The Humpty Dumpty Principle at Work

The Role of Mistranslation in the British Settlement of *Aotearoa*
The Declaration of Independence and
He Whakaputanga o te Rangatiratanga o nga hapu o Nu Tireni

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Abstract. *From 1840 to this day Mäori have protested that English immigrants to New Zealand were acting far in excess of the rights they had been afforded. Those rights derived from acknowledgement made by the King of England in 1836 of the paramount authority of Mäori chiefs in New Zealand as set out in He Whakaputanga o te Rangatiratanga o nga Hapu o Nu Tireni (the Mäori version of the Declaration of Independence) and the subsequent signing of Te Tiriti o Waitangi, a Mäori language treaty made between Mäori and the Queen of England. The rights conveyed included allowing the Queen of England to take responsibility for maintaining peace and good order amongst English immigrants while they lived under the paramount authority of Mäori chiefs as the rulers of their own country. Examination of the original nineteenth- century documents setting out these rights and conditions reveals that mistranslation has played a significant role in allowing the suppression of the protests of Mäori by English settlers. While the Mäori versions of official documents uphold the Mäori understandings, the English versions do not. The English versions convey the erroneous notion that Mäori were unsophisticated, child-like and desperately seeking English protection. Written histories of New Zealand almost all either disregard or refute the Mäori language versions of these documents and Mäori understandings of the nature of the Declaration and the Treaty. Oral traditions of many Mäori tribal groups around the country, on the other hand, have maintained these understandings. As a result Mäori continue to assert their sovereignty over New Zealand despite the severe disadvantages they now live under both numerically and in terms of all officially measured socio-economic indicators.*

In his 1989 paper 'Humpty Dumpty and the Treaty of Waitangi' Bruce Biggs noted that in drawing up *Te Tiriti o Waitangi*, the Mäori language version of the Treaty of Waitangi, Henry Williams used the Humpty Dumpty principle, assigning a range of meanings to various Mäori words he used. It was Humpty Dumpty who said to Alice "When I use a word it means just what I chose it to mean, neither more nor less".[1] As such many of the meanings Henry Williams assigned to Mäori words in *Te Tiriti* were not meanings known to Mäori. In the traditions of the Far North of *Aotearoa*/New Zealand, one of the reasons many *rangatira* [leaders, nobles, chiefs] signed *Te Tiriti* was because of its apparent confirmation of *He Whakaputanga o te Rangatiratanga o nga Hapu o Nu Tireni*, that is, the Mäori version of The Declaration of Independence, which they had signed several years earlier. That Declaration had recognized the existence and *mana* [power, authority, dignity derived from the gods] of a group of *tino rangatira*, paramount leaders, which it called *Te Whakaminenga o nga Hapu o Nu Tireni*, the Confederation of the tribal groupings of New Zealand. The Mäori of that document was also written by Henry Williams.

Like the land deeds written in Mäori during this period and up until the 1850s, Mäori considered that this document fairly reflected the verbal agreements they had reached after long discussion. This paper considers what a Mäori understanding of the events leading up to the signing of the Mäori Declaration of Independence might have been along with what their understanding of the document itself might have been as it was read out to them by Henry Williams.[2] I will call that document *He Whakaputanga*. I then comment on the quality of the language of that document before examining the official English translation, which I will call The Declaration. In 1835, Mäori would not have understood the English of The Declaration. I note the frequent use of the Humpty Dumpty principle employed in translating The Declaration into *He Whakaputanga* and in doing

[1] Gasson, Roy (ed.) 1978: 168 *The Illustrated Lewis Carroll*, London: Jupiter Books.

[2] I would like to acknowledge and thank the many *Taitokerau* (Northland) *kuia* and kaumatua (female and male respected elders) who assisted me in coming to an understanding of what *He Whakaputanga* and its various aspects might have meant to our ancestors who signed it. All are descendants of the original signatories. They included McCully Matiu, Mäori Marsden, Taki Marsden, Hühana Reihana, Reremoana Rënata, Eruera Taurua, Mohi Manukau, Mänuera Tohu and Nuki Aldrich. Sir Hugh Käwharu also advised me on the *whenua rangatira* at Öräkei. I would also like to acknowledge the help, advice and discussion of my colleagues at the University of Auckland; Richard Benton, Jane McRae, Deanne Wilson, Hineira Woodard, Rapata Wiri, Tane Mokena and in particular our Mäori library staff, Robert Sullivan, Richard Barnett and Jenny Bryan. However any errors are mine alone.

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so, comment on the choice of Mäori equivalents for key terms used in The Declaration. I then consider the nature, extent and effect of those mistranslations, drawing on my earlier work on the Mäori language land deeds, and noting the consistency of the message conveyed in the Mäori language by the Europeans that many *rangatira* in *Te Taitokerau* (the most northern region of *Aotearoa*/New Zealand) trusted.

