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THE TREATY OF WAITANGI

A study of its making, interpretation and role
in NEW ZEALAND history.

Thesis submitted for the degree of
Doctor of Philosophy in History

by
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PREFACE

(From 1840 to the present, the treaty of Waitangi has been a subject of some significance to New Zealand - a distinctive but subtle thread running through the fabric of the country's history and shaping attitudes to race relations. A conviction strongly held by New Zealanders is that the treaty has made the country different from other nations, that it initiated an experiment in race relationships that has secured reasonable accord over the years. Only as the climate of public opinion has shifted slightly in the last twenty years and as Maori protest about failure to obtain treaty rights has become more strident have these convictions been challenged.

It was the growth of protest and an accompanying renewed academic interest in the treaty that first tempted me to undertake this thesis. When contradictory statements and widely divergent opinions on Waitangi were expressed by Maori and European in the 1970s it was evident that there was a serious conflict at the heart of New Zealand's national identity, one that was bedevilling the confident assertion of nationality: Maori and European appeared to share aspirations for a unity that was usually said to derive from the treaty bond, yet at the same time there was a divergence between the two races in their attitudes towards the place of the treaty both in the past and in the present. Since 1973 the recognition of 6 February - the date of the treaty's signing at Waitangi - as a day of national 'celebration' and a public holiday has accentuated the differences in attitudes and increased the discord. The reasons for this state of affairs can be found in the treaty's past history.

Coinciding with this greater public awareness which first roused my interest was the discovery that when the New Zealand Labour Party had drawn up its first Maori policy statement in 1925, it had included promises to investigate grievances arising from non-fulfilment of the treaty. This fact seemed to have been overlooked by historians. Further investigation proved that there was a history of the treaty and its fortunes in New Zealand which research could clarify. This thesis is the result.

To Professor Keith Sinclair I owe a debt of gratitude for persuading me to carry out an earlier study on the first Labour government's dealings with the Maori; there I first came across the treaty in Labour's policies. His encouragement and helpful criticism during the long process of this research have been constantly stimulating. I also appreciate his wise insistence that a study of the treaty required, at the very least, a reading knowledge of Maori. Professor Keith Sorrenson deserves my very warmest thanks, for he has invariably raised new and challenging queries about the subject and has always patiently and thoughtfully appraised the results of my work. His encouragement has been much appreciated. For the interest, suggestions and support of staff and students of the Department of History at Auckland University I have always been grateful.

Others have provided their time, skills and resources for which I am most thankful - in New Zealand, staff of National Archives, the Alexander Turnbull Library, the Auckland Institute and Museum Library, the University of Auckland Library, and the Auckland Public Library. In England, staff of the British Library, the University of Nottingham Library, the University of Durham Library, Canada House London, Rhodes House Oxford, Lambeth Palace, Hatfield House, and the Public Record Office were unfailingly helpful. Professor Freddie Madden of Nuffield College Oxford was quietly encouraging

when called upon for assistance which was much appreciated. To the many people, Maori and European, who have willingly given information, advice, some translation assistance and other help, my sincere thanks.

A postgraduate scholarship from the New Zealand University Grants Committee enabled me to carry out full-time research for three years, part of the time in England. I am grateful for this and for two research grants from the University of Auckland to help cover costs of collecting material.

Family and friends, especially my husband, have given the constant support and help without which this thesis could not have been completed. My special thanks go to them. Beryl Stout's excellent typing contributed that last essential which also deserves my thanks.

GLOSSARY

ariki	senior or paramount chief
haeremai	welcome
haka	fierce dance accompanied by a chant
hapu	sub-tribe
hongī	to greet by pressing noses together
hui	meeting or gathering
kaiwhakahaere	organiser or facilitator
kainga	settlement
kainga tautohe	disputed land plots
kaituki	the person keeping the time for the canoe paddlers - the stroke
kaiwhakarite	intermediary
kaumatua	elder
kotahitanga	unity of purpose
makutu	witchcraft
mana	authority or prestige
mere	club
marae	village meeting-place or surrounds
moko	tattoo
pa	fortified village, or more recently any village
pakeha	European
powhiri	to welcome or beckon someone to come in
rahuī	a mark to warn against trespass, a prohibition
rangatira	chief
runanga	meeting or council, assembly
rangatiratanga	chieftainship
taiaha	long club

tapu	sacred
tangi	weeping, lamenting for the dead
tinihanga	tricky nonsense
tohunga	an expert, especially in spiritual matters
tupuna	ancestor
utu	revenge, recompense, reciprocity
wahi tapu	sacred spot
whare	house or building
whenua	land

The word Maori has been used to denote singular and plural.
Words in the Maori language have not been italicised.

LIST OF ABBREVIATIONS

- GBPP - Great Britain Parliamentary Papers
GBPD - Great Britain Parliamentary Debates
NZPD - New Zealand Parliamentary Debates
AJHR - Appendices to the Journals of the House of Representatives
AJLC - Appendices to the Journals of the Legislative Council
CO - Colonial Office Papers
NA - National Archives
APS - Aborigines Protection Society

JOURNALS

- NZJH - New Zealand Journal of History
JPS - Journal of the Polynesian Society
AULR - Auckland University Law Review
NZLJ - New Zealand Law Journal
NZULR - New Zealand University Law Review

LOCATIONS

- ATL - Alexander Turnbull Library
APL - Auckland Public Library
AML - Auckland Institute and Museum Library
AUL - Auckland University Library