



OT5032

Certificate in Mata ā Ao Māori (Level 4).

Introduction to Te Tiriti o Waitangi

January 2018

College of Community Development and Personal Wellbeing

Introduction to Te Tiriti o Waitangi

SMS Code	MR401001		
Level	4	Credits	6
60	80	Directed Learning hours	14
Workplace or Practical Learning hours	0	Self Directed Learning hours	46
NQF Unit standards contained are: 7926 Describe the Treaty of Waitangi for social services – Level 4, Credits 6.			
Course approved in another Programme No			

Aims

This workshop aims to provide an environment in which people can explore the Treaty of Waitangi and its implications in a non-confrontational, participatory process. This learning framework enables participants to understand the historical context of the Treaty as well as the contemporary debate and its relevance. The content reflects the outcomes of unit standard 7926, while retaining a focus on Kāi Tahu as Mana Whenua and developing appropriate professional relationships with them. It is intended that this be a foundational workshop in the programme.

Learning Outcomes

At the successful completion of this course, students will be able to:

- *Discuss the social conditions of each of the signatories to Te Tiriti o Waitangi*
- *Recognise the shifts in power between the signatories after the signing of Te Tiriti*
- *Discuss the history and current status of Kāi Tahu and the relationship of organisations to Mana Whenua*
- *Apply the articles of the Treaty to their own occupational/professional practice.*

Content

- *Cultural identity and cultural diversity*
- *Pre-Treaty – The New Zealand historical context*
- *Pre-Treaty – The Māori context*
- *The Treaty – Issues leading up to and surrounding its signing*
- *Post Treaty Context and Colonisation*
- *Kāi Tahu*
- *Contemporary Treaty Issues*
- *Application to own professional and occupational practice.*

Learning/Teaching Strategies/Methods

Discussion/video and digital material/group action methods/reading.

Assessment

Demonstrated knowledge of changes in the relationships between the two partners- Pre-Treaty and Post-Treaty;

Application of the articles of the Treaty to professional and occupational practice.

Attendance Requirements

It is expected that the full workshop will be attended.

Completion requirements

Satisfactory completion of in-class activities and assessments.

Student Reading List***Required Reading Resources:***

Supplied readings and website references.

Recommended Reading Resources:

O'Regan, T. (1989). "The Ngāi Tahu claim". In Kawharu, I. (Ed.). Waitangi: Māori and Pākehā perspectives of the Treaty of Waitangi. Auckland: Oxford University Press

http://www.takoa.co.nz/iwi_maps.htm

We view our commitment to a living Treaty partnership seriously and therefore all of our workshops are facilitated equally by Iwi Māori and Tauīwi.

Emeritus Prof. Khyla Russell



Emeritus Professor Khyla Russell is of Kāi Tahu, Kāti Māmoe, Waitaha and Rapuwai descent on her taha Māori and Polish and Irish on her taha tauīwi.

Khyla held the position of Kaitohutohu, Senior Manager Māori at Te Kura Matatini ki Otago: Otago Polytechnic in Dunedin, from 2004 until 2016. In this role Khyla was charged with overseeing the embedding of the Treaty of Waitangi across the organisation.

Prior to the Kaitohutohu role, Khyla ran a private consultancy business as well as being a Senior Lecturer for the Bachelor of Occupational Therapy and related health areas at Otago Polytechnic. She also held a Senior Lecturer position at the University of Otago in Social Work and Education as well as guest lecturing in Law, History, Anthropology and Social Geography. Khyla has formerly been employed by Kāi Tahu as an Education Facilitator for Rūnaka on behalf of Ngāi Tahu Development Corporation.

Khyla's major research focus has been on Kāi Tahu's perception of landscape with a broader research interest in the indigenous worldview and has carried out research overseas in the Pacific, America and England and her doctorate is in Anthropology. She received her full Professorship in 2012.

Khyla is actively involved in publications, conference presentations, a member of a number of conference committees, Visiting Scholar and is a current and immediate past Student Supervisor.

Janine Kapa-Blair



Janine (ko Kāi Tahu, Kāti Māmoe me Waitaha kā iwi) was appointed Deputy Chief Executive: Māori Development / Kaitohutohu in early 2017. She follows in the footsteps of the first Kaitohutohu, Emeritus Professor Khyla Russell, and interim Kaitohutohu, Ron Bull. As a member of the Executive Leadership Team, Janine (alongside the KTO team) are responsible for providing leadership and strategic advice to staff across Te Kura Matatini/the Otago Polytechnic in all matters relating to the Māori Strategic Framework. Giving effect to this, the Kaitohutohu is also responsible for developing and sustaining meaningful collaborations between the Polytechnic, Kā Papatipu Rūnaka o Araituru and the wider Māori community to collectively achieve the educational aspirations of iwi Māori.

Janine has been passionately involved in Māori education for over 25 years; in the compulsory and tertiary sectors, from the classroom to the board room, regionally and nationally. With a background also in social research, project management, communications and strategic development, Janine (together with her Nelson-based business partner) established a bicultural communications consultancy in 1999, has worked for her iwi as Education Manager (2003-2005), and more recently, held Māori leadership roles at the University of Otago (2007-2017).

Ron Bull



*Ko Hananui raua ko Te Whatawhata ōku Mauka
Aparima Te awa
Kāi Tahu, Kāti Māmoē Waitaha kā Iwi
Kāti Te Akau te Hapū
Ko Kanawera te Moutere Tītī*

I am a product of the Deep South and have spent most of my professional life in the hospitality industry.

Within my role in the Treaty Education Training Unit of Staff Capability here at Otago Polytechnic, I get to both teach and learn about what makes New Zealand, and the South particularly, a unique and special place to live in. My focus in this area is on local Iwi economic development and its relationship with societies and cultures.

Linda Kinniburgh



Kia ora koutou

I was born in Dunedin, registered as nurse in 1972 and after several years of nursing practice in both Dunedin and London I began a teaching career at Otago Polytechnic in 1984. I have taught nursing for over 20 years and currently am Head of School. Since 1985 I have been involved in the development of Treaty Education from a nurse-educator perspective. I have been privileged to work with Irihapeti Ramsden in the development of cultural safety in nursing. My interest is specifically in the Pākehā perspective of Treaty education.

Penelope Kinney



I was born in a place called Ranfurly in Central Otago. I initially spent my early childhood years in Hyde and then moved to Chatto Creek just out of Alexandra. I am a 5th generation NZer and my family comes from Ireland and Scotland.

I am an Occupational Therapist and I started work at the School of Occupational Therapy in 2008 (returning to the school where I trained!). My practice field has been in forensic psychiatry and I am currently involved in completing research in this field. I teach in both the Undergraduate and Postgraduate programmes as well as coordinating the Postgraduate programmes. I joined the Treaty Education and Training Unit at the end of 2009.

Dr Jane Venis



Kia ora koutou

I am a first generation New Zealander. My dad was a merchant seaman who finished his travelling in Aotearoa and met my mother who had just returned from nine years as a nurse in the Solomon Islands. I was born in Hamilton and we came to the Nelson region when I was a young child.