1. Historical Background

Over the past 1000 years or so, Mäori migrated from various parts of Polynesia to a country they called *Aotearoa*. When Europeans arrived some 700 years later they called the country New Zealand, a name that Mäori came to associate with English participation in the country. In the early 1830s the entire country was still firmly in the control and under the authority of the myriad of Mäori tribal groupings, or *hapü* that made up its population. It was the *hapü*, under the leadership of their *rangatira* [leaders, chiefs], who controlled the lands, seas, resources and people within the territories over which they held absolute and paramount authority. There were very few European immigrants resident at that time and almost all of them were English and lived in the northern parts of the country, *Te Taitokerau*, particularly around the *Pëwhairangi*, the Bay of Islands. The language of communication and trade was Mäori, as were all customs and culture. While some English immigrants, particularly traders, married into local *hapü* and assimilated themselves into Mäori society, others, particularly the missionaries, remained somewhat apart. The missionaries' sole purpose for being in the country was to impose their English religious beliefs on as many Mäori as they could. In order to achieve that to their satisfaction they also needed to impose English culture and values on Mäori. While Mäori welcomed some aspects of English culture, such as literacy and English technology, they firmly rejected other aspects, such as the English notion of their superiority over other races.

The literature is replete with the accounts of various European observers on the events leading up to the signing of the Mäori language *He Whakaputanga*. Most say that the British resident, Busby, who drafted the English language Declaration, was acting on instructions from his London-based superiors to utilize chiefly authority "to encourage a more settled form of orderly rule and law so that the chiefs might eventually accept responsibility for controlling European behaviour" (Orange 1987: 14). He was apparently also acting on a perceived threat from a Frenchman who claimed he was going to "establish a sovereign and independent state on some land he possessed, or thought he possessed, on the banks of the Hokianga river".[3] Busby had received a letter from him to that effect on 9 October 1835 (*ibid.*). *He Whakaputanga* was signed just 3 weeks later on 28 October. Busby had stressed to Mäori that "he would be a facilitator of European-Maori contacts" (*ibid.*: 16) and, the literature claims, he attempted to create an independent Mäori government (*ibid.*: 18).

John Ross, however, claims that the drafting of The Declaration with such uncharacteristic haste had more to do with the rivalry between the British Resident Busby, and the Additional British Resident at Hokianga, McDonnell (Ross 1980: 86-9). Whatever the case might have been, it was the British who claimed the initiative for the setting up of *Te Whakaminenga o nga Hapu o Nu Tireni*, the Confederation of the *Hapu* of New Zealand.

Although the British Colonial office acknowledged The Declaration of Independence[4] most histories are summarily dismissive of it.[5] However, recent Mäori scholarship is mindful of its continuing relevance for Mäori[6] and draws on the extensive oral tradition that exists setting out Mäori accounts of what took place. For example, Lindsay Cox in his book *Kotahitanga* (1993: 43) points out that there is Mäori oral tradition, which gives an alternative interpretation to the beginnings of the Confederation. Submissions presented to the Parliamentary Select Committee on Mäori fisheries indicated that it was a Mäori initiative rather than Busby's. That tradition records that *Te Whakaminenga* first met in 1816. It indicates a much greater level of Mäori participation in events leading up to the signing of *He Whakaputanga* than is indicated elsewhere in academic literature. In fact it would appear that the impetus for the actions came from *Te Whakaminenga*. It is an interpretation, Cox says, which "explains the apparent paradox, which Busby's unusually hasty actions have left for historians, and also his inability to maintain the momentum of the movement – it was not his and it continued without him" (*ibid.*).

The sheer practicalities of the situation lend much more weight to Cox's analysis than to the British claims. *He Whakaputanga* was signed by 34 *rangatira* at Waitangi on 28 October. The fact that they met there on that day and formalized an agreement means, in Mäori terms, that the nature

[3] John Ross 1980: 83.
[4] *Facsimiles of the Treaty of Waitangi.*
[5] See, for example, Orange 1987, Chapter two.
[6] In particular, Walker 1990, Cox 1993, Durie 1998 and Mutu and Matiu 2003.

of the agreement had already been thoroughly debated and worked through well beforehand, and probably over several years. Such an agreement could never be made *de novo* in just one *hui* [gathering]. The oral tradition states that the *hapü* [groups of related families] had become increasingly concerned at the lawlessness of the *Päkehä* [non-Mäori of European descent] living amongst them (*ibid.*: 40) and had come together over a period of many years in an effort to find a solution. In some of the northern traditions, the impetus came from leaders including Hongi Hika and Waikato who had travelled to England on a trading mission. While they were there they not only met with the King of England, they also assisted Professor Lee at Cambridge University in writing the first scholarly grammar of the Mäori language.[7] It was Hongi, the traditions say, who returned to *Aotearoa* with suggestions of how the *hapü* could deal with the increasing lawlessness of the *Päkehä.* That included the *hapü* coming together for that and many other purposes, including Mäori international trade, a trade that flourished for many years. *Te Whakaminenga* had been operational for many years before the signing of *He Whakaputanga*. By that time Mäori were making increasing demands for the Päkehä to control their own people.[8] For this they looked to those Europeans they considered to be the most capable and responsible to take the lead in this respect, and chose the missionaries and the British Resident for what were to them, obvious reasons.

On the part of the British Resident he had been appointed by the King of England. Since the King of England was the chief of all English chiefs, he must therefore be of great *mana*. Hongi and Waikato could confirm that that was the case from their meeting with the King and observance of his subjects' attitude towards him. To hold such *mana* he must be able to ensure that his people lived under the *tikanga* or laws passed down from their ancestors, laws Hongi and Waikato had seen in action in England. Such a person, in Mäori eyes, must also be of the highest honour and integrity, and be the appropriate person with whom the *rangatira* could forge a personal and aristocratic alliance. Hongi Hika and Waikato had already reported that they had done that and that alliance could then be confirmed by the King sending his representative to live among the *hapü*. He had already done that in the person of the British Resident.[9] Furthermore, in doing so the King acknowledged the *mana* of the *rangatira* as equivalent to his.

