

SUBMISSION FOR THE WAITANGI TRIBUNAL - MURIWHENUA LAND CLAIM

- 1.0 My name is Anne Salmond. I am an Associate-Professor of Maori Studies and Social Anthropology at the University of Auckland. I trained as a social anthropologist and linguist at the University of Auckland, and subsequently at the University of Pennsylvania, which awarded me a PhD in anthropology in 1974. I have written a number of papers on the historical semantics of Maori,¹ in addition to other works on contemporary Maori life. Recently I completed an anthropological-historical account of the first encounters between Maori and Europeans entitled *Two Worlds : First Meetings Between Maori and Europeans 1642-1772*. I am currently working on a sequel, entitled *Borderlands : Exchanges Between Maori and Europeans 1773-1815*.
- 1.1 I have been asked by the Waitangi Tribunal to give an anthropological and historical analysis of the Treaty transactions at Waitangi, Mangungu and Kaitaia in 1840, addressing the following specific questions:
1. Have any Maori language records of these transactions survived?
 2. What do the surviving records tell us about the Maori context in which these transactions took place?
 3. Was there a "meeting of minds" or were people "talking past each other"?
 4. As a result of these transactions, what do you think Maori would have concluded about how they affected their rights to land and other resources?
- 1.2 I propose to meet this request by focussing very closely on the surviving primary records of these transactions. First, I will scrutinise the surviving Maori language documentation of these transactions, particularly the Maori language text of the Treaty which was signed on parchment at Waitangi and elsewhere in the north. This section of the submission will include an analysis of certain key terms in the Maori Treaty text in the light of their pre-Treaty use, particularly in documents in Maori drafted by missionaries and officials in the North of New Zealand.
- Second, I will examine the surviving records in English of the speeches, particularly those made by Maori, that were given at the various Treaty transactions in the North. I will attempt to correlate these with the signatures on the parchment version of the Maori text of the Treaty, with some reference to the local geo-political contexts in which the Treaty transactions at Waitangi, Mangungu and Kaitaia took place.
- Third, I will attempt to consider the Tribunal's questions 2, 3 and 4 by reference both to the Treaty text itself and the evidence of the speeches.

¹ eg. Salmond 1978, 1983, 1985, 1989, 1992

2.0 MAORI LANGUAGE RECORDS OF THE TREATY TRANSACTIONS AT WAITANGI, MANGUNGU AND KAITAIA

2.1 Apart from some brief notes in Maori scrawled by William Colenso beside one section of his manuscript account of the Waitangi signing of the Treaty, and one short section of his account of the Waitangi debates on February 6 1840, the only contemporaneous Maori language record which appears to have survived of the Treaty transactions at Waitangi, Mangungu and Kaitaia in 1840 is the parchment version of the Maori language text of the Treaty, signed by various chiefs and Europeans at Waitangi, Waimate, Mangungu, Kaitaia, Waitemata and Okiato. The Treaty text below, from Appendix 2 of *The Treaty of Waitangi* by Claudia Orange,² quotes this parchment version.

Appendix 2: *Te Tiriti o Waitangi (The Treaty of Waitangi)*

Ko Wikitoria te Kuini o Ingarani i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira – hei kai wakarite ki nga Tangata maori o Nu Tirani – kia wakaetia e nga Rangatira maori te Kawanatanga o te Kuini ki nga wahikatoa o te wenua nei me nga motu – na te mea hoki he tokomaha ke nga tangata o tona Iwi Kua noho ki tenei wenua, a e haere mai nei.

Na ko te Kuini e hiahia ana kia wakaritea te Kawanatanga kia kua ai nga kino e puta mai ki te tangata maori ki te Pakeha e noho ture kore ana.

Na kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kawana mo nga wahi katoa o Nu Tirani e tukua aianei amua atu ki te Kuini, e mea atu ana ia ki nga Rangatira o te wakaminenga o nga hapu o Nu Tirani me era Rangatira atu enei ture ka korerotia nei.

Ko te tuatahi

Ko nga Rangatira o te wakaminenga me nga Rangatira katoa hoki ki hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu – te Kawanatanga katoa o o ratou wenua.

Ko te tuarua

Ko te Kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga hapu – ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa. Otiia ko nga Rangatira o te wakaminenga me nga Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te wenua – ki te ritenga o te utu e wakaritea ai e ratou ko te kai hoko e meatia nei e te Kuini hei kai hoko mona.

Ko te tuatoru

Hei wakaritenga mai hoki tenei mo te wakaetanga ki te Kawanatanga o te Kuini – Ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani.

[signed] W. Hobson Consul & Lieutenant Governor

Na ko matou ko nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani ka huihui nei ki Waitangi ko matou hoki ko nga Rangatira o Nu Tirani ka kite nei i te ritenga o enei kupu. Ka tangohia ka wakaetia katoatia e matou, koia ka tohungia ai o matou ingoa o matou tohu.

Ka meatia tenei ki Waitangi i te ono o nga ra o Pepueri i te tau kotahi mano, e waru rau e wa te kau o to tatou Ariki.

Note: This treaty text was signed at Waitangi, 6 February 1840, and thereafter in the north and at Auckland. It is reproduced as it was written, except for the heading above the chiefs' names: ko nga Rangatira o te Wakaminenga.

The Maori Treaty text is a copy on parchment of a draft translation which was executed by Henry Williams and his son Edward, from an English Treaty draft supplied to them by Captain Hobson on the afternoon of February 4, 1840. According to Henry Williams:

"On the 4th February, about 4 o'clock p.m., Captain Hobson came to me with the Treaty of Waitangi in English, for me to translate into Maori, saying that he would meet me in the morning at the house of the British Resident, Mr Busby, when it must be read to the chiefs assembled at 10 o'clock."³

Henry Williams and his son translated the Treaty draft that night, and the next day, Henry Williams acted as translator for the proceedings, translating Hobson's preliminary address to the chiefs and his reading of the English version of the Treaty into Maori, "in the midst of profound silence." According to Hobson's account, as he read out each section of the Treaty he "offered a few remarks explanatory of such passages as they might be supposed not to understand. Mr H. Williams ...did me the favour to interpret, and repeated sentence by sentence all I said".⁴ Williams' own account, however, suggests that his version in Maori of these explanatory remarks was rather more than a simple repetition of what Hobson had said in English:

"I told them all to listen with care, explaining clause by clause to the chiefs, giving them caution not to be in a hurry, but telling them that we, the missionaries, fully approved of the treaty, that it was an act of love towards them on the part of the Queen, who desired to secure to them their property, rights and privileges. That this treaty was as a fortress to them against any foreign power which might desire to take possession of their country, as the French had taken possession of Otiaiti (Tahiti) [an event which did not take place for another two years]".⁵

William Colenso's version of this part of the proceedings contains none of this, but appears to be a rendering of Hobson's remarks in English rather than any of Williams' elaborations in Maori. It is immediately apparent, then, that the relation between the surviving documents and any explanations which were given in Maori to the assembled gathering at the Waitangi Treaty transaction is complicated, and far from literal.

Williams also acted as Maori-to-English translator to the Governor during the chiefs' speeches that followed. As we shall see, the accuracy of these translations was contested several times by bi-lingual Europeans present at the Waitangi meeting. Furthermore, according to Williams, on the evening of February 5,

"There was considerable excitement among the people, greatly increased by the irritating language of ill-disposed Europeans, stating to the chiefs, in the most insulting language, that their country was gone, and they now were only taurekareka (slaves). Many came to us to

3 Ibid : 39

4 Hobson 1840 : 9

5 Orange 1987 : 46

speak upon this new state of affairs. We gave them but one version, explaining clause by clause, showing the advantage to them of being taken under the fostering care of the British Government, by which act they would become one people with the English, in the suppression of wars, and of every lawless act; under one Sovereign, and one law, human and divine."⁶

While Henry Williams and other missionaries were explaining the Treaty to various concerned chiefs on the evening of February 5, Richard Taylor was engaged in copying out Williams' draft in Maori:

"The rough copy of the treaty was sent to me to get copied...I sat up late copying the treaty on parchment and I kept the original draft for my pains."⁷

The next afternoon, Henry Williams read out Taylor's parchment version of the Treaty to the assembled chiefs, and again acted as interpreter for the proceedings.

It is clear that Henry Williams played a pivotal role during the Waitangi Treaty proceedings, both in drafting the Treaty text in Maori and explaining its provisions, clause by clause, in Maori during the February 5 meeting at Waitangi and later that evening, in discussions with many of the chiefs; and as English-to-Maori and Maori-to-English translator during the entire proceedings. He was not, however, recognised as one of the better translators among the missionaries - William Williams, William Puckey, Robert Maunsell and the Wesleyan John Hobbs had that reputation - nor does he seem to have acted as a literal translator, at least during the Waitangi meeting.

Henry Williams' original draft of the Treaty in Maori does not appear to have survived, nor do we have any detailed account apart from Williams' own brief précis in English (the original of which has also disappeared) of the clause-by-clause explanations of the Treaty that were given to Maori at Waitangi in their own language. The parchment Treaty text in Maori, although it may not be an absolutely accurate version of the original draft in Maori, is therefore the only evidence in Maori of what was said to the chiefs read out and debated in Maori at Waitangi on February 5. It is however, the version that was read out and signed at Waitangi on February 6 1840, and subsequently was read out, debated and signed at Mangungu and Kaitaia.

- 2.2 It is impractical and not very useful to discuss each word and phrase of the parchment treaty text that was read, debated and signed in Maori in the North in 1840. I therefore append below a translation of the parchment, in which Merimeri Penfold and I have attempted to capture in English the most likely sense of the various phrases of that document as they may have been understood by the Northern chiefs when the Treaty was read out to them in 1840. This will be followed by a detailed discussion of particular words or phrases which seem either problematic, or likely to have been of key significance in shaping Maori

⁶ Ibid : 51

⁷ Taylor 1840 : 189

understandings of the Treaty transactions in 1840.

HISTORICAL-SEMANTIC TRANSLATION OF THE TREATY OF WAITANGI

Victoria the Queen of England in her caring concern for the chiefs and the sub-tribes of New Zealand, and in her desire that their chieftainship (*rangatiratanga*) and their land should be guaranteed to them, and that lasting peace and tranquil living should be theirs, has thought it right that a chief should be sent (*tukua*) as an adjudicator (*kai-wakarite*) to the Maori people (pl) of New Zealand - that the Maori chiefs might agree to the Governorship (*Kawanatanga*) of the Queen over all parts of the land and the islands, because many of her people have already settled in this land and others are yet to come.

Now the Queen wishes that the Governorship should be established, that evil may not come to the Maori people (pl) and the Pakeha living without law (*ture*).

Now the Queen has been pleased that I, William Hobson, a Captain of the Royal Navy, should be sent (*tukua*) as Governor for all those parts of New Zealand which are now or shall be given up (*tukua*) to the Queen, and she declares to the chiefs of the Confederation of the sub-tribes of New Zealand and other chiefs the following laws (*ture*) which are spoken here:

The First

The chiefs of the Confederation and also all the chiefs who have not entered into that Confederation give completely (*tuku rawa atu*) to the Queen of England for ever - all the Governorship of their lands.

The Second

The Queen of England accepts and agrees to the full chieftainship (*tino rangatiratanga*) of the chiefs, the sub-tribes and all the people of New Zealand over their lands, their dwelling-places and all of their treasures. Also, the chiefs of the Confederation and all the other chiefs give (*tuku*) to the Queen the trading (*hokonga*) of those areas of land whose owners are agreeable, according to the return (*utu*) agreed between them and the person appointed by the Queen as her trading agent (*kai hoko*).

The Third

In recognition of this agreement to the Governorship of the Queen - the Queen of England will look after (*tiaki*) all the Maori people (pl) of New Zealand and give (*tukua*) to them all and exactly the same the customary rights (*tikanga*) as those she gives to her subjects, the people of England.

[Signed] W. Hobson Consul and Lieutenant Governor.

Now we the chiefs of the Confederation of the sub-tribes of New Zealand assembled here at Waitangi, and also we the Chiefs of New Zealand see the likeness of these words. We accept and agree to all of this, and so we sign our names and our marks.

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

2.3 SOME KEY WORDS AND PHRASES IN THE TREATY PARCHMENT

2.3.1 THE PREAMBLE

i tana mahara atawai: this phrase, which we have translated 'in her caring concern', suggests that Queen Victoria herself had a personal care for the chiefs

and hapu of New Zealand. Indeed, the Treaty text was phrased throughout as involving the Queen both directly and personally in its various provisions. This, plus comments such as Williams' that the Treaty was "an act of love towards them on the part of the Queen" must have suggested to the chiefs that the Treaty was intended as a personal transaction between themselves and the Queen of England.

kia tohungia ki a ratou o ratou rangatiratanga me to ratou wenua: these phrases, which we have translated 'that their chieftainship and their land be guaranteed to them', suggest an indefinite but real threat to both chieftainship and land, no doubt that elaborated by Henry Williams in his claim that the French had already taken possession of Tahiti. They also introduce the key concept of *rangatiratanga*, which I will comment on at length in 2.4 below.

kua whakaaro ia he mea tika kia tukua mai tetahi Rangatira: these phrases, which we have translated '(she) has thought it right that a chief should be sent', include the terms *tika* (appropriate, fitting, proper, according to precedent) and *tukua* (be sent, released, given - a key term in Maori gift exchange).⁸ These terms evoke the language of chiefly reciprocity, and suggest that the Treaty was to be conducted in ceremonial style, with due attention to protocol and propriety. It was not uncommon in Maori kinship politics to seal an alliance by sending (*tuku*) a chiefly person from their own territory to that of another group, as wife, husband, foster child or resident ally, and it is possible that the Queen's sending of the Governor was seen by the chiefs as creating a similar bond between Maori and Europeans.

hei kai wakarite ki nga Tangata maori o Nu Tirani: These phrases, which we have translated 'as an adjudicator to the Maori people (pl) of New Zealand', introduce the concept of *kai whakarite*, a term used in the early Maori translations of the Bible as a translation equivalent for 'judge' (e.g. *Kai whakariterite* - Judges).⁹ The role of *kai-wakarite* as mediator in inter-hapu disputes had become familiar in the North as a role that missionaries might usefully play, and the term *kai whakarite* was used by William Williams in an 1832 translation of an official letter which explained the role of the newly-arrived British Resident, William Busby, as facilitator and mediator in Maori-European contacts, in just this way.¹⁰ The syntax of the phrase *ki nga Tangata maori o Nu Tirani* suggests that this *kai-whakarite* role was to be played, not so much with hapu as collectivities, as with Maori individuals.

kia wakaetia e nga Rangatira maori te Kawanatanga o te Kuini ki nga wahi katoa o te wenua me nga motu: These phrases, which we have translated 'that the

⁸ See Salmond 1991, Metge 1992, Mutu 1992

⁹ Barlow 1990 : 85

¹⁰ Orange 1987 : 13, 16 - see Appendix I

Maori chiefs might agree to the Governorship of the Queen over all parts of the land and the islands' introduce another key concept, that of *kawanatanga*. I propose to discuss both *rangatiratanga* and *kawanatanga* in detail in 2.4 below, since these two concepts are central to debates over what the Maori chiefs may fairly be said to have agreed to when they signed the Treaty of Waitangi.

Ko te Kuini e hiahia ana kia wakaritea te Kawanatanga: These phrases, which we have translated 'the Queen wishes that the Governorship should be established', suggest that the Governorship should be set up after negotiations between Europeans and Maori, and again, that the Queen personally wished this to be done.

ki te tangata Maori ki te Pakeha e noho ture kore ana: These phrases, which we have translated 'to the Maori people (pl) and the pakeha living without law' suggest that the laws were to apply to individuals, both Maori and European. *Ture* (derived from 'torah') was a missionary - coined word used in Maori translations of the Bible as an equivalent for 'law, ordinance, statute' and the like,¹¹ and in the 1832 letter introducing Busby, as a translation equivalent for 'laws'. *Ture*, I consider, would have been understood as European regulations, closely associated with the role of *kai-wakarite* (adjudicator) in Biblical texts.

e.g. Exodus 19(16) : Moses 'When they have a matter, they come unto me, and I judge between one and another, and I do make them know the statutes of God, and his laws' was translated in Maori: "Ka ai he mea ki a ratou, na ka haere mai ki ahau, maku e whakarite te whakawa a tetahi ki tetahi: e whakaatu hoki ki nga tikanga a te Atua, me ana ture."

According to Williams, during his clause-by-clause explanations of the Treaty he told the chiefs "the advantage of them being taken under the fostering care of the British government, by which they would become one people with the English, in the suppression of war, and of every lawless act; under one sovereign, and one law, human and divine."¹² The above phrases in the Treaty, however, suggest that *ture* would primarily apply to the currently unregulated relations between Maori and European individuals, and it seems probable that the chiefs understood the scope of *ture* in this way.

Na kua pai te Kuini kia tukua a hau a Wiremu Hopihana...hei Kawana mo nga wahi katoa o Nu Tirani e tukua aianei amua atu ki te Kuini: These phrases, which we have translated 'the Queen has been pleased that I, William Hobson...should be sent as Governor for all the parts of New Zealand which are now or shall be given up to the Queen', emphasize the Queen's personal involvement in the decision to send Hobson as Governor to New Zealand. They again express this decision as an act of *tuku*, to be reciprocated by the chiefs giving up (*tuku*) land

¹¹ Barlow 1990 : 307; see also Appendix I

¹² Orange 1987 : 51

to the Queen.

e mea atu ana ia ki nga Rangatira o te wakaminenga o nga hapu o Nu Tirani me era Rangatira atu enei ture ka korerotia nei: These phrases, which we have translated 'and she declares to the chiefs of the Confederation of the sub-tribes of New Zealand and other chiefs the following laws which are spoken here' introduce '*Te wakaminenga o nga hapu o Nu Tirani*' - the title given by Northern chiefs (under Busby's guidance) to themselves as a collectivity when they signed the 1835 'Declaration of Independence' (see Appendix II). These phrases also describe the following articles of the Treaty as *ture* - laws or ordinances in the Biblical sense, but oral laws, spoken aloud.

2.3.2 THE ARTICLES (TURE) OF THE TREATY

Ko te tuatahi (The First)

Ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu - te Kawanatanga katoa o o ratou wenua: These phrases in the first article, which we have translated 'give completely to the Queen of England forever - all the Governorship of their lands,' constitute the crux of the Treaty agreements. They suggest an unreserved gift of some kind to the Queen of England, and one which involved the chiefs' lands in some way. *Kawanatanga* was not a very familiar concept in 1840, and yet Maori aristocratic etiquette did not allow a prospective recipient of a *tuku* gift to indicate too definitively what it should be; nor could the prospective givers make too close an enquiry (at least in public) about what would be acceptable. This made it difficult for the chiefs publicly to ask precisely what *kawanatanga* entailed - although some of them came close to it in both the Waitangi and Mangungu meetings.

Maori aristocratic exchanges were characterised by an open-handed generosity, with each side striving to win and retain mana by outdoing the other and by a certainty that the other side would feel compelled by fear of shame (*whakamaa*) and loss of mana to reciprocate. Given that the Treaty was presented to the chiefs as a personal transaction between themselves and the Queen of England, it must have been difficult for them to imagine that she would allow her mana to be compromised by any partial or stinting return for this gift of *kawanatanga*, however ill-defined. I will discuss the chiefs' most likely understandings of *kawanatanga* in 2.4 below.