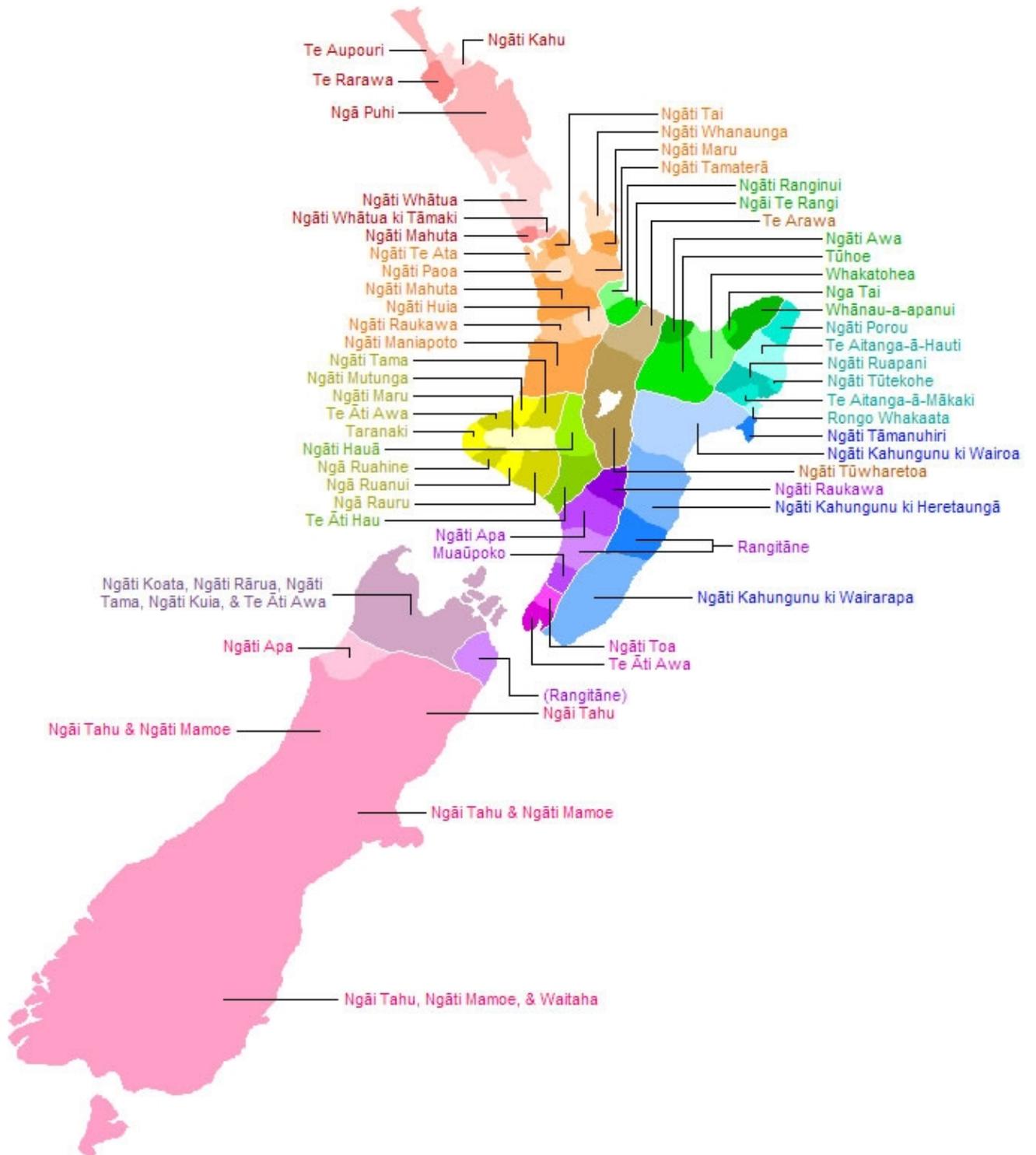
I worked as a community arts facilitator and musician in Nelson and Golden Bay until coming to Dunedin to study art at Otago Polytechnic in 1998. I started to teach here in 2002 while perusing postgraduate studies and continue to enjoy working in the Schools of Design and Art where I teach certificate, degree level and postgraduate students. I am the Academic Leader in the Certificate in Creative Studies, a bridging programme leading to design and art degree courses. My key focus is in helping facilitate a creative and challenging studio environment whereby students with a range of abilities and backgrounds feel culturally safe and welcome.

Heather Day



Kia Ora Tātou

Dunedin is where my home and heart is. Whilst I was born and raised in Napier it felt very good to move to Dunedin as a newly registered nurse in 1986 as this was where previous generations of my family settled after leaving Scotland and England. After several years working in child, family and community health I gravitated towards education, and began teaching those specialties in nursing here at Otago Polytechnic. My passion for learning continued to grow and I made the shift from nursing into staff development. I thoroughly enjoy learning from and working with the broad range of staff across Otago Polytechnic. I am delighted to be a Tauwiwi facilitator and look forward to our shared learning.



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<http://commons.wikimedia.org/wiki/File:lwiMap.png>

Pre-Treaty History

1000 BC Ancestors of Māori and Polynesia sail eastward to settle Fiji, Samoa and Tonga.

200 BC – 300 AD Polynesians sail east, discover and settle The Marquesas, Society and Cook Islands.

800-1000 AD East Polynesian explorers discover and settle Aotearoa.

1642

1769

1792

1807

1814

1835

1837

1840

He Wakaputanga o Te Rangatiratanga o Nu Tireni

1. *KO MATOU, ko nga Tino Rangatira o nga iwi o Nu Tireni i raro mai o Hauraki kua oti nei te huihui i Waitangi i Tokerau i te ra 28 o Oketopa 1835, ka wakaputa i te Rangatiratanga o to matou wenua a ka meatia ka wakaputaia e matou he Wenua Rangatira, kia huaina, Ko te Wakaminenga o nga Hapu o Nu Tireni.*
2. *Ko te Kingitanga ko te mana i te wenua o te wakaminenga o Nu Tireni ka meatia nei kei nga Tino Rangatira anake i to matou huihuinga, a ka mea hoki e kore e tukua e matou te wakarite ture ki te tahi hunga ke atu, me te tahi Kawanatanga hoki kia meatia i te wenua o te wakawakarite ana ki te ritenga o o matou ture e meatia nei matou i to matou huihuinga.*
3. *Ko matou ko nga tino Rangatira ka mea nei kia kia huihui ki te runanga ki Waitangi a te Ngahuru i tenei tau i tenei tau ki te wakarite ture kia tika te hokohoko, a ka mea ki nga tauiwi o runga, kia wakarerea te wawai, kia mahara ai ki te wakaoranga o to matou wenua, a kia uru ratou ki te wakaminenga o Nu Tireni.*
4. *Ka mea matou kia tuhituhia he pukapuka ki te ritenga o tenei o to matou wakaputanga nei ki te Kingi o Ingarani hei kawae atu i to matou aroha nana hoki i wakaae ki te Kara mo matou. A no te mea ka atawai matou, ka tiaki i nga pakeha e noho nei i uta, e rere mai ana i te hokohoko, koia ka mea ai matou ki te Kingi kia waiho hei matua ki a matou i to matou Tamarikitanga kei wakakahoretia to matou Rangatiratanga.*

Declaration of Independence of New Zealand

1. We, the hereditary chiefs and heads of the tribes of the Northern parts of New Zealand, being assembled at Waitangi in the Bay of Islands on this 28th day of October 1835, declare the Independence of our country, which is hereby constituted and declared to be an Independent State, under the designation of the United Tribes of New Zealand.
2. All sovereign power and authority within the territories of the United Tribes of New Zealand is hereby declared to reside entirely and exclusively in the hereditary chiefs and heads of tribes in their collective capacity, who also declare that they will not permit any legislative authority separate from themselves in their collective capacity to exist, nor any function of government to be exercised within the said territories, unless by persons appointed by them, and acting under the authority of laws regularly enacted by them in Congress assembled.
3. The hereditary chiefs and heads of tribes agree to meet in Congress at Waitangi in the autumn of each year, for the purpose of framing laws for the dispensation of justice, the preservation of peace and good order, and the regulation of trade; and they cordially invite the Southern tribes to lay aside their private animosities and to consult the safety and welfare of our common country, by joining the Confederation of the United Tribes.
4. They also agree to send a copy of this Declaration to His Majesty the King of England, to thank him for his acknowledgement of their flag; and in return for the friendship and protection they have shown, and are prepared to show, to such of his subjects as have settled in their country, or resorted to its shores for the purposes of trade, they entreat that he will continue to be the parent of their infant State, and that he will become its Protector from all attempts upon its independence.

Agreed to unanimously on this 28th day of October, 1835, in the presence of His Britannic Majesty's Resident.

I certify that the above is a correct copy of the Declaration of the Chiefs, according to the translation of Missionaries who have resided ten years and upwards in the country, and it is transmitted to His Most Gracious Majesty the King of England, at the unanimous request of the chiefs.

(Signed) JAMES BUSBY
British Resident of New Zealand

English witnesses:
(Signed) Henry Williams, Missionary CMS
George Clarke, CMS
James Clendon, Merchant
Gilbert Mair, Merchant

(Signed) 35 chiefs, from North Cape to the
Hauraki Gulf.

The Treaty of Waitangi 1840

This table gives the wording of the original document alongside a translation by Professor Margaret Mutu and the 1840 English version drawn up by William Hobson, representing Victoria, Queen of England.