Snippets of this tradition are present in *Päkehä* histories. Claudia Orange (1987: 10) notes that Hongi Hika "was favoured with an audience with George IV [and]...carried back the idea that he had come to some agreement with the King". Although she dismisses the importance of the meeting she concedes that "in northern Maori tradition it was understood as a special bond". She comments (*ibid.*: 13) that the arrival of the British Resident "might well have been seen ... as indicating British recognition of the Maori people as their equals ... There was more than a suggestion of ambassadorial representation to an independent country".

On the part of the missionaries, they had demonstrated by their actions on the ground that they were very caring, honest and reliable people whose responsibility for spiritual matters gave them special status. Despite the often disparaging remarks about the missionaries in *Päkehä* literature my *kaumätua* and *kuia* have told me repeatedly that they were 'good people'. It was not they, but rather their descendants who violated the solemn agreements and understandings the missionaries had with the various *hapü* by, for example, selling land allocated to the missionaries for church purposes only. This is the reason the question posed in the title of my paper (Mutu1992) 'Cultural Misunderstanding or Deliberate Mistranslation?' was left unanswered. For the main aim of that paper was to assess as conclusively as possible what a Mäori understanding of the documents would have been rather than to pass judgement on the translator. Likewise in this paper my main concern is the Mäori understanding of The Declaration of Independence as conveyed to them in *He Whakaputanga*. However, here, I will comment on some of the effects of the mistranslations between the Mäori and English versions of the documents.

2. The Declaration

By way of background to The Declaration itself: *He w[h]akaputanga o te Rangatiratanga o Nu Tireni* was first drafted in English by Busby (although this is not obvious from the Mäori document) and then translated into Mäori by Henry Williams. It was first signed by 34 *rangatira* on 28 October 1835 at Waitangi and subsequently signed by 18 other *rangatira*, including my ancestor, *Te Morenga*, up until 1839. The last *rangatira* to sign it was *Te Wherowhero* on behalf of *Ngati Mahuta* on 22 July 1839.

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[7] A Grammar and Vocabulary of the New Zealand Language. 1820.
[8] Cox 1993: 40.
[9] Salmond (1991: 6) points out that this is consistent with Mäori practices of the times whereby "it was not uncommon in Mäori kinship politics to seal an alliance by sending (*tuku*) a chiefly person from their own territory to that of another group..."

The most southern *rangatira* to sign was *Hapuku* from Mähia peninsula.[10] All the *rangatira*, except for *Te Wherowhero* and *Hapuku* were from *Te Taitokerau*.

The official original Mäori document (which is in fact the translation) has four clauses in which

> Clause 1 declares the ultimate authority of the paramount chiefs over their own lands and the existence of the *Te Whakaminenga o nga Hapu o Nu Tireni* (the Confederation of the tribal groupings of New Zealand).
>
> Clause 2 defines kingship to be the *mana* of the paramount chiefs of *Te Whakaminenga.* It declares that that resided in the paramount chiefs present at the meeting and declared that the paramount chiefs would never give any law-making power to anyone else for the lands over which they held authority.
>
> Clause 3 announced that the paramount chiefs would meet every autumn at Waitangi to set down laws, and invited the strangers of the south[11] to join *Te Whakaminenga.*
>
> Clause 4 announced that the paramount chiefs would send 'an equivalent' (translation) of their Declaration to the King of England who had acknowledged their flag, and asked the King to aid and assist them in discharging their responsibilities of protecting and looking after those of his subjects living here, by leaving them a mentor to assist as they learnt the new ways of his people.

While there have been a number of commentaries on the *Te Tiriti o Waitangi* and the Mäori language used in it, very little has been said about its predecessor, *He Whakaputanga,* and even less about the Mäori language used in that document. Ruth Ross (1972: 141-2) makes passing mention of it in her paper on the Treaty of Waitangi as does Ranginui Walker in his 1990 *Ka whawhai tonu matou; Struggle without End.* Yet *He Whakaputanga* is still a very important part of the oral traditions of *Te Taitokerau* at least. Nuki Aldridge, a descendant of Hongi Hika, has made a detailed study of the language of *He Whakaputanga* and discussed it with me at length.

I have reproduced *He Whakaputanga* in full, Appendix 1, along with my translation (in italics) and the translation provided by the British Resident to the British Under Secretary of State (in Arial font). There I have highlighted several phrases in bold face where the translation can be assessed as less then accurate. I will comment on several of these in discussing the differences between my translation and that of Henry Williams.

3. The Language of *He Whakaputanga*

The Mäori language used is not dissimilar in its style to the land deeds which were being written in the same period. Each was attempting to convey concepts expressed in complex quasi-legal English language in a language that had no facility for such a style. Notwithstanding that the language of English legal documents is inherently awkward, translating such a document into Mäori would have been virtually impossible in 1835 no matter how good the translator might have been. For there were no words in Mäori to convey concepts such as sovereignty, independence and collective capacity.[12]

The language of *He Whakaputanga* is somewhat awkward and not as well crafted as the later *Te Tiriti o Waitangi*. For example, Williams uses '*mea*' or derivatives of it ten times in *He Whakaputanga.*[13] '*Mea*' often functions as a substitute word, a word used as a filler when a speaker is looking for an appropriate term. Williams uses it to translate 'declare, exercise, appoint, agree, say' of which only 'say' can be fairly translated as '*mea*'. This is a case of assigning new (and differing) meanings from the source language (English) to a word in the target language (Mäori). This is the translation strategy that Biggs defined as the Humpty Dumpty principle.[14]

Although the use of first person plural pronouns (we, our) implies the document was written by the *rangatira*, it is clear from the language used

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[10] Nuki Aldridge, personal communication.