Ko te tuarua (The Second)

Ko te kuini o Ingarani ka wakarite ka wakaae ki nga Rangatira ki nga hapu - ki nga tangata katoa o Nu Tirani te tino rangatiratanga o o ratou wenua o ratou kainga me o ratou taonga katoa: These phrases, which we have translated 'The Queen of England accepts and agrees to the full chieftainship of the chiefs, the sub-tribes and all the people of New Zealand over their lands, their dwelling-places and all of their treasures', suggest that within their own domains, under the new relationship the chiefs, hapu and people would retain autonomous control. *Rangatiratanga*, unlike *Kawanatanga*, was a thoroughly familiar concept - everyone knew what *rangatira* could and could not do, even if they were not quite certain

about *kawana*, or Governors; and this phrase must have reassured those chiefs who feared that *Kawanatanga* might involve some more substantial surrender of their authority. If they were to retain unfettered chiefly powers within their own domains, then *Kawanatanga*, by contrast, must be some kind of circumscribed power - most likely that suggested in the Treaty preamble of *kai wakarite*, or mediator and adjudicator, particularly in disputes between Maori and Europeans.

Otiia ko nga Rangatira .. ka tuku ki te Kuini te hokonga o era wahi wenua e pai ai te tangata nona te wenua: These phrases, which we have translated 'Also the chiefs ... give to the Queen the trading of those areas of land whose owners are agreeable', and the following phrases which say that the Queen could fix a value agreed upon between the person willing to trade land and her trading agent, are perhaps the most obscure, and syntactically the most awkward in the Treaty text. It must have puzzled the chiefs to find so great an aristocrat as the Queen so interested in *hokonga* or barter (*hokohoko* was translated in the Declaration of Independence as 'trade'), to the extent that she was prepared to suggest a *tuku* by the chiefs of control over the trade in lands whose owners were agreeable, and the fixing of values (*utu* - return) after negotiations between her trading agent and a willing land-trader. In their understanding, *hoko* was essentially a form of exchange devoid of *mana*¹³. Still, there was a precedent in the 1832 official letter to the chiefs, where Lord Viscount Goderich expressed concern that 'a close commercial intercourse' (*hokohoko*) between the inhabitants of New Zealand and those of Great Britain might be disrupted; and by now Maori people were well aware that Europeans were keen to *hoko* (barter) for land. Perhaps this was seen as one of those areas in Maori - European relations where the services of an adjudicator might be particularly useful.

Ko te tuatoru (The Third)

Hei wakaritenga mai hoki tenei mo te wakaetanga ki te Kawanatanga o te Kuini - ka tiakina e te Kuini o Ingarani nga tangata maori katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani: This final *ture* of the Treaty, which we have translated 'in recognition of this agreement to the Governorship of the Queen - the Queen of England will look after (*tiaki*) all the Maori people (pl) of New Zealand and give (*tukua*) to them all and exactly the same customary rights as she gives to her subjects, the people of England', define the Queen's personal relationship with Maori people as *kai-tiaki* (guardian, protector). As we have seen previously, the *Kawana* (Governor) was to be a *kai-whakarite* (adjudicator, mediator in disputes); the Queen, they were now told, was to *tiaki* (look after) them, as a spiritual as well as practical protector.

In return for *kawanatanga*, then, the Queen was offering as a gift (*tuku*) not only to look after Maori people, but also to put them on an absolutely equal footing with English people. The key agreements in the Treaty are thus expressed alike in its text as a series of *tuku* (gift exchange) transactions between the Queen of England, and the chiefs:

¹³ Metge 1992.

- a *tuku* by the Queen of a chief as a *kai-wakarite* (adjudicator) to Maori people.
- a *tuku* by the chiefs of land to the Queen, now and in the future.
- a *tuku* by the chiefs to the Queen of *kawanatanga*, and the right to control the *hokonga* (barter) of the land through a *kai-hoko* (trading agent)
- a *tuku* by the Queen to the Maori people of her protection, and *tikanga* (customary rights) exactly the same as those of her people in England.

I therefore conclude that the chiefs would have understood the Treaty essentially as forging a personal, aristocratic alliance between Maori people and the Queen, with the Queen acting as guardian or *kai-tiaki*, a significant spiritual as well as practical role in traditional Maori terms.

2.3.3 THE CONCLUDING SECTION OF THE TREATY

ka tangohia ka wakaaetia katoatia e matou, koia ka tohungia ai o matou ingoa o matou tohu: These phrases in the final paragraph of the Treaty, which we have translated 'we accept and agree to all of this, and so we sign our names and our marks', describe the signatures and marks that follow as *tohu* - the visible symbols and reminders of the agreement that had been made. The use of *tohu* was a standard element in aristocratic agreements and alliances (see Mutu 1992), and in land deeds in the North and elsewhere. In the ceremonious language of Maori exchange, they signified a commitment by all parties and their descendants to uphold the relationship that had been established, to honour the gifts that had been given, and to continue a pattern of reciprocal generosity at the risk of a fundamental collapse of *mana* (ancestral power) for the defaulting party.

2.4 ON KAWANATANGA AND RANGATIRATANGA IN THE TREATY OF WAITANGI:

2.4.1 LINGUISTIC CONSIDERATIONS

2.4.1.1 SYNTAX

The words *kawanatanga* in the Preamble and Article 1 of the Treaty, *rangatiratanga* in Article 2, and *kingitanga* in the Declaration of Independence of the United Chiefs of 1835 are all constructed alike. A stative referring to a status position - *kawana* (Governor), *rangatira* (chief, aristocrat) or *kingi* (king) - takes a nominalising suffix (*-tanga*) to become an abstract noun describing the qualities of such a position in society, with its associated powers and privileges. '*Rangatiratanga*' is thus generally translated as 'chieftainship'; '*Kingitanga*' - perhaps the best borrowed equivalent for 'sovereignty' - as 'kingship'; and in strict parallel '*Kawanatanga*' in 1840 is best translated as 'governorship', or the state of having a Governor with his attendant privileges and powers.

2.4.1.2 USES IN EARLIER MAORI TEXTS

The uses of *kawana* (*-tanga*) and *rangatira* (*-tanga*) in Maori texts printed before the Treaty are a useful line of evidence on how these terms were used by European translators, especially in the North; and may also indicate something

about how *kawanatanga*, as a neologism, was understood by Maori in 1840.

In one of the earliest printed texts in Maori, an 1824 proclamation by Sir Thomas Brisbane as 'Captain General and Governor in Chief' promulgated in both English and Maori, *governor* was translated as '*ko te tino Rangatira waka shau*' or 'the great commanding Chief', and no transliterated form was used.¹⁴ By 1830, however, in a catechism printed at Kerikeri, converts were promising '*kia whakahonore, kia rongu ki te Kingi me ona tangata ano hoki, kia rongu a hau ki aku kawana, kai wakaako, tohunga karakia me aku rangatira*'¹⁵ - "to honour and obey the king and his people, and I will obey my governors, teachers, and my chiefs". In the 1833 'Parts of the New Testament' and the 1837 New Testament,¹⁶ moreover, there were prolific references to *Kawana* or governors, both in connection with Pontius Pilate and the governors Felix, Festus and Quirinius. *Kawanatanga* was used (relatively infrequently)¹⁷ as a translation equivalent for 'province' (in the Roman Empire, provinces were characteristically run by governors) or 'principality'. *Rangatiratanga*, on the other hand, was the standard translation (in the Lords Prayer, for instance) for 'kingdom' in the New Testament, and *Rangatira* was used as a translation equivalent in the Biblical texts for 'master, ruler, prince, lord'.

In the 1835 'Declaration of the Independence of New Zealand',¹⁸ *rangatiratanga* was used as a translation equivalent for 'independence' and *rangatira* for 'hereditary chiefs'; *kingitanga* was used along with *mana* for 'sovereign power and authority'; and *kawanatanga* for 'function of government' - all of which powers the chiefs declared to belong to themselves alone, although they allowed for the possibility of *kawanatanga* being exercised by 'persons appointed by them'.

On the basis of this evidence, the most appropriate translation equivalent for *sovereignty* in Article I of the Treaty would have been either *rangatiratanga* (given the use of *rangatiratanga* as translation equivalent for 'kingdom' in the New Testament in particular), as the closest local equivalent; or *kingitanga* (kingship) as the nearest neologism. *Kawanatanga* was consistently used up until 1840 (and not very often) in texts in Maori to refer to a lesser power - such as that of governors over their provinces in Biblical texts, or for 'functions of government' exercised by people who might be chosen by the United Chiefs, in the 1835

14 GNZM 4b

15 GNZM 8 : 20

16 GNZM 8 : 20

17 Barlow 1990 : 99 See also R.S. Jameson's comment in 1842 on the Treaty transactions at Waitangi - "[Maori could] easily divest themselves of a nominal sovereignty, of the nature of which they could form no idea, and of whose very name they had never before heard." (Jameson 1842 : 204)

18 Orange 1987 : 255-256 - see Appendix II

Declaration of Independence. *Kawanatanga* was thus not an appropriate translation for 'sovereignty' in 1840.

2.4.2 HISTORICAL CONSIDERATIONS

It seems to me most likely that while *rangatiratanga* would have been well understood in Northland in 1840 as applying to the powers and obligations of a familiar category of aristocrat, the *rangatira*; *kingitanga* and *kawanatanga*, as introduced words, would have been largely interpreted with reference to Maori knowledge of European leaders - either as presented to them in Biblical texts (especially for Christian Maori) or in direct or indirect knowledge of European kings and governors.

By 1840, Northern Chiefs and others had acquired considerable knowledge of European systems of leadership. Many Maori, especially those from Northland but also from other parts of the country, had travelled overseas in European vessels - to England, America, India, other parts of Polynesia, but particularly to Port Jackson and Norfolk, where Governors or Lieutenant-Governors were in charge.

In 1793, for instance, Tuki, a priest's son from Oruru in Doubtless Bay and Huru-kokoti, a chief's son from the Bay of Islands, were kidnapped and taken to Norfolk Island, where they lived for six months in Government House with Lieutenant-Governor P.G. King and his family.¹⁹ Here they gained extensive and intimate knowledge of King's administration of this penal colony, including the local regime of floggings, confinement and other punishments for convict offences. King treated Tuki and Huru very kindly and returned them to Muriwhenua laden with gifts - clothing, iron tools, pigs, potatoes, seeds and an array of other European goods. At Tokatoka Point, Lieutenant-Governor King had an important encounter with a local chief 'Tokokee' (Te Koki?) (whose identity I would very much like to know), which included a long hongi, an exchange of cloaks and a probable exchange of names. Tuki and Huru were young but well-connected in the North; their adventures became well-known in Muriwhenua and the Bay of Islands, and Governor King enjoyed a high reputation in those areas for many years afterwards.

In 1805 Te Pahi, a Bay of Islands chief, and his five sons, travelled from the Bay to Norfolk Island and then to Port Jackson to stay with King, who was by then the Governor of New South Wales. Te Pahi and his sons stayed in Government House and ate at King's table, and showed a close and practical interest in European laws and policing. During their stay, for instance, two soldiers and a convict were tried for stealing pork from the King's stores, and one of them was sentenced to be hung. Te Pahi pleaded with Governor King to release the man into his care to be taken back to New Zealand,

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"exclaiming in a most furious manner against the severity of our laws for sentencing a man to die for stealing a piece of pork, although he admitted that a man might very justly be put to death for stealing a piece of iron, as that was of a permanent use, but stealing a piece of pork which, to use his own expression was eat and passed off, he considered as sanguine (sic) in the extreme."²⁰

Evidently this experience of English law made a strong impression on Te Pahi, for in 1807, after he had returned home, a schooner that had been seized by convicts put into the Bay of Islands and tried to capture a whaler there. The convicts asked Te Pahi's people to help them, but instead they told their chief who informed the whaler's crew, seized the schooner as the convicts were making their attack and captured six of them. Governor King reported the outcome to Sir Joseph Banks in a sardonic note:

"As this piratical attempt was regarded by this Majesty in a very different point of view to the crime of stealing a piece of Pork, he hung the whole six, and desired the Captain of the whaler to tell King George and Governor King what he had done - and was sure they would approve it."²¹

In subsequent years a steady stream of Maori travellers visited Port Jackson and made their way to other European colonies around the world and to England, where they either managed (in the case of Hongi Hika and Waikato, for instance) or unsuccessfully attempted to meet the reigning monarch and members of the aristocracy. Chiefs named themselves and their children after European dignitaries, and names such as 'Kawana Makoare' (Governor Macquarie) and 'Kingi George' (King George) were in circulation in the North by the 1810s.²² Gift exchanges had occurred between Governors and Northern Chiefs (for instance King George, reciprocating an offer by Titore to set aside forests for spars for the King's ships, sent him a letter and a suit of armour; and Patuone, whose father Tapua had met Captain Cook and been presented with a red cloak, received a suit of plate armour from King William IV.²³)

Northern chiefs in 1840, then, were not entirely naive about kings and governors. On the contrary, many of them had had some contact with such leaders, or knew others of their rank who had been treated with considerable respect by European aristocrats or by Governors such as King and Macquarie. In particular, many of them must have been aware that a *kawana* was subordinate to the ruling King or Queen, and that *kawanatanga* was therefore a subordinate or delegated power.

2.4.3 In summary, both the linguistic and the historical analysis thus far indicate that

²⁰ McNab I : 265

²¹ P.G. King to Joseph Banks 26.11.1807

²² Nicholas 1817 I : 39-50

²³ Orange 1987 : 10

the chiefs who debated and signed the Treaty in the North in 1840 very likely understood themselves to be engaged in a ceremonial transaction with the Queen of England. The Treaty text in Maori explicitly committed the Queen to uphold the *rangatiratanga* of the chiefs. In view of the use of *rangatiratanga* as a standard translation equivalent (for instance in the Lord's Prayer) for 'Kingdom' and as translation equivalent for 'Independence' in the Declaration of Independence, it is difficult to escape the conclusion that Williams must have known that this would be understood in local terms as something very close to 'sovereignty'. Furthermore, the Treaty text in Maori translated what the chiefs were giving up to the Queen as *kawanatanga*. In view of the use of *kawanatanga* as a translation equivalent for 'province' or 'principality' in the Bible, and for 'function of government' which the chiefs might choose to delegate in the Declaration of Independence, it is difficult to escape the conclusion that Williams must have known that this would be understood as in local terms as something much less than 'sovereignty', but rather, by reference to the powers of a governor, as a subordinate and delegated power.

The text of the Treaty does indicate, however, that *kawanatanga* would involve the introduction of *ture* (laws) and *tikanga* (customary rights) for Maori people, exactly the same as those in England, with the Governor acting as *kai-wakarite* (adjudicator or mediator) in disputes. What is not made clear in the Treaty text was in what precise sphere *ture* and *kai-wakarite* would be authorised to operate, and what would be the precise source of their authority. On the whole, it seems probable that the chiefs inferred from several references in the Treaty that *ture* and *kai-wakarite* would serve primarily to regulate individual Maori-European relationships (in trade or disputes, for instance); and that the source of their authority would be the alliance that had been forged between the *rangatira* and the Queen.

3.0 THE WAITANGI TREATY TRANSACTION

3.1 INTRODUCTION

Having completed a close inspection of the Maori text of the parchment version of the Treaty that was circulated and signed in the North, I will now turn to the various reports of the speeches that were made, in both Maori and English, during the 1840 Treaty transactions at Waitangi, Mangungu and Kaitaia. This is by no means a straightforward task.

3.1.1 THE ISSUE OF TRANSLATION FROM MAORI TO ENGLISH

Firstly, all the surviving reports of the Treaty transaction speeches are given in English (apart from snippets of quoted Maori), and all are given by reporters whose native language was English (rather than, say, by bi-lingual Maori). Since most of the speeches were made in Maori by native speakers of Maori, immediate problems of translatability, translation adequacy and translation accuracy arise.

Since some of the key concepts in the original speeches in Maori, given

fundamental differences between Maori and English world theories and semantic systems, may have been impossible or difficult to render adequately in English, the problem of *translatability* arises.

Furthermore, since the translators were not native speakers of Maori, they may have been incapable of fully grasping the more allusive or complex rhetorical devices used by the chiefs in their orations, and thus the problem of *translation adequacy* arises.

Also, since questions were raised during the Treaty transactions at Waitangi about the accuracy of Henry Williams' translations, the question of *translation accuracy* also arises.

Unfortunately, however, we have no reports in Maori of any of the speeches that were made to act as an independent check on any of the translated versions. Consequently, although we can be certain that the surviving records of the speeches that were made during the Treaty transactions were, as translations, fundamentally compromised in various ways, we cannot say precisely how this limits or distort our understanding of what was originally said.

To further complicate matters, some of the reports appear to be records, not of the speeches themselves, but of the running translations in English given on the spot by interpreters to non-Maori speakers. William Colenso's accounts of the Waitangi speeches seem likely to have been his own translation of what was said by the speakers, but almost all other records of the speeches were probably records of the translations instead.

3.1.2 THE ISSUE OF TRANSLATION FROM ORAL PERFORMANCE TO WRITTEN TEXT

A further set of difficulties arise from the fact that while the original speeches were oral performances, given in most cases by people whose only or dominant language mode was oral (rather than literate), the surviving records are written. This has a number of complex implications.

To begin with it seems likely that for the Maori participants in the Treaty transactions, the exchange of speeches was the key element in the proceedings. In many cases, chiefs spoke against the Treaty text that had been read out to them, and yet signed the Treaty parchment. There must be an element of doubt in such cases about how far their signatures signified assent, when their speeches had expressed a contrary opinion. The fact that their signs or marks were referred to as *tohu* (the visible signs of an agreement) in the Treaty text itself, suggests that the act of signing had some significance; as did the efforts of some Hokianga chiefs to have their signatures cut out of the Treaty after the signing at Mangungu. On the other hand, it is by no means certain that European conventions about the signing of written contracts were fully understood by Northern chiefs in 1840 (despite their familiarity with the signing of land deeds and previous official communications, including a letter to William IV in 1831,

and the Declaration of Independence in 1835).

Furthermore, the written reports of the speeches made during the Treaty transactions in the North seem to have been produced in two ways. First, some reports were evidently written from memory later that day or perhaps several days later, in which case the problems associated with all retrospective accounts (of accuracy, loss of detail, retrospective re-interpretation etc) arise. Second, other reports were apparently written from notes jotted down at the time in longhand, and subsequently expanded, in which case similar problems associated with retrospective elaborations arise. All of the accounts of the speeches appear to be synoptic paraphrases, rather than literal translated transcripts. None of the usual rhetorical flourishes of Maori oratory (*tauparapara, waiata, whakatauki* etc) are evident in any of the translations, although it is difficult to imagine that they were not part of the original speeches.

To further complicate matters, some reporters (eg. William Colenso), having 'written up' their original jotted notes in a first draft account, subsequently added extensive material from their own memories of what had been said, or from those of other Europeans who had been present. In Colenso's case, his amended, edited draft was also edited again for publication many years later. Furthermore, some of the reporters condensed the content of the speeches far more than others, and the accounts by different reporters on the essential arguments made by particular speakers do not always agree. If I were to attempt to address all of these issues in detail in reconstructing the most likely content of each speech at each of the Northern Treaty transactions, this submission would rapidly escalate into a book. After these preliminary remarks, therefore, I will content myself with offering a brief assessment of each of the key reports of a particular Treaty transaction at the beginning of that particular section of this submission.

3.2 THE ACCOUNTS

The most important accounts of the 1840 Waitangi Treaty transaction were written by the missionary - printer William Colenso, who by then had been in New Zealand for 6 years. Since he had printed great quantities of text in Maori by 1840, it is probable that his grasp of the language was good.