THE TREATY OF WAITANGI / TE TIRITI O WAITANGI 1840		
Original Version	Translation by Margaret Mutu	English Version
<p>Ko Wikitoria, te Kuini o Ingarani, i tana mahara atawai ki nga Rangatira me nga Hapū p Nu Tirani, i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga, me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te ata noho hoki, kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira hei kai wakarite ki nga tangata maori o Nu Tirani. Kia wakaetia e nga Rangatira maori te Kawanatanga o te Kuini, ki nga wahi katoa o te wenua nei me nga motu. Na te mea hoki he tokomaha ke nga tangata o tona iwi kua noho ki tenei wenua, a e haere mai nei. Na, ko te Kuini e hiahia ana kia wakaritea te Kawanatanga, kia kua ai nga kino e puta mai ki te tangata maori ki te Pākehā e noho ture kore ana.</p> <p>Na kua pai te Kuini kia tukua a hau, a WIREMU HOPIHANA, he Kapitana I te Roiara Nawa, hei Kawana mo nga wahi katoa o Nu Tirani, e tukua aiane amua atu ki te Kuini; e mea atu ana ia ki nga Rangatira o te Wakaminenga o nga Hapū o Nu Tirani, me era Rangatira atu, enei ture ka korerotia nei.</p>	<p><i>Victoria, the Queen of England, in her concern to protect the leaders and groupings of extended families of New Zealand and in her desire to preserve their paramount authority and their lands to them and to maintain peace and good order, considers it necessary to send a chief to arrange with the people of New Zealand so that their leaders will agree to the Queen's government over all parts of this land and (adjoining) islands and also because there are many of her people already living on this land and others yet to come.</i></p> <p><i>So the Queen desires to establish a government so that no evil will come to Māori and to Europeans living in a state of lawlessness.</i></p> <p><i>So the Queen has seen fit to send me, William Hobson, a Captain in the Royal Navy, to be Governor for all parts of New Zealand (both those) being allocated now and in the future to the Queen and says to the leaders of the Confederation of the tribal groupings of New Zealand, and other leaders these laws spoken of here.</i></p>	<p><i>Her Majesty Victoria, Queen of the United Kingdom of Great Britain and Ireland, regarding with Her Royal Favour the Native Chiefs and Tribes of New Zealand, and anxious to protect their 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 of 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 for the absence of 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 Confederated and Independent Chiefs of New Zealand to concur in the following Articles and Conditions.</i></p>

<p>Ko te tuatahi</p> <p>Ko nga Rangatira o te Wakaminenga, me nga Rangatira katoa hoki, kihai I uru ki taua Wakaminenga, ka tuku rawa ki te Kuini o Ingarani ake tonu atu te Kawanatanga katoa o o ratou wenua.</p>	<p><i>The first</i></p> <p><i>The leaders of the Confederation and all the Chiefs who have not joined that Confederation give absolutely to the Queen of England forever the complete government over their land.</i></p>	<p>Article the first</p> <p><i>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.</i></p>
<p>Ko te tuarua</p> <p>Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira, ki nga Hapū, ki nga tangata katoa o Nu Tirani, te tino Rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te Wakaminenga, me nga Rangatira katoa atu, ka tuku ki te Kuini te hokonga o era wahi wenua epai ai te tangata nona te wenua, ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia ana e te Kuini hei kai hoko mona.</p>	<p><i>The second</i></p> <p><i>The Queen of England agrees to protect the leaders, the groupings of extended families and all the people of New Zealand in the unqualified exercise of their paramount authority over their lands, villages and all their treasures. But on the other hand the leaders of the Confederation and all the leaders will allow the Queen to trade for (the use of) those parcels of land which those whose land it is consent to, and at a price agreed to by the person whose land it is and by the person trading for it (the latter being) appointed by the Queen as her trading agent.</i></p>	<p>Article the second</p> <p><i>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 the 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 process as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.</i></p>

<p>Ko te tuatoru</p> <p>Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini. Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani. Ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.</p> <p>(Signed) WILLIAM HOBSON Consul and Lieutenant-Governor</p>	<p>The third</p> <p><i>For this agreed arrangement therefore concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand (that is, the Māori) and will give them the same rights and duties of citizenship as the people of England.</i></p>	<p>Article the third</p> <p><i>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.</i></p> <p>W. HOBSON Lieutenant-Governor</p>
<p>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 enei kupu, ka tangohia, ka wakaaetia katoatia e matou. Koia ka tohungia ai e 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.</p> <p>Ko nga Rangatira o te Wakaminenga</p>	<p><i>We the leaders of the Confederation of the tribal groupings of New Zealand who met here at Waitangi, along with the chiefs of New Zealand see the setting out of these words, they are taken and unanimously agreed to by us and so our names and our signatures are indicated. This was done at Waitangi on the 6th day of February in the year of our Lord eighteen hundred and forty.</i></p> <p><i>The chiefs of the Confederation</i></p>	<p><i>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 been made to understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof; it witness of which, we have attached our signatures or marks at the places and the dates respectively signified.</i></p> <p><i>Done at Waitangi, this sixth day of February, in the year of our Lord one thousand eight hundred and forty.</i></p>
<p>Mutu, Margaret. 2011. <i>The State of Māori Rights</i>. Huia Publishers, Wellington, New Zealand.</p>		

<p>The fourth article</p> <p>At a meeting before any of the Rangatira had signed the Treaty, Hobson agreed under questioning from the Catholic Bishop Pompallier to read a statement which was a record of discussion on religious freedom and customary law which Bishop Pompallier had had with the Anglican Missionary William Colenso. This oral article was not included in the written texts and was only read aloud in Māori.</p>	<p>Ko te tuawhā</p> <p>E mea ana te Kawana te whakapono katoa o Ingarani, o nga Weteriana, a Roma, me te ritenga Māori hoki e tiakina ngatahitia e ia.</p>	<p>This is the fourth</p> <p>The Governor says that the several faiths of England, of the Wesleyans, of Rome, and also Māori custom shall alike be protected by him.</p>
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THE PROCESS OF COLONISATION

(Extract from The Rowan Partnership)

Until the 1860s, policy on Māori matters is shaped by the governors who have responsibility for all. After that it is handed over to a settler Parliament in which Māori have no representation until 1867 and only token representation. The two main strands of policy from then on are the acquisition of land through war and legislation, and then the replacement of Māori Independence with assimilation and welfare.

1830's and 1840's

Peak period for mission schools of several denominations. Missionaries had a goal of assimilating Māori to "the customs and manners of civilised life". Teaching was largely based on the Māori translation of the Bible, and was all in Māori. (The cultural clash between the missionary message to individual salvation and the communal traditions of Māori helped to undermine Māori society)

1840 Settlement Wellington

The New Zealand Company tried to set up its own government in Wellington. Hobson's first plan had been to negotiate the Treaty of Waitangi steadily with one tribe after another. To get in ahead of the New Zealand Company he now laid immediate claim to the North Island by right of the Treaty and the South Island by right of Captain Cook's so-called 'discovery' of it. The Wellington settlement was followed by Wanganui, New Plymouth and Nelson, and later by Christchurch, Otago and finally Invercargill

1841 Land Claims Ordinance

A Commissioner would check all earlier land sales to settlers for fairness and the amount of land sold. He was instructed to "be guided by the real justice and good conscience of the case..." But many of his findings were not acted on. For example, he showed that Wellington had not been properly bought. But the real owners, who had refused to sell the land, were given no compensation. When the old land claims were finally dealt with by a Special Commissioner after 1856, Māori were angry to find that lands not awarded to settlers were not returned to them but were kept by the Crown.

1844 Native Exemption Ordinance

Until Māori were ready "to yield a ready obedience to the laws and customs of England", European law would be made optional for them in cases between Natives only no warrants would be issued against an alleged offender unless a complaint was made by two senior chiefs of the victim's tribe, and the warrant would be served through two senior chiefs of the offender's tribes.

1844 Native Trust Ordinance

A Trust Board of Government and Church officials would administer trust lands from land sales. The revenue would be used for Native schools, relief of the sick, religious instruction and "their advancement in the scale of social and political existence". The schools would provide "instruction in the English language, and a systematic course of industrial and moral training in English usages and English arts."

1844 Unsworn Testimony Ordinance

Witnesses in Court had to swear to tell the truth on the Bible. Māori who were not converted to Christianity could not be used as witnesses. The ordinance changed this and allowed Natives to give evidence on affirmation, without using the Bible, if they would otherwise be excluded "by reason of defect of religious knowledge and belief".

1846 Governor Grey's Land Purchases

Between 1846 and 1853, Governor Grey bought 32 million acres for £50,000 pounds, including most of the South Island. Some of the purchase money was never paid, nor were promises kept to establish schools and hospitals as part of the agreement. The price was grossly inadequate and was offered in a situation where it was plain Ngāi Tahu could not refuse. They meant to keep one-tenth of the total land and to farm it on equal terms with the settlers. Instead, their reserves were limited to ten acres per person, said to be "mostly swamp or vertical land". (Walter Mantell acted as Governor Grey's purchasing agent in some of these deals. He later regretted what he had done and spent the next forty years trying without success to get justice for Ngāi Tahu.)

