

The Treaty is NOT our Founding Document

There is nothing in the Treaty of Waitangi that could be taken as a “Founding Document”.

The Treaty of Waitangi had absolutely nothing to do with setting up our political, legal or justice systems or that Maori must be consulted, it only asked tangata Maori to give up their individual kawanatanga/government and in return, Queen Victoria would give them the “*same rights as the people of England*”. No more – No less. Tangata Maori became British subjects and a British subject cannot be in, “*Partnership with the Crown*”. Fact!

The One New Zealand Foundation Inc is concerned that the Government makes no mention of Queen Victoria’s Royal Charters/Letter Patent of 1839 and 1840, New Zealand’s true Founding Documents and first Constitution. Both these Royal Charters were issued by “*Victoria by the Grace of God*” under, “*The Great Seal of the United Kingdom of Great Britain and Ireland*”. **The Treaty of Waitangi was not!**

Queen Victoria or the British Government had no idea of what the Treaty said until it had been signed at Waitangi on the 6 February 1840. Even then, Britain received an unauthorised English version compiled by Lt. Governor Hobson’s Secretary, James Freeman from James Busby’s rejected notes and was not a translation of the Tiriti o Waitangi that over 500 tangata Maori chiefs signed in 1840. The 500 chiefs who signed the Treaty of Waitangi in 1840 were tangata Maori, **NOT** the tangata whenua or the Indigenous people of New Zealand. Fact.

In fact, in 1877 Chief Justice, Sir James Prendergast ruled the Treaty of Waitangi, “*A simple nullity because no political body existed capable of making cession of sovereignty*”. This ruling has never been over-ruled and remains in force today but is completely ignored by governments and the Waitangi Tribunal. Fact!

Royal Charter/Letters Patent of 1839.

The Royal Charter/Letters Patent dated the 30 July 1839 placed New Zealand under the laws and dependency of New South Wales. Britain had already gained sovereignty under the **Law of Nations**.

Royal Charter/Letters Patent of 1840.

The Royal Charter/Letters Patent dated the 16 November 1840 separated New Zealand from New South Wales on the 3 May 1841 and made New Zealand into a British Colony with a Governor and Constitution that set up New Zealand’s political, legal and justice systems under one flag and one law, irrespective of race, colour or creed. Fact!

Both these Royal Charters/Letters Patent have been completely ignored by Governments. In fact, on the 17 April 2017 the Government allowed Archives New Zealand to dismantle the Constitution Room and place the Royal Charters of 1839 and 1840 in Archives Repository amongst the other 6 million documents and out of the public’s view. To research these documents now, researchers must order them, that is, if they know they exist. Do you?

The Treaty of Waitangi was placed in the new \$7.2 million **He Tohu** exhibition at the refurbished National Library, Wellington as, "*As an iconic constitutional document that shaped Aotearoa New Zealand*". There is no evidence in the Treaty of Waitangi that it was a Founding or Constitutional Document. This is just another lie by government to elevate the Treaty of Waitangi to something it was never intended to be by those who signed it in 1840. Fact!

Prepared for the One New Zealand Foundation Inc.

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