According to Colenso, his published account "*The Authentic and Genuine History of the Signing of the Treaty of Waitangi*" was written (presumably not long before its publication in 1890) "from notes taken at the time, for the Secretaries of the Church Missionary Society, London."²⁴

A manuscript account by Colenso of the same events also survives; entitled "*Memoranda of the arrival of Lieutenant Governor Hobson in New Zealand; and of the subsequent assembling of the Native Chiefs at Waitangi, the residence of James Busby, Esquire, on Wednesday, February 5, 1840, for the purpose of meeting His*

²⁴ Colenso 1890 : 7

Excellency", it is held in the Colenso papers in the Alexander Turnbull Library. This is a fluent account by Colenso, who as he said "also took part in [the Waitangi transactions] and wrote them down on the spot while fresh in memory"²⁵; possibly from notes jotted down as the speeches were given, and subsequently added to and amended in manuscript. In the account that follows below, I will quote from Colenso's manuscript account of the Waitangi transactions, marking his additions and alterations in italics, and commenting where pertinent on particular differences between this and the published account. In general, the published account is quite close to the manuscript version, with the following variations:

1. Colloquial language in the original manuscript - 'I'll, I won't, who'll' etc, has been formalised in the published account - 'I will, I will not, who will' etc.
2. The third person singular has been changed into Biblical language; 'you' -> 'thee, thou'.
3. Contextual descriptions (of the chiefs' dress, manner etc) have been added in some places.
4. Names of chiefs have in some instances been corrected, and in all cases their hapu affiliations have been added.
5. Comments supportive of the role of Busby and the missionaries have been added to the chiefs' speeches in a number of places.
6. The rhetoric of the chiefs has often been elaborated.
7. Comments and one entire speech by Busby have been added, evidently as the result of edits added by Busby on Colenso's invitation, which Colenso "faithfully copied (ipissima verba), inserting them where Mr Busby had placed them"²⁶ on a manuscript copy other than the one which has survived.
8. A number of footnotes have been added to the published account with identifications of European speakers, comments on particular points in the speeches etc.

None of these edits and additions seriously altered the gist of any of the speeches that were given, with the exception of those by Busby, and possibly those by Heke and Nene.

The other surviving accounts of the Waitangi transaction - by Hobson in a short despatch to Governor Gipps at New South Wales (evening 5 February 1840); by Richard Taylor in his journal; and by Walter Brodie in testimony during a 1844 House of Commons Select Committee hearing in London - are extremely brief. In addition, correspondence by Henry Williams which commented on the Waitangi transactions appears to have recently gone missing. I will incorporate

²⁵ Ibid : 5

²⁶ Ibid : 8-9

useful details from the surviving synoptic accounts in the following discussion.

3.3 THE CONTEXT

Previous reports to the Tribunal by Barry Rigby and others, *The Treaty of Waitangi* by Claudia Orange, *The Treaty of Waitangi* by T. Lindsay Buick, and accounts of the Bay of Islands in this period by Kathleen Shawcross, Philippa Wyatt, and Jack Lee are all helpful in considering the broad historical context in which the Waitangi transactions took place. I do not propose, however, to attempt to repeat or synthesize their scholarship here.

Rather, I will focus sharply on several earlier gatherings of chiefs that had been held at Busby's house at Waitangi; and the immediate context for the Waitangi Treaty transactions as reported in the primary documents referred to in 3.2.1. above.

3.3.1 PREVIOUS GATHERINGS AT WAITANGI

Prior to 1840, there had been at least two important meetings of chiefs held at Busby's house at Waitangi.

In 1834, Busby had organised a gathering on the lawn in front of his house, where 25 Northern chiefs deliberated and selected a flag from three that had been brought from Sydney by H.M.S. *Alligator*. As at Waitangi in 1840, there was a war-ship in the Bay, and the gathering was handled in ceremonious style.

More importantly, perhaps, in 1835, provoked by the threatened arrival of Baron de Thierry, Busby convened a meeting of 35 Northern chiefs at his house in Waitangi. Here they debated and eventually signed a 'Declaration of Independence' which included many of the key terms - including *rangatiratanga*, *kawanatanga*, *ture* and *whakarite* - later used in the Treaty of Waitangi text. (See Appendix II)

The 'Declaration of Independence' reserved to the chiefs (who included many who later signed the Treaty of Waitangi - see the discussion below) their *Rangatiratanga* (used here as a translation equivalent for 'Independence'), their *Kingitanga* (used here as a translation equivalent for 'sovereign power and authority') and also *kawanatanga* (used here as translation equivalent for 'function of government') - although they conceded that they might delegate this last to 'persons appointed by them.'

Thus, the 1840 Treaty meeting at Waitangi was by no means unprecedented; a number of the chiefs who were present on that occasion had been summoned to Waitangi before for important meetings with European officials: and in 1835 the deliberations had included the signing of an important document which included in its Maori text some of the key terms later to be used in the 1840 Treaty.

3.3.2 PRELIMINARY EVENTS AT WAITANGI 1840

On January 29, 1840 H.M.S. *Herald* under the command of Captain Nias anchored in the Bay of Islands with Lieutenant Governor Hobson on board.

William Busby (the British Resident), William Colenso of the Church Missionary Society and two other missionaries went immediately out to the ship. By the next morning, Colenso had printed 100 circular letters from Busby, inviting each of the chiefs who had signed the Declaration of Independence or their representatives to come to his house the following Wednesday, to meet the chief from the Queen of England, who had arrived on the ship '*hei kawana mo tatou*' (as Governor for us (inclusive form - addressee included)). Circular letters were also sent to British residents in the Bay inviting them to gather at the Kororareka Church on the afternoon of January 30, to hear Captain Hobson read his Letters Patent, and two proclamations which extended New South Wales jurisdiction to New Zealand and announced a commission to investigate all land purchases to date.

Over the next few days, Hobson became ill, but he drew up draft notes for the Treaty and sent them to Busby. Busby drew up an English draft of the Treaty, which was then further amended by Hobson, and it was Hobson's final draft that was delivered to Henry Williams on February 4 to be translated into Maori. During that day *Herald's* officers improvised a large tent from the ship's sails in front of Busby's house at Waitangi, decorating its side-ropes and poles with flags. A platform was set up inside the tent, with a table decorated with a Union Jack.

On February 5 at 9.00am, Lieutenant-Governor Hobson and Captain Nias arrived at Busby's house, and for the next hour they and Henry Williams polished the final draft of the Treaty in Maori. People had begun to arrive at Waitangi from all over the bay; Colenso gives a vivid description of numbers of canoes and boats converging on the harbour and heading towards Busby's house. At about 10.30am Bishop Pompallier and one of his priests strode into Busby's house, and a buzz went up from the watching crowd ' "*Ko ia ano te tino Rangatira! Ko Pikopo anake te hoa mo te Kawana!*" (He is the real chief! Only Pompallier is the Governor's friend!) In his published account, Colenso elaborates on this episode, and tells how he urged his fellow missionaries "for the sake of our position among the Natives", to follow Pompallier inside.

At about 11.00 am, Hobson and Nias in dress uniform, and Pompallier dressed in full canonicals, walked behind the mounted police to the dais. Rev. Richard Taylor exclaimed, "I'll never follow Rome," and so the Church Missionary Society missionaries walked to one side of this procession towards the tent. Rev. Henry Williams was seated to the Governor's right beside Captain Nias, and Pompallier and his priest sat beside Busby to his left. The Superintendent of Police Willoughby Shortland came to the CMS missionaries and told them to rank themselves behind Williams - "Go over to that end and support your cloth." The assembled chiefs, who were ranked in front of the crowd facing the dais, no doubt took careful note of these manoeuvres. Colenso described the impressive scene - Bishop Pompallier with his gold chain and crucifix shining on his dark purple habit, the officers of the *Herald* in their uniforms, the dark-suited missionaries, and the chiefs, many of them wearing dogskin or kaitaka garments, others dressed

in crimson, blue, brown or plaid blankets.

Hobson began the meeting by speaking briefly to the Europeans in English, telling them "that the meeting was convened for the purpose of informing the Native chiefs of Her Majesty's intentions towards them, and of gaining their public consent to a treaty now to be proposed to them". According to Colenso's manuscript account, Hobson followed this by saying to the chiefs in English (Henry Williams acting as interpreter):

"Her Majesty Victoria, Queen of Great Britain, wishing to do good to the Chiefs and people of New Zealand, and for the welfare of Her Subjects living among you, has sent me to this place as Governor.

- "But as the Law of England, gives no Civil power to Her Majesty, out of her Dominions, her Efforts to do you good will be futile unless you consent -

- "Her Majesty has commanded me to Explain these matters to you, that you may understand them -

- "The people of Great Britain, are, thank God, free; and, so long as they do not transgress the Laws, they can go where they please, and their Sovereign has not power to restrain them. You have sold them lands here, and Encouraged them to come here. Her Majesty, always ready to protect Her Subjects, is, also, always ready to restrain them.

- "Her Majesty, the Queen, asks you to sign this Treaty, and so give Her that power which shall Enable Her to restrain them. -

- "I ask you For this publicly: I don't go from one chief to another -

- "I'll give you time to consider of the proposal I shall now offer you. What I wish you to do is Expressly for your own good, as you will soon see by the Treaty

- "You, yourselves, have often asked the King to extend His Protection unto you. Her Majesty now offers you that Protection in this Treaty.

- "I think it not necessary to say any more about it. I'll therefore read the Treaty."

Here his Excellency Read the Treaty (in English), and Mr W. read the *following* Native Translation to the Natives -

The Treaty, having been read in Eng. and Native and liberty of speech granted to anyone to speak on the subject or make any inquiry relative to the same...."

I have already commented that according to Henry Williams, he did not act as a literal translator of these remarks, but gave the chiefs:

"caution not to be in a hurry, but telling them that we, the missionaries, fully approved of the treaty, that it was an act of love towards them on the part of the Queen, who desired to secure to them their property, rights and privileges. That this treaty was as a fortress to them against any foreign power which might desire to take possession of their country, as the French had taken possession of Otiaiti."

At this point, in Colenso's published account an intervention by Busby was added,:

"That the Governor was not come to take away their land, but to secure them in the possession of what they had not sold; that he (Mr Busby) had often told them that land not duly acquired from them would not be confirmed to the purchaser ... ; that this the Governor would be prepared to do.

Now, according to Colenso's published account, Te Kemara suddenly spoke.

3.4 THE CHIEFS' SPEECHES AT WAITANGI

1. TE KEMARA

The name of this chief as given in Colenso's original manuscript draft and as signed by proxy on the Treaty parchment was *Te Kamera*. Colenso's published account gives his name as *Te Kemara* and his hapu as Ngati Kawa. By Te Kemara's own account during his first speech, the Treaty site at Waitangi was his land, and so he presumably spoke first as *tangata whenua* at the gathering. Sissons, Wihongi and Hohepa identify Te Kemara (also known as Kaiteke) as a Ngati Rahiri leader (Ngati Kawa was a constituent hapu of Ngati Rahiri), who lived at Pakaraka. He was a visionary tohunga who could control the waters and foretell the outcome of battles. He played this role for Hongi Hika's forces in the Waikato at Totara Pa (1822), in Rotorua at Mokoia (1823) and in the battle with Ngati Whatua at Te Ika-Ranganui (1825).²⁷

'Te Kamara' was also a signatory to the 1835 Declaration of Independence. At Waitangi, he spoke strongly against the Governor, against the English, and against the loss of his lands to Busby and Williams among others:

"Health to thee, O Gov^r, this *is mine* to thee o Gov^r - I am not pleased - towards you - I dont wish for you - I will not consent to your rem.g [remaining] here - If you stay as Gov^r perhaps Kamera will be judged and cond^d [condemned] - Yes, indeed, more than that, Even hung by the neck - no, no, no, I shall never agree to your staying. Were all to be on an Equality, then perhaps Kamera would say yes - but for the Gov^r to be up and Kamera down! Gov^r high - up, up, up and Kamera, down, low, small, - a worm - a crawler! No, no, no - O Gov^r this *is mine* to thee, O Gov^r. My land is gone - gone - all gone, - the inheritances of my ancestors, fathers relatives, all gone, stolen, - gone, - with the Missionaries - Yes, they have it, all, all, all - that man there *the Busby and that, there, the Wiremu, they have my land the land on which we stand this day, this even this under my feet return it to me* - O Gov^r Return me my lands - say to W [Williams] return K [Kemara] his land - you (pointing to H.W. [Henry Williams]) you, you, you bald head man, you ... have got my lands O Gov^r I *do not* wish you to stay - you English are not kind like other foreigners - You do not give us good things - I say go back - go back Gov^r - we do not want you here - and Kamera says to thee Go back."

Interestingly in his published version, Colenso added a further comment at the end of Kemara's speech, "leave to Busby and to Williams to arrange and to settle matters for us Natives as heretofore" - an addition quite contrary to some of the sentiments expressed about Busby and Williams in his original record of the speech.

In the published account Colenso also added a footnote commenting on Te Kemara's speech, "And yet it was all mere show - not really intended, as was not long after fully shown, when they gave their evidence as to the fair sale, & c., of their lands before the Land Commissioners, I myself acting as interpreter" - a note which researchers for the Tribunal who have investigated the Land

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Sissons et al 1987 : 37, 38, 49, 131

Commission might wish to comment upon.

Kemara's first speech at Waitangi focused on three main issues - the Governor, and the implications of his staying for the mana of the chiefs (would the Governor be higher than the chiefs? Could he have a chief hanged? Would the Governor and the chiefs be equal?); the loss of lands, stolen by the missionaries and Busby and whether the Governor would return them; and a negative evaluation of the English vis-a-vis other foreigners. His tone was angry and sceptical of any benefits for the Maori from the Governor's arrival.

2. REWA

Rewa's name was also signed by proxy on the Treaty parchment, and his hapu was identified by Colenso in his published account as Ngai Tawake. According to Sissons, Wihongi and Hohepa,²⁸ Rewa (also known as Maanu) was a leader of Ngai Tawake, and successor to Hongi Hika after his death in 1828. Rewa seems to have been involved with Hongi Hika in the release of lands at Kerikeri to the Church Missionary Society in 1819,²⁹ and with his brothers Wharerahi and Moka, and Titore and Tareha in the release of Waimate to the C.M.S. in 1830.³⁰ In 1826 Rewa fought alongside Te Kemara, Titore (Tareha's nephew), and Marupo (Te Kemara's nephew) against Ngare Raumati at Te Rawhiti in the Bay of Islands, and defeated them. At that time he was living at Kerikeri. In 1827 he prepared a cargo of flax with the view of going to Sydney to get a ship;³¹ in 1831 he visited Port Jackson with William Yate in 1831, bringing home a rumour that a French warship was about to come to the Bay to annexe New Zealand and to avenge the killing of Marion du Fresne in 1772. It was this that provoked a letter to King William, signed by thirteen major northern chiefs, including Rewa himself³². In 1835 Rewa signed the Declaration of Independence; and by 1840 he was probably in his mid-40s³³ and according to Colenso was living at Kororareka, and had affiliations with Bishop Pompallier.³⁴ As a past ally of Te Kemara's, he spoke after him and in similar vein, but beginning with a jovial greeting in English.

"How dy'e do Mr Gov'. This mine to thee O Gov' - go back, Let the Gov' return to his own country. Let my lands be returned to me which have been taken by the Missionaries, by

28 Sissons et al 1987 : 33, 34, 48, 49, 131, 134, 137, 140, 141, 144, 145, 147, 149

29 Lee 1983 : 87

30 Ibid : 151

31 Binney : 22

32 Orange 1987 : 11

33 Sissons et al 1987 : 33, 34, 48, 49, 131, 134, 137, 140, 141, 144, 145, 147, 149

34 Colenso 1890 : 25

D [Davis] and Clarke, and who and who, I have now no lands - only a name. Foreigners know Mr Rewa, but this is all I have left - a name. What do native men want of a Gov^r - we are not whites nor foreigners - this land is ours - but the land is gone - but we are the Gov^r - we the chiefs of this our fathers land. I wont consent to the Gov^r's rem.g. No, return : What! This land being like Port Jackson? and other lands seen by English?

Rewa, too, focussed on the Governor - should he go or should he stay? - and asked for his lands to be returned. He stated categorically that the chiefs were the Governors of their own lands, and needed no Governor. In his speech, Rewa explicitly drew a parallel between New Zealand and Port Jackson, which as we have seen, he had visited in 1831.

In his despatch to Gipps on the evening of February 5, Hobson recorded that Rewa had said "Send the man away; do not sign the paper; if you do you will be reduced to the condition of slaves, and be obliged to break stones for the roads. Your land will be taken from you, and your dignity as chiefs will be destroyed." Hobson added that Rewa was a follower of the Catholic Bishop, and that he believed he had been prompted by ill-disposed whites. It was much more probable however, that Rewa was speaking from his own experience of the penal colony at Port Jackson.

3. MOKA

Moka also signed the Treaty with a mark; Colenso in his published account described his hapu as 'Patuheka' and added in a footnote that he too lived at Kororareka, near to Pompallier's residence. Moka was Rewa's younger brother, and Sissons, Wihongi and Hohepa comment that the families of Wharerahi (the eldest brother), Rewa and Moka had taken the name *Patukeha*, to remind them of the murder of their mother while she was weeding her turnip (keha) garden.³⁵

Like Rewa, Moka had signed the 1835 Declaration of Independence; he took a similar line to his older brother during the Waitangi deliberations:

"Let the Gov^r return - let us remain as we were. Let my lands be returned - all of them. Those with Mr Baker - *don't say they will be ret^d who'll obey?* Where is Clendon? Where is Mair? gone to buy our lands; notwithstanding the book of the Gov^r."

At this point, when Moka's words were translated to the Governor, Colenso's manuscript account records in an addition that Hobson replied, "All lands unjustly herald w^d be returned - that all lands however purchased after the date of the Proclmⁿ wo^d not be held to be lawful".

Moka rejoined:

"That's right Gov^r, thats straight - but stop, let me see, yes - yes indeed - Where is Baker? Where is the fellow? There he is - Come, return me my lands? [Baker according to Colenso came forward on the platform and said 'E hoki koia?' [Will it return?]] There.

Yes that's as I said - *No, no, no, all false, all false alike, they wont return.*"

Moka's challenge was directed at Baker of the Church Missionary Society, who responded in a way that cannot have inspired much faith in Hobson's declaration. Te Kemara, Rewa and Moka were all protesting about land transactions with the CMS missionaries, and asking for lands to be returned; but the precise grounds of their protests are not clear from the speeches. It was after Moka's last remarks that a white man stepped forward and complained that Williams was not interpreting all that the chiefs were saying, nor was he translating all of the Governor's remarks. He suggested that a Mr Johnson (who Colenso identified in his published account as "an old resident, (dealer in spirits) of Kororareka" should be asked to act instead as interpreter. When Hobson called Johnson forward, however, he demurred, asking only that Williams should speak so that everyone could hear what he was saying, and that he should interpret the chiefs speeches in full: *"They say a great deal about land and missionaries which Mr Williams does not translate to you, Sir"...*

Colenso later added a footnote in his published account, 'This can only refer to their immense amount of repetition: otherwise Mr Williams translated fairly what they said.'

In Colenso's manuscript text there is a major addition at this point which recorded speeches in English by Busby and Rev. Williams in their own defence:

4. BUSBY was reported as saying "that allusion havg been made to his poss.g large Tracts of Land - he was happy to say that he did hold some land - but that he did not *make any purchase* worth noting until he was out of office - and then finding that after his 15 yrs Service *under Govt*, they had made no provⁿ for him or his family - he purchased Land, & only regretted that he had not done so Earlier - and that to a larger Extent. And that in all his purchases he had reconveyed to the Natives both habitations and cultivations by an unalienable deed of gift according to the no. of persons then residing thereon."

In his published account, Colenso extensively rewrote this speech, adding the following statement, "I deny that the term 'robbed' has been used by the chiefs Te Kemara and Rewa with reference to my purchase of land, as indicated by the white man who spoke, and coupled by him with Mr Williams by gestures, though not plainly by name. I never bought any land but what the Natives pressed me to buy, for which I always paid them liberally."