1846 Resident Magistrates Court Ordinance

The Governor would appoint selected Justices of the Peace as Resident Magistrates for districts, but local chiefs would also be appointed as Assessors. In civil cases where the parties involved were all Natives, each party would choose one Assessor and the Assessors would make the decision. (A Native convicted for theft or possession of stolen goods could be fined up to four times the value of the goods, and the Resident Magistrate could choose to pass on part or all of the fine to the owner of the goods. This roughly followed the custom of utu.)

1847 Education Ordinance

Governor Grey earmarked up to 5% of the colony's revenue for grants to church missions to provide schooling. (There was no state education system until 1877.) Grey's aim for Māori children was to remove them from what he called "the demoralising influences of their villages" and to promote their assimilation. (The teaching would be in English, contrary to the missions' policy of using Māori only so as to focus on the religious texts which were almost all that was printed in Māori.)

1852 New Zealand Constitution Act

This British Act gave self-government to New Zealand. Voters had to own or lease a certain amount of land on individual title. This excluded nearly all Māori and most working class Pākehā, as well as women. Plural voting was allowed if a man had property in more than one electorate. The Governor was still responsible for Māori affairs. Seven thousand pounds a year were set aside for 'Native purposes'. Māori were paying nearly half the taxes, but would have no representation. Section 71 provided for Māori self-government in districts which would be specified; but New Zealand governments never put this part of the Act into operation. It was not formally abolished until 1986.

1854 Parliament

The first Parliament was elected and met. It was dominated by wealthy landowners, land speculators and businessmen, mainly representing the New Zealand Company settlements plus Auckland. They and their families and friends also controlled the Provincial Councils and the press. A number used their place in Parliament to promote their personal business interests.

1857

Constitution of the Anglican Church signed. No Māori signatures. Increased settlement made it a settlers Church, not the Māori mission Church of earlier years.

1859

In the North Island only 7 million acres out of 26 million had been acquired by the Crown and settlers and there was increasing resistance to making more sales. The Government brought about the Waitara/Taranaki War to ensure more land. The Provincial Superintendent said that the aim had been "to provoke the chiefs to fight". They could then be treated as rebels and their land could be confiscated.

1860 Kohimarama Hui in Auckland

The Government called a four-week hui of 200 chiefs. It was looking for their support for its Policy in Taranaki, and wanted to divide them from the King Movement based in Waikato. The chiefs avoided this attempted manipulation. Governor Gore-Brown and Donald Mclean reaffirmed the Treaty guarantees to Māori, stressing chieftainship and protection and using the Māori text. The chiefs confirmed their commitment to the Treaty as a solemn "covenant". This is the last appearance of the Treaty as a political reality for New Zealand Governments until 1975.

1861

Governor Grey began the process of unofficially handing responsibility for Native affairs over to the elected Government. Until now it had been kept by Governors as a safeguard for Māori. One of Grey's main arguments for the change was that the New Zealand Government would be unwilling to pay the costs of a war against Māori unless the Government also controlled the decisions about it

1862 Native Lands Act

The key to later loss of land. The Act quoted the Treaty of Waitangi about land issues (the English text), and then went on to recognise individual title to Māori land and to end the Crown's right to pre-emption. These changes undercut the communal rights of hapū and iwi to control their lands, and opened the way to would-be buyers to buy land directly from individuals or groups of owners who were willing to sell or could be pressured into it. The aim, according to the Premier, was to put most of the North Island on to the market and to destroy the tribal system so that Māori could be assimilated "as nearly as possible to the ownership of land according to British law".

1863 Waikato War

On the basis of a false rumour that Waikato were intending to attack Auckland Governor Grey sent 3,000 British troops to invade the Waikato to secure land and crush the King Movement. The iwi defended their homes and lands as long as possible. (Grey's proclamation that military posts would be established beyond the river boundary and that resisters would have their land confiscated, was not published until two days after the troops had begun the invasion, and did not reach Waikato until after the fighting had started. Once the King's capital at Ngaruawahia had been taken, General Cameron wanted to negotiate and some Kīngitanga leaders were ready to surrender. Grey's ministers were not ready to stop the war until the fertile areas beyond had been put within reach of confiscation, so it went on.)

1863 New Zealand Settlements Act

Provided for confiscation of Māori land in Districts where "a considerable number" of Māori were believed to be in rebellion, regardless of whether the land belonged to "rebels" or to "loyal" Māori. Compensation would be paid to Native owners except to so-called rebels and those who assisted them. More than three million acres were confiscated under this Act, of which about half was later either paid for or returned. (The rest mostly passed through the hands of land speculators, including Government Ministers. Towns and farms were laid out for military settlements - for experienced soldiers who would be on the spot if they were needed in future. The rest of the land was to be sold to cover compensation to owners, some of the costs of the war and costs of the "colonisation of the Settlements".)

1863 Suppression of Rebellion Act

Suspended basic rights for those in so-called "rebellion" against Crown. Military courts could impose summary death penalty. Also cleared anyone for actions on the Crown's behalf that were illegal at the time but would have become legal under this Act. Copied from an Irish Act of 1799.

1864 Public Works Land Act

The Act said that it was "necessary for the civilisation of certain parts of the Colony that Roads... should be constructed..." so Māori land could be taken compulsorily for public works such as roads. Compensation would not be paid to so-called "rebels" or to those who aided them.

1865 Native Commission Act

The Governor appointed a Commission of 20 to 35 Natives and three to five Europeans to report on a temporary system to give Natives the vote until the time when all Native land would be in Individual Crown title and Māori with enough land would therefore automatically qualify. The stated aim was greater equality of political rights; the other main aim was to draw Māori into the European parliamentary system as a minority and to undercut the case for a separate Māori Parliament. The alarm was raised by South Island members who saw Māori representation giving more weight to North Island interests, and by North Islanders who saw a risk that Māori votes on a general role might influence election results in some seats.

1865 Native Lands Act

The Native Land Court was set up, with Pākehā judges and Māori assessors. Its purpose was to investigate the ownership of pieces of Māori land and to give certificates of title on request to individuals, tribes or groups of owners. Buyers and the Government could then be sure who to deal with about the land. Owners who kept away from the Court might find that others had claimed the title to their land, so it was hard to refuse to deal with it.

- No more than ten owners could be listed on a title. They would act as trustees for any other owners, and they had the right to sell without consulting the others.
- If the land was less than five thousand acres, the certificate could not be made out for a tribe.
- Individual land rights were no longer linked to living on the land and using it, as they had been by custom. The long term result was a large number of very small shares held by absentee owners. This made effective decision-making and land use almost impossible.

The Act was sponsored by Thomas Russell, lawyer, founder of the Bank of New Zealand, Director of many interlocking companies, speculator in Waikato land, and Minister of Defence in the Government.

1865 Native Rights Act

All Māori were declared to be British subjects and under the jurisdiction of the New Zealand courts, but in matters of land rights and ownership they were subject to Māori custom. That custom would be defined by the Native Land Court.

1867 Māori Representation Act

The new law set up a separate voting system for Māori. There would be four special Parliamentary seats for them. The four Māori seats were token representation. There should have been twenty to match the size of the Māori population at the time, and the number has never been, adjusted as other seats have with population changes.

1870s

The period of the "Vogel immigrants". As Prime Minister, Vogel borrowed twenty million pounds for development. He brought in 84,000 settlers mostly farm labourers and their families. They were to carve roads and farms from the bush and open up the interior of the North Island, outnumbering the tangata whenua and making armed resistance to colonisation impossible.

1873 Native Land Act

All owners' names now had to be listed on certificates of title and all had to sign any sale agreement for the whole block. Minimum reserves of 50 acres per head had to be made for owners. The Governor could take up to 5% of a block of Native land for roads and railways, but could not take villages or cultivated lands.

1877 Native Land Act

In cases between Natives and the Crown, any Native could be ordered to deposit money as a security in case the Court awarded costs to the Crown. Without that deposit, the Court could refuse to hear them or stop the case.

