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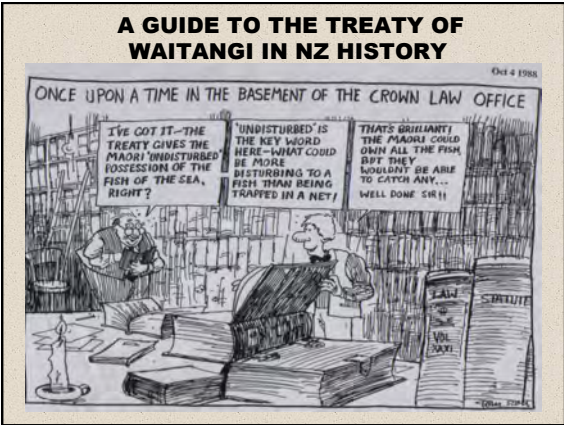
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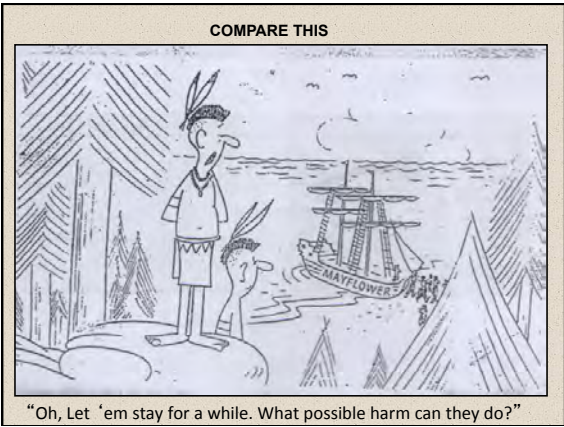
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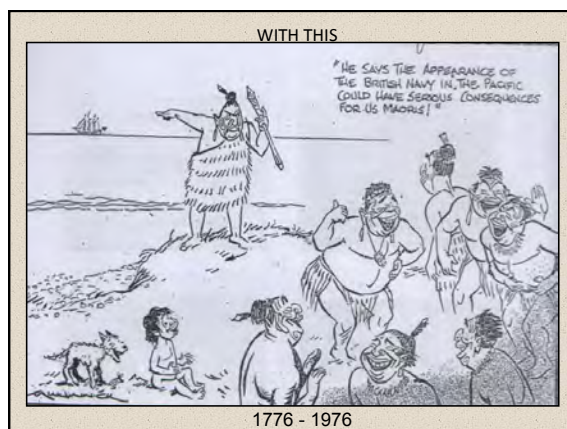
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*In Box 1*

- Write down the key idea that links the 2 cartoons
- Check your answer with your neighbour
- When both of you agree, turn up both green cups

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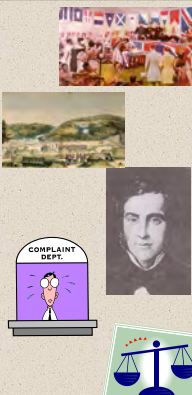

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- THE TREATY 1840
- THE WARS
- THE LAWS
- THE IGNORE
- THE WAITANGI TRIBUNAL
- THE PRINCIPLES

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## THE TREATY IN 1840

### KEY IDEAS

English		Maori
	Article 1	
Sovereignty - to Queen Victoria		Kawanatanga (Governorship) - to Queen Victoria
	Article 2	
Possession guaranteed		Rangatiratanga (Chieftainship) guaranteed Taonga Right of first offer
	Article 3	
Pre-emption		
Rights and privileges of Englishmen		Rights and privileges of Englishmen

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In Box 2

- Write down the following words:
  - SOVEREIGNTY
  - KAWANATANGA
  - GOVERNORSHIP
  - RANGATIRATANGA
  - CHIEFTAINSHIP
  - PRE-EMPTION
  - RIGHTS
  - TAONGA
- Place a **tick** next to the words that you understand, a **cross** next to those that you don't and a **question mark** next to those that you need more clarification for
- Go to someone across the opposite of the room and compare their list with yours. Clarify meaning with them
- Go back to your seat

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## CCVOTES

Contradictions	C
Signers and non-signers	C
The number of different versions	V
Oral/Aural versus written	O
Translation problems	T
Eurocentrism	E
Speed	S

Note that some of these flow into each other

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## PARIHAKA 1881

•By far the most damaging Act meant the confiscation of most of Taranaki, as a punishment to those who had 'rebelled' against the Government in the wars.