5. REVEREND HENRY WILLIAMS was also reported to have spoken at this point, saying that he had asked the Governor to have the missionaries' lands to be brought first before the Commissioners who were to enquire into the validity of land titles; that the missionaries had "laboured so many years in the land, when others were afraid to show their noses", and therefore had a prior claim; that he had many children to provide for; and hoped that others "will be able to show as good, and honest titles .. as the Missionaries could do."

The next two Maori speakers, Tamati Pukututu (identified by Colenso in his published account as from Te Uri-o-Te-Hawato), who signed the Treaty by proxy; and Matiu (of Te Uri o Ngongo), who signed his own name 'Matiu Huhu', on the Treaty parchment, were the first to speak in favour of the Governor:

6. TAMATI PUKUTUTU:

"This is mine to thee O Gov'. Sit, Gov', sit a Gov' for us - for me - for all - that our lands may remain - that those fellows and creatures who sneak about looking for our lands [here the words piritoka, piriawaawa, translated in Colenso's published version as 'sticking to rocks and the sides of brooks and gullies', are jotted in the margin] may not have it all - Sit Gov' sit for me, for us, a father for us ... these chiefs say, don't sit, because they have sold all their possessions - and they are filled - and have no more to sell. Sit Gov', sit - you and Mr Busby."

7. MATIU:

"Sit Gov' sit - remain - You as one with the missions a Gov' for us - don't return stay - a Gov' - a father - that good may abound - Ec."

Little is known in the published record about these two men, except that 'Pukututu' was one of the signatories of the 1835 Declaration of Independence. Pukututu's speech, as translated, giped at Te Kemara, Rewa and Moka for having sold their lands. He favoured the Governor as a protector against the land-sharks, and termed him 'a father'; a term echoed by Matiu (who was evidently literate and no doubt mission-trained) in urging the Governor to stay. Nothing was said here about 'Sovereignty', however; the debate was essentially framed in terms of whether the Governor should stay or go. Although the parchment text of the Treaty spoke all the time about the Queen, the orators did not. The Governor was present and before them, and it was to him that they primarily addressed their remarks.

8. KAWITI³⁶

Kawiti signed the treaty parchment with a mark, and in Colenso's published account his hapu is given as Ngati Hine. Te Ruki Kawiti was a noted warrior and peace-maker, who had signed the 1835 Declaration of Independence. According to Johnston's account of the Kaitaia signing in late April 1840, Nopera Panakareao warned the official party at Kaitaia that "a conspiracy to compel the Governor to abandon the island had been attempted to be formed by some of the Ngapuhi chiefs who had not signed the Treaty of Waitangi especially one named Kawiti who resides on the Kawakawa."³⁷ In fact Kawiti did sign the Treaty, but late (in May, after a special meeting with Hobson), and reluctantly. He was later to ally with Hoani Heke in fighting against the Governor in 1845. His speech was recorded as follows:

³⁶ *The People of Many Peaks* : 29-31

³⁷ Johnston 1840

"No, no, go back, go back. What do you want here, we don't want to be tied up, & trodden down, we are free; Let the Miss^s remain, you return. I wont consent - to y^r remg. What! to be fired at in our boats by night? What, to be fired at in our Canoes by night? No, no, go back - there's no place here for you - - -"

Colenso extensively rewrote this speech (although not the gist of Kawiti's argument), in his published account. Kawiti was evidently concerned about the possible use of firearms and confinement against Maori people, including the chiefs. By 1840 Europeans had frequently used firearms against Maori people in the Bay and elsewhere in the North (from Cook's expedition in 1769 and du Fresne's in 1772 onwards), and chiefs had been confined, for instance by du Fresne's officers in 1772, and in subsequent episodes. The missionaries did not use such tactics, and in February 1840 Kawiti evidently wished them to remain, but for the Governor to go.

9. WAI

Wai had previously signed the 1835 Declaration of Independence; but of all the chiefs who spoke at Waitangi in February 1840, he was the only one who never signed the Treaty. Colenso in his published account gave Wai's hapu as Ngai Tawake; Brodie in his testimony to the House of Lords in 1844 said that 'Awai' had been very much opposed to the Treaty, and he did not think that he had ever signed it. Wai spoke about bartering, and a recent insult:

"Will you remedy the selling, the cheating, the Stealing of the Whites, Governor? Yesterday I was cursed by a white man, is that straight? The White gives us a pound for a Pig, but he gives a white Four pounds for such a pig - is that straight? he gives us a 1/- for a basket potatoes but to a white he gives 4/- is that strait? No, no, they won't listen to you; go back - go back, *Have they listened to the Busby? Will they listen to you - a newly - arr^d [arrived] man?* Sit, indeed, what for? - will you make dealing straight? -"

Wai's main concern was with inequities in trading exchanges. He claimed that whites gave more to whites than to Maori for the same goods, and that they would not listen to the Governor, for they had taken no notice of Busby on these matters. Furthermore, they had cursed him - (a grave insult to his mana, and possibly part of the reason why he never signed the Treaty).

At this point, the proceedings were interrupted again, this time by Jones (who in his published account Colenso identified as 'a hawker and pedlar of Kororareka'), another young man and the white man who had first protested about the translations. They asked that the speeches should be interpreted "for the whites to hear, and to have them done correctly." Johnson, the old-time Kororareka resident who had interpreted Wai's speech to the Governor, was again called forward to interpret:

10. PUMUKA

Pumuka, who later fought with Kawiti and Heke and was killed in the attack on Kororareka during the War in the North in 1845, spoke in favour of the Governor

at the Waitangi Treaty meeting, and was probably the first chief of any importance to do so. He signed the Treaty with his mark, and Colenso in his published account gave his hapu as Te Roroa. He, too, had been among the signatories to the 1835 Declaration of Independence:

"Stay, Gov^r remⁿ [remain] for me. Hear all of you; I'll have this man, a foster-father for me - Stay, sit, listen to my words, Gov^r, don't go, remain...."

In his published account, Colenso added to the end of Pumuka's speech, "I wish to have two fathers - thou and Busby, and the missionaries."

11. WARERAHI [Wharerahi]

Wharerahi signed the Treaty with his mark; Colenso in his published account gave his English name as George King, and his hapu as Ngai Tawake. He had previously signed both the letter to King William IV in 1831, and the 1835 Declaration of Independence.

Wharerahi was the elder brother of Rewa and Moka, who had spoken earlier in the proceedings against the Governor: along with Pumuka's speech, his intervention as tuakana to two of the previous speakers helped to turn the tide of the debate.

"Yes, stay, what else? Is it not good to be at peace? We will have this Gov^r - what turn him away? No, no -"

Wharerahi, too, framed his contribution to the debate in terms of the Governor - should he stay or be sent away?

At this point in the proceedings there was a bustle, as Tareha and Hakiro had a long avenue made in front of the platform so that they could give their speeches "a-la-New Zealand", ie. pacing backwards and forwards.

According to James Busby (in a footnote in Colenso's published account) an unnamed chief from Waikare "now spoke of the unjust dealings of the whites, saying that for a very little thing - a shilling - they wanted a pig as big as himself, and much more to the same purpose. Would the Governor cause them to give as large a payment as the article they got? Not much noticed in the bustle."

12. HAKIRO

Hakiro was the son of Tareha (interestingly, in this gathering younger brothers spoke before their elder brothers or tuakana (eg. Rewa and Moka spoke before Wharerahi), and here a son spoke before his father), and he signed the Treaty by proxy 'Hakiro mo Titore kua mate' - Hakiro for Titore who has died. Colenso in his published account gave Hakiro's hapu as Ngati Nanenane, and also said that he lived at Kororareka near Pompallier's residence. Titore was Tareha's deceased nephew. He had visited Sydney in 1819 and signed both the 1831 letter to King William IV and the 1835 Declaration of Independence. Sissons, Wihongi

and Hohepa describe him as an important Ngati Rehia leader in the 1820s and 30s. Ngati Nanenane was presumably a subdivision of Ngati Rehia, and it seems that after Titore died Hakiro became his successor. Hakiro spoke against the Governor:

"Indeed! I say No, no, go back don't sit - What sit here for, we are not your people; we are free, we wont have a Gov^r - return, return, leave us; - the Miss^s [missionaries] and Mr B. [Busby] are our Matuas."

This speech, too, was extensively rewritten (for dramatic effect, rather than to change its sense) by Colenso in his published account.

13. TAREHA

Tareha, Hakiro's father, was a major chief who had previously signed the 1835 Declaration of Independence; his son 'Mene' signed the Treaty for him - "Mene te tamaiti o Tareha mo tana matua." Colenso in his published account gave his hapu as Ngati Rehia and identified him as an important chief who lived also at Kororareka, near the Catholic Mission. In the past Ngati Rehia had been allied with Ngai Tawake, but on this occasion Ngai Tawake were divided, with Wai, Rewa, and Moka opposing the Governor, and Wharerahi (Rewa and Moka's tuakana), speaking in his favour. Tareha added his weight, which was considerable (in both senses - he had great mana; and in 1820, Cruise said of him "In size and strength he seemed to surpass all his countrymen; though far from being corpulent, there was not an armchair in the cabin in which he could sit, and in Shungie's tribe he was much looked up to for his bravery and skill in leading warriors into battle"³⁸) to the anti-Governor party:

"No Governor for me - for us - we are the chiefs - we won't be ruled. What, you up, and I down - you high, and I *Tareha*, the great chief, low? *I am jealous of you, go back, you shant stay.* No, no, I wont assent. *What for? Why? What is there here for you?* Our lands are gone - our names remain, *never mind.* Yes we are the chiefs - Go back - return - make haste away. We dont want you return, return, -."

In Colenso's published account, Tareha's speech was almost completely rewritten, with many rhetorical flourishes.

In Colenso's original notes he mentioned that Tareha had dressed "in a filthy mat, used only as a floor mat, but evidently dressed in this manner for the occasion." In the published account, Colenso explained this as sartorial sarcasm, "to ridicule the supposition of the New Zealanders being in want of any extraneous aid of clothing, &c., from foreign nations." Colenso added that Tareha also carried a bundle of dried fernroot, as a statement of economic self-sufficiency: "His habit, his immense size - tall and very robust (being by far the biggest Native of the whole district) - and his deep sepulchral voice, conspired to give him peculiar prominence, and his words striking effect: this last was unmistakably visible on

the whole audience of Natives."

Tareha's speech as originally recorded by Colenso focussed on the question of mana - would the Governor rule the chiefs? Would he be high, and Tareha low? Tareha's answer to those questions was a resounding rejection of the Governor.

14. RAWIRI

Rawiri signed the Treaty with his own name "Ko Rawiri Taiwanga"; Colenso in his published account gave his hapu as Ngati Tautahi. Taiwhanga had fought with Hongi, Te Whareumu, Moka, Patuone and Nene at the battle of Te Ika-Ranganui in 1825. He was a Christian chief at Paihia who in 1831, during the scare over the arrival of a French warship in the Bay, had urgently asked permission to raise a British flag on the mission flagstaff.³⁹

Until now the debate had been fairly even - 3 speakers against the Governor; 2 for; 2 against; 2 for; 2 against - but at this point the balance began to shift. Rawiri's was the first of 5 speeches in succession in favour of the Governor, ending with the powerful Hokianga chiefs, Tamati Waka Nene and Eruera Maehe Patuone. Like Rewa before him, he began with several phrases in English:

"Good morning, Mr Gov' - very good you - our Gov' - our father. Stay - sit - that we may be in peace - a good thing this for us - yes, for us my friends - stay, sit - remain, Gov' -."

Rawiri, in urging the Governor to 'sit' (presumably, *noho*), raised an issue raised earlier by Wharerahi - that it would be good to be at peace. This suggests that at least some speakers could see advantage in having a Governor as a means of ending inter-hapu fighting (although Rawiri may equally have been referring to disputes with Europeans here).

15. HOANI HEKE

Hoani Heke signed the Treaty parchment himself - 'Hoani Heke no Te Matarahurahu' (John Heke from Te Matarahurahu). He had attended the Kerikeri CMS school in 1824 and 1825, and had a close relationship with Henry Williams, who acted as his advisor.⁴⁰ His second wife was Hongi Hika's daughter. Heke remained a warrior, despite his conversion to Christianity; in 1833 he fought with Titore at Tauranga, and in 1837, narrowly escaped capture in a battle at Otuihu, in the Bay. He had previously signed the 1835 Declaration of Independence, and his signature was first on the Treaty parchment. In his speech, he crystallised the doubts that many of the chiefs were feeling, but was persuasive in the Governor's favour:

"To raise up or to bring down? To raise up or to bring down? which? which? Sit Gov'.

³⁹ Orange 1987 : 11

⁴⁰ Kawharu in *People of Many Peaks* : 3-8

If you return we are gone - ruined - what shall we do? Who are we? We dont know? Remain, a father for us - this is a good thing - Even as the W [word] of God. - You go, no, no, then the French, or the rum sellers, will have us. Remain, remain, But we are children; its not for us, but for you, Fathers, Missionaries, for you to say, to choose, we are children. - we don't know do you choose for us - you our Fathers - Missionaries."

Heke's speech was extensively rewritten in Colenso's published account. His first two sentences were perhaps ambiguous (was it the chiefs, or the Governor, who would be raised up, or (brought down?), but probably he was expressing uncertainty about whether the chiefs would be raised or lowered by the Governor's arrival. His answer, however, as reported by Colenso, was to urge the chiefs to listen to the missionaries, 'our Fathers', who would choose for them, their children (it was commonplace for the missionaries to speak of the Maori people as their children). In the light of later comments by Henry Williams (see below) and Heke's own defiance of the Governor in 1844-1846, it seems that after the Treaty was signed Heke felt betrayed by the advice that the chiefs had received.

It is also possible, however, that Colenso's account of Heke's speech was inaccurate in sense as well as detail. According to Rev. Mr Ironside, who with Rev. Warren, (also of the Wesleyan Mission at Hokianga), Nene and a party from Hokianga had arrived late during the proceedings:

"[Heke] was violent in his harangue against Captain Hobson, vociferating repeatedly in his native style, 'Haere e hoki' ('Go, return'). Tamati Waaka came to me and said his heart was pouri (grieved) with Heke's violence, and the way Captain Hobson was being treated. 'Well', I said, 'If you think so, say so; whereupon Tamati sprang up and made his speech."⁴¹

This general account is supported by comments written by William Baker on a (presumably printed) copy of the Treaty:

"I remember distinctly being present during the whole of the meeting, that Hone Heke Pokai was very violent in his language, though he is not mentioned by Captain Hobson. A war of words ensued between Tamati Waaka Nene, who came in at this crisis, and Heke, the result of which was that Waaka removed the temporary feeling that had been erected."⁴²

It is possible, then, that Heke should properly be counted amongst those who spoke against the Governor, and not for him.

16. HAKITARA

Hakitara signed the Treaty with his mark; Colenso in his published account gives his hapu as Rarawa. His speech is marked by a gap in Colenso's manuscript notes under his name; in the published account Colenso explains that this was

⁴¹ Ironside, Rev in Buick 1914 : 116

⁴² Baker in ibid : 116

because several people were talking about Heke's speech and manner, and Hakitara spoke quietly and could not be heard. He added, however, that Hakitara was "in favour of the Governor's remaining."

17. TAMATI WAKA NENE

Tamati Waka Nene signed his own name to the Treaty; Colenso in his published account gave his hapu as Ngati Hao. He was the younger brother of Patuone, who spoke next, and son of Tapua, a reknowned tohunga and leader in the Bay of Islands. According to Patuone, their father had met James Cook in the Bay of Islands in 1769, and had been presented by him with a red cloak. It is possible that Tapua (and his sons) regarded this as establishing a chiefly alliance, which they later extended to other Europeans. Nene and Patuone's mother was from Ngati Hao in Hokianga, and they are often regarded as Hokianga leaders - but this is an oversimplification.

Nene took part in the great Northern expeditions south during the 1820s, and became a major force in the Hokianga during this period, extending his protection to European missionaries and traders. In 1831, he, Patuone, Wharerahi, Rewa and Titore and others had signed a letter to King Williams IV, a day before the French discovery ship *La Favorite* anchored in the Bay of Islands, which among other things said: "We have heard that the tribe of Marion is at hand, coming to take away our land. Therefore we pray thee to become our friend and guardian of these islands."⁴³ Nene was baptised in 1839 and took the name Tamati Waka (Thomas Walker) after an English merchant patron of the Church Missionary Society. At the Waitangi deliberations, Nene spoke strongly in favour of the Governor:

I shall speak to us - to ourselves - what do you say? The Gov' return - what *then* shall we do? - Is not the land gone? Is it not covered all cov^d with men, with strangers, over whom we have no power, we are down, they are up: - what! do you say? the Governor to go back! I am sick with you! Had you sd. [said] so in old time - when the traders, & grog-sellers came - had you turned them back, then you co^d say to the Gov' go back - and it wo^d have been correct - and I would also have sd. go back - but now? No, no [turning to ye Gov']) O Gov'. sit - I say sit, dont you go away - remain, for us, a father - a judge - a peacemaker - Yes - it is good - straight - remain - dont go away - *Heed not what Ngapuhi say - you stay - our friend & father O Governor.*"

Here, as in the subsequent Treaty transactions in the North, Ngai Tawake, Ngati Rehia, Ngati Kawa and Ngati Hine were characterised as 'Nga Puhī' (which Sissons et. al have argued the 'Northern alliance' in the Bay were termed in 1840⁴⁴), and anti-Governor. Nene argued in his speech that the Europeans had already covered the land - 'strangers, over whom we have no power, we are down, they are up;' and that the land had already gone. Those against the Governor should have opposed the Europeans from their first arrival; but now it was too

⁴³ Lee 1983 : 167

⁴⁴ Sissons et. al 1987 : 147

late. In urging the Governor to remain, Nene described the Governor's proper role as 'father, judge, peacemaker' (very close to the contemporary understanding of *kai whakarite*) - a judgement he was inclined to retract after customs duties and restrictions placed on felling kauri were imposed in the Bay of Islands - acts which Nene as well as other chiefs regarded as illegitimate infringements on their chiefly rights.⁴⁵

Hobson's gloss on Nene's speech, which differs significantly from Colenso's account, is also worth quoting in full:

"At the first pause Neni came forward and spoke with a degree of natural eloquence that surprised all the Europeans, and evidently turned aside the temporary feeling that had been created. He first addressed himself to his own countryman, desiring them to reflect on their own condition, to recollect how much the character of the New Zealanders had been exalted by their intercourse with Europeans, and how impossible it was for them to govern themselves without frequent wars and bloodshed; and he concluded his harangue by strenuously advising them to receive us and to place confidence in our promises. He then turned to me and said, "You must be our father! You must not allow us to become slaves! You must preserve our customs, and never permit our lands to be wrested from us!"

This divergence between Hobson's and Colenso's accounts of Nene's speech are another useful reminder of the futility of expecting Colenso's manuscript or published accounts to literally reproduce what was actually said at Waitangi.

18. PATUONE

Patuone, Waka Nene's elder brother, signed the Treaty with his mark; Colenso in his published account mentioned that for some time by 1840 Patuone had been living on Waiheke Island 'in the Thames', and that he had only returned north several weeks before the Governor's arrival.