[11] That is, the southern iwi. In 1835, there were very few links between the northern tribes and other tribes and as such they were strangers to each other. Once marriages took place to seal alliances, those tribes were no longer termed tauiwi (Nuki Aldridge, personal communication).

[12] Biggs (1989: 303-5) gives a helpful summary of the practical problems involved in translating between two unrelated languages.

[13] He uses it five times in the longer *Tiriti o Waitangi* to convey 'thing, say, do' which are fair translations, and 'invite, appoint' which are not.

[14] Biggs (1989: 304).

that they are not the authors. Like the land deeds,[15] it lacks the finesse one would expect in the formal speech of a *rangatira*, being devoid of tribal and ancestral references, *whakataukï* or proverbial sayings and the use of metaphor and allusion. The sentences are also unusual. Although they are grammatically correct, they are very long.[16] Mäori was characterised at that time by Robert Maunsell as "delight[ing] in short sentences".[17] Yet despite these characteristics, the document is still comprehensible and its intention clear.

4. Williams' Translation

Officially, the English version is the translation of the Mäori, and the Mäori document is the official original. In reality, however, it is the opposite. Yet the (English) version sent by Busby to the Under Secretary of State has a note appended stating that it is "a correct copy of the Declaration of Chiefs, according to the translation of Missionaries who have resided ten years and upwards in the country".[18] In considering the translation problems it is more helpful to consider the translation as it was actually carried out, with the source language English and the target language Mäori.

The message conveyed by the English document is fundamentally different from that conveyed in Mäori. It records the chiefs

- declaring the country to be an independent state under the name of the United Tribes of New Zealand,
- declaring sovereignty to lie in the chiefs as a collective body (rather than in their individual capacities) and forbidding any other legislative authority or function of government to exist in their territories,
- agreeing to meet in congress at Waitangi in the autumn of each year to set down laws and inviting the southern tribes to join their body of United Tribes,
- agreeing to send a copy of their Declaration to the King of England thanking him for acknowledging their flag and asking him to be a parent for them in their infant state.

[15] Mutu 1992: 80.
[16] Also noted for the land deeds (Mutu 1992: 81).
[17] Maunsell, R. 1842: 121 *Grammar of the New Zealand Language*, Auckland: J.Moore.
[18] Facsimiles of the Treaty of Waitangi.

In order to discuss the sources of that difference I will consider the most problematic phrases and clauses that I have highlighted in my transcription and translation of *He Whakaputanga* in Appendix 1. In doing so I am mindful of the difficulties all translators who attempt fair and accurate translations face as their translations are then translated back into the source language. The well-known Japanese to English examples are 'angry raisins' for 'grapes of wrath' and 'licence to commit lustful pleasures' from 'liberty and the pursuit of happiness'.[19]

At line 1.3 in Appendix 1, Williams translates 'Independence of our country' as '*Rangatiratanga o to matou whenua*'. My back translation of the Mäori is 'paramount authority over our land'. In the Mäori it is clear that the *rangatira* are dealing only with those lands over which they individually held authority as the heads of their respective *hapü* and not over something broader as implied in the word 'country' used in the context 'Independence of our country'. In terms of their own *tikanga* or laws, the *rangatira* could not say anything else. Furthermore, one of the clear messages implicit in *He Whakaputanga* is that each chief of each *hapü* fully acknowledges and respects the *mana* of every other chief in respect of his own lands. My *Collins English Dictionary* says that 'independence' is a state of autonomy, or being free from the control of others. While that was certainly the case for each of the *rangatira* within their own respective territories, and can also be inferred from the term '*rangatiratanga*', that word is not an accurate translation of the term 'independence'.

An important consequence of Williams' use of '*rangatiratanga*' to translate 'Independence' occurs in his translation of the Treaty of Waitangi. There he uses '*rangatiratanga*' to translate 'full, exclusive and undisturbed possession', a term carefully scripted to avoid the notion of independence, since Mäori had supposedly ceded that to the Queen of England. This is a clear and more serious case of the application of the Humpty Dumpty principle.

At line 1.4 Williams translates 'Independent State' as '*whenua rangatira*'. Discussion of the term '*whenua rangatira*' with many native speaking *kaumätua* and *kuia* indicates that, like the terms *mana* and *tapu*, there is no single word or phrase in English that would suffice as a translation. However, none of the possible range of equivalences bears any semblance to the term 'independent state'. So Humpty Dumpty is operating

[19] Biggs (1989: 303) quoting Kluckhohn, Clyde, *Mirror for Man* (1950: 144).

again. For most their '*whenua rangatira*', which translates literally as 'chiefly land', is all the land to which they have absolute right as *mana whenua*, land which is uncontested, land which might well have been set aside to commemorate a particularly fine event or occasion. William Williams' 1844 dictionary gives 'to be quiet, to be peaceful' as a second meaning of *rangatira*. The example he gives there is "*Ka whenua rangatira tenei*. The land is quiet". This meaning changes in the 1871 edition to 'in a state of peace'. In the 1975 edition it is *whenua rangatira* that has the meaning 'state of peace' and the second meaning for *rangatira* is no longer listed. Speakers all indicated that the notion 'state of peace' is inherent in the meaning of '*whenua rangatira*' but is by no means the only possible translation.