•New Zealand Settlement Act – 1863  
Land would be confiscated from Maori who were in rebellion against the British Government. (Odd name for an Act that was confiscating land)

•Look carefully at the black line of confiscation that cuts through the tribal boundaries.

•BUT what was the problem with the confiscations?




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## Resistance to Pakeha begins

- In 1879 the government started surveying confiscated land on the Waimate Plains which threatened Parihaka
- The theodolite weapon of mass destruction!




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May 1879 Ploughing begins. Small bands of Maori go to farms of settlers living on confiscated land and plough furrows through their pasture. They work from daylight to dark all over Taranaki.

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European settlers are angry. Government enrolls them in militias and arms are issued. Farmers begin drilling for battle. Government begins to arrest the ploughmen.

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1880.

NEW ZEALAND.

THE MAORI PRISONERS,

THEIR DETENTION, TREATMENT, ETC.

JUSTICE DEPARTMENT DOCUMENTS AND PAPERS MADE BY THE PARLIAMENT, 1879.

Presented to both Houses of the General Assembly by Command of the Executive Council.

The LAWS The LAWS

The LAWS

Enclosure in No. 2.

MEMORANDUM for His Excellency.

useful compliments to the Governor; and return to His Excellency the  
 of State for the Colonies enclosing a letter from Mr. Boulenger, M.P.,  
 the arrest and detention of certain Maori, as to which statements Lord  
 the arrest and detention of certain Maori, as to which statements Lord  
 the arrest and detention of certain Maori, as to which statements Lord

Kitchener requests that he may be supplied with such information as will enable an answer to be  
 given to them, in Parliament if that course should be considered desirable.  
 2. Believing that Her Majesty's Government would prefer to obtain from existing official docu-  
 ments all the information they contain on the subject, Ministers have the honor to enclose duplicates  
 of Acts of the Assembly, papers presented in Parliament, &c., relating to the difficulties on the West  
 Coast of the North Island; and to add to those documents a memorandum by the Native Minister  
 (Mr. Bryce) on the causes which justify the detention of the prisoners.  
 3. The papers enclosed are—  
 (1.) The Maori Prisoners Trade Act, 1879.  
 (2.) The Confiscated Lands Enquiry and Maori Prisoners Trade Act, 1879.  
 (3.) The Commission issued under the above-mentioned Act.  
 (4.) Proclamation by the Governor at the time the Commission was issued.  
 (5.) The Maori Prisoners Act, 1880.  
 (6.) The Maori Prisoners Detention Act, 1880.  
 (7.) Reports and Proceedings of the West Coast Commission.  
 (8.) The West Coast Settlement Act, 1880.  
 (9.) Report from *Hansard* of what passed in the House of Representatives relating to the  
 alleged promise by the Governor as to the time at which the prisoners should be  
 tried.  
 (10.) Extracts from a memorandum by Mr. Hercules Robinson on the same subject.  
 (11.) The Native Minister's letter to Wreath King, on the release of that Chief from  
 prison.  
 (12.) Commission to the Hon. Sir William Fox, K.C.M.G., for the settlement of promises  
 made to the West Coast tribes, and of claims made by them.  
 (13.) The Native Minister's memorandum "On the Causes which justify the Detention of the  
 West Coast Maori Prisoners."  
 4. The Maori Prisoners Trade Act, 1879, was introduced and passed by the late Government;  
 the Confiscated Lands Enquiry, &c., Act, 1879, was introduced and passed by the present Government  
 during a subsequent session, a general election having taken place in the interval.

If you are asserting sovereignty what better way than to pass laws that your opponents have no knowledge of?

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West Coast North Island Act 1880

Offences.

6. For the purposes of carrying this Act into effect, the Governor may issue such orders as to him shall seem necessary or fit to preserve the public peace; and any person who shall be guilty of any of the offences following, within the confiscated territory, shall be guilty of a misdemeanour

The Act then specifies 6 categories of offence that fit .