Like his brother, Patuone had participated in the musket fighting during the 1820s, and was a noted warrior. In Hokianga he extended his protection to European traders, and in 1826 he travelled to Sydney with Captain J.R. Kent, to negotiate for ships to sail to the Hokianga to collect spars. During the early 1830s, he fought in the Thames district as an ally of Ngati Paoa, and married a young Ngati Paoa woman. For the rest of the decade he spent much of his time in the Hauraki Gulf, living in different places and returning periodically to Hokianga. In 1831, he with Nene, signed the letter to King William IV, and in 1835 he signed the Declaration of Independence. In 1837 at Maraetai he received a suit of armour and a suit of green clothes from the Crown for supplying naval ships with timber and other necessities.⁴⁶ In 26 January 1840 Patuone was baptised by Henry Williams in the North, and with Nene he was one of the first signatories of the Treaty:

⁴⁵ *People of Many Peaks* 1991 : 56-59

⁴⁶ *People of Many Peaks* 1991 : 98

"What shall I say? This to thee, O Gov', sit - stay - you and the Miss^s [Missionaries] - and the Word of God - remain - that the French have us not, that Pikopo, that bad man, have us not - Remain, Governor, sit, stay."

Both Hoani Heke and Patuone mentioned 'The Word of God' in their speeches, and indeed Patuone was a very recent convert. He was the first speaker to express hostility towards 'Pikopo' (Bishop Pompallier) and the French, a hostility that may well have derived from the killing of Marion du Fresne that was also mentioned in the letter to King William IV in 1831.

Patuone, as the most senior of the visitors, was the last of the visiting chiefs to speak.

19. KAMERA [Te Kemara]

Te Kemara, the chief of the Waitangi lands, now rounded off the day's debate:

"No, no, who says stay? go away - I want my lands - Let us all be alike then remain, but the Gov' up, the Kamera down - no, no,"

and here he ran up to Hobson, crossing his wrists (as though handcuffed), and according to Colenso's manuscript, asked:

"'Shall I be like this? like this? Eh! Say! Like this?' He then caught hold of the Gov's hand, *shaking it lustily & roaring out*, How d 'ye do - then again, & again and again - the whole assembly being convulsed with laughter."

Te Kemara had not retreated from his earlier position, nor his concerns about mana and the implications of the introduction of European laws. He ended the debate, however, on a note of high good humour, shaking the Governor's hand over and over again, and calling out, 'How d'ye do?' 'How d'ye do?'...

According to Colenso, the meeting ended in a roar of laughter. The Governor announced that he would re-convene the meeting on Friday 7th, and after three cheers from the crowd, the gathering dispersed.

According to Felton Mathew, however, who came with Hobson to New Zealand as Surveyor-General:

"[At the end of the speeches on February 5] one of the chiefs said, "Give us time to consider of this matter - we will talk it over amongst ourselves, we will ask questions, and then decide whether we will sign the treaty." The speeches occupied about six hours, and the whole scene was one I would not have missed for worlds, and which I will never forget."⁴⁷

In Colenso's 1890 published account, he added the story about an old chief from the interior who, after staring fixedly at Hobson as he was about to board the

boat in return to the *Herald* exclaimed "Auee! he koroheke! Ekore e roa kua mate!" (Alas! an old man. He will soon be dead!").

Colenso also mentioned a distribution of tobacco late that afternoon which he thought was poorly handled, and "occasioned much dissatisfaction among the Natives, and for some time I feared the result".

3.5 THE DEBATE AT WAITANGI ON FEBRUARY 5 1840: CONCLUSIONS

I think it is plain that by the end of the debate on February 5 at Waitangi, the chiefs were still very uncertain about the practical implications of the Treaty.

On the question of *mana*, many of them concluded in their speeches that the Governor would set himself above them, and even Hoani Heke, who spoke in favour of the Governor, was unsure on this point. Several speakers said that if Maori and Europeans were to be equal under the new relationship, they would be content - but then immediately dismissed this as a highly improbable outcome.

On the question of *lands*, many speakers spoke about the loss of lands - some (according to Colenso's translation) saying that it had been stolen, other saying that it had been sold. A number of speakers asked repeatedly to have their lands returned to them by the missionaries or by Busby, and very likely they were referring here to *tuku* transactions which they felt had not been honoured.

On the question of *laws*, a number of speakers expressed themselves fearful of being hung, shot or confined, or made to break stones on the roads. This probably reflected past experiences during visits by a number of Northern chiefs to the penal colonies at Port Jackson or Norfolk Island, rather than (as Hobson thought) suggestions made to them by hostile whites.

On the other hand, several speakers referred to the desirability of peace, and the possibility that the Governor might be a '*matua*' (a parent), a judge or a peacemaker. These speakers referred to threats from the land-sharks, the French, or the rum-sellers, and some talked about the Word of God. A number of those who spoke in favour of the Governor signed their own names on the Treaty parchment, a skill that they had probably learned from the missionaries, and others (for example Patuone) were very recent missionary converts.

Above all, the debate at Waitangi focussed on the Governor - should he stay, or should he go? There can be little doubt that the chiefs knew that in agreeing to, and signing the Treaty, they would be agreeing to a resident Governor - for there was an actual Governor before them, in his uniform, with a small contingent of mounted policemen and a warship in the harbour as visible signs of *kawanatanga* - to pose the concrete question. Quite reasonably then, it was as answers to that question - should he stay or should he go? - that each of their speeches were phrased. It was the wider implications of agreeing to or refusing this new relationship, however - for their *mana*, lands and freedom - that confused and troubled them. Hobson's account of Nene's words to him towards the end of the

debate crystallised the chiefs' concerns:

"You must be our father! You must not allow us to become slaves! You must preserve our customs, and never permit our lands to be wrested from us!"

And this, from one of the most ardent supporters of the Governor at Waitangi, was a statement of hope and trust, and not of certainty.

3.6 THE EVENTS OF THE EVENING OF FEBRUARY 5 AND FEBRUARY 6 1840 AT WAITANGI

On the evening of February 5, there were evidently intense debates among the chiefs, and Williams testified that he and others of the missionaries discussed the Treaty with a number of them again, clause by clause. As Richard Davis wrote to Danderson Coates of the CMS in 1842:

"Your missionaries were the principal instruments in procuring to her Majesty the cession of Sovereignty - from the confidence reposed in them by the natives, that they would not on any account recommend to them any measure which would be prejudicial to their present or future welfare." He added, "Some of us have already been reproached by the Natives as their betrayers - and have been threatened that we shall be the first objects upon whom their vengeance will fall should their well grounded fears of actual encroachment be realised - and we have reason to believe that from the part we took in inducing them to sign the Treaty we are looked upon by the Natives somewhat in the light of hostages for the fulfilment thereof."⁴⁸

According to Richard Taylor, on the evening of February 5 he sent a message to Hobson to tell him that by February 7, nine-tenths of the chiefs would have returned home, and asking his permission to reconvene the meeting the next day. He claims to have received a favourable reply, and that the rough draft of the Treaty was sent to him to be copied out on parchment. According to Colenso, the food ran out that evening (surprisingly, since Busby had had some experience of running such gatherings), and several of the chiefs said "they could not possibly remain so long at Waitangi; that they should be "dead from hunger."

At 9.30 the next morning, therefore, the missionaries set out from the Paihia mission station to Waitangi where a lesser number of chiefs and their people - about 300-400 - had already assembled. They were scattered about in small groups, "talking about the treaty, but evidently not clearly understanding it." According to Colenso, everyone waited for the Governor until noon, when a boat arrived at Hobson's place with two officers from the *Herald*. They reported that Hobson knew nothing of a meeting on that day, and hurried back to the ship to fetch him. Colenso reported that the Governor eventually arrived, in plain clothes and without any of his officers, and said that he was willing to take signatures from any chief who wished to sign the Treaty, but that there still must be a public meeting the next day. Hobson's own account is rather different. He said that at 10.00am on February 6 he was told that "the chiefs, being impatient

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Davis in Williams papers AIM MS 335 : 86, 87

of further delay, and perfectly satisfied with the proposals I had made them, were desirous at once to sign the Treaty, that they might return to their homes ... I therefore assembled the officers of the Government, and with Mr Busby and the gentlemen of the missionary body, I proceeded to the tents, where the treaty was signed in due form by 46 head chiefs, in presence of at least 500 of inferior degree." Rev. Henry Williams now read out the Treaty in Maori from the parchment copy that had been made by Richard Taylor the night before.

After Hobson's arrival, Bishop Pompallier and his priest also appeared. Bishop Pompallier spoke to Hobson at this point, asking that it be publicly stated that his religion would not be interfered with under the new regime. Henry Williams was asked to write this down (on a piece of paper, not on the parchment Treaty). According to Colenso, Williams wrote "*E mea ana te kawana, ko nga whakapono katoa, o Ingarani, o nga Weteriana, o Roma, me te ritenga Maori hoki* [inserted at Colenso's insistence, despite Williams' hesitation] *e tiakina ngatahitia e ia*" - "The Governor says the several faiths of England, of Rome, and also the Maori custom, shall alike be protected by him."

Now the chiefs were called to come forward and sign, but no-one moved until Busby began to call them up one by one by name from "his (private) list", with Hoani Heke's name the first of those still present. As Heke came forward, Colenso reports that he intervened and spoke to the Governor as follows:

COLENZO'S INTERVENTION

"Will yr. Ex.y allow me to make a remark or two before that Chief signs the Treaty? May I ask yr. Ex.y whether it is Your opinion that these Natives und^d [understand] *the articles of the T. [Treaty] wh.* they are now called on to sign? I - this morning -

The Gov^r - If the Native *chiefs* dont know the contents of this Treaty it is no fault of mine - I wish them *fully* to understand it - I have done all I could to make them understand the same - and I really don't know how I shall be Enabled to get them to do so. They have heard the Treaty read by Mr. W. -

Mr C. True, yr. Ex.y - but the Natives are *quite* Children in idea - It is no Easy matter *I am aware* to get them *fully* to comprehend Document of this Nature; still, I think they ought to know something of it in order to constitute its legality - I speak under Correction - but I have spoken to some Chiefs, who had no idea whatever as to the purpose of the Treaty. -

Mr Taylor You heard, Mr. C. what this chief (pointing to Hoani Heke) said yesterday - that it was not for them but for the Miss^s, who understood the nature of these things to choose -

Mr C. Yes, Mr T., that is the *very* point to which I was about to allude - the Miss^s sho.^d do so, but at the same time the M. sho.^d Explain the thing in all its bearings to the Natives, so that it sho.^d be their own act and deed - then, in case of a Reaction taking place, the Native co.^d not turn round on the Miss^s and say - You advised me to *sign that paper* but never told me what were the contents thereof.

The Gov^r - I am in hopes that no such reaction will take place: I think that the people

under your care will be peaceable Enough - I'm sure you will Endeavour to make them so - and as to those that are without why we must do the best we can with them.

Mr C. I thank yr. Ex.y for the patient hearing you have given me. What I had to say arose from a conscientious feeling on the subject, having s^d. what I have I have dischg.^d my duty.¹⁴⁹

After this exchange, which epitomised the doubts and difficulties surrounding the Maori translation and explanations of the Treaty, Hoani Heke signed the parchment, while Marupo, of Te Whanau Rara and Ruha of Ngati Hineira made fiery speeches against it. Other chiefs also signed, including Ruha and then Marupo, who shook Hobson's hand and then tried to put on his hat.

Eventually Te Kemara also signed, saying that Pompallier had told him "not to write on the paper, for if he did he would be made a slave of." Rewa followed after much persuasion from his companions and the CMS missionaries; and some chiefs who had arrived late from a distance also signed. According to Colenso, as each chief signed "His Ex.y shook him by the hand ex.g "He iwi tahi tatou" - We are one people - at wh. the Natives were much pleased."

After 46 chiefs had signed the Treaty, this part of the proceedings was ended by three cheers by the "Natives" for the Governor. Colenso was asked by Hobson to arrange the distribution of a bale of blankets and a cask of tobacco to the signatories, and he organised it so that each chief received two blankets and a quantity of tobacco. So ended the signing of the Treaty at Waitangi on February 6 1840.

4.0 THE MANGUNGU TREATY TRANSACTION: February 12-13 1840

4.1 THE SOURCES

The chief sources for the Treaty transaction at Mangungu include a despatch from Lieutenant-Governor Hobson to the Marquess of Normanby on 16 February 1840, which gives a condensed report on his trip to Hokianga and the proceedings there, but does not include any detailed comment on particular chiefs' speeches; entries from February 11-14 in Reverend Richard Taylor's journal, which are again quite brief; Shortland's report to Lord Stanley in 1845 which included "Speeches of the chiefs at a Meeting holden at Hokianga, for the purpose of obtaining the Adherence of the Native Tribes of that District to the Treaty of Waitangi" - a brief synoptic version in English of each speech, probably jotted down at the time from Reverend Hobb's running translation. In addition, Frederick Maning in *Old New Zealand* included an account of the Mangungu Treaty transaction in his sketch, 'The War in the North'. Maning was a trader in

⁴⁹ See also Colenso's account of his intervention in his 24 Jan (sic?) letter to the CMS - "I believed, I do believe that the Natives did not fully understand what they signed ... Interests are beginning to clash - beginning did I say? They have long since begun to do so ... how thankful should I be to the Lord (though I sometimes feel my poverty) that he has kept me from becoming possessed of land" (a sideways swipe at Henry Williams and other missionaries, and Busby?): Colenso 1840 : 115-116

the Hokianga at the time, and son-in-law to one of the main chiefs who participated in the proceedings. His account is satirical in tone, and is in some respects of a parody of the events at Mangungu; but on a number of key points it appears to be accurate and perhaps more so that Hobson's doggedly positive version of the proceedings.

4.2 CONTEXT

On February 11 1840 Lieutenant-Governor Hobson, Captain Nias of the *Herald*, the official party, and Rev. Richard Taylor and Mr Clarke of the Church Missionary Society travelled on horseback to Hokianga. According to Richard Taylor, "the distance to the head of the Hokianga river might be about 16 miles, half of which was through a dense forest, the path often being obstructed by several fallen trees laying together over which we had to leap our horses to the great danger of our necks and their legs."

At Waihau, the former site of the Wesleyan mission station at the head of the river, they were met by at least a dozen boats carrying Wesleyan missionaries and local settlers, and an equal number of canoes. After a warm exchange of greetings, Hobson's party boarded several of the boats and the flotilla moved down-river with the boats all flying the Union Jack. As they passed Horeke a salute of 13 guns was fired, and when the party arrived at the Wesleyan mission station at Mangungu, Hobson announced a meeting of chiefs the next day, to which all local Europeans "of every class and station" were also invited. That night Hobson, Nias, Shortland, Cooper, Mathew Felton and Richard Taylor all slept in one large room at the mission station.

On the morning of February 12, a large number of Maori were assembled near the mission station - Hobson reported 3,000 'natives', 400-500 of whom were chiefs, while Taylor reported 500 people. According to Hobson, they seemed disinclined at first to approach the mission station:

"At the appointed time for meeting I was mortified to observe a great disinclination on the part of the chiefs to assemble. After some delay, however, they began to collect; and at last the different tribes marched up in procession, and took their seats, something in the same order as was observed at Waitangi. Still I could not fail to observe that an unfavourable spirit prevailed amongst them."

Hobson gave a short address to the Europeans assembled, and then spoke to the chiefs in English, with Reverend Hobbs of the Wesleyan mission acting as English-to-Maori interpreter:

"I entered into a full explanation to the chiefs of the views and motives of Her Majesty in proposing to extend to New Zealand her powerful protection. I then, as before, read the treaty [the parchment copy signed at Waitangi], expounded its provisions, invited discussion, and offered elucidation."

4. THE SPEECHES

According to Hobson:

"The New Zealanders are passionately fond of declamation, and they possess considerable ingenuity in exciting the passions of the people. On this occasion all their best orators were against me, and every argument they could devise was used to defeat my object. But many of their remarks were evidently not of native origin, and it was clear that a powerful counter-influence had been employed."

As at Waitangi, Hobson was inclined to blame "ill disposed Europeans" (in this case, Bishop Pompallier, the trader Frederick Maning and the escaped convict Jackie Marmon) for any opposition from the chiefs.

The only account of individual speeches given at Mangungu was that by Lieutenant-Shortland who was acting as Secretary to the Governor, and it is relatively brief:

4.3.1 TAINUI:

This was probably Makoare Taonui, one of the most senior chiefs present, rather than his son Aperahama. He had been to Sydney, probably on board the Hokianga-built ship *Sir George Murray*, which was seized in Sydney in 1830 and its cargo impounded.⁵⁰ It is possible that he had visited Governor Macquarie [Makoare] there, since he had taken his name.

Taonui was leader of the Hokianga hapu Popoto at Utakura, at the mouth of the Waihou River, who ran the timber trade at Horeke and also a store for selling European goods. Taonui had signed both the 1831 letter to King William IV and the Declaration of Independence, and signed the Treaty with his mark. He later allied with Mohi Tawhai, Waka Nene, Rangatira of Pakanae and Nopera Panakareao of Kaitaia against Hoani Heke and Kawiti in the 1845 campaigns of the 'War in the North'. At the Mangungu transaction, Taonui spoke strongly against the Governor's having any authority over Maori people:

"We are glad to see the Governor; let him come to be a Governor to the Pakehas (Europeans). As for us, we want no Governor; we will be our own Governor. How do the Pakehas behave to the black fellows of Port Jackson? They treat them like dogs! See! a Pakeha kills a pig; the black fellow comes to the door, and eats the refuse."

4.3.2 PAPAHA

Wiremu Tana Papahia was a chief at Whirinaki, who according to Binney, had probably been baptised a Roman Catholic in Sydney in 1835.⁵¹ Papahia like Taonui had signed the 1835 Declaration of Independence. Although he had already signed the Treaty at Waitangi with his mark (and the proxy signature Papahia no Te Rarawa), at the Mangungu transaction he too opposed the

⁵⁰ Orange 1987 : 19

⁵¹ Binney : 22

Governor:

"What is the Governor come for? he, indeed! he to be, high, very high, like Manugatanina (a high hill near Hokianga), and we low on the ground, nothing but little hills; no, no, no! Let us be equal. Why should one hill be high and another low? This is bad."

4.3.3 MOSES

'Moses' was almost certainly Mohi Tawhai of Te Mahurehure, who lived around the Waima River. He was an expert in tribal history, and had signed the 1835 Declaration of Independence. Mohi Tawhai was adamantly opposed to land sales; and yet later he fought with Nene, Makoare and Aperahama Taonui and others against Hoani Heke and Kawiti during the 'War in the North.' His first comment was brief:

"How do you do, Mr Governor? All we think is that you come to deceive us; the Pakehas tell us so, and we believe what they say; what else?"

4.3.4 TAINUI

Now Makoare Taonui spoke again (unlike the Waitangi deliberations, where each chief only spoke once, at Mangungu a number of the chiefs spoke several times):

"We are not good (or willing) to give up our land; it is from the earth we obtain all things; the land is our father, the land is our chieftainship; we will not give it up."

4.3.5 KAITOKE

Kaitoke was a Mangamuka chief who had been much influenced by the prophet Papahurihia. In 1837 he shot dead two Christian convicts, and in retaliation was attached by Patuone and Nene, among others. After this fracas (in which he was wounded), Kaitoke moved to Whirinaki, where his daughter married Frederick Maning, the Irish trader who had settled at Onoke.⁵² In *Old New Zealand* Maning wrote a satirical account of the Mangungu treaty transaction, phrasing it as though it were Kaitoke's version of events:

"More years passed away, and then came a chief of the *pakeha*, who we heard was called a Governor. We were very glad of his arrival, because we heard he was a great chief, and we thought he, being a great chief, would have more blankets, and tobacco, and muskets than any of the other *pakeha* people, and that he would often give us plenty of these things for nothing. The reason we thought so was because all the other *pakehas* often made us presents of things of great value, besides what we got from them by trading. Who would not have thought as we did?

The next thing we heard was that the Governor was travelling all over the country with a large piece of paper, asking all the chiefs to write their names or else make marks on it. We heard, also, that the Ngapuhi chiefs, who had made marks or written on that paper, had been given tobacco, and flour, and sugar, and many other things for having done so.