1877 WT Parata vs Bishop of Wellington

Chief Justice James Prendergast made a ruling, used as a precedent for the next century, that customary Native title to land could not be recognised by the courts. The only recognised Māori title to land would be on land held as a Crown grant through the Native Land Court. Prendergast went still further. In an often-quoted phrase, he ruled that the Treaty of Waitangi was a "legal nullity". He argued that Māori at the time of the Treaty were "primitive barbarians" with no sovereign body to make a recognised treaty with the Crown. His arguments ignored the long traditions of common law and colonial law, and the Crown's recognition of the 1835 Declaration of Independence.

1879 Native Land Act Amendment

Land Court procedures were streamlined to deal with pressure for land for small Pākehā farmers. Sales went up threefold.

1880s

The period of major clearing of native bush across the centre of the North Island. Small settlers would buy bush land and work on roads and railways, and then sell timber from it to clear their first paddocks and get their farms started. Timber not sold would be burned, and grass planted in the ashes.

1880

The Anglican General Synod refused the request of Māori members for their own bishop. The Synod said this would endanger the oneness of the Church.

1880 Juries Act

A Native accused of a crime against another Native could demand a Native jury. In civil cases between a Native and a European, the Native was entitled to demand a mixed jury (half of them Māori, the rest European).

1880 Māori Prisoners Act

The Government had spent a million pounds to deal with non-violent resistance to land confiscation at Parihaka in South Taranaki. The land they were trying to take was in money worth less than that. Many Parihaka residents were in jail for peaceful protests, and the Government dared not bring them to trial because the cases were likely to be thrown out. The Act said that: "Whereas it is not deemed necessary to try the said Natives with a view to the infliction of punishment,.... [and] it would endanger the peace of the colony...if the said Natives were released...all the said Natives waiting trial...may be lawfully detained". In other words, indefinite imprisonment without trial.

1880 West Coast Settlement (North Island) Act

Still aimed at the Parihaka resistance. Renewed detention without trial, and imposed up to two years hard labour, then release only on bail, for anyone hindering occupation of land, or even of being around and being suspected of intending to do so.

1881 Suppression of Parihaka

Governor Gordon, as the guardian of Māori rights, was likely to block enforced land confiscation at Parihaka, so a proclamation to take the land was made while he was out of the country and Chief Justice Prendergast was Acting Governor. It was enforced on 5th November by John Bryce, Minister of Native Affairs. He led 1500 armed constabulary against the unarmed Parihaka community, and was met by singing children. Three weeks of terror, rape and destruction followed. Te Whiti and Tohu were jailed with their followers indefinitely in the far South Island, where most were kept in caves. The Parihaka prisoners built the road to the Otago Peninsula, and many died there of the cold and bad conditions.

1882 Crown and Native Lands Rating Act

Māori land within five miles of a highway was made liable to rates. Where owners had no ready money, they might have to sell land to pay the rates on the rest. It was later revealed that the Property Tax Department, on Government instructions, was valuing Māori land for rating purposes at up to three times its market value.

1883 Native Committees Act

The Governor could proclaim an area a Native district. Within these districts Resident Magistrates would oversee the election of committees to act as small claims tribunals and to report to the Native Land Court on the ownership and boundaries of Native lands. The committees took over some of the work of the chiefs who had been Assessors to the Resident Magistrates Courts and the Native Land Court.

1885 Land Act

The country was divided into ten districts, each with Land Commissioners and a Land Board. They were to deal with the sale, leasing and occupation of Crown lands. They would also control Native land which was acquired in any way by the Crown. The Act also set aside 10,000 acres in the Caitlins region for settlement by Highland crofters.

1886 Native Lands Administration Act

This turned control of blocks of Māori land over to small groups of trustees with the right to sell. Owners who objected to a sale had to put it in writing, and the land would then be divided between those who wished to sell and those who did not.

1891 Influenza pandemic

Took a toll of Māori dispossessed from their lands and living in makeshift camps with no sanitation. High rate of infant mortality. They received very little medical treatment. Māori average life expectancy was 22.5 years for women and 25.3 years for men. 40% of female babies died before their first birthday from deprived conditions and lack of immunity.

1892 Native Land Purchases Act

If a piece of land was bought by the Crown from more than six owners, at least half the price was to be deposited with the Public Trust Office to provide an endowment for them. The assumption was that they were not able to use the money themselves.

The Government could give notice that it was negotiating to buy a piece of Native land, and it would then be illegal for anyone else to buy that land until the notice was withdrawn. The effect was naturally to prevent competition and so keep the price down. But the Act also permitted the Crown to sell land to Natives.

1893 Magistrates Court Act

The former Resident Magistrates disappeared. With them went the chiefs who had acted as Māori Assessors. They had had an important say in judging many cases between Māori. The new system placed Māori completely within the revamped Pākehā legal system.

1893 Native Land (Validation of Titles) Act

The constant stream of Acts and amendments about Native land, its purchase and ownership had left a huge legacy of muddle and dispute. Both Natives and Europeans had grievances. The new Act set up a Validation Court "to settle finally and for ever all differences, conflicts, and disputes, between the parties relating to (and)" It was free to ignore the fine points of the law, but had to work "subject to equity and good conscience". It was barred from questioning the Crown's own titles to land.

1893 Native Land Purchase and Acquisition Act

This set up a national Native Land-purchase Board, whose members were either appointed or held office within the system. There were three European and two Māori members. The Governor could ask the Board to report on blocks of Native land and their value. If the land was suitable for settlement, the owners had the choice of selling at the Board's valuation or leasing the land. All owners were bound by the decision of the majority. In seven years nearly three million acres was taken under the Act at an average price of five shillings an acre.

1894 Native Land Court Act

This provided a legal basis for Māori incorporations, which under Apirana Ngata's influence became large-scale developments in areas such as the East Coast. They were an attempt to overcome the problems of small shares and absentee ownership of land.

1895 Native Townships Act

Part of opening up the interior of the North Island, the Governor could proclaim areas of up to 500 acres of Native land for "Native townships". Up to 20% of the area would be reserved for the Native owners. The rest would be leased to Europeans, and the rents would be paid to the Government and distributed to the Native owners. The allocation of the reserved Native allotments was to be done according to the wishes of the owners so long as that didn't interfere with the general plan of the settlement. Owners were to be allowed free use of any baths or thermal springs on reserves.

1898 Dog Tax War

A tax had been introduced to control the number of dogs owned by Māori. At Waima (Hokianga) the people refused to pay. This led to the 'Dog Tax War' in which they were arrested, jailed and fined, after 120 troops with Maxim guns had been sent to deal with them.

1898 Old Age Pension Act

Pensions were subject to strict tests of morals and means. Māori rarely qualified (even the few who lived long enough) because if they had shares in land they were excluded, regardless of whether they actually received any income from their shares.

1900 Māori Councils Act

"An Act to confer a Limited Measure of Local Self-government upon Her Majesty's Subjects of the Māori Race in the Colony". Set up elected Māori Councils, with the local Magistrate as a member, to make plans and by-laws for education, health, welfare etc, - with the additional duty of collecting and sending to the Governor a mass of statistical information about all sorts of things including "the extent of the absorption of the Native race by inter-marriage with Europeans".

1900 Māori Lands Administration Act

Land under the control of the Crown would be vested in Māori Land Councils. Māori would be equally represented or even a majority on the Councils, but this system lasted only five years, until the European desire for more land spelled the end for the Councils.

1905 Māori land Settlement Act

There would be a Māori Land Board for each district, with three members all appointed by the Governor, including one Māori. They would control the use of any Māori land that the Minister considered was "not required or not suitable for settlement by the Māori owners". (The Board could make reserves for them from it, or could develop it and sell or lease it to anyone including owners). Funds from sales and rents would be for the benefit of the owners. After fifty years the owners of leased land could get it back if a majority applied in writing and cleared charges such as the cost of improvements.

1906 South Island Landless Natives Act

Designed for named Ngāi Tahu members who had been left without enough land to support them. The Act enabled the Governor to make reserves for them from Crown land, up to a maximum of 50 acres for each adult. Other such Acts followed for landless Natives in other regions such as Taranaki.

1906

This was the lowest point for the language in education. It was discouraged at both Native and Education Board schools. "Encouraging children to talk English on the playground meant to some teachers punishing any use of Māori at all - as had been done with Welsh in Welsh schools.

1907 Native Land Settlement Act

Whenever the District Land Commissioners reported on blocks of Native land "not required for occupation" by the Native owners, it could be vested in the District's Māori Land Board, in trust for the Māori owners. The Board was to divide the land into two equal areas, one part for sale and the other for lease. Owners had no say on sales or leases. A Board could create reserves and administer them "in such manner as it thinks fit for the benefit of the said Māori owners".

