

# **There is no Partnership between Maori and the Crown**

## **THERE IS NO PARTNERSHIP BETWEEN MAORI AND THE CROWN**

So where have our lazy, incompetent Crown Lawyers and Ministers been?

The Tiriti o Waitangi, the Statute of Westminster, and the New Zealand Coat of Arms gave One Sovereignty, One Law to all the people/citizens of New Zealand, irrespective of race, colour or creed, therefore, "There was never a "Partnership" between Maori and the Crown"!

## **TIRITI O WAITANGI**

The Treaty did not cede Sovereignty of New Zealand, as there was no Sovereignty to cede; it ceded the chief's individual territories to Her Majesty the Queen in return for protection and the same rights as the people of England so Britain could form a "legal" Government under British Sovereignty, British Rule. *"Nga wahi katoa o Nu Tirani e tukua aianei ki te Kuini – All places/parts of New Zealand which may be given up now or hereafter to the Queen".*

## **Article 2**

*“Ko te Kaini o Ingaranui ka wakarite ka wakaae ki nga Rangatira ki hapu ki tangata katoa o nu Tirani te tino rangantiratanga o ratou wenua kainga me o taonga katoa – The Queen confirms and guarantees to the chiefs and the tribes and to all the people of New Zealand, the possession of their lands, their settlements and all their property”.*

## **Article 3**

*Hei wakaritenga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini-Ka tiakina e te Kuini o Ingarani hga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani – This arrangement for the consent to the Government of the Queen. The Queen of England will protect all the Maoris of New Zealand. All the rights will be given to them the same as her doings to the people of England.*

### **CAPTAIN WILLIAM HOBSON’S GRAVE PLAQUE STATES;**

*“THE GRAVE OF WILLIAM HOBSON R. N. NEW ZEALANDS FIRST GOVERNOR 1840 – 1842 WHO WAS RESPONSIBLE FOR THE MEETING OF THE MAORI CHIEFS, WHICH RESULTED IN THE SIGNING OF THE TREATY OF WAITANGI ON THE 6 TH FEBRUARY 1840 CEDING SOVEREIGNTY TO THE BRITISH CROWN”.* Its wording may not be the best – but it at least makes plain that Sovereignty of the country was now in the hands of the British Crown.



The Grave Plaque Of Captain William Hobson, R.N.

## **INTERNATIONAL RECOGNITION**

There is no denying that Britain legally obtained sovereignty of New Zealand as it was recognised and agreed by the major powers at the time, especially France and America. France also wanted sovereignty of New Zealand but accepted defeat on the 20 July 1840; *"That sovereignty had been procured in a manner such as could be approved by other nations"*. If sovereignty had *not* been obtained legally, France would have challenged it.

## **THERE IS ONLY ONE TREATY OF WAITANGI – TE TIRITI O WAITANGI**

There is only one Treaty of Waitangi as Governor Hobson stated

when he gave his instructions to those gathering further signatures after he became ill, *"The treaty which forms the base of all my proceedings was signed at Waitangi on the 6 February 1840, by 52 chiefs, 26 of whom were of the federation, and formed a majority of those who signed the Declaration of Independence. This instrument I consider to be de facto the treaty, and all signatures that are subsequently obtained are merely testimonials of adherence to the terms of that original document"*. Governor Hobson never made or authorised an English version of the Treaty of Waitangi. An "official" translation was made of the Maori text by Mr T E Young of the Native Department in 1869, which is virtually word perfect to Hobson's "final draft", known as the Littlewood treaty document. **Over 500 chiefs signed the Tiriti o Waitangi and ceded their territories to the British in 1840.**

#### **GOVERNOR HOBSON CLAIMED BRITISH SOVEREIGNTY**

Governor Hobson claimed British Sovereignty on the 12 May 1840 over the North Island by Treaty and over the South Island by Discovery. The Proclamations were published in the London Gazette on 2 October 1840 and New Zealand became a Crown Colony.

#### **TWENTY ONE GUN SALUTE**

Written in the HMS Herald's logbook on the 8 February 1840, *"A salute of 21 guns were fired to commemorate the cession to Her Majesty of the right of sovereignty of New Zealand"*. This commemoration has continued at every Waitangi day celebration ever since without opposition. **There is no "Partnership" between Maori and the Crown in the Tiriti o Waitangi"!**

## STATUTE OF WESTMINSTER

On the 25 November 1947, New Zealand adopted the **Statute of Westminster**, passed by the British Government in 1931. The Statute granted complete autonomy to New Zealand in foreign as well as domestic affairs. Prior to this, the New Zealand Government was under the control of the British Government, therefore any injustices created by Government against Maori before 1947 were the responsibility of the British Government, although most claims were “full and finally” settled in the late 1930’s and early 1940’s. After 1947, there was no distinction between the people of New Zealand, as we all became New Zealand citizens, under One Sovereignty, One Law. **There is no “Partnership” between Maori and the Crown in the Statute of Westminster!**



NEW ZEALAND COAT OF ARMS

Her Majesty the Queen approved our New Zealand Coat of Arms in 1956. A traditional expression of national identity, the New Zealand Coat of Arms proclaims the sovereign nature of New Zealand and the authority of the Government. The Coat of Arms can be seen on a variety of documents and papers of constitutional and national significance, ranging from Acts of Parliament, Proclamations, Passports and the “logo” on all Ministers’ letters, Crown Law Office letters and letters from

the Office of Treaty Settlements etc. It also features on Her Majesty's personal flag for New Zealand, the Queens Service Medal and the badge of the Order of New Zealand. The New Zealand Coat of Arms depicts the Crown at the top with Maori and non-Maori on the same level below the Crown with "New Zealand" underneath. Maori and non-Maori (all the people/citizens of New Zealand) have the same rights as each other under the Crown. **There is no "Partnership" between Maori and the Crown in the New Zealand Coat of Arms!**