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See Colquhoun 1984

We all tried to find out the reason why the Governor was so anxious to get us to make these marks. Some of us thought the Governor wished to bewitch all the chiefs, but our *pakeha* friends laughed at this, and told us that the people of Europe did not know how to bewitch people. Some told us one thing, some another. Some said the Governor only wanted our consent to remain, to be a chief over the *pakeha* people; others said he wanted to be chief over both *pakeha* and Maori. We did not know what to think, but were all anxious he might come to us soon; for we were afraid that all his blankets and tobacco and other things would be gone before he came to our part of the country, and that he would have nothing left to pay us for making our marks on his paper.

Well, it was not long before the Governor came, and with him came other *pakeha* chiefs, and also people who could speak Maori; so we all gathered together, chiefs and slaves, women and children, and went to meet him; and when we met the Governor, the speaker of Maori told us that if we put our names, or even made any sort of a mark on the paper, the Governor would then protect us, and prevent us from being robbed of our cultivated land, and our timber land, and everything else which belonged to us. Some of the people were very much alarmed when they heard this, for they thought that perhaps a great war expedition was coming against us from some distant country, to destroy us all; others said he was only trying to frighten us. The speaker of Maori then went on to tell us certain things, but the meaning of what he said was so closely concealed we never have found it out. One thing we understood well, however, for he told us plainly that if we wrote on the Governor's paper, one of the consequences would be that great numbers of *pakeha* would come to this country to trade with us, that we should have abundance of valuable goods, and that before long there would be great towns, as large as Kororareka, in every harbour in the whole island. We were very glad to hear this, for we never could, up to this time, get half muskets or gunpowder enough, or blankets, or tobacco, or axes, or anything. We also believed what the speaker of Maori told us, because we saw that our old *pakeha* friends who came with us to see the Governor believed it."

According to Shortland, Kaitoke's first speech was as follows:

Kaitoke - No, no, Mr Governor, you shall not square out our land and sell it; see, there, you came to our country; looked at us; stopped, came up the river; and what did we do? We gave you potatoes, you gave us a fish-hook; that is all; we gave you land, you gave us a pipe; that is all. We have been cheated; the Pakehas are thieves; they tear a blanket, make two pieces, and sell it for two blankets; they buy a pig for one pound in gold, sell it for three; they get a basket of potatoes for sixpence, sell it for two shillings; this is all they do, steal from us; this is all."

Like Taonui, Kaitoke was concerned about land loss - about the land being 'squared' (ie. surveyed into blocks, which cut across the old, networks of use rights); and like some speakers at Waitangi, he protested about gross inequalities in European patterns of exchange. Unlike Maori gift exchange, where generosity was a virtue, European trade aimed to make a profit - the bigger the better; and many Maori in 1840 regarded this as cheating and theft.

4.3.6 TAINUI

Makoare Taonui now spoke for the third time, and gave an analysis of imperial strategy which prompted an angry response from Hobson, and a counter-retort from Taonui:

Tainui - Ha! ha! ha! this is the way you do; first, your Queen sends missionaries to New

Zealand to put things in order, gives them 200l. a year; then she sends Mr Busby to put up a flag, gives him 500l. a year, and 200l to give to us natives; now she sends a Governor.

His Excellency - Speak your own sentiments, not what bad men have told you.

Tainui - I do; have not I been at Port Jackson? I know Governors have salaries.

As we have seen, Taonui had indeed been to Port Jackson, and his comments were acute.

It was probably this exchange which Hobson attributed to a chief 'Papa Haiga'; if so, Hobson's account (quoted below) was rather more heroic in tone than Shortland's version:

"Towards the close of day one of the chiefs, Papa Haiga, made some observations that were so distinctly of English origin, that I called on him to speak his own sentiments like a man, and not to allow others who were self-interested to prompt him : upon which he fairly admitted the fact, and called for the European who had advised him to come forward, and tell the Governor what he had told him."

4.3.7 FREDERICK MANING AND HOBSON'S EXCHANGE

Hobson continues:

"This call was reiterated by me, when a person called Manning presented himself [whom Hobson later identified Maning in his despatch as "though not of a degraded class, ... an adventurer, who lives with a native woman; has purchased a considerable portion of land, and being an Irish Catholic, is the active agent of the bishop (this last comment appears to have been quite untrue)]. I asked his motive for endeavouring to defeat the benevolent object of Her Majesty, whose desire it is to secure to these people their just rights, and to the European settlers peace and civil government. He replied, that he conscientiously believed that the natives would be degraded under our influence; and that, therefore, he had advised them to resist : admitting, at the same time, that the laws of England were requisite to restrain and protect British subjects, but to British subjects alone should they be applicable. I asked him if he was aware that English laws could only be exercised on English soil? He replied, "I am not aware; I am no lawyer :" upon which I begged him to resume his seat; and told the chiefs that Mr Manning had given them advice in utter ignorance of this most important fact; adding, "If you listen to such counsel, and oppose me, you will be stripped of all your land by a worthless class of British subjects, who consult no interest but their own, and who care not how much they trample upon your rights. I am sent here to control such people, and I ask from you the authority to do so." This little address was responded to by a song of applause; several chiefs who agreed with me, sprung up in my support, and the whole spirit of the meeting changed."

We have only Hobson's version of his exchange with Maning : none of the other sources mention it.

4.3.8 NGARO

I have no detailed background for Ngaro; he was the first speaker to speak in support of the Governor at this meeting:

"Ngaro - Welcome, welcome, welcome, Governor! here are the missionaries; they came to the land; they bought and paid for it; else I would not have them. Come, come! I will have the Governor; no one else perhaps will say yes; but I, Ngaro, I will have him; that is all I say."

4.3.9 MOSES

Mohi Tawhai now spoke for the second time, to give muted but sceptical support to the Governor:

"Moses - Where does the Governor get his authority? Is it from the Queen? Let him come; what power has he? Well, let him come; let him stop all the lands from falling into the hands of the Pakehas. Hear, all ye Pakehas! perhaps you are rum-drinkers, perhaps not; hear what is said by us; I want all to hear; it is quite right for us to say what we think; it is right for us to speak; let the tongue of every one be free to speak; but what of it? what will be the end? our sayings will sink to the bottom like a stone, but your sayings will float light, like the wood of the whau-tree, and always remain to be seen; am I telling lies?"

4.1.10 KAITOKE

Kaitoke, however, in speaking for the second time suggested that the chiefs might choose their own Governor, a possibility foreshadowed in the Declaration of Independence:

"Kaitake - Let us choose our own governor."

4.1.11 RANGATIRA

Rangatira was a chief of Ngati Oneone near the south head of the Hokianga harbour. He signed the Treaty with a mark, and the proxy signature "Rangatira, Pakanae." His brother Moetara had signed the letter to King William IV in 1831, and the Declaration of Independence in 1835. Rangatira stood to welcome the Governor, and castigated his own people for 'selling' the land to the Pakehas; for 'letting it go.'

Like other comments in the Mangungu transaction, this might seem a forthright admission that Hokianga lands had been knowingly and willingly 'sold' to Europeans; but without a Maori text of Rangatira's speech, it is impossible to know what Maori terms were actually used. As in many early Northern land deeds, it is quite possible that the term *tuku* (let go, released - a term used in gift exchanges) was used, and yet translated 'sold':

"Rangatira - Welcome, Mr Governor! how do you do? Who sold our land to the Pakehas? It was we ourselves by our own free will; we let it go, and it is gone; and what now? what good is there in throwing away our speech? let the governor sit for us."

4.1.12 MOSES

In Mohi Tawhai's third and last intervention in the debate, he asked whether the Governor would inquire into land that had been 'stolen'; but appeared

philosophical about land that had gone by 'fair purchase'. Again, however, it is impossible to know what Maori terms were used here, and therefore to discuss with any authority on the basis of this evidence what Hokianga people understood about 'land sales' or 'purchases' by 1840:

"Moses - Suppose the land has been stolen from us, will the Governor inquire about it? Perhaps he will, perhaps he will not; if they have acquired the land by fair purchase, let them have it."

4.1.13 TAINUI

In Makoare Taonui's final contribution to the debate, he expressed for the first time some enthusiasm for the Governor. At the same time, however, he was adamant that the land should not be 'sold':

"Tainui - Lo! now for the first time, my heart has come near to your thoughts. How do you do? How do you do? I approach to you with my whole heart; you must watch over my children; let them sit under your protection; there is my land too; you must take care of it; but I do not wish you to sell it. What of the land that is sold? Can my children sit down on it; can they, eh?"

Of the land that had been 'sold', Taonui asked about occupancy rights - an indication of uncertainty on this point. Again, it is impossible to know what Maori terms were used here (*tuku* - to let go; or *hoko* - to exchange, to barter; cf. Salmond 1991, Metge 1992, Mutu 1992). It does seem, however, as though Taonui was accepting the Governor as a 'protector' (probably the term *tiaki* was used here in some form, as in Article 3 of the Treaty).

According to Shortland, the chiefs Nene, Patuone, Rangatira and Tainui (Taonui) now stepped forward, and sang a song of welcome to the Governor.

4.1.14 NENE

Tamati Waka Nene of Ngati Hao had already spoken during the Treaty debates at Waitangi, and was instrumental in having the Treaty signed there. On this occasion, however, he simply took the opportunity to repudiate any claim that he had sold land to Baron du Thierry, the French adventurer whose threatened arrival in Hokianga to claim 40,000 acres of land there (allegedly sold by Nene, Patuone and Muriwai) had provoked the signing of the Declaration of Independence in 1835:

"Nene - Listen to me, Governor; all of you listen to me; this is my speech : if the Baron De Thierry wishes to claim my land, why is he not here to-day? No, no, it was never sold him; does he think he shall have it? no, no, he shall not have any of it. That is all I have to say."

4.1.15 JOHN KING

John King, who had taken the name of the CMS missionary who came with Thomas Kendall to upper Hokianga in 1819, was the nephew of the prestigious

chief Muriwai (whom Kendall and King had met on that journey). Muriwai had died in 1828, but not before he had taken Jackie Marmon, an escaped convict from New South Wales, as his 'pakeha', and married him to John King's daughter. In his despatch to Gipps, Hobson complained about Jackie Marmon's as well as Maning's opposition to the Treaty:

"Another person, altogether of a lower description [than Maning], known under the name of "Jacky Marmon", who is married to a native woman, and has resided in this country since 1809, is also an agent of the bishop [an improbable claim]. He assumes the native character in its worst form - is a cannibal - and has been conspicuous in the native wars and outrages for years past. Against such people I shall have to contend in every quarter ..."

Despite Hobson's suspicions about Marmon's influence, his father-in-law John King spoke in favour of the Governor:

"John King - My speech is to the Governor. This is what I have to say : it was my father, it was Muriwai, told me to behave well to the Pakehas. Listen, this is mine : you came, you found us poor and destitute; we, on this side, say stay, sit here; we say welcome, welcome; let those on the other side say what they like; this is ours to you; stay, in peace; great has been your trade with our land; what else do you come for, but to trade? Here am I, I who brought you on my shoulders (who have been favourable to the introduction of Europeans), I say come, come, now you must direct us, and keep us in order; that is all mine to you; if any one steal any thing now, there will be a payment for it. I have done my speech."

King seemed to be accepting that the Governor would "keep us in order" - to regulate trade and to punish theft; but which pronoun King used here [the inclusive form *taatou* or the exclusive form *maatou*] would be important in interpreting the scope of the Governor's influence as King understood it. If King had used '*taatou*' for 'us' he was including the Governor and by implication the whites, and so was accepting that the Governor would keep whites *and* Maori in order (in their relations to each other?); if he used *maatou*, on the other hand, he was accepting the Governor's right to keep Maori people only (in their internal relations?) in order, a rather different implication in legal terms. Again this highlights the difficulty of assessing Maori understandings of the Treaty from evidence given only in English.

4.1.16 AN ANONYMOUS CHIEF

Another speaker now stood to welcome the Governor.

"A Chief - How do you do? Here am I, a poor man; and what is this place? A poor place; but this is why you have come to speak to us to-day; let the Pakehas come, I have not any thing to say against it; there is my place, it is good land, come and make it your sitting place; you must stay with me; that is all."

4.1.17 DANIEL

'Daniel' was probably the signatory to the Treaty 'Daniel Kahika', who wrote his own name. Although he was probably mission-trained, he spoke vehemently against land selling, and land-sharks:

"Daniel - What, indeed! do you think I will consent to other people selling my land? No, truly; if my land is to be sold, I shall do it myself; but no, I will not sell my land; I do not like the Pakehas to tease me to sell my land, it is bad; I am quite sick with it. This is my speech."

After this, 56 'principal chiefs' came forward and signed the Treaty. According to Hobson, it was only with difficulty that he could restrain "those who were disenthralled by their rank from signing their names."

Maning's satirical account (purporting to come from Kaitoke) suggests that the signing at Mangungu was much more contentious than this:

"After the speaker of Maori had ceased, then Te Tao Nui and some other chiefs came forward and wrote on the Governor's paper; and Te Tao Nui went up to the Governor, and took the Governor's hand in his and licked it! We did not much like this, we all thought it so undignified. We were very much surprised that chief such as Te Tao Nui should do so; but Te Tao Nui is a man who knows a great deal about the customs of the *pakeha*; he has been to Port Jackson in a ship, and he, seeing our surprise, told us that when the great *pakeha* chiefs go to see the King and Queen of England they do the same, so we saw then that it was a straight proceeding. But after Te Tao Nui and other chiefs had made marks and written on the Governor's paper, the Governor did not give them anything. We did not like this, so some of the other chiefs went forward, and said to the Governor, 'Pay us first, and we will write afterwards'. A chief from Omanaia said, 'Put money in my left hand, and I will write my name with my right', and so he held out his hand to the Governor for the money; but the Governor shook his head and looked displeased, and said he would not pay them for writing on the paper.

Now, when the people saw this they were much vexed, and began to say one to another, 'It is wasting our labour coming here to see this Governor', and the chiefs began to get up and make speeches. One said, 'Come here, Governor; go back to England'; and another said, 'I am Governor in my own country, there shall be no other'; and Paapahia said, 'Remain here and be Governor of this island, and I will go to England and be King of England, and if the people of England accept me for their King it will be quite just; otherwise you do not remain here'. Then many other chiefs began to speak, and there was a great noise and confusion, and the people began to go away, and the paper was lying there, but there was no one to write on it. The Governor looked vexed, and his face was very red. At this time some *pakeha* went amongst the crowd, and said to them, 'You are foolish; the Governor intends to pay you when all the writing is done, but it is not proper that he should promise to do so; it would be said that you only wrote your names for pay; this, according to our ideas, would be a very wrong thing'. When we heard this we all began to write as fast as we could, for we were all very hungry with listening and talking so long, and we wanted to go to get something to eat, and we were also in a hurry to see what the Governor was going to give us; and all the slaves wanted to write their names, so that the Governor might think they were chiefs, and pay them; but the chiefs would not let them, for they wanted all the payment for themselves. I and all my family made our marks, and we then went to get something to eat; but we found our food not half done, for the women and slaves who should have looked after the cooking were all mad about the Governor, so when I saw that the food was not sufficiently done, I was aware that something bad would come of this business."

According to Hobson, it was 12 o'clock at night when the Mangungu signing was over. Before he left, however, the chiefs invited him to a feast the next day.

At 10 o'clock the next morning, Hobson and his party went to the 'Hauraki'

(Taylor added, 'the residence of captain Macdonald', so presumably this was Horeke, where McDonnell lived). 1000 warriors in their finest clothes welcomed him with a haka, 'dividing themselves into 3 companies and jumping up and turning their bodies half round at the same time making a peculiar sound and then all rushing in one mass against another' (presumably a sham fight).⁵³ The small battery of guns at Horeke was fired in salute, and all the warriors fired off their muskets, accompanied by "three hearty cheers" from the Governor's party. The Governor had provided a feast of "pigs, potatoes, rice and sugar, with a small portion of tobacco to every man" for the crowd of 3000, which according to Hobson was "partaken of in perfect harmony."

Once again, however, Maning's account was much less glowing:

"Next morning the things came with which the Governor intended to pay us for writing our names, but there was not much tobacco, and there were only a few blankets; and when they were divided some of the chiefs had nothing, others only got a few figs of tobacco, some one blanket, others two. I got for myself and all my sons, and my two brothers, and my three wives, only two blankets. I thought it was too little, and was going to return them, but my brother persuaded me to keep them; so we got into our canoe to go home, and on the way home we began to say, 'Who shall have the blankets?' And so we began to quarrel about them. One of my brothers then said, 'Let us cut them in pieces, and give every one a piece'. I saw there was going to be a dispute about them, and said, 'Let us send them back.' So we went ashore at the house of a *pakeha*, and got a pen and some paper, and my son, who could write, wrote a letter for us all to the Governor, telling him to take back all the blankets and to cut our names out of the paper, and then my two brothers and my sons went back and found the Governor in a boat about to go away. He would not take back the blankets, but he took the letter. I do not know to this day whether he took our names out of the paper. It is however, no matter; what is there in a few black marks? Who cares anything about them?

Well, after this, the Governor died; he was bewitched as I have heard, by a *tohunga* at the south, where he had gone to get names for his paper; for this was his chief delight, to get plenty of names and marks on his paper. He may not have been bewitched, as I have heard, but he certainly died, and the paper with all the names was either buried with him, or else his relations may have kept it to lament over and as a remembrance of him. I don't know. You, who are a *pakeha*, know best what became of it; but if it is gone to England, it will not be right to let it be kept in any place where food is cooked, or where there are pots or kettles, because there are so many chiefs' names in it; it is a very sacred piece of paper; it is very good if it has been buried with the Governor."

Maning's account of the Mangungu signing has been dismissed as exaggerated and inaccurate, but on several important points it accords well with other surviving evidence. On the question of Kaitoke's asking for his signature back, for instance, Taylor recorded on February 14 that before they set off from the Wesleyan mission station, leaving behind Capt. Nias (who was very ill with influenza):

"the Governor was pestered with the chief who made such a favor of giving his name the night before; he wanted some more blankets ... and then he asked for money, the Governor gave him 5s which he afterwards refused to take and they were left on the beach.

We had not proceeded much further before we were overtaken by a large canoe which brought a letter signed by 50 individuals stating that if the Governor thought they had received the Queen he was much mistaken and then they threw in the blankets they had received into our boat; the governor seemed much annoyed."

Hobson's account of this same episode was as follows:

"On the morning of the 14th, when preparing to return here, I regret to say that notwithstanding the universal good feeling which subsisted amongst the chiefs on the day previous, two tribes, of the Roman Catholic communion, requested that their names might be withdrawn from the Treaty. It is obvious that the same mischievous influence I before complained of, had been exercised in this instance. I did not, course, suffer the alteration, but I regret that the credulity of chiefs should render them so susceptible of unfavourable impressions."

On the matter of the signatures, too, Taylor reported that the first chief (presumably Kaitoke) who asked for his signature back had said when he signed that the Europeans "must now take great care of the deed and considered very sacred" - a comment which accords well with Maning's final comment (ostensibly from Kaitoke) that "because there are so many chiefs' names on it, it is a very sacred piece of paper."

4.3 THE MANGUNGU TREATY TRANSACTION : CONCLUSIONS

The evidence of the speeches made at Mangungu supports a conclusion reached after consideration of the speeches at Waitangi - that at these Treaty transactions the chiefs were mainly debating about the Governor - should he stay or should he go?

In many respects, however, the debate at Mangungu was more sharp-edged than that at Waitangi. The chiefs at Hokianga were intensely suspicious about what an acceptance of the Governor might mean in practice. Would they be treated like the Aboriginals at Port Jackson, and fed offal by the Europeans? Would the Governor be high, and the chiefs low? Would he 'square out' their land and sell it? Would he prove to have been just one more step in a European strategy of domination - first the missionaries, then Busby with his flag, then the Governor - all sent by the Queen? Or, on the other hand, would he protect the local people from the land-sharks? Would he investigate unfair land transactions? Would he control theft, and regulate trade?