At line 2.1 Henry Williams translates "all sovereign power and authority within the territories of the United Tribes of New Zealand" as "*ko te kingitanga ko te mana i te whenua o te whakaminenga o Nu Tireni*". I have translated that back as "the kingly authority is the ultimate power, authority and control of the land of the Confederation of New Zealand". In other words Williams has defined this new term 'kingitanga' as the *mana whenua* of *Te Whakaminenga*. Examination of how '*kingitanga*' was used in the *Te Paipera Tapu* (the *Bible* in Mäori) would tell us what Henry Williams meant this word to mean but tells us little about how Mäori in 1835 would have understood it. The word '*kingitanga*' is derived from the word '*kïngi*' a word borrowed from the English 'king'. In 1835 those Mäori, such as Hongi Hika and Waikato, who had spent time in England and met the King, might have had some notion of what a king was, but to comprehend all the implications of the term and its relationship to the very complex English notion of sovereignty is not a straight forward matter, even for English scholars. There is little chance that the overwhelming majority of *rangatira* who signed *He Whakaputanga* had an even remotely accurate understanding of what Williams was trying to convey in the term '*kingitanga*'. Biggs differentiates this translation strategy from the Humpty Dumpty principle. Here the translator is borrowing from the source language in order to express a term for which there is no word in the target language. He explains "It should be obvious that when individuals meet a new word, in their own language or another, it has (for them) no meaning until they connect it with some aspect of their own experience, and in one sense...it is not a word at all" (Biggs 1989: 305). In other words there would have been little or no meaning that Mäori could associate with the word.

The term '*mana*' on the other hand, is a word the *rangatira* would have been very clear about, and particularly '*mana i te whenua*'. It is sometimes argued that '*mana*' is the closest translation equivalent to 'sovereignty'. While it may be the closest it is by no means an accurate translation. The meanings in both words derive from fundamentally different sources; '*mana*' is power, authority and control derived from the gods and has strong spiritual inherent meaning.[20] The meaning of 'sovereignty' on the other hand derives from secular origins. Given that in Williams' sentence he defines *kingitanga* as *te mana i te whenua*, this is the meaning those listening would have assigned to the new word *kingitanga*.

Other authors[21] have pointed out that while Williams used *mana* (and *kingitanga*) in *He Whakaputanga* for 'sovereignty' he used a completely different term, '*käwanatanga*' in *Te Tiriti*.[22] The term '*käwanatanga*' does occur in *He Whakaputanga*. There it is used to translate 'function of government'. However, like '*kingitanga*', it derives from a word borrowed from English; '*käwana*' from 'governor'. But unlike *kingitanga*, which Williams does define in Mäori, *käwanatanga* remains undefined in both *He Whakaputanga* and *Te Tiriti*. Biggs (1989: 305) points out that there is no way Mäori could have understood much of what Williams meant by the term '*käwanatanga*'. This then is the Humpty Dumpty principle in its ultimate form: for only Williams knew what he really meant by the term. Like Alice and the Jabberwocky poem, Mäori questioned Williams on the meaning of *Te Tiriti* and he answered them. However no record has survived of the actual (Mäori language) questions put to Williams by Mäori as they debated the Treaty on 5 February 1840, or the answers he gave, also in Mäori. It is clear nevertheless, that Williams did not convey any notion close to the sovereignty that the English Treaty said they were giving to the Queen. For that would have to have involved the use of the word *mana*, which would effectively have put a stop to the *rangatira* signing *Te Tiriti*.

At line 2.2, Williams translates "entirely and exclusively in the hereditary chiefs and heads of tribes in their collective capacity" as "*kei nga Tino Rangatira anake i to matou huihuinga*". I have translated that back as "only with the paramount chiefs at our meeting". The problem with

[20] Marsden 1975: 118.
[21] R. Ross (1972:141), Walker (1990: 98).
[22] See Biggs (1989: 305) for a discussion of its use there.

Williams' translation here is that it conveys no notion of the collective capacity of the *rangatira*. The English implies that the collective can overrule individual paramount chiefs, something which even the European observers of the time knew could not be done. Any such attempt would be seen as an attack on the *mana* of that paramount chief and his *hapü* and would not be tolerated.

One of the most frequently quoted parts from The Declaration is part of the fourth clause in which the *rangatira* supposedly entreated the King to be "a parent of their infant state". It no doubt suited British intentions to portray Mäori as childlike. Claudia Orange (1987: 31) notes the "distorted impression of an enfeebled Maori race and a secured British ascendency". For Mäori, British ascendancy at the time simply was not the case. Apart from being numerically far superior to Europeans in the 1830s and 40s, the country was theirs and the Europeans their guests whom they looked after and protected. It makes no sense then, that they should ask the King to treat them as infants in their own land. Williams' translation does not in fact convey that message. At lines 4.6 and 4.7 "*koia ka mea ai matou ki te Kingi kia waiho hei matua ki a matou i to matou Tamarikitanga*" translates literally as "hence we say to the King that he should leave a mentor for us in our 'childhood' (i.e. as we are learning their ways)." While '*matua*' is usually translated 'father, parent' it is also commonly used, most particularly as a term of address, for a guide or advisor who plays a special role. For example, *kaumätua* in a *hui*, in thanking the *kaikarakia* (person who has led the prayers), will address him as '*matua*' even though he may be of the generation below the *kaumätua* rather than the one above him, if the meaning of 'parent' is taken. '*Matua*' here is a term of respect. The appropriate translation of it in *He Whakaputanga* is 'mentor'. '*Tamarikitanga*' is 'childhood' but is being used metaphorically here to indicate 'as we are learning the ways (of the King's people)'.

