopaedia of New Zealand.*

**[www.maori.org.nz](http://www.maori.org.nz)**

*Māori website providing links to iwi organisations.*

**[www.tetaurawhiri.govt.nz](http://www.tetaurawhiri.govt.nz)**

*Bilingual Māori Language Commission site.*

## GLOSSARY OF MĀORI WORDS

Hapū	subtribe
Harakeke	flax bush
He	a, or one (pending sentence structure), or some (plural)
Hongi	to press noses, a formal greeting
Iwi	tribal people
Kaiako	teacher
Kaupapa	subject, topic
Kia	let, so that, until = pending sentence structure
Kōhanga	learning nest
Kōkiri	to charge forward
Kura	school, college
Marae	a Māori communal facility (generally consisting of a meeting house, dining hall and kitchen)
Me	and
Mihimihi	greeting
Ngā	the (plural)
O	of
Papa	formally recognised as 'Papatuanuku' – earth mother
Puni	camp
Rangatira	high-ranking person
Reo	language
Tamariki	children
Tāngata whenua	(local) people of the land
Te	the (singular)
Tiriti	treaty
Tongarewa	translucent greenstone, pounamu
Tūngia	to set alight
Tupu	develop
Ururua	overgrown bush
Waka	canoe, vessel
Wānanga	university
Whakamutunga	finish
Whakataukī	proverb
Whakaritorito	heart of the plant
Whānau	family
Whare	house

## GLOSSARY OF MĀORI NAMES

Akaroa	Long harbour
Aotearoa	Long white cloud (Māori name for New Zealand)
Hokianga	Returning
Kaikōura	To eat crayfish
Kaitiāia (Kaitatāia)	Food thrown about
Kapiti	Crevice, joining
Kawhia (Kaawhiawhi)	To perform a ceremony
Kōhanga Reo	Māori preschool
Kupe	The great Polynesian navigator who discovered Aotearoa
Kura Kaupapa	Māori secondary school
Mana	Strength, prestige, power
Manawatū	Heart stood still
Manukau	Wading bird
Māori	Indigenous person of Aotearoa
Motungārara	Insect or lizard island
Ōpōtiki	The place of Potiki
Otago	Correctly: Otakou – the place of red earth or ochre
Ōtaki	To stick in (the place where the staff was stuck in the ground)
Paihia	Good here (partial transliteration)
Pākehā	White person
Rangitoto	Blood sky
Rotorua	(The) second lake
Ruapuke	Two hills
Tāmaki	Battle
Tauranga	Sheltered anchorage
Te Herenga Waka	The hitching post of the canoes
Te Kaha	The rope (or boundary line)
Te Papa Tongarewa	The Treasure Box (Our Place, The National Museum)
Te Puni Kōkiri	The group moving forward (the Ministry of Māori Development)
Tokomaru	An ancestral canoe, or a staff shelter
Waiapu	Swallowing water
Waikanae	Water, mullet (the glistening of the mullet)
Waikato	Flowing water
Waimate	Stagnant water
Waitangi	Weeping water
Wanganui	(properly: Whanganui) Big harbour
Whakarewarewa	To prepare for war
Whakatāne	To act like a man