On the whole, it seems that the chiefs decided to accept the Governor as a protector, although on second thoughts (perhaps, indeed, prompted by Frederick Maning) Kaitoke asked for his signature back the next day, and a letter signed by 50 individuals (almost as many as those who had signed the Treaty at Mangungu) was delivered to Hobson along with his gifts of blankets, saying that "if the Governor thought they had received the Queen he was much mistaken." It is interesting that despite this last request to have signatures removed from the Treaty, Hobson reported to Gipps that "I did not, of course, suffer the alteration". Presumably he was acting on the basis that once a contract was signed, it could not be revoked by one party - a characteristically European conception of the

matter.

5.0 THE KAITAIA TREATY TRANSACTION 27-28 APRIL 1840

5.1 SOURCES

There are four main contemporary European accounts of the Kaitaia Treaty transaction. First, the Colonial Surgeon Dr John Johnston wrote a vivid and descriptive record of the entire transaction, including a record of each of the chiefs' speeches "verbatim as translated by Mr Puckey who acted as Interpreter." His account is more detailed than any of the others (although his accounts of the speeches are synoptic, rather than verbatim), and the speeches are quoted below as recorded by Johnston, with extra material recorded in other reports added where necessary. Second, Rev. Richard Taylor wrote a reasonably full account of the Kaitaia transaction in his journal (April 23 1840 →). Third, the Colonial Secretary Willoughby Shortland on 6 May, 1840 wrote a letter to Governor Hobson briefly describing the transaction, but quoting Nopera's speech in full. In 1845 Shortland also enclosed a synoptic account of the Kaitaia speeches in a report to Lord Stanley.

All of these reports appear to be based on Puckey's translation of the chiefs' speeches (rather than the speeches themselves), and they give very similar accounts of the essential arguments put by each of the speakers (although their versions of the chiefs' names vary greatly).

In the account of the Kaitaia transactions below, I will give first the chief's name as recorded by Johnston, then in succession the versions of their names recorded by Shortland, Taylor, and on the Treaty parchment - at Kaitaia Puckey signed all the chiefs' names for them. I have not attempted to give biographical information on any of the speakers at Kaitaia, this may be a useful job for Tribunal researchers who are far more familiar than I am with the records for that district.

5.2 CONTEXT

On April 23, 1840 a party including Colonial Secretary Shortland (standing in for Hobson who was ill), Lieutenant Smart and two mounted policeman; Reverend Richard Taylor and the Colonial Surgeon Dr John Johnston left Paihia on Mr Baker's boat, the schooner *New Zealander*. At Mangonui in Tokerau (Doubtless Bay) they took a local chief Waitimu on board as pilot, and sailed to Rangaunu, anchoring near the mouth of the Kaitaia River on April 26. Taylor and Johnston went by boat up-river and then walked eight miles through the wet night to Kaitaia, being carried across swamps and quagmires by their Maori guides. On the night of the 26th they slept at the Kaitaia mission station in Rev. Mathews' house, cared for by his wife, a daughter of Rev. Davis at Waimate, in his absence. Arrangements were made the next day for a meeting on the 18th, and during the day Johnston walked around the station, which he described in some detail in his journal:

"[The Settlement] consists of five good wooden houses - a handsome church with a spire and a Native Village situated on a plateau of moderate elevation standing out in the centre of a small valley, through which courses the principal branch of the Awanui (great River), on its course from the mountains at the back of the settlement ... There are verdant paddocks of grass and clover which together with the gardens around the Houses give a cheerful and civilized aspect to the whole scene... It was a truly gratifying sight to see a church spire form part of a New Zealand landscape and to hear the evening bell summoning these people to prayers, where but a few years before might be seen the blazing fires of cannibal feasts, and the savage yells of bloodthirsty savages."

Mr Shortland, Lieutenant Smart and the two mounted police arrived during that day, escorted by Rev. Puckey and many local Maori. When they arrived at Kaitaia, according to Shortland:

"We were received with a discharge of musketry, and shortly after welcomed with a War dance, the firing continued throughout the evening, and at intervals during the night."

During the evening of the 27th, groups of people continued to arrive at the Mission station, setting up temporary shelters made from sticks, flax and toitoi, with floors of dried fern. At some time during the evening, Nopera Panakareao, whose signature to the Treaty they had primarily been sent to obtain, visited Mathews' house and questioned them about the Treaty. According to Johnston:

"Noble called upon us in the evening to question Mr Puckey as to the nature of the Treaty he was about to sign and particularly as to the meaning of the word Sovereignty [presumably, since Nopera was mono-lingual in Maori as far as we know, the word *kawanatanga*], this was endeavoured to be made intelligible to him - He was a fine looking man with a dignified but rather grave air. He appeared to be about 40 years of age."

About midday on the 28th, according to Johnston 500 (Taylor says 400) men assembled around Mr Puckey's house, some chiefs wearing dogskin cloaks, others blankets or European sailors' costume; and formed a circle in front of the verandah with another circle of women and children behind them. When Nopera Panakareao arrived he sat next to Shortland on the verandah. Shortland now spoke to the chiefs, with Puckey acting as interpreter. According to Johnston, he said:

"that our Government had often been solicited by the Chiefs of New Zealand to send them a Governor to introduce the blessings of a Regular Government and British Laws and Institutions - and to protect them from white men who had latterly come in such numbers to their shores, many of whom being lawless men might injure them - that the Queen would not interfere with their native laws nor customs but would appoint gentlemen to protect them and to prevent them being cheated in the sale of their lands - that Her Majesty was ready to purchase such as they did not require for their own use, to dispose of again to her subjects who she would take care were respectable men who would not harm them - He beseeched them not to listen to the falsehoods of designing men, whose only aim was to bring them into trouble, but to believe that what he said was the Truth, as they would ultimately see."

This statement was perhaps the most detailed version of the kind of explanations of the Treaty that were given to the chiefs by the British officials in the North. It accords well with the interpretations of both the parchment Treaty text and the

speeches given so far. Essentially, the chiefs were promised protection from lawless whites, and that "the blessings of a Regular Government and British laws and Institutions" would not interfere with native laws and customs. The arrangement offered was more like a Protectorate than anything else, with the Queen and her appointed 'gentlemen' acting to protect Maori in relations between whites and Maori, to prevent cheating in land sales and to control 'lawless men' who might otherwise injure them.

The Treaty was then read out in Maori by Mr Puckey, and the chiefs were invited to speak.

5.3 THE CHIEFS' SPEECHES AT KAITAIA:

- 1 PADUWERO (Shortland: Taylor; Taylor: 'my namesake Reihana Teira Teiro'; signed the Treaty by proxy 'Rehana Teira Mangonui' i.e. 'Richard Taylor from Mangonui');

Teira's speech was delivered 'walking rapidly up and down an open space left for the purpose ... with much energy and gesticulation':

"We do not want a Shepherd (Governor). We were Gentlemen (Rangatiras) many generations before you came and you find us Gentlemen now. The Governor may be a good Master, but shall we not be stopped in getting firewood? formerly we cleared any Spot we liked, burnt the wood from it, then someone came and liked the Spot and built a house upon it, then a quarrel took place. Will you prevent such doings? I have spoken."

Reihana Teira was protesting an interference with local patterns of shifting agriculture by European patterns of fixed occupation, which were beginning to inhibit the mobility of local groups.

- 2 HUPPA

(Shortland : 'A Chief'; Taylor; 'Matieu'; signed the Treaty by proxy 'Matiu Huhu');

"The Governor according to report comes to kill all the people in the Land and Take it to himself. I never knew the meaning of the Treaty (Bukabuka [pukapuka - book]) before a different explanation had been given by those who had heard it read; It is said that a great many Pakeha's (strangers) are coming to take the Land - that they come not for our good - that the Soldiers have come here to shoot us; and many sitting round here think that the Governor has not come as a Shepherd - It is said that Messrs Puckey and Mathews know what is to become of us but will not tell us. I have no more to say."

Huhu's speech was full of doubts and concerns - about land loss, increasing European settlement, the role of the soldiers and the honesty of the Kaitaia missionaries. Although Orange has said that "on this occasion there was no dissension",⁵⁴ this is an overstatement. Many of the Kaitaia speakers appeared

⁵⁴ Orange 1987 : 82

very unsure that the Treaty was for their benefit.

- 3 COPPA (Shortland: 'William'; Taylor: 'Wiremu Wiriana Kupa'; signed the Treaty by proxy 'Kopa');

"They tell us that you are come to murder all the Mauris (Natives) but if your works were such as we have been taught to believe it would have been to preserve us - If your actions are like those of the Missionaries we would not be afraid of you - but I fear those soldiers" - pointing to the mounted police men. "From the time the missionaries came amongst us we have been at peace - Let not your tongues be set on fire - Others speak better than me - If you have anything good or bad to say - say it now. The Missionaries came for our good and they side with the Governor - (?) by them - Let us hear what you have to say now - dont go home and sit grumbling in your houses." (According to Taylor he then made a grumbling noise and added 'Let us have the great baskets and the little ones at once and all the baskets)."

Kopa was doubtful about the soldiers, but put his faith in the missionaries and their advice. The main point of his speech was to urge others to discuss the Treaty freely.

- 4 TIRO (Shortland: 'Davis'; Taylor: 'Rawiro Tiro'; signed the Treaty at Hokianga by proxy 'Tiro'.):

"I say yes for the Queen - Although others may disapprove of the Governor - I will approve of him - I wish to hold firm to the Governor - If he comes to take the land I will not have him, but if he comes as a Shepherd I will have him. You will say, what makes me Speak thus? I answer my own heart, much Land has been bought round about by the Pakehas - Let it not be said that the Land will be taken by the Governor, it has been disposed off before - I have spoken."

Tiro was the first speaker in all of the Northern Treaty transactions to mention the Queen. His chief concern, however, was the land - and he argued that much land in the district had already been bought by Pakeha (although again, we don't know what Maori term was used for 'bought' here), and that there was no reason to suppose that the Governor would take land. If the Governor had come to take land, however, Tiro said that he would not have him.

- 5 MAHANGA (Shortland: 'Forde'; Taylor: 'Pordi'; Apirana Ngata has identified 'Poari chief of Pukepoto & Ahipara' on the Treaty parchment as 'Poari Te Mahanga');

"Let all our sayings be one! The Governor has taken no Land, it has been sold and taken before, My heart and thoughts are with the Governor. I say Yes! I say Yes! Yes! Yes."

This was the first speech at Kaitaia which was unequivocally in support of the Governor.

- 6 PILOTS (Shortland: 'Marsden'; Taylor: 'Matinga'; perhaps 'Matenga Paerata' on the parchment Treaty text):

"We shall not be made slaves by these people - Had we gone to other lands we might have

been slaves, but these Men have come to protect us - Let not our hearts be dark. Let us not listen to words from afar; Let us see first; It is a sin to commit murder, to commit adultery to tell lies - If what we hear from our teachers are not lies, then what we hear from the Gov^r is true."

Matenga's speech was an attempt at self-reassurance. The Kaitaia chiefs were clearly concerned for their mana, but Matenga (who was Samuel Marsden's namesake) found it difficult to believe that the missionaries could sin by telling lies, and thus was inclined to believe that the Governor (whom they supported) was telling the truth.

- 7 PADUWERO (Shortland does not mention his second speech; Taylor: 'Reihana Teira'):

According to Johnston, Reihana Teira now "again arose and seemed to have changed his mind since he first spoke either from fear or admiration of the Soldiers of the Mounted Police who were with Lieut. Smart on the Verandah for he only said, much to the amusement of all:

"I have no friends before or behind but the Horsemen!"

- 8 TOKITAU (Shortland: 'Toketau'; Taylor: 'Tukitai'; signed the Treaty by proxy 'Tokitahi'; described by Johnstone as 'a fine-looking chief, a pagan not yet brought into the Missionary fold'):

"I have no place to give my friend the Governor - We were Gentlemen before, we may be greater now, Our clothes were formerly such as I have on "(he was dressed in a *Native* mat)" but we shall now get blankets, shirts and trousers; our houses were once of Raupo, they will be better now, I have said."

Tokitahi said that he regretted he had no land to give (*tuku?*) to the Governor, and dwelt on the advantages of European contact, including European clothing and improved housing.

- 9 TAUUA (Shortland does not record his speech; Taylor: 'Taua'; Johnstone records him as 'a pagan'; signed the Treaty by proxy 'Taua'):

"This is what I have to say; How are payments to be made? If I shall get a blanket for this little pig" pointing to a small one that had followed him "then I say, Let the Governor come."

Johnstone added here:

"The true spirit of trade shown in this remark was very characteristic of Maori character and created a general laugh."

Many of the chiefs in the Northern Treaty transactions expressed a desire to improve their terms of exchange (*hokohoko* (barter)) with the whites.

- 10 RIPA (Shortland 'Busby'; Taylor: 'Puihipi Ripi'; signed the Treaty by proxy

'Puhipi, Pukepoto & Ahipara; identified by Apirana Ngata as 'Puhipi Te Ripa'):

"Before Pakehas came, we loved our own people, but sometimes a quarrel took place, then we made peace, and rubbed noses" (alluding to the mode of friendly salutation) "then another fight but we and the Pakehas are good friends, other Islanders may come and break the peace and make war between us - I am here solitary. I am glad you are come to take care of me - Let our hearts be one; but if quarrels happen between ourselves, or between Maori's and Pakehas, how are they to be settled. You are so far off" (alluding to the Governor residing at the Bay of Islands) "Murder and theft may be repressed but adultery carried on greatly; how is that to be remedied?" (and on seeing some surprise expressed at his last remark he added "Do not think that I wish to keep any of our bad habits unmentioned" (He was a Christian chief of excellent character)."

Ripa's speech was interesting in a number of ways. It mentioned 'other Islanders' as potential enemies; he listed murder, theft and adultery as local 'bad habits', the last of which he said was still commonplace; and underlined the role of Governor as adjudicator and mediator in disputes both between Maori and Pakeha, by asking how it could be carried out effectively in Kaitaia when the Governor lived in the Bay of Islands?

- 11 PI (Shortland: 'Pi'; Taylor: 'Pi'; this was 'Pi no Te Mahurehure, Waima', who had signed the Treaty with his mark at Mangungu):

"It would be good to see all adulterers hung in a row."

- an intriguing elaboration upon the 1840s British penal code!

- 12 TAUHARA (Shortland: 'Mathew'; Taylor: 'Matieu, a Wesleyan'; signed the Treaty by proxy 'Matiu Tauhara'):

"Will a man be taken up, if he walks out at night? That is the only thing I have been afraid of. If a man steals it is right to punish it. This is all I have to say; Let all the Governor's people be as the Missionaries, we have not been hurt by them."

Tauhara was probably reacting to the talk of hanging adulterers. He agreed that thieves should be punished, and was in support of the Governor if his people were to be like the missionaries, who had done no harm.

13. WERA (Shortland 'Mattu', Taylor: 'Martona Wera'; described by Johnstone as 'a fine young chief'; he does not appear to have signed the Treaty):

"If your thoughts are as our thoughts towards Christ, let us be one; We believe your intentions to be good."

Wera was explicitly making Christianity a point of meeting between the Governor and Kaitaia people.

14. WAIORA (Shortland: 'Broughton'; Taylor: 'Broughton Waiora'; signed the Treaty by proxy 'Paratene Waiora'):

"There is only one great man that cannot be killed and that is the tongue; it often stirs up

great wars; My Father Nopera was sitting in his house reading his Bible and they said he was gone to the North Cape to kill the people there; the Pakia Maoris" (as they designate the white men that live with them) "tell us many strange things, but I believe your words." Shortland added here: "send away Pikopo (Roman Catholic Bishop), send him back; he is the cause of strife among us."

Waiora was evidently referring to words of warning from some of the local Pakeha Maori (including Bishop Pompallier?), about the Treaty, but interestingly, he preferred the word of the Governor's representative.

15. HUUU (Shortland does not mention his second speech; Taylor: 'Matieu');

"Look at those men with the long feathers I do not like them, I do not like that man nor that man with the long knife" (pointing individually to the Soldiers of the Mounted Police). "I do not like being prevented from going to a Neighbours to light a pipe."

This concern about freedom of movement being restricted by soldiers probably referred to experiences of curfews as enforced in the penal colonies (eg. Norfolk Island) Huhu was still unhappy about the thought of armed Europeans exercising authority over Maori.

16. NGARA (Shortland does not mention his speech; Taylor: 'Wiremu'; signed the Treaty by proxy 'Ngare?');

"Send the Catholic Bishop away, when a few people go from (?); the pikopo's (Catholics) open their mouths wide and say It is a fight."

Again, the influence of Pompallier was cited as divisive.

17. NOPERA (Shortland: 'Nopera'; Taylor: 'Nopera Panikarao (the Chief of the Rarawa)'; signed the Treaty at Kaitaia by proxy 'Nopera Panakarao');

According to Johnston, Nopera 'then arose and walking slowly backwards and forwards on the Verandah spoke as follows':

"Hear all of you, White Men and Natives. This is what I like, my desire is that we should all be of one heart - Speak your words openly - Speak as you mean to act - Do not say one thing and mean another - I am at your head. I wish you to cleave to the Governor - we shall be saved by it - Let every one say Yes! as I do - Now we have somebody to look up to. I am jealous of the Speeches I hear from the Pakeha Maori's - Be careful not to listen to the words of bad White Men (Pakeha's), who say the Pakeha's will offend, but I say it will be the Maori's - My Grand Father first brought Pakeha's to this very spot and the Chiefs approved of what he did and some went on board the Ships - He got much trade which he spread through the Island - Let us act properly, let the Ngapuhi's [here referring, as at Hokianga, to the Northern alliance in the Bay of Islands] do what they like - The Pakeha's went to the Bay of Islands and were murder'd "alluding to the Massacre there of Marion du Fresne and part of his crew", Let us do no harm to the Pakeha's. My Grandfather did none - What has the Governor done wrong?' - The Shadow of the Land goes to the Queen, the substance remains to us - The Gov'. will not take our food, we will get payment from him as before - Let all be of one mind - If the Ngapuhi's commit evil they will suffer for it -

The people in these parts have always been friendly to Strangers - they never went to Port Jackson and England to get firearms with which to kill their countrymen" (an allusion to Hongi's visit to Gt. Britain from whence he brought Musquets) "If you wish to be cut, go and fight with the Governor - Do not do as the people of Hokianga do, and wish to kill the Governor - Live peaceably with the Pakeha's - We have now a Helmsman before everyone wanted to be steersman - before formerly everyone said Let me steer and we never went straight - Be jealous, look well into your hearts and commit no evil - The Ngapuhis did evil at the Bay and they suffered" (recalling to their memory the revenge taken by the French for the slaughter of their countrymen) "What man of sense would believe that the Governor will take our food and only give us a part of it - If you have any thing else to say - Say on - if not finish and say Yes! Let all say Yes!"

Johnston later commented that "Nopera's speech was evidently that of a man of reflection and the elegant figure by which he expressed the word Sovereignty showed that he had pondered deeply on his conversation of the previous evening, nothing could be more beautiful or expressive than "The Shadow of the Land is to the Queen, but the substance remains to us."