1907

A special tribunal was set up to determine titles to land in the Urewera country, the last area that had been closed to settlement. By 1920, 90% of that land had been sold to Pākehā.

1907 Suppression of Tohunga Act

The role of tohunga as healers and spiritual leaders was seen as a barrier to assimilation. The Act was also designed as a weapon against Rua Kenana and any other prophetic Māori leader.

1909 Native land Act

Prendergast's 1877 decision against recognising Māori customary land title was challenged by the Privy Council in the course of an appeal. The Act dealt with this threat by declaring that arguments of customary title could not be used against the Crown. In any case, customary title would be "deemed" to be extinguished on all land which the Crown had held for the ten years before the Act.

In the Native Land Court, Māori Assessors were now to be involved only if they were invited by the Judge, and the Judge didn't need their agreement to his decision. The Court was given the power to decide whether a person appearing before it should be classified as a Native or a European.

The Act ruled out compensation on Native land taken for roads. It became common practice for surveyors to keep reading costs down by running roads through Native land as much as possible. Then they would run the road to the next Native block, taking the shortest possible route through European land which had to be paid for.

Customary marriages between Natives could still be recognised, but they had to observe the European {Biblical} code of which relatives could and could not marry each other, and the marriage had to be officially registered. All marriages between Natives and Europeans came under the Marriage Act. Native customary adoptions would not be recognised in the future: instead adoptions had to be carried out through the Native Land Court.

1916 Rua Kenana

Armed police went into the Urewera country to arrest Rua Kenana - prophet, pacifist and separatist. They killed two of his followers in a gun battle.

1918

After World War 1, Māori returned soldiers were excluded from resettlement loans.

1924 and 1925 Native Land Amendment Acts

Small amounts of interest which couldn't be paid out to Native owners were mounting up in total. The Acts used them to set up a Māori Purposes Fund, administered by a Board appointed by Government, and then added another 15,000 pounds from Government revenue to support Māori higher education. Examinations and fees for state secondary education and the small number of places in Māori secondary schools had put secondary and tertiary education beyond most Māori.

1928

Apirana Ngata convinced the General Synod of the Anglican Church to create a Māori Bishop or lose its Māori members to the growing Rātana Church. Earlier it had created a Māori Diocese but would not allow it to have a Māori Bishop.

1929 Native Land Amendment Act

The first concerted Government aid to develop Māori land and commercial enterprises by providing state credit. The start of small dairy farming for Māori. Half a million pounds was spent between 1929 and 1934. Apirana Ngata promoted the Act, and got support from politicians who had positive memories of the Māori effort in the First World War. There were also fears that with the Depression starting, Māori would become a burden on the taxpayer unless they could support themselves by farming.

1930s Depression

During the Depression, Māori received half the unemployment benefit given to Pākehā, on the assumption that they could go back to living off the land. The Labour Government increased benefits when it came to power, and made them equal for Māori. (Other general welfare measures benefited Māori equally with Pākehā, and Labour also dealt with some specific Māori grievances. The four Māori MPs had a hand in this, and so did Peter Fraser both as Prime Minister and Native Minister.)

1934-35 Board of Native Affairs Act

The Board would control the operations of the Native Trustee, Māori Land Board funds, funds from Government for advances to Natives, and Government spending on Māori land, management and development. Under the Board were District Native Committees with a Native Land Court Judge and two other appointed members with experience in farming.

1934-35 Māori Purposes Fund

A Board of politicians and public servants, the four Māori MPs, and other appointees, to channel funds for Māori health, education and welfare, arts and crafts, and the preservation of the Māori language.

1935 Secondary Education Reforms

The Labour Government abolished the entrance exam for secondary education, made it free for all, and raised the school leaving age to 15.

1935 Native Housing Act

Funds were made available for building and improving Māori housing through the Board of Native Affairs, in parallel with the development of State Housing. Māori had generally not been able to get housing finance, and their housing was very poor. By 1951 the problem had been about half solved.

1940 The 28th Māori Battalion

The Battalion was organised on tribal lines with rangatira as leaders and with enthusiastic support from tribal committees. This was the first official recognition of tribal structures since the mid-nineteenth century, and aroused great hopes. It was said to be "a revolutionary experience for the Māori people to be given some form of control". Not every tribe took part.

1945 Māori Social and Economic Advancement Act

Created Māori welfare officers and Māori wardens. Gave official recognition to the tribal committees which had been set up during World War 2. These elected bodies now took over from the Māori Councils set up at the turn of the century. Tribal executives were to promote the social, spiritual, cultural, educational and economic advancement of Māori; collaborate with Government departments, make inquiries and recommendations, and supervise the tribal committees. But major Māori development proposals were taken out of the Bill.

1947

The word "Māori" replaced "Native" in all official usage. The Pākehā support for this came especially from Peter Fraser.

1953 Māori Affairs Act

If the Māori land Court considered that a block of Māori land was unoccupied, or not cleared of noxious weeds, or had unpaid rates on it, or if the owners had neglected to manage it with due diligence so that it was not being "properly used", then the Court could place the land with the Māori Trustee as the agent for the owners. The Trustee could sell or lease the land, but suitable Māori applicants would have first option on it. (Uneconomic land interests worth less than 25 pounds could be bought compulsorily.)

(The Act also opened the way to other land uses besides farming, and it was amended in 1962 specifically to encourage forestry development, giving the Board of Māori Affairs wider discretion on the terms of leases for that purpose. This is the source of some of the big forestry company leases which are still operating.)

(The Act finally did away with Māori Assessors in the Land Court. It also removed recognition for Māori customary marriages.)

1960 Hunn Report on Māori Affairs

This formed a basis for policy for the 1960s. The following passage sets out one its main themes: "Evolution is clearly integrating Māori and Pākehā..... Here and there are Māoris who resent the pressure brought on them to conform to what they regard as the Pākehā way of life. It is not, in fact, a Pākehā but a modern way of life, common to advanced people (Japanese, for example) - not merely white people - in all parts of the world. Indeed some white people, everywhere, are not able to make the grade. Full realisation of this fact might induce the hesitant or reluctant Māoris to fall into line more readily..."

1961 Māori Education Foundation Act

"To promote and encourage better education of Māoris and to provide financial assistance for that purpose." The Foundation could accept voluntary and Government contributions, but got its first start from Welfare League fund-raising and the Māori Trustee's funds from Māori land interests.

1962 Juries Act

This repealed the right of Māori to demand a Māori or a mixed Māori and European jury in some cases, which had been in place for about a century.

1952 Māori Welfare Act

The post-World War Two tribal committees and executives were replaced by a top-down system beginning with the NZ Māori Council, then District Māori Councils, Māori Executive Committees and Māori Committees. Each layer was under the control of the one above, and Māori MPs criticised the legislation because of that centralised control. (The dropping of the tribal element partly reflected the changes coming from the migration to the cities, but it created difficulties for the tangata whenua in areas with many incomers from other iwi.

The NZ Māori Council in particular has been widely regarded as the National Government's alternative to the four Labour Party Māori members, which would be more conservative and which National Governments would prefer to consult. However, the Council has pursued essentially the same goals as other Māori, and has been perfectly ready to take Governments to Court.

1967 Electoral Amendment Act

For the first time, Māori candidates were allowed to stand for general seats.

1967 Māori Affairs Amendment Act

The Māori Trustee's earlier powers to buy "uneconomic shares" without the owners' consent were extended. Land held by fewer than four owners had to be transferred to individual title. The Act speeded up again the loss of Māori land. It was criticised by the NZ Māori Council and many other groups, and fuelled 1970s protests. (One of the problems was that "uneconomic shares" might be the only claim to Māori land that individuals still had, and without a link with the land their right to be heard on their marae was open to challenge.)

1974 Māori Affairs Amendment Act

Reviewed the 1967 Act and allowed for former Māori land that had come under general title to be transferred back to being Māori freehold land.

1975 Treaty at Waitangi Act

Set up the Waitangi Tribunal to investigate Māori grievances from 1975 on "relating to the practical application of the principles of the Treaty of Waitangi". No power to make binding decisions, but could recommend action to The Government. The Tribunal had the sole right to interpret the meaning of the Treaty. From about this time there was a renewed emphasis on iwi and hapū rather than on being Māori in a general sense.

1985 Treaty of Waitangi Amendment Act

The Tribunal can now review cases back to 1840. Membership increased to 7. Still power to recommend only.

