

# What became of that noble language?

***“WHAT BECAME OF THAT***

***NOBLE LANGUAGE I GAVE YOU?”***

The Hon Pita Sharples asked, *“When we arrive in the presence of God, what if he asks us: **What became of that noble language that I gave you**”?* His response will have to be, *“Our Maori scholars distorted it to such an extent for greed it could no longer be translated”*. It is obvious from the translations of the Tiriti o Waitangi below from Maoridom’s leading scholars; the Maori language can no longer be accurately translated into another language.

It is disappointing to see how Maori have distorted the translations of the Tiriti o Waitangi as their Maori ancestry becomes further and further diluted, but no more so than the 18 Contributors to **“Weeping Waters”**, edited by Massey University’s Malcolm Mulholland and Veronica Tawhaia. See translation published in **“Weeping Waters”** by Margaret Mutu below.

This book is about the Treaty of Waitangi and Constitutional

Change but its translation of our Tiriti o Waitangi is so distorted, it's not worth the paper it's written on. Over the years, many books have been written about the Tiriti o Waitangi and the history surrounding it but this book takes the cake for distorting our Tiriti o Waitangi for the sole purpose to benefit part-Maori.

In 1987, Professor Hugh Kawhura made a translation, which he called his *"Attempt at a reconstruction of the literal translation of Maori text"* for the Appeal Court between the New Zealand Maori Council and the Attorney General (CA 54/87). Instead of using the "official" translation by the Native Department made in 1869, the applicants put Professor Kawhura's, "unofficial" text before the Court and the Crown likewise accepted it for the purpose of this case. This Court endorsed the **Principles of Crown Action on the Treaty of Waitangi** and the Tiriti o Waitangi was a **Partnership between Maori and the Crown**, which completely wrote the majority of New Zealanders that could not claim a minute trace of Maori ancestry, out of our Tiriti o Waitangi. The Tiriti o Waitangi *"gave the same rights to all the people of New Zealand"*, irrespective of race, colour or creed.

## **TREATY TRANSLATIONS FURTHER**

## **DISTORTED AS TIME GOES BY**

In 1869, the Legislative Council of Parliament asked the Native Department for an "official" translation of the Tiriti

o Waitangi. Since this time we have had a number of translations by Maori scholars, each one further and further distorting the Tiriti o Waitangi for the sole purpose to benefit part-Maori.

**Weeping Waters** is a book written to help develop a new Constitution for New Zealand but by its blatant distortion of our Tiriti o Waitangi, it is of little use. If we are to rewrite our constitution, then we must use the “official” translation made in 1869 by the Native Department. There is no denying when the “official” Native Department translation is compared with the “final draft” written by James Busby under Governor William Hobson instructions, which was read to the gathering at Waitangi in conjunction with the Tiriti o Waitangi on the 5 February 1840, it is virtually word for word, except for Rev Henry Williamson’s clarifications in the Preamble and Article 3. It translates perfectly to the instructions Governor Hobson was given by Lord Normanby on the 14 August 1839.

## **THE PREAMBLE**

**The first sentence of the “official” translation of the Preamble by the Native Department in 1869.**

*“Victoria, Queen of England, in her kind thoughtfulness to the Chiefs and Hapus of New Zealand, and her desire to preserve to them their chieftainship and their lands, and that peace may always be kept with them, and quietness, she has thought it a right thing that a Chiefs should be sent here as a negotiator with the Maoris of New Zealand, that the Maoris of New Zealand*

*may consent to the Government of the Queen of all parts of this land and the islands, because there are many people of her tribe that have settled on this land and are coming hither”.*

In 1987, Professor Kawhura made a translation for the 1987 Court of Appeal between the New Zealand Maori Council and the Attorney General, which was to benefit his people by endorsing the **“Principles for Crown Action on the Treaty of Waitangi”** and **“Partnership”**.