At line 4.8 "that he will become its Protector from all attempts upon its independence" is translated as '*kei wakakahoretia to matou Rangatiratanga*'. This translates back as "lest our paramount authority be denied" and mentions nothing about a protector. Of course, the use of the word 'protector' follows on from the notion of the 'parent/infant' relationship.

In pointing out the distorted nature of the Päkehä attitude that Mäori were somehow childlike and feeble, Orange (*ibid.*) does point out "in fact, some years after 1840, New Zealand would have been British in name but continued to be largely Mäori. Had the Mäori people been presented as more capable, however, British intervention could scarcely have been justified".

5. Conclusion

In 1836, correspondence between one of the King of England's spokesmen in London and the King's representative in New South Wales noted that the King has received and read the Declaration of Independence and would afford to the chiefs his support and protection.[23] With their *mana* and *rangatiratanga* duly recognized and acknowledged, *hapü* and their *rangatira* went on to sign the Treaty of Waitangi between themselves and the Queen of England in 1840. The Treaty agreed that the Queen of England would assume a role of *käwanatanga* in New Zealand in order to ensure that no harm came to Mäori and lawless Päkehä, but at the same time the Queen agreed to and would support the paramount authority (*tino rangatiratanga*) of the *rangatira* and the *hapü* over their lands, homes and everything they valued. Furthermore, the Queen of England agreed that, as part of her *käwanatanga* role, she would protect Mäori and afford to them all the rights of British citizens. The articles of the Treaty were called *ture*, laws, and hence set down the underlying laws on which the nation of New Zealand was to be built.

It is claimed that the Treaty of Waitangi countered The Declaration.[24] However as Ranginui Walker (1990: 99) points out "the British colonists assumed they held sovereignty while the Mäori acted as if they never surrendered it". For *Te Taitokerau* at least, the reason for that is clear. In the first article of *Te Tiriti* (and the Treaty) The Declaration is acknowledged by the naming of *Te Whakaminenga*, the Chiefs of the Confederation of the United Tribes of New Zealand. Furthermore there was nothing in *Te Tiriti*, which denied the mana of the paramount chiefs, and nothing, which nullified *He Whakaputanga*. All it did was relieve them of responsibility for the lawless *Päkehä*, as they had passed that responsibility over to the Queen of England. It was, after all, something they had been demanding for some time. The Queen would do that through a mechanism *Päkehä* called *käwanatanga*. *Te Tiriti* then guaranteed that everything over which they held *mana* would remain as such but that they would also be able to fully access the benefits brought by the Europeans. That the English

[23] Facsimiles of the Treaty of Waitangi.
[24] Durie 1998: 3.

'translation' of the Treaty conveyed a totally different message whereby the paramount chiefs ceded their *mana* (called sovereignty in the English document) to the Queen of England was a notion inconceivable to those *rangatira* and one they and their descendants have refused to accept to this day.

Likewise in their dealings with their lands, the deeds in Mäori show clearly that the *rangatira* were not surrendering their *mana whenua*, but rather temporary use rights only to that land.[25] In my 1992 paper I made a detailed analysis of the large number of inaccuracies in the English translations of the Mäori language pre-Treaty land deeds in Muriwhenua. Through this I was able to demonstrate how simple it was to mistranslate in order to claim before the Colonial Land Commissions that Mäori had sold their lands, when in fact they had not. The impossibility of conveying the English notion of 'selling land' in a language that did not contain the concept of land as property, that is, as an alienable commodity, has been noted in the literature on other countries colonized by the English. For example, Cheyfitz (1991: 8) makes this point in respect of North American Indians. Robinson (1997: 88) in considering works on the role of translation in the colonization of North America, India and the Philippines by Europeans concludes that "translation has indeed been a tool of colonial dominance" and that "it is likely that the patterns of 'mistranslation' that Rafael (1993) discovers amongst the Tagalogs have their counterparts in every colonized culture around the world" (*ibid.*: 95). There is no doubt that mistranslation also played a major role in the English settlement of New Zealand.

Despite the huge impact of English settlement on Mäori, the fact that Mäori lands had never been sold was successfully passed down to the descendants of the *rangatira* who signed the deeds. They continuously maintained that their *mana whenua* remained and that the lands were still theirs, regardless of the imposition of the English title system. However it was not until 1997 and the *Muriwhenua Land Report* that the Crown finally recognized that Mäori had not, in fact, 'sold' their lands.

The devastation to Mäori, which occurred as a direct result of the mistranslations lulling them into a false sense of security, has been horrific. Mäori have protested since 1840 that the agreement they entered into with the Queen of England had been disregarded and broken by English settlers. They have constantly berated *Päkehä* for trampling on the *mana* of Mäori. The lawlessness of the *Päkehä* escalated after the Treaty was signed, rather than diminishing. The greed of English in acquiring Mäori land in breach of the Treaty left many *hapü* landless, and in a state of poverty and deprivation that exists to this day.