1986 Constitution Act

The 1852 New Zealand Constitution Act was replaced by the new Act as part of the old Act. Section 71 disappeared. It was this section which had made tribal home rule possible, if it had ever been used.

1986 State Owned Enterprises Act

State owned enterprises would take over land and assets from former Government departments. They would then have the power to sell them into private ownership, which would take them outside the scope of the Waitangi Tribunal.

1987 Court of Appeal Ruling

The Court ruled against the possibility of privatisation of State-Owned Enterprise land which might be subject to Waitangi Tribunal claims. But at the same time the Court redefined the "principles of the Treaty" and accepted the idea that the Crown had sovereignty, although it was a sovereignty limited by the guarantee of rangatiratanga.

1987 Māori Language Act

Māori was declared an official language of New Zealand, and was recognised as a taonga under the Treaty. Māori could be used in the courts as of right. A Māori Language Commission was set up to promote the use of Māori as a living language and as an ordinary means of communication. The Act arose from a report of the Waitangi Tribunal, but did not go as far as the Tribunal had recommended.

1987 High Court Ruling on Fisheries

The Court agreed with the Waitangi Tribunal that the Treaty guarantees Māori possession of fisheries. The Crown was ordered to negotiate an agreement on fisheries with Māori. The Māori negotiators said from the start that they would not claim the total fisheries but wanted control of 50%. The Government would not agree to this.

1988 Treaty of Waitangi (State Enterprises) Act

This allowed the transfer of Crown land to State Owned Enterprises to go ahead, but the land would still be subject to claim before the Waitangi Tribunal. In these SOE cases only, the Tribunal has the power to make binding recommendations to return the land to Māori owners.

1988 Māori Trust Boards Amendment Act

Māori Trust Boards had originally been set up to "deal with funds from compensation and from reserve lands". The renewed emphasis on iwi rights and membership encouraged the Government to look for bodies which might represent iwi. They could be consulted and negotiated with, and they might also contract with Government to provide training and welfare services to their members. The Act made Māori Trust Boards better able to do these things.

1988 Treaty of Waitangi Amendment Act

Increased the number of members to 17, mainly appointed by the Minister of Māori Affairs in consultation with the Minister of Justice. The increase is to deal with the larger number of claims the Tribunal has to deal with. The Government has moved slowly to deal with the Tribunal's recommendations, and prefers to negotiate directly with claimants.

1989 Māori Fisheries Act

Unable to get a negotiated agreement on fisheries, the Government brought in its own Bill. The Māori Fisheries Act provided 10% of the total fisheries in instalments over four years, and left the rest of the claim to be further negotiated. The Act set up the Māori Fisheries Commission, with the members appointed by the Government, to promote Māori participation in fishing. (It also enabled the Governor-General to declare any traditional Māori fishing area as a taiāpure in recognition of rangatiratanga rights to fishing. A taiāpure has a local management committee appointed by the Minister of Fisheries. Committees have very limited powers. They can plan for the use and conservation of the resource, but cannot stop anyone else from fishing there.)

1989 Tainui v the Government and CoalCorp

The Court of Appeal declared that Coalcorp land should not be sold until Tainui's rights to claim confiscated land back through the Waitangi Tribunal had been protected. The Court also ruled that mining licences for coal, as well as the land itself, were covered by the Treaty of Waitangi (State Enterprises) Act. The Government delayed negotiations with Tainui, but five days after Tainui raised the issue through the United Nations, Government announced that it was making them an offer.

1989 Māori Affairs Restructuring Act

The Government decided, against a great deal of Māori opposition, to abolish the Department of Māori Affairs. The Act was to build up the role of iwi authorities as service delivery agencies to their people. The iwi authorities would sign contracts to deliver Government services with various Government departments. The Iwi Transition Authority was set up in place of the Māori Affairs Department, to help strengthen the iwi authorities for their new tasks.

1990 Rūnanga Iwi Act

This provided for iwi authorities which did not have to be Māori Trust Boards. The preamble said that the Act was to acknowledge the enduring importance of iwi as a Māori form of social, political and economic organisation. The Act did not define the powers of the rūnanga, but they had to register themselves and submit charters.

1991 Ministry of Māori Development Act

The incoming National Government, and especially Winston Peters as Minister of Māori Affairs, had promised to repeal the Rūnanga Iwi Act, and did. This new Act also abolished the Iwi Transition Agency, and set up in its place the Ministry of Māori Development (Te Puni Kōkiri). The Ministry was to promote Māori achievement in education, training and employment, health, and economic resource development. Services to Māori would be "mainstreamed", in other words provided through the general Government Departments, but the new Ministry would monitor their performance. (The Act grew out of the "Ka Awatea" report which Winston Peters had commissioned. He released the report to iwi leaders before it went to Cabinet - a recognition of rangatiratanga, a wily political move, or both, which hastened his dismissal as Minister.)

1991 Resource Management Act

In promoting sustainable management of all natural and physical resources, the Act said that everyone involved must take into account the principles of The Treaty of Waitangi. The Act laid down an obligation to consult iwi authorities over plans, policies and resource consents. If iwi or hapū are not fully consulted, they can take the issue to the Planning Tribunal and so delay or block decisions. Local authorities are also required to have regard in their own plans and policies to any management plans the iwi may have made for themselves. The Act also recognises mana whenua (traditional hapū and iwi authority over an area, not the same as legal ownership of the land) and kaitiakitanga (guardianship) over traditional resources.

1992 Definition of Consultation

There has been growing dissatisfaction about token official 'consultation' processes. In a commercial High Court case not related to Māori issues, Mr Justice McGeehan defined consultation to include: sufficient information, sufficient time, and "genuine consideration of the advice given, including an open mind and a willingness to change". Iwi are taking note of this definition.

1992 Joint Government & National Māori Congress Working Parties

The Government announced an agreement with the Congress that there would be joint working parties to negotiate the future of Railcorp land which was for sale. If agreement could not be reached between officials and iwi, there would be mediation. As a last resort the Minister of Justice would make the decision. Some agreements have already emerged, and the process seems to be working well.

1992 Treaty of Waitangi (Fisheries Claims) Settlement Act

The Government agreed to pay \$150 million over the next two years to enable the Treaty of Waitangi Fisheries Commission to buy the Sealord fishing company jointly with Brierley's. The Commission is to make a plan to share out the benefits of the deal among Māori with fisheries interests. Māori lose all rights to claim either commercial or non-commercial fishing rights in the Courts or the Waitangi Tribunal, including any chance to challenge the Sealord deal itself. Māori rights to take seafood without restriction are limited to hui, tangi and other traditional purposes approved by the Director-General of Fisheries. The Act was put through before iwi or even many MPs had been able to study it. The Māori fisheries negotiators were unable to discuss the details of the Bill with iwi because of commercial secrecy. The negotiators have been widely criticised, but there is also sympathy for the difficult position they were put in by Government. They had to "sell" the deal to iwi within a three week time limit, without being able to explain it fully. The Act has caused major divisions in Māoridom and is likely to create more.

MĀORI INITIATIVES AND RESPONSES

1820-60 The Economic Golden Years

Tribes throughout the country take enthusiastically and successfully to the new Pākehā technologies - literacy, new agricultural tools and products, food processing into butter, flour etc, trade and commerce. By the time of New Zealand's self-government in 1852 they are well-established, exporting to Australia and the goldfields of California, dominating the local coastal trade and paying almost half the country's taxes. This was all done within the tribal system of landholding and use. When that withered, so did much Māori confidence and enterprise.

1830s

Mass baptisms to Christianity among Ngāpuhi. Slaves captured by Ngāpuhi in the Musket Wars are released, and carry the Christian message to their own peoples. The Church grows rapidly, with official and unofficial Māori lay missionaries. Māori set up their own schools.

1834

James Busby as British Resident meets with 26 Chiefs meet and they choose a New Zealand flag, still sometimes used as an assertion of rangatiratanga.

1835 Declaration of Independence

Guarantees Māori sovereignty and independence in association with the British Crown, and sets up a Confederation of Northern chiefs to work towards their own system of government.

1843 Wairau Incident

Te Rauparaha and Te Rangihaeata maintain their rights to the Wairau Valley, and the New Zealand Company officials launch an unauthorised expedition to teach them a lesson. The chiefs successfully defend their land. 22 Pākehā are killed and six Māori.

1845 War in the North

With a list of grievances including the threat that all unoccupied land would be taken and made available for European settlement (recommended by a House of Commons Select Committee), Hone Heke and Kawiti make a stand. Both sides are convinced they have won.

