

# Goods Reuben Chapple

## **GOODS - Reuben P. Chapple**

Modern-day revisionists like to bang on about “the principles of the Treaty of Waitangi” and “the Treaty is a ‘living document’ as though its simple black letter clauses in fact mean something other than what those who signed it 1840 had in mind at the time.

Article II guarantees to Maori signatories “... the full exclusive and undisturbed possession of their Lands and Estates Forests Fisheries and other properties ... “ In the Maori version the word “properties” becomes “taonga.” Today that word has come to mean treasures, both tangible and intangible, including language and culture.

This blatant try-on would no doubt astonish Sir Apirana Ngata. In his 1922 explanation of the Treaty, Ngata described “taonga” as applying to “this canoe, that taiaha, that kumara pit, that cultivation.” Not once did he hint that taonga included intangibles as claimed by recent racial opportunists.

Ngata was well-fluent in the Maori language and his explanation was consistent with Kendall and Lee’s 1820 vocabulary, the Williams 1844 dictionary, and Frederick Maning’s account of old New Zealand. Had the revisionists checked these, they would have learnt that “taonga” meant goods, property, things, chattels, or in legal terms “personalty” [personal property].

F.E.(Frederick) Maning settled in Northland in 1833. He had four children to the sister of a chief and later became a Judge of the Native Land Court. In his much published account *Old New Zealand* Maning translates “taonga” as “Goods; property.”

Some years ago, researcher, Dennis Hampton, wrote to Professor Andrew Sharp of Auckland University about this matter. In his book *Justice and the Maori*, Professor Sharp observed that in 1840 the Maori language “was clearly not under threat, so how could it have been in anyone’s mind as a thing needing protection?” He expressed even greater doubt about ‘Maori cultural values.’

In his reply to Mr Hampton, Professor Sharp said “[E]ven if taonga could mean things such as language and culture, it was not being used that way in 1840. I entirely agree with you that what was being thought of was property, and the kind of property that could be held exclusively.”

The point of entry into the public square for the taonga myth appears to have been former Waitangi Tribunal member, Sir Hugh Kawharu’s back-translation into English of the Maori Treaty text, in which “taonga” in Article II was deliberately misrepresented as meaning “treasures.”

This “portmanteau word” soon became a kete for anything Maori activists wanted to lay claim to in subsequent Waitangi Tribunal hearings. The Tribunal’s *Kaituna River Report* (1984) stated that “ratou taonga katoa” meant “all things highly prized.”

The Tribunal concluded in its *Manukau Report* (1985) that “Taonga” refers to more than physical objects of tangible value. “A river may be a taonga as a valuable resource. Its ‘mauri’ of ‘life-force’ is another taonga.”

Since the Treaty of Waitangi Act 1975 confers upon the Tribunal sole authority to determine the Treaty's meaning and intent, it didn't take long for word to spread. In 1987 Parliament passed the Maori Language Act. Its preamble stated: "Whereas in the Treaty of Waitangi the Crown confirmed and guaranteed to the Maori people, among other things, all their taonga: And whereas the Maori language is one such taonga:"

Over the years the taonga/intangibles myth made its way into in a number of law reports. For example, in a 1994 case, NZ Maori Council v Attorney-General, it was stated that the Maori language is "a highly prized property or treasure (taonga) of Maori."

This myth has now spread to government departments and local authorities. The Ministry of Education, Statement of Intent, 2008 - 2013 asserts: "The Government recognises the Maori language as a taonga guaranteed to Maori by the Treaty of Waitangi." In its sustainability policy, the Christchurch City Council talks of responsibilities "to take care of places, natural resources and other taonga (both tangible and intangible)."

Even Internet encyclopedia Wikipedia's definition contains this egregious and unfounded nonsense: "A taonga in Maori culture is a treasured thing, whether tangible or intangible. ... Intangible examples may include language, spiritual beliefs and radio frequencies." The compilers of this entry have drawn heavily on Waitangi Tribunal reports.

Parliament needs to look beyond the pro-claimant bias of the Waitangi Tribunal and legislate for the Treaty of Waitangi to be interpreted on the basis of the meaning its 1840 signatories gave to its black letter words at the time.

Is that the sound of a massive house of cards falling over?

ENDS