*“Victoria, the Queen of England, in her concerns to protect the chiefs and subtribes of New Zealand and in her desire to preserve their chieftainship and their lands to them and to maintain peace and good order considers it just to appoint an administrator one who will negotiate with the people of New Zealand to the end that their chiefs will agree to the Queen’s government being established over all parts of this land and (adjoining) islands and also because there are many of her subjects already living on this land and others yet to come”.*

#### **Weeping Water’s translation by Margaret Mutu**

*“Now, Victoria, the Queen of England, in her well meaning thoughts for the heads of the tribal grouping and the tribal groupings of New Zealand, and out of desire also to signal to them their paramount authority and their lands, and so as to maintain peace with them and peaceful habitation also, has thought that it is a right thing to send a head of a tribal grouping as an arranger with the Maori people of New Zealand – so that kawanatanga of the Queen to all places of this land*

*and the islands will be agreed by the heads of the tribal groupings of the Maori because indeed of the many of her people who are already living on this land, and are coming".*

**Second sentence of "official" Preamble translation by the Native Department.**

*"Now the Queen is desirous to establish a Government, that evil may not come to the Maoris and the Europeans who are living without law".*

**Professor Kawhura's translation.**

*"So the Queen desires to establish a Government so that no evil will come to Maori and Europeans living in a state of lawlessness"*

**Weeping Water's translation by Margaret Mutu**

*"Now the Queen desires to arrange the kawanatanga so that no evil will come to Maori, and to Europeans living in a state of lawlessness". (Note comma after Maori not in the Tiriti)*

**Third sentence of "official" Preamble translation by the Native Department.**

*“Now the queen has been pleased to send me, William Hobson, a Captain in the Royal Navy, to be Governor of all places of New Zealand which may be given up now or here after to the Queen; and he give forth to the Chiefs of the Assemble of Hapus of New Zealand and other chiefs, the laws spoken of here”.*

**Professor Kawhura’s translation.**

*“So the Queen has appointed me, William Hobson a captain in the Royal Navy to be Governor for all parts of New Zealand (both those) shortly to be received by the Queen and (those) to be received hereafter and presents to the chiefs of the Confederation chiefs of the subtribes of New Zealand and other chiefs these laws set out here”.*

**Weeping Water’s translation by Margaret Mutu**

*“So the Queen is agreeable to send me, Wiremu Hopihana, 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 tribal groupings of the Confederation of the tribal groupings of New Zealand and other chiefs these laws spoken of here”*

**FIRST ARTICLE**

**First Article of “official” translation by the Native Department.**

*“The Chiefs of the Assembly, and all Chiefs also who have not jointed the Assembly, give up entirely to the Queen of England for ever all the Government of their lands”.*

**Professor Kawhura’s translation.**

*“The chiefs of the federation and all the chiefs who have not joined that Confederation give absolutely to the Queen of England for ever the complete government over their lands”.*

**Weeping Water’s translation by Margaret Mutu**

*“The heads of the tribal groupings of the Confederation and all the leaders of tribal groupings who have not entered that confederation allow the Queen of England all the kawanatanga (control for her subjects?) of their land”*

**SECOND ARTICLE**

**First sentence of Article 2 of “official” translation by the Native Department.**

*“The Queen of England arranges and agrees to give the Chiefs,*

*the Hapus, and all the people of New Zealand, the full chieftainship of their lands, their settlements and all their property”.*

**Professor Kawhura’s translation.**

*“The Queen of England agrees to protect the chiefs, the subtribes and all the people of New Zealand in the unqualified exercise of their chieftainship over their lands, villages and all their treasures”.*

**Weeping Water’s translation by Margaret Mutu**

*“The Queen of England agrees and arranges for the heads of the tribal groupings, for the tribal groupings and all the people of New Zealand, their paramount and ultimate power and authority over their lands, their villages and all their treasured possessions”.*

**Second sentence Article 2 of “official” translation by the Native Department.**

*“But the Chiefs of the Assembly, and all other Chiefs, gives to the Queen the purchase of those pieces of land which the proprietors may wish, for such payment as may be agreed upon by them and the purchaser who is appointed by the Queen to be her purchaser”.*



## **Professor Kawhura's translation**

*"But on the other hand the Chiefs of the Confederation and all other Chiefs will sell land to the Queen at an price agreed to by the person owing it and by the person buying it (the latter being) appointed by the Queen as her purchasing agent.*

## **Weeping Waters translation by Margaret Mutu**

*"However, the Chiefs of the Confederation and all the chiefs will allow the Queen to trade for (the use of) those parts of land which those whose land it is consented to, and at an equivalent of price as arranged by them and by the person trading for it (the latter being) appointed by the Queen as her trading agent".*