## **CROWN**

Southern Cross

The Sea

**Non-Maori Farming Maori**

Agriculture

Mining and Industry

## **NEW ZEALAND**

**"BOGUS" TREATY TEXT CREATES THE "PARTNERSHIP"**

The 1987 Court of Appeal between the New Zealand Maori Council and the Attorney General (CA 54/87) stated, *"The Treaty of Waitangi has been primary interpreted in the New Zealand Courts and this Appeal was significant in establishing the modern views on the Principles of the Treaty"*. This Court also stated the Treaty was a "Partnership" between Maori and the

Crown.

On page 663 of the Appeal document, we find instead of using an “official” text of the Treaty, this Court used an “unauthorised” text by Sir Hugh Kawhura, which he calls his, *“Attempt at a reconstruction of the literal translation of the Maori text”*. This is unbelievable; this Court decided to use, *“an attempt at a reconstruction of the literal translation of the Maori text”* by a man representing the people who are to gain most from its outcome. The Court stating, *“It was put before us on behalf of the applicants. The Crown likewise accepted it for the purpose of this case”*. Here we have the New Zealand Courts accepting a “bogus” translation to interpret the Treaty and establishing the unfounded “Five Principle of the Treaty” and a “Partnership between Maori and the Crown”. This Court of Appeal’s findings were a sham based on a “bogus” translation and must be ruled, **“out of order”**.

Sir Hugh Kawhura served on the Royal Commission of the Courts, was a member of the New Zealand Maori Council and served on the Waitangi Tribunal, which uses the “Principles” and “Partnership” to make their outrageous recommendations and claims against the Crown – the people of New Zealand. For ten years after the Waitangi Tribunal came into being, it did not recommend one claim, but once the “Principles” and “Partnership”, interpreted solely by the Waitangi Tribunal came into force, **“Pandora’s Box was open”!**

On an ABC programme, Four Corners in 1990, both Prime Minister, Hon Geoffrey Palmer and Attorney General, Hon David Lange warned against, *“making literal interpretations from the Treaty”*, stating, *“Did Queen Victoria for a moment think of forming a Partnership with a number of signatures, a number of*

*thumb prints and 500 people. Queen Victoria was not that sort of person*". It is unbelievable to even think that the most powerful Nation at the time would contemplate a "Partnership" with some uncivilised natives, constantly at war with each other, at the bottom of the world. Even although Geoffrey Palmer instigated the "Five Principles", he later admitted, "*I was wrong, I made a mistake*"! **There was never a "Partnership" between Maori and the Crown!**

## **DISTINCT RACE OF PEOPLE**

When the Treaty was signed in 1840, Maori were a "*distinct race of people*". Since this time, Maori have intermarried of their own free will with other races and therefore are no longer the "*distinct race of people that signed the Tiriti o Waitangi in 1840*". Maori today are New Zealand Citizens that claim varying degrees of Maori ancestry as one sees in the continuing amended legislation since 1865 as their Maori ancestry becomes further and further diluted. As our past Race Relations Conciliator of Maori descent, Mr John Clark stated, "*Maori today are a people with Maori ancestry as one sees in legislation*". **Maori today are in name only – they are first and for most, New Zealand Citizens.**

Ironically, even the tribes that *didn't* sign the Treaty have been claiming and receiving "compensation" or the return of land and assets that in most cases, have already had "full and final" settlements honoured by the people of New Zealand for many years. Without the apartheid Waitangi Tribunal, the "Principles" and "Partnership", most of these claims in an open Court of Law where all the evidence would be open for public scrutiny, would be thrown out. As Chief Judge and Chairman of the Waitangi Tribunal Eddie Durie stated, "*Claimants ask researches to change or delete evidence not helpful to their claim or to manufacture and change evidence*



*if they want to be paid*". (NZ Herald 17/11/99). The Crown researchers are then too lazy, incompetent or in fear of loosing their jobs to oppose these claims, when all the documented evidence to oppose these claims are held and available in our Archives.

## THE CROWN HAS FAILED THE PEOPLE OF NEW ZEALAND

Where have our highly paid Crown lawyers been? Legally, morally and historically there was never a "Partnership" between Maori and the Crown! **The New Zealand Courts, Crown lawyers and Ministers have failed the people of New Zealand!**

The **Tiriti o Waitangi**, the **Statute of Westminster** and the **New Zealand Coat of Arms** gave One Sovereignty, One Law to all the people/citizens of New Zealand, irrespective of race, colour or creed. **There was never a "Partnership" between Maori and the Crown!**

# **He iwi tahi tatou – We are now one people – New Zealanders**

(The true spirit of our Tiriti o Waitangi)

Compiled by the One New Zealand Foundation Inc from Archive New Zealand documents.

For further information, see **"Ngapuhi Ceded their Territories in 1840"** and **"Maori as One Sees in Legislation"** on the One New

Zealand Foundation website, [www.onenzfoundation.co.nz](http://www.onenzfoundation.co.nz)