Mäori protests were all ignored until 1975 and the establishment of the Waitangi Tribunal. The Tribunal was established by an act of parliament as a commission of inquiry to investigate claims by Mäori of breaches of the principles of the Treaty of Waitangi.[26] More than one thousand claims have been registered of which the Tribunal has reported on 125. It considers huge volumes of evidence provided by both claimants and the Crown. Their reports demonstrate in the most graphic terms that numerous breaches of the Treaty have occurred over the past 163 years, and that the affects of those breaches on Mäori have been extreme and are on-going.

Yet Mäori continue to assert their *mana* and *rangatiratanga* as the true owners of this country right down to this day. More research into how Mäori viewed and recorded events occurring around them will help us all to gain a better understanding of Mäori aspirations. Up until at least the beginning of the twentieth century those views would most probably have been conveyed in Mäori. Until thorough studies are carried out into the oral traditions which have survived in many *hapü*, and the extensive documentation that has been left behind by Mäori authors including manuscripts, letters and newspapers, we will continue to be only minimally informed about the Mäori knowledge of New Zealand accumulated and developed over more than a millennium. That includes the history and traditions of this country, which all New Zealand citizens at least have a right to know and understand.

[25] Mutu 1992.

[26] *Treaty of Waitangi Act* 1975.

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APPENDIX 1

He wakaputanga o te Rangatiratanga o Nu Tireni

(The official original text as translated by

Rev. Henry Williams)

A declaration of the Paramount Authority in respect of New Zealand

(M. Mutu translation)

Declaration of the Independence of New Zealand

(as drafted by James Busby, British Resident)

1.1 Ko matou ko nga Tino Rangatira o nga iwi o Nu Tireni i raro mai o Hauraki
We, the paramount chiefs of the tribes of New Zealand north of Hauraki
We, the hereditary chiefs and heads of the tribes of the Northern parts,

1.2 kua oti nei te huihui i Waitangi i Tokerau 28 o Okatapa 1835
met at Waitangi in the North on 28 October 1835
being assembled at Waitangi, in the Bay of Islands, on this 28th day of October 1835,

1.3 ka wakaputa i te **Rangatiratanga o to matou wenua**
*and declared the **paramount authority over our land***
declare the **Independence of our country,**

1.4 a ka meatia ka wakaputaia e matou he **Wenua Rangatira**
*and it is said we declare **a state of peacefulness/the land is uncontested/the land is at peace/some land dedicated for this occasion***
which is hereby declared to be an **Independent State,**

1.5 kia huaina Ko te wakaminenga o nga hapu o Nu Tireni.
which is to be called The Gathering/Confederation of the Tribal Groups of New Zealand.
under the designation of The United Tribes of New Zealand.

2.1 **Ko te Kingitanga ko te mana i te wenua o te wakaminenga o Nu Tireni**
The kingly authority is the ultimate power, authority and control of the land of the Confederation of New Zealand
All sovereign power and authority within the territories of the United Tribes of New Zealand

2.2 ka meatia nei **kei nga Tino Rangatira anake i to matou huihuinga**
*and is said here to lie **only with the paramount chiefs at our meeting***
is hereby declared to reside **entirely and exclusively in the hereditary chiefs and heads of tribes in their collective capacity,**

2.3 a ka mea hoki e kore e tukua e matou te wakarite ture ki **te tahi hunga ke atu,**
*and we also say that we will never give over law-making power to **any other persons***
who also declare that they will not permit **any** legislative **authority separate from themselves in their collective capacity** to exist,

2.4 me te tahi Kawanatanga hoki kia meatia i te wenua o te wakaminenga o Nu Tireni
or any other governing body to be spoken of in respect the land of the Confederation.
nor any function of government to be exercised within the said territories,

2.5 ko nga tangata anake e meatia nei e matou e wakaritea ana ki teritenga o o matou ture
The only people who we have said are authorised to set down our laws
unless by persons appointed by them, acting under the authority of laws

2.6 **e meatia nei e matou i to matou huihuinga.**
we have been speaking of at our meeting.
regularly enacted by them in Congress assembled.

3.1 Ko matou ko nga Tino Rangatira ka mea nei
We the paramount chiefs say here
The hereditary chiefs and heads of tribes agree

3.2 kia huihui ki te runanga ki Waitangi a te Ngahuru i tenei tau i tenei tau
that we will meet at the council at Waitangi in the autumn of each year
to meet in Congress at Waitangi in the autumn of each year,

3.3 ki te wakarite ture kia tika ai te wakawakanga kia mau pu te rongo
to set down laws so that judgement will be correct, that peace will prevail,
for the purpose of framing laws for the dispensation of justice, the preservation of peace

3.4 kia mutu te he kia tika te hokohoko
that wrong-doing will end, that trading will be conducted properly and correctly,
and good order, and the regulation of trade;

3.5 a **ka mea hoki ki nga tauiwi o runga kia wakarerea te wawai**
*and **we also say to the foreigners of the south to abandon fighting***

and **they cordially invite the Southern tribes to lay aside their private animosities**

3.6 kia mahara ai ki te wakaoranga o **to matou wenua**
*so that they can give thought to saving **our land***
and to consult the safety and welfare of **our common country,**

3.7 a kia uru ratou ki te wakaminenga o Nu Tireni.
and so that they can join the Confederation of New Zealand.
by joining the Confederation of the United tribes.

