

# Tiriti o Waitangi Fact Sheet

## TIRITI O WAITANGI FACT SHEET

- In 1831, thirteen Northern Chiefs wrote to the King asking him to be their guardian and protector, not only from the French but also from themselves as Nga Pahi had just gone on the rampage south slaughtering an estimated 60,000 (half the Maori population) of their fellow unarmed countrymen. The southern tribes were now arming themselves to travel north for utu – revenge.
- For Britain to bring law and order to New Zealand, Britain had to obtain sovereignty over the whole country. The British Parliament reluctantly decided after 2 years of debate, the best way to achieve this was by treaty. Captain William Hobson was instructed by the Colonial Office on the contents of the treaty and sailed for New Zealand in 1839.
- Lt. Gov. Hobson's final draft of the Treaty of Waitangi, which went missing soon after it was translated was given to the Rev Henry Williams and his son Edward on the 4th February 1840 to be translated into Maori to become, 'Te Tiriti o Waitangi'. The final draft (Littlewood document) was found in 1989 confirming William's translation was true and accurate.
- The Preamble explained to the Maoris the reason for the treaty and that the chiefs must agree to give up their territories to the Queen if Britain was to form a legal government, "...to all places of New Zealand that may be given up now or hereafter to the Queen".
- The Preamble is the 'essence' of the treaty as it ceded sovereignty of New Zealand to Britain. Since 1985 the Preamble has been omitted from most Government publications of the treaty, including the public viewing panels at Te Papa. The Tiriti o Waitangi consists of the preamble, the three laws/articles and the consent from the chiefs.

- The three laws/articles that followed the preamble had to be obeyed if the chiefs agreed to cede sovereignty. “to all places of New Zealand which may be given up now or hereafter to the Queen”.
- Article 1. The chiefs must also give up their entire government to the Queen forever.
- Article 2. The Queen guaranteed both Maori and Pakeha the same rights to their land, settlements and property. Pakeha owned or had contracts to over 50% of New Zealand at the time the Treaty was signed, therefore had to be included in Article 2. If Maori wanted to sell land, they could only sell it to the Queen on a willing seller/willing buyer basis and for an agreed amount.
- Article 3. Maori would be given the same rights as the people of England. No more – No less. Crown protection and one law for all the people of New Zealand, the first time ever for Maori.
- Consent. “We the chiefs see the meaning of these words: they are taken and consented to altogether by us. Therefore are affixed our names and marks”.
- “The chiefs placed in the hands of the Queen of England, the Sovereignty and authority to make laws”. Sir Apirana Ngata, Minister of Native Affairs. M.A., LL.B.
- The Tiriti o Waitangi was, “Done at Waitangi on the 6th day of February 1840, of Our Lord”. “...all signatures that were subsequently obtained are merely testimonials of adherence to the terms of that original document”. Lt. Gov. Hobson. Over 500 chiefs signed the Tiriti o Waitangi in the Maori language in 1840.
- The Tiriti o Waitangi was signed by tangata Maori not the tangata whenua or the indigenous people as these people had been driven to extinction by the tangata Maori some time

before.

- Lt. Gov. Hobson claimed sovereignty over the North Island by Treaty and over the South Island by Discovery on the 21 May 1840. The Proclamations were published in the London Gazette on October the 2nd 1840 and New Zealand was recognised internationally as a British Colony. Note; the South Island was ceded by Discovery and not by the Tiriti o Waitangi.
- Once the Tiriti o Waitangi was signed, it should have been filed away in our archives. It had done its job of ceding sovereignty to Britain for Britain to form a legal government in a country without law and order. A country out of control.
- Lt. Governor Hobson never made or authorized an English version of the Treaty of Waitangi to be signed by the chiefs. While the English version also stated, "Done at Waitangi on 6th February 1840", it was never presented, read, discussed or signed at Waitangi on the 6th February 1840, therefore it is legally, a false document.
- Hobson had the CMS print 200 copies of the Tiriti o Waitangi in Maori but not one in English.
- There is no "Partnership between Maori and the Crown" in the Tiriti o Waitangi. Once the Tiriti was signed, Maori had the same rights as the people of England. No more – No less.
- The Tiriti o Waitangi only has one Principle, "He iwi tahi tatou – We are now one people".
- There is no mention of forests or fisheries in Article 2 of the Tiriti o Waitangi.
- As Tangata Maori have continued to intermarry with the Pakeha of their own free will, they are no longer the distinct race of people that signed the Tiriti o Waitangi in 1840.
- While the Tiriti o Waitangi made all the people of New Zealand subjects of the Queen, the Statute of Westminster

adopted by New Zealand in 1947, made all the people New Zealand Citizens under one flag and one law, irrespective of race, colour or creed.

- The 1975 Treaty of Waitangi Act and its 1985 Amendment created the apartheid Waitangi Tribunal to make recommendations (in some cases binding on government) on alleged Maori claims dating back to 1840. Many of these claims had already had full and final settlements in the 1940's. The Treaty of Waitangi Act allowed an unauthorized and illegal English version of the Treaty compiled by Hobson's secretary James Freeman to be used alongside the official Tiriti o Waitangi. Pakeha cannot lodge a claim or participate in the Tribunal's hearings and the recommendations are based mainly on the Crown's 5 Principles and not the Tiriti o Waitangi.

- All alleged grievances are justice issues and should be heard in a Court of Law where the standards of evidence are upheld and the law applies equally to all. The Waitangi Tribunal allows the claimants to falsify evidence, omit evidence not helpful to their claim and only pay researchers if they agree to write their report in favour of the claim. This would never happen if the Courts heard these claims, the claimants and the researchers would be held accountable for their actions.

“Some have said that these confiscations were wrong and contravened the Treaty of Waitangi, but the chief's placed in the hands of the Queen of England, the Sovereignty and authority to make laws. Some sections of the Maori people violated that authority, war arose and blood was spilled. The law came into operation and land was taken in payment. This in itself is Maori custom – revenge – plunder to avenge a wrong. It was their chiefs who ceded that right to the Queen. The confiscations cannot therefore be objected to in the light of the Treaty. If you think these things are wrong, then blame your ancestors who gave away their rights when they were strong”, Sir Apirana Ngata, Minister of Native Affairs, M.A.

LL.B. 1922.

Wake up New Zealand, you are being scammed by a small group of people claiming to be a race of people that no longer exists. The Tiriti o Waitangi made us all one people.

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

We can still “Honour the Tiriti o Waitangi and those that had the foresight to sign it” by taking the advice of our leading Constitutional Lawyer, Sir Geoffrey Palmer, the man that instigated the Treaty reforms in the 1980’s but realised with David Lange in 1990; the reforms were unfounded and now completely out of control, “It is true the Treaty of Waitangi Act 1975 and all the other statutes, which give explicit recognition to the Treaty are not entrenched. They can be swept away by a simple majority in Parliament”. (c)

For further information, [www.onenzfoundation.co.nz](http://www.onenzfoundation.co.nz) or [onzf@bigpond.com.au](mailto:onzf@bigpond.com.au). 28/12/2011