## **THIRD ARTICLE**

### **Article 3 of "official" translation by the Native Department.**

*"This is an 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”.*

### **Professor Kawhura’s translation**

*“For this arrangement therefore concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand and will give to them the same rights and citizenship as the people of England”*

### **Weeping Waters translation by Margaret Mutu**

*This is also the arrangement for the agreement to the Kawanatanga (control of her subjects) of the Queen – the Queen of England will care for all the Maori people of New Zealand and will allow them all the same customs as the people of England”.*

## **THE CONSENT**

### **Consent of “official” translation by the Native Department.**

*“Now, We, the Chiefs of the Assembly of the Hapus of New Zealand, now assembled at Waitangi. We, also, the Chiefs of New Zealand, see the meaning of these words: they are taken and consented to altogether by us. Therefore we affix our names and marks.*

*This done at Waitangi, on the sixth day of February in the year one thousand eight hundred and forty of our Lord”.*

### **Professor Kawhura’s translation**

*“So we, the Chiefs of the Confederation and of the subtribes of New Zealand meeting here at Waitangi having seen the shape of these words which we accept and agree to record our names and marks thus.*

*Was done at Waitangi on the sixth of February in the year of our Lord 1840”.*

### **Weeping Waters translation by Margaret Mutu**

*“We the heads of the tribal groupings of the Confederation of the tribal groupings of New Zealand who met here at Waitangi, along with the heads of the tribal groupings of New Zealand, see the likeness of these words, they are taken and all agreed to by us and so our names and our marks are indicated. This was done at Waitangi on the 6<sup>th</sup> day of February in the year of our Lord eighteen hundred and forty.*

### **The English Version**

On page 179, Article Two of the English version of the Treaty is used as it mentions Forests and Fisheries. There is no mention of Forests and Fisheries in the Tiriri o Waitangi, Article two gave tino rangatiratanga of their land, their

settlements and all their property to “*all the people of New Zealand*”, irrespective of race, colour or creed.

## **The Final Draft**

The **final draft** went missing soon after it was read in conjunction with the Tiriti o Waitangi on the 5 February 1840 but was found in 1989. The **final draft** shows the English version of the Treaty being used, as an “official” version of the Treaty was not the draft from which the Rev Henry Williams and his son translated into the Maori version – the Tiriti o Waitangi. It was a “Royal Style” version compiled by Hobson’s secretary, James Freeman from Busby’s rejected draft notes for dispatch to his superiors in England. Governor Hobson never wrote or authorized an English version of the Treaty; therefore the English version was not an “official” version to be signed by the chiefs. Once the **final draft** was found, all this nonsense of distorting the translations should have stopped, but this would have brought a stop to the fraud that was being created by the part-Maori scholars, the Government and the Waitangi Tribunal to defraud the majority of New Zealanders of their Treaty Rights.

## **The Distinct Race that signed the Tiriti has Long Gone**

The 18 contributors and 2 editors of **Weeping Waters** completely overlook the fact; Maori today are not the distinct race of people that signed the Tiriti o Waitangi in 1840. There is too much foreign blood (mainly European) in all Maori today for the Waitangi Tribunal or the Government to attempt to compensate one group of New Zealand Citizen at the expense of

the others. The degree of intermarriage alone makes it imperative for the Government to come to its senses and call an end to this nonsense. The Government must act in a manner that is consistent with the Tiriti o Waitangi, **to honour its obligations to "all the people of New Zealand"**.

## **Translation is a Fraud**

We believe the Contributors and Editors of **Weeping Waters** should be convicted of fraud; they have distorted a document for personal gain, namely our founding document – the Tiriti o Waitangi for the sole benefit of part-Maori. There is no way the Tiriti o Waitangi can be translated to read as printed in **Weeping Waters**. Not only in content and meaning but also in the extra bracketed wording to give advantage to part-Maori over the majority of New Zealanders. The Tiriti o Waitangi is our founding document that gave **the same rights to all the people of New Zealand**, irrespective of race, colour or creed. To distort it in this manner to allow part-Maori advantages over non-Maori is fraud of our founding document as well as, **the destruction of the Maori language!**

The End.

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