(6) is the most interesting

Any persons **who assemble together**, armed or unarmed, or **with or without tools or implements**, for any of the purposes or objects aforesaid, **or are present at the commission of any such offences** or acts as aforesaid for the purpose of **aiding, assisting, or countenancing** the commission of any such acts or offences as aforesaid, or, **being present, may reasonably be suspected to be present for all or any of such purposes or objects.**

This is an 'Uncle Tom Cobbley' law. Hurriedly written and passed through two houses of parliament to deal with *Parihaka*

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In Box 4

- Write down what you think *creeping confiscation* means?
- Why is it ironic that *Parihaka Day* is November 5 1881?
- Why was the year 1858 so important?
- What do you think is more important in marginalising Maori – war or law?

- Compare your answer with your neighbour
- Clarify understanding

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## THE IGNORE

- MAORI PETITIONS to KINGS AND QUEENS
  - ATTEMPTS AT OWN PARLIAMENTS 1890s
  - MAORI LIVING IN RURAL AREAS UNTIL post 1945
  - FOUR GENERATIONS OF IGNORING
- eg Treaty House, 1903



<http://www.teara.govt.nz/en/photograph/34372/house-of-british-resident-james-busby-waitangi>

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## BUT FINALLY ... THE WAITANGI TRIBUNAL

- 1975 Statute passed by LABOUR GOVERNMENT – result of protests ( HIKOI, Bastion Point)
- from 1975-1984 only POST 1975
- But in 1985 grievances going back to 1840 can be heard
- STIMULUS TO HISTORIANS!
- BROUGHT 'SORES' TO THE SURFACE
- JUDGES STARTED MAKING DECISIONS

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In Box 5

Write down why the Waitangi Tribunal was created.  
Why is it a stimulus to historians?  
Share your answer with with someone from another subject

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**In the simplest of terms what does the Treaty of Waitangi represent?**

**A partnership relationship?**

The principle of partnership was first explicitly identified in the Tribunal's 1985 Manukau Report (Waitangi Tribunal, 2012a). By 1987 the Court of Appeal could say that the Treaty of Waitangi had established a relationship "akin to a partnership" (Te Puni Kōkiri, 2001, p. 77).

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**A relationship called biculturalism**

In 1989 Richard Mulgan described biculturalism as "the public recognition of the importance of two cultures, Māori and Pākehā, as central to the life of Aotearoa-New Zealand" (p. 28).

Two decades later David Bromell (2008) observed that "quite apart from any political consensus on the matter" biculturalism is commonly expounded in New Zealand as a "power-sharing partnership between Māori and the Crown, based on the Treaty of Waitangi" (p. 41).

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**• THE PRINCIPLES ( SOME OF THEM)**

- the treaty 'signified a partnership between Pakeha and Maori requiring each other to act towards the other reasonably and with the utmost good faith'

- active Crown protection of Māori interests – the duty of the Crown was not just passive but extended to active protection of Māori people in the use of their lands and waters 'to the fullest extent practicable'

- the Crown should remedy past grievances – 'If the Waitangi Tribunal finds merit in a claim and recommends redress, the Crown should grant at least some form of redress,

- the Crown has the right to govern – the principles of the treaty 'do not authorise unreasonable restrictions on the right of a duly elected government to follow its chosen policy

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In Box 6

Write an answer to this question:

What is the purpose of the principles of the Treaty?

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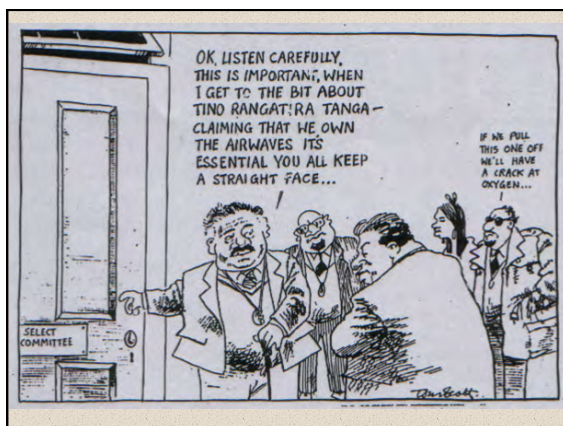
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