1846

One Māori Bible is in circulation for every two Māori.

1858 The first Māori King

Māori feeling over forced land sales leads to Waikato and other Tainui tribes electing Te Wherowhero as Pōtatau, the first Māori King. This is meant to give Māori a political focus so that they can negotiate shared power with the settlers, without opposing the mana of the Queen.

1863 Start of Pai Mārire (Hauhau)

Like other later prophetic movements, this is a response to Māori frustration and to the discrediting of the missionaries, who are seen to have sided with the settlers and the Imperial troops in the war.

1865 Te Kooti and Ringatū

Te Kooti is falsely accused of being a rebel. Exiled to the Chatham Islands, he founds the Ringatū religion and returns. Pursued by troops on his return, he lashes out at Marawhero, then maintains a guerrilla war in the hills.

1867 Māori Seats

These were held first by chiefs who had been allies for the settlers in the wars. They quickly started to oppose Native land legislation, but without success.

1868 Titokowaru's War

After a period of active peacemaking and then of non-violent resistance throughout South Taranaki, Titokowaru leads Ngāti Ruanui to defend their remaining land. They sweep the Government forces back in a brilliant campaign from Taranaki almost to Wanganui, outnumbered at least four to one, but they withdraw and disperse just before the decisive battle, which they would almost certainly have won.

1868

Te Whiti o Rongomai and Tohu Kākahi establish a community at Parihaka, which draws members from many tribal areas. They lead a non-violent resistance movement to prevent the loss of more land. (At the same time, on the Isle of Skye, John MacPherson is leading the Scottish crofters in the same struggle with similar non-violent methods.)

1876

Māori Anglicans request their own Bishop.

1876

Several hundred Māori sign a petition to ban the speaking of Māori in schools. The language is still widely spoken in the community and seems safe, and they want access to English so that they can cope with land issues in the courts and for other purposes.

1882

A deputation of Ngāpuhi leaders travel to England to petition the Queen over Māori grievances. They ask for a Royal Commission. Access to the Queen is denied them. The petition is referred back to the New Zealand Government, which dismisses it.

1883

Māori opposition to selling land is voiced at hundreds of tribal and inter-tribal hui throughout the country.

1884

King Tāwhiao heads a delegation to petition the Queen, listing Māori grievances and also seeking a Royal Commission. They are equally unable to get access to her or any action from the Governor.

1892

21,000 Māori from many iwi and from both islands have signed the Kotahitanga covenant, and the first Māori Parliament meets at Heretaunga, claiming its right to meet under the Treaty and under Section 71 (the tribal home rule section) of the New Zealand Constitution Act.

1892

King Tāwhiao asks the Minister of Native Affairs to set up a Māori Council of Chiefs, but receives no reply. He then sets up the Kauhanganui, the King Movement Parliament, in parallel with the Kotahitanga Parliament.

1894

Hone Heke Rankin, elected to the House of Representatives as a Kotahitanga candidate, introduces a Native Rights Bill seeking devolution of powers to the Māori Parliament. Pākehā members walk out and force the House to be adjourned for lack of a quorum. The Bill is rejected again on two later attempts.

1895

The Kotahitanga Parliament organises a three-month boycott of the Native Land Court.

1897

The Students Association of Te Aute College forms what will become the Young Māori Party, aiming to use the four Māori seats to create real influence for Māori within Government. Apirana Ngata is a key figure in the movement.

1900

Princess Te Puea (of the King Movement) moves to set up Māori hospitals in Māori settlements. Māori health programmes improve life expectancy and infant survival, but tuberculosis, typhoid fever and respiratory diseases persist. Young Māori Party leaders Pōmare, Ngata and Buck work to improve housing, health, sanitation and access to medical care.

1908

Akeneki Hei becomes the first Māori nurse. She dies two years later, nursing her family through typhoid fever.

1914

Princess Te Puea and other women lead Māori opposition to conscription, especially in Waikato. Te Puea says: "They want us to fight for King and country.... We got a King but no country. Give us our land back and maybe we'll think again."

1918

While the influenza epidemic decimates the Māori population, T W Rātana has a vision that founds the Rātana Movement and the Rātana Church.

1921

Te Puea leads 170 people to Ngāruawāhia to set up Tūranga-wāwae in fulfilment of the King's prophecy.

1924

Rātana visits England with a deputation to seek redress of Māori grievances. The NZ Government blocks them from seeing the King or the Prime Minister there.

1920s

Inside Parliament, Ngata puts his energies into land development and the restoration of cultural pride through Māori language and arts programmes.

1932

After being turned down by the other parties, Rātana makes an alliance with the Labour Party which gives Labour the Māori seats for the next fifty years.

1930s

As Minister of Māori Affairs, Ngata focuses on land development. A white backlash in the Public Service and the Press leads eventually to his resignation as Minister, but he goes on promoting measures for Māori development.

1932

A Rātana petition for the Treaty to be recognised in law gains 30,100 signatures. It lies on the table and is not considered until 1945. The Māori Affairs Committee of the House then recommended that in view of the loyal service of Māori volunteers in two World Wars, the Treaty of Waitangi should be published as a "sacred reaffirmation" and be hung in schools.

1939

First Young Māori Conference 15 organised at Auckland University by Ngata and others.

1951

Māori Women's Welfare League is established.

1950s

Urban marae start to develop.

1962

The Māori Playcentre movement begins.

1970

The Māori Council calls another Young Māori Leaders Conference at Auckland University. Young people there want a group for ongoing action, and Ngā Tamatoa is born.

1972

The Māori Council makes a submission to Parliament detailing the laws that have broken the Treaty.

1975

Māori Land March from Te Hāpūa to Wellington.

1978

The occupation of Bastion Point was ended by hundreds of police in a show of force that recalled Parihaka. The later Waitangi Tribunal report and recommendations on Bastion Point completely justify the protesters.

1979

The "Haka Party incident" at Auckland University.

1979 on

Waitangi Action Committee maintains annual protests at Waitangi.

1979

Matiu Rata leaves labour and founds the Mana Motuhake Party.

1979

Te Ataarangi starts from the work of Ngoi Pēwhairangi and Katerina Mataira to teach the Māori language to people of all ages in community settings.

1982

Te Kōhanga Reo begins to provide early childhood education in Te Reo Māori.

1982

Ngāti Raukawa starts their own university at Ōtaki. Four of its courses are recognised by the NZ Qualifications Authority in 1992.

1984

Te Hikoi ki Waitangi, a peaceful walk to Waitangi which brings the tribes together along with Pākehā supporters. The Governor-General waits to meet them, but they are blocked from seeing him by the police.

1984

Te Māori exhibition opens in New York, and Māori art is recognised internationally as a major art tradition. Also the wishes and processes of the iwi are respected and followed in its selection and presentation.

1986

The first Māori radio station takes to the air, to be followed by many others.

1988

In a report commissioned and published by the Justice Department, Moana Jackson argues for a parallel Māori system to administer criminal justice, in view of the failure of the present system for Māori. The report is based on meetings on many marae over two years. It is immediately dismissed by the Minister of Justice.

1989-90

Several hui lead to the formation of the National Māori Congress of Tribes, which brings together the great majority of the iwi to create a national voice for self-determination within Māoridom. The iwi keep their own rangatiratanga, and the Congress speaks for them by permission.

1990

Bishop Huihui Vercoe delivers the address at the Waitangi Day commemoration in the presence of the Queen, and says some of the things she and her predecessors have been stopped from hearing by successive Governments.

This timeline material is drawn from too many different sources to be sure of acknowledging them all, but they include the legislation itself, the Programme on Racism of the Conference of Churches Aotearoa New Zealand, Karen Kenrick's work for Network Waitangi, Double Take, Project Waitangi, Manuka Henare's Whakamarama, the Race Relations Office, the Royal Commission on Social Policy, the Oxford History of New Zealand, George Asher and David Naulls Māori Land, Alan Ward A Show of Justice, Hiwi Tauroa Healing the Breach, Helen Yensen et al Honouring the Treaty, Harry Evison Ngai Tahu Land Rights, James Belich The New Zealand Wars, Bronwyn Elsmore Like Them That Dream, Claudia Orange The Treaty of Waitangi, Patrick Day The Making of the New Zealand Press, and most recently and helpfully Ranginui Walker, Ka Whawhai Tonu Matou (Struggle Without End).

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Recommended Web-sites

<http://www.nzhistory.net.nz>

<http://www.waitangi-tribunal.govt.nz>

<http://www.treaty2u.govt.nz>