4.1 Ka mea matou kia tuhituhia he pukapuka
We said that a document/letter is to written
We also agree to send

4.2 ki te ritenga o tenei o to matou wakaputanga nei
concerning the compilation of this Declaration of ours
a copy of this Declaration

4.3 ki te Kingi o Ingarani hei kawe atu i to matou aroha
to the King of England to convey our warm acknowledgement
to His Majesty the King of England, to thank him for

4.4 nana hoki i wakaae ki te kara mo matou.
that he has agreed with the flag for us.
his acknowledgement of their flag;

4.5 A no te mea ka atawai matou, ka tiaki i nga pakeha e noho nei i uta
And because we look after and protect the Europeans living ashore here
and in return for the friendship and protection they have shown, and are prepared to show, to such of his subjects as have settled in their country,

4.6 e rere mai ana ki te hokohoko, koia ka mea ai matou ki te Kingi
who come here to trade, so therefore do we say to the King
or resorted to its shores for the purpose of trade, they entreat

4.7 kia waiho hei **matua ki a matou i to matou Tamarikitanga**
that he leave a mentor for us in our "childhood" [i.e. as we are learning their ways],
that he will continue **to be a parent of their infant State,**

4.8 kei wakakahoretia to matou Rangatiratanga.
lest our paramount authority be denied.
and **that he will become its Protector from all attempts upon its independence.**

4.9 Kua wakaetia katoatia e matou i tenei ra i te 28 o Oketopa 1835
We have all agreed on this day, the 28th of October 1835
Agreed to unanimously on this 28th day of October, 1835,

4.10 ki te aroaro o te Reireneti o te Kingi o Ingarani.
in the presence of the King of England's Resident.
in the presence of His Britannic Majesty's Resident.

Paerata	Auroa	HareHongi
Hemi Kepa Tupe	Ware Poaka	Waikato
Titore	Moka	Warerahi
Rewa	Wai	Reweti Atuahaere
Awa	Wiremu Teti Taunui	Te nana
Pi	Kaua	Tareha
Kawiti	Pumuka	Kekeao
Te Kamara	Pomare	Wiwia
Te Tao	Marupo	Kopiu
Warau	Ngere	Moetara
Hiamoe	Pukututu	
Te Peka	Eruera Pare te kaituhituhi	Hone Wiremu Heke
English Witnesses	Henry Williams	James Clendon
	George Clarke	Gilbert Mair

Ko matou ko nga Rangatira ahakoa kihai i tae ki te huihuinga nei
We the chiefs, even though we did not reach this meeting
---no translation---

no to nuinga o te kaipuke no te aha ranei – ka wakaae katoa
because there were so many ships or for whatsoever reason, all agree
---no translation---

ki te waka mutunga Rangatiratanga o Nu Tireni
to the ?final paramount authority of New Zealand
---no translation---

a ka uru ki roto ki te whakaminenga.
and enter into the Confederation
---no translation---

Nene Huhu Toua	}	English writing
		Panakareao
1836 13 January		Kiwi Kiwi

9 February	Tirerau	
29 March	Hamiora Pita - Matangi	No te Popoto
	Tawai -	No te Mahurehure
	Mete	No Ngati Moe
	Patuone	No te Ngati Rangi
1837		
25 June	Parore	No te Ngati Apa
"	Kahu	No Ngati Tautahi
12 July	Te Morenga	No Te Rarawa
1838	Mahia	No Te Hapouri
Jan^{y} 16	Taonui	No te Popoto
Sept^{r} 24	Papahia	No te Rarawa
25	Hapuku	No te Watu apiti (Hawkes Bay)
1839 July 22	Ko te Werowero	Na ko Ngati Mahuta - ko Kakawai he kai tuhituhi

Glossary

N.B. A bar (macron) over a vowel indicates that it is a long vowel. (Vowel length is phonemic in Mäori.)

Aotearoa	Mäori name for the North Island of New Zealand
hapü	group of related families
He Whakaputanga	abbreviation of He Whakaputanga o te Rangatiratanga o nga hapu o Nu Tireni, the Mäori translation of The Declaration of Independence
hui	gathering, meeting
iwi	group of hapü tribal groupings
kaikarakia	person who leads prayers
kaumätua	respected elders, decision-makers for hapü and iwi, sometimes includes kuia
kuia	respected older woman/women, decision-makers (along with kaumätua) within hapü and iwi
mana	power, authority, ownership, status, influence, dignity, respect derived from the gods
mana whenua	power, authority, ownership derived from the gods in respect of land
Mäori	ordinary, the original people of Aotearoa
Päkehä	non-Mäori of European descent
rangatira	chief, leader, one who has the ability to keep the people together
rangatiratanga	chieftainship, paramount authority, including the general notion of sovereignty, rights of self-determination, self-government, the authority and power of hapü and iwi to make decisions and to own and control resources
tapu	acredness, restricted, spiritual power or protective force
Te Taitokerau	the most northern region of Aotearoa which takes in the Auckland region to the north of the Waitematä and Manukau harbours, and all of Northland
Te Tiriti	abbreviation for Te Tiriti o Waitangi, the Mäori language version of The Treaty of Waitangi
Te Whakaminenga	abbreviation of Te Whakaminenga o nga Hapu o Nu Tireni, The Confederation of the Hapu of New Zealand
tikanga	customary, correct way of doing things, protocols
tino rangatira	paramount chief
whakataukï	proverbial saying