Nopera's speech (like Shortland's) at Kaitaia is important as a detailed elaboration of what some key 1840 participants in the Northern Treaty transactions understood about the Treaty of Waitangi. If Shortland's speech was sincere (and there is no reason to suppose that it was not), then he was convinced that British laws and institutions, and the Queen's protection could be extended to New Zealand without Maori laws and customs or the prerogatives of the chiefs being encroached upon. Panakareao evidently believed the same. He was convinced that the Governor would deal fairly with Maori people; that he would act as a helmsman for the canoe (of Maori - Pakeha relations?), which would now go straight. His famous saying "that the Shadow of the land is to the Queen but the substance remains to us" indicated a transfer of some spiritual kind to the Queen - appropriate enough if she were to act as *kai-tiaki* (spiritual and practical protector) for Maori people. Panakareao was convinced, however, that the guarantee of *rangatiratanga* safely secured Maori in the possession of their lands, and that the physical substance of the land would remain under Maori control. Johnston also evidently understood 'sovereignty' as supporting Maori rights to land, for he agreed with and approved of Panakareao's metaphorical explanation of the term.

After Nopera's speech, according to Johnston,

"This appeal so replete with good sense and good feeling delivered in a very impressive and commanding manner, was responded to by loud cries of "Ai, ai" (Yes, yes), and immediately stepping forward he touched the pen with which Mr Puckey signed his name to the Treaty and was [?] by the other chiefs to the number of sixty-one, beginning with the next in rank and so on to the inferior Rangatiras. His wife named Elenora (by baptism) a Chieftainess in her own right signed her name opposite her husbands - the signatures being witnessed by the Gentlemen present completed the Ceremony."

Each of the chiefs now shook hands with the official party, and then all joined in an ample feast provided by Panakareao (which he would not allow the Europeans to pay for). There was also a grand war dance and sham fight involving about 400 warriors, all armed with muskets and wearing handkerchiefs instead of war

mats around their waists. After this the gathering of about 1000 people began to disperse. That evening the official party dined with Nopera in his sawn-timber house. They were served tea, pork, fine potatoes and bread baked by his wife Erenora, and sat on chairs around a table covered with a tablecloth and set with china and cutlery. Nopera wore a cloak decorated with long fibres of yellow and black, and black and white feathers on his head denoting *ariki* rank. His wife, Erenora, wore an English dress under her cloak. During dinner Nopera told the Europeans:

"A conspiracy to compel the Governor to abandon the Island had been attempted to be formed by some of the Ngapuhi chiefs who had not signed the Treaty of Waitangi, especially one named Kawiti who resides on the Kawakawa. Some of the Hokianga chiefs had also been engaged and overtures had been made to him through his Wife who had lately been on a visit to Hokianga. He said they had been urged to it by the Pakeha Maoris who were bad men and had spread many falsehoods, but that he believed the Governor had come for their good and he and his Tribe would stand by him, this explained a part of his Speech in which he alluded to the wish of the chiefs of Hokianga to kill the Governor and it also verified what we had formerly heard at Waimate."

Johnston and Taylor both took this warning very seriously, and Shortland reported it in his 6 May letter to Governor Hobson.

The next day Panakareao presented the Governor with a gift of about 12 tons of potatoes and kumara, eight pigs and "some dried sharks which were sent back" (presumably because the Europeans did not like dried shark). The Governor's return gift, which was sent from Southey's house, included 12 bales of blankets and a cask of tobacco. For the first time the reciprocal etiquette of ceremonial gift exchange was fully followed to at one of the Northern Treaty transactions.

6.0 THE TRIBUNAL'S QUESTIONS

After this close and detailed examination of the surviving records of the Treaty transactions at Waitangi, Mangungu and Kaitaia in 1840, I will now return briefly to the Tribunal's original questions, and attempt some tentative answers.

6.1 *Have any Maori language records of these transactions survived?*

As I have pointed out in 2.1 above, apart from several words in Maori (*piritoka*, *piriawaawa*) scrawled by William Colenso in the margin of one section of his manuscript account of the Waitangi transaction, and one short section of his account of the debates on February 6 (the clause relating to 'religious freedom' in the Treaty), the only contemporaneous Maori language record of the Treaty transactions at Waitangi, Mangungu and Kaitaia which appears to have survived is the parchment version of the Maori language text of the Treaty, signed by various chiefs and Europeans at Waitangi, Waimate, Mangungu, Kaitaia, Waitemata and Okiato.

6.2 *What do the surviving records tell us about the Maori context in which these transactions took place?*

Briefly, the surviving records tell us that there is still much more research which must be carried out before the 1840s context in the North can be reasonably well understood. The North in 1840 was still essentially Maori in character and control, but few of the published accounts currently available draw in any adequate way on the records of tribal historical knowledge that still survive, either in documentary or oral form. Northland geopolitics in 1840 were essentially driven by Maori descent-group politics, rather than by European interventions, although by 1840 the European presence (in population, diseases, crops, technologies, ideas and social practices) was increasingly important. Yet most past research in this period has focussed upon the European participants and their intentions, despite their relatively small numbers and their relative dependency. It has, however, been beyond the capacity of this submission to effectively remedy this imbalance, except in minor ways.

6.3 *Was there a "meeting of minds" or were people "talking past each other"?*

This question, in the absence of Maori language records for the Northern Treaty transactions, can not be definitively answered. I have discussed the acute difficulties involved in having to rely on synoptic, translated written versions in English of original extended oral performances in Maori, when trying to decipher Maori intentions and understandings in 1840. For that reason I have focussed closely on the Treaty parchment in Maori in this submission, but even that is a written text produced by a missionary who was not a particularly expert translator - i.e. The Maori text of the Treaty was not then strictly a Maori document, but rather a document in Maori, which might tell us more about missionary rather than about Maori understandings at the time.

It should be stressed that in 1840 in Northland, Maori were operating in a world governed by *whakapapa* (genealogical connection). Ancestors intervened in everyday affairs, *mana* was understood as proceeding from the ancestor-gods and *tapu* was the sign of their presence in the human world. Life was kept in balance by the principle of *utu* (reciprocal exchanges), which operated in relations between individuals, groups and ancestors. Attacks by insult, excessive generosity, sorcery or violence upset such balances by diminishing the *mana* of the violated parties. By 1840, one of the most destructive effects of contacts with Europeans had been the disruption of old reciprocal relationships, by unequal access to European goods (muskets, crops and other forms of wealth); and the unequal impacts of demographic changes resulting from musket warfare, raiding for captives to work crop gardens for export, the disruption of family life in forced migrations, new forms of work (including prostitution), and introduced epidemic diseases.

If Northern logic in 1840 was still essentially Maori (despite the introduction of Christianity and a wider knowledge of the world), life in the North had yet fundamentally altered in many ways. The presence of a significant (if still numerically a minority) population of European missionaries, traders, runaway convicts and officials introduced new dynamics, as missionaries and their converts contested the power of the ancestors, Europeans occupied parts of the landscape

and in many cases flouted Maori customary laws. The problems that came with these new arrivals were those that preoccupied the chiefs in attempting to assess the value of the Treaty of Waitangi - for without the European presence, they had no need to take it seriously.

The Treaty of Waitangi, then, was essentially a European solution for largely European-engendered problems. Its logic, too, was European. Unlike the ancient Maori cosmos, ruled by *relationships* between ancestor gods and their descendants, the nineteenth century European world was ruled by *laws* - natural laws (or science) which governed non-human phenomena; human laws, which regulated interpersonal and inter-national relationship in a quite impersonal way; and a retreating realm of divine law, which expressed the will of God. *Sovereignty* legitimated the introduction of European laws, but for Maori this would be no simple legal transformation. Rather it would involve the toppling of a kin-based cosmology.

How well, then, did the chiefs at Waitangi, Mangungu and Kaitaia understand the wider implications of the Treaty of Waitangi? Many of them were seasoned travellers, who knew about Governors and Kings; but they were Maori cosmopolitans, not brown-faced Europeans. I think that they understood the Treaty, true to their own accustomed relational logic, as establishing an aristocratic alliance between themselves and the Queen of England, with the Queen as a *kai-tiaki* (guardian, protector), who would guard them from spiritual as well as practical assaults by Europeans. The Governor would serve as a *kai-wakarite*, a mediator and adjudicator in the relationships between Maori and Europeans, and possibly in inter-hapu disputes, to keep things *tika* - just, proper and correct - in the new order that had been heralded by the arrival of Europeans.

Some chiefs were attracted by a hope of access to European wealth - of goods and trade - in the Treaty, but in my view, most were persuaded to support the Governor by the hope of a restoration of stability to a disrupted world. The threats they saw in this new relationship were to their mana, lands and freedom, but on these matters they were reassured by the missionaries' explanations as well as by the Governor himself.

I do not believe, however, that in the Maori text of the Treaty, the version that was read out, debated and signed in the North, 'sovereignty' was effectively ceded. I conclude that while the English translation of the Treaty was unequivocal on this point, the Maori version was at best confusing. Had 'sovereignty' been translated as either '*Rangatiratanga*' or '*Kingitanga*' in the Maori treaty, the translation would have been reasonably accurate - but then the chiefs might well have refused to sign. Agreement to the introduction of British *ture* (laws) and *tikanga* (customary rights and practices) was given, but probably the chiefs understood the scope of *ture* (and adjudication by the Governor as *kai-wakarite*) as applying primarily to Maori-European interactions, with the chiefs retaining autonomous control within their own domains.

I am not sure how far the missionaries, who largely explained the Treaty to the chiefs, equivocated on these points. Busby's 1837 despatch to the Colonial Secretary of New South Wales, which in many ways served as a blueprint for British intervention in New Zealand, talked of a possible government by the Confederated chiefs in the following terms:

"In theory and ostensibility the government would be that of the confederated chiefs, but in reality it must necessarily be that of the protecting power. The chiefs would meet annually or oftener, and nominally enact the laws proposed to them; but in truth, the present race of chiefs could not be intrusted with any discretion whatever in the adoption or rejection of any measure that might be submitted to them; moral principle, if it exist amongst them at all, being too weak to withstand the temptation of the slightest personal consideration."⁵⁵

Henry Williams, who had a close acquaintance with Maori moral 'defects' as his faith defined them, may have held a similarly pragmatic view of the Treaty. It was, he wrote, the will of the 'Great Ruler of the events' that the Treaty should be signed, to the 'Glory of His Majesty', so that 'these poor natives' could be protected,⁵⁶ and no doubt Williams truly believed that the new regime would prove to be protective both in purpose and in practice. In any case, from the surviving evidence the chiefs appear to have been presented with some kind of 'Protectorate' arrangement (cf Shortland's speech at Kaitaia, and his promises that native laws and customs would not be interfered with). Their experience and expectations of chiefly alliances were such that, despite the advice of various 'Pakeha Maori', they believed in the Governor's assurances (for it was said at that time, great chiefs never lie), and most signed the Treaty expecting that in this new relationship between themselves and the British Crown, aristocratic codes of honour and the politics of generosity would prevail.

6.4 *As a result of these transactions, what do you think Maori would have concluded about how they affected their rights to land and other resources?*

From the critical clauses in the Treaty that dwelt on this matter, I think that Maori concluded that the guarantee of *rangatiratanga* preserved autonomous control by *hapu* over their *whenua* (lands), *kainga* (living-places) and all of their *taonga* (treasures). The Queen and her *kai-wakarite* would intervene in land matters only to prevent Maori people from being cheated, and then only by their consent. Nopera Panakareao summed this up precisely when he said at Kaitaia that 'The Shadow of the Land goes to the Queen, the substance remains to us.' If Busby's (1837) plan foreshadowed an opposite intention, that 'in theory and ostensibility' the chiefs would have control while 'in reality it must necessarily be that of the protecting power', then that may explain why, in 1841, Nopera bitterly reversed his poetic metaphor.

55 Busby (1837):36.

56 Williams letter Feb 13 1840:23.

The essential paradox in the Maori text of the Treaty, however, may not lie so between Articles 1 and 2 - between *rangatiratanga* and *kawanatanga* - because if a system of indirect rule, or a Protectorate had been established in New Zealand (as one might have expected from various of the assurances that were given to the chiefs), *rangatiratanga* and *kawanatanga* need not have been irreconcilable. It may be, rather, that the essential paradox lay between Articles 1 and 3 - between the right on the one hand of the chiefs and the people of various *hapu* to exercise autonomous control within their own domains; and a promise by Queen Victoria on the other hand that she would give to Maori as individuals all and exactly the same customary rights as those of her people of England. A world based on *whakapapa* and one based on individual rights were different at the deepest level - in their definitions of humanity, and consequently in their understandings of mutual rights and responsibilities. In that sense, Maori and Europeans would inevitably "talk past each other" on matters of rights for many generations. And yet, European notions of honour and justice, and Maori ideas of what is *tika* (right, proper, just) were sufficiently convergent in 1840 for there to have been, in the Northern Treaty transactions, at least a fair chance of an honourable and *tika* "meeting of minds". I believe that is what the chiefs were looking for at Waitangi, Mangungu and Kaitaia; I'm not sure, however, that that is what occurred.

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APPENDIX I

A DECLARATION OF THE CHIEFTAINSHIP OF NEW ZEALAND

1. We, the true chiefs of the tribes (iwi) of New Zealand to the north of Hauraki having assembled at Waitangi in the Bay of Islands (Tokerau) on 28 October 1835, declare the chieftainship (rangatiratanga) of our lands and say and declare them to be chiefly lands (Wenua Rangatira), under the title of 'Te Wakaminenga o nga Hapu o Nu Tireni' (The Confederation of the Sub-tribes of New Zealand).'
2. The kingship (Kingitanga) and the mana of the lands of the Confederation of New Zealand are here declared to belong solely to the true chiefs (Tino Rangatira) of our gathering, and we also declare that we will not allow (tukua) any other group to frame laws (wakarite ture), nor any Governorship (Kawanatanga) to be established in the lands of the Confederation, unless (by persons) appointed by us to carry out (wakarite) the laws (ture) we have enacted in our assembly.
3. We, the true chiefs have agreed to meet in a formal gathering (runanga) at Waitangi in the autumn of each year to enact laws (wakarite ture) that justice may be done (kia tika ai te wakawakanga), so that peace may prevail and wrong-doing cease and trade (hokohoko) be fair, and we invite the southern tribes to set aside their animosities, consider the well-being of our land and enter into the Confederation of New Zealand.
4. We agree that a copy of our declaration should be written and sent to the King of England to express our appreciation (aroha) for his approval of our flag. And because we are showing friendship and care for the pakeha who live on our shores, who have come here to trade (hokohoko), we ask the King to remain as a parent (matua) for us in our child-like state (tamarikitanga), lest our chieftainship be ended (kei whakakahoretia to matou Rangatiratanga).

We have agreed to all of this on this day 28 October 1835, in the presence of the Resident (Reireneti) of the King of England.

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HE WAKAPUTANGA O TE RANGATIRATANGA O

NU TIRENE.

1. KO MATOU, ko nga tino Rangatira o nga iwi o NU TIRENE i raro mai o Haurake, kua oti nei te huihui i Waitangi, i 'Tokirau, i te ra 28 o Oketopa, 1835. Ka wakaputa i te Rangatiratanga o to matou wenua; a ka meatia ka wakaputaia e matou he Wenua Rangatira, kia huaina, "Ko te WAKAMINENGA O NGA HAPU O NU TIRENE."

2. Ko te Kingitanga, ko te mana i te wenua o te wakaminenga o Nu Tirene, ka meatia nei kei nga tino Rangatira anake i to matou huihuinga; a ka mea hoki, e kore e tukua e matou te wakarite ture ki te tahi hunga ke atu, me te tahi Kawanatanga hoki kia meatia i te wenua o te wakaminenga o Nu Tirene, ko nga tangata anake e meatia nei e matou, e wakarite ana ki te ritenga o o matou ture e meatia nei e matou i to matou huihuinga.

3. Ko matou, ko nga tino Rangatira, ka mea nei, kia huihui ki te runanga ki Waitangi a te Ngauru i tenei tau i tenei tau, ki te wakarite ture, kia tika ai te wakawakanga, kia mau pu te rongo, kia mutu te he, kia tika te hokohoko. A ka mea hoki ki nga tau iwi o runga, kia wakareera te wawai, kia mahara ai ki te wakaranga o to matou wenua, a kia uru ratou ki te wakaminenga o Nu Tirene.

4. Ka mea matou, kia tuhituhia he pukapuka, ki te ritenga o tenei o to matou wakaputanga nei, ki te Kingi o Ingarani, hei kawae atu i to matou aroha; nana hoki i wakaae ki to Kara mo matou. A no te mea ka atawai matou, ka tiaki i nga Pakeha e noho nei i uta, e rere mai ana ki te hokohoko, koia ka mea ai matou ki te Kingi kia waiho hei Matua ki a matou i to matou tamarikitanga, kei wakakahoretia to matou Rangatiratanga.

Kua wakanotia katoatia e matou i tenei ra i te 28 o Oketopa 1835, ki te aroaro o te Rehirenete o te Kingi o Ingarani.

Ko PAERATA, no te Patu Koraha.
Ko URUROA, no te Taha Wai.
Ko HARE HONGI.
Ko HEMI KAPA TUPE, no te Uripotete.
Ko WAREPOAKA, no te Hikutu.
Ko TITONE, no nga te Nanonano.
Ko MOKA, no te Patu Heka.
Ko WARERAHI.
Ko REWA.
Ko WAI, no Ngaitewake.
Ko REWETI ATUA HARE, no nga te Tau Tahi.
Ko AWA.
Ko WIREMU IETI TAUNUI, no te Wiu.
Ko TENANA, no nga te Kuta.
Ko PI, no to Mahurehure.
Ko KAUA, no te Herepaka.

Ko TAREHA, no nga te Rehia.
Ko KAWITI, no nga te Hine.
Ko PUMUKA, no te Roroa.
Ko KEKEAO, no nga te Matakere.
Ko TE KAMARA, no nga te Kawa.
Ko POMARE, no te Wanau Pane.
Ko WIWIA, no te Kapo Tahi.
Ko TE TAO, no te Kai Mata.
Ko MARUPO, no te Wanau Rongo.
Ko KOPIRI, no te Uritanewa.
Ko WANAU, no nga te Tokawero.
Ko NGERE, no te Urikapana.
Ko MOETARA, no nga te Korokoro.
Ko HIAMOE, no te Uru o Ngongo.
Ko PUKUTUTU, no te Uri o te Hawato.

Ko ERUERA PARE, te Kai Tuhituhi.

Ko matou, ko nga Rangatira, ahakoa kihai i tao ki te huihuinga nei, i te nuinga o to Waipuko, i te aha ranci, ka wakaae katoa ki te wakaputanga Rangatiratanga o Nu Tirene, a ka uru ki roto ki te wakaminenga.

Ko NENE.
Ko HURU.
Ko TONA.

Ko PANAKAREAO.
Ko KIWIKIWI.
Ko TE TIRARAU.

He mea ta i te Perehi o nga Mihanere o te Hahi o Ingarani, i Paikia.



LETTER
OF THE
RIGHT HONORABLE
LORD VISCOUNT GODERICH,
AND
ADDRESS
OF
JAMES BUSBY, Esq. BRITISH RESIDENT,
TO THE
CHIEFS OF NEW ZEALAND.

KO TE PUKAPUKA
O TE TINO RANGATIRA
O WAIKAUTA KORERIHA,
ME TE KORERO
O TE PUHIPI,
KI NGA RANGATIRA
O NU TIRANI.

Sydney:

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w. 11

ADDRESS.

JAMES BUSBY, Esquire, the
British Resident—

To the Chiefs and People of
New Zealand.

MY FRIENDS,

You will perceive by the letter which I have been honored with the commands of the KING OF GREAT BRITAIN to deliver to you, that it is HIS MAJESTY'S anxious wish that the most friendly feeling should subsist between His own subjects and yourselves: and how much He regrets that you should have had reason to complain of the conduct of any of His subjects.

To foster and maintain this friendly feeling—to prevent as much as possible the recurrence of those misunderstandings and quarrels, which have unfortunately taken place—and to give a greater assurance of safety and just dealing, both to His own subjects, and the people of New Zealand, in their commercial intercourse with each other—these are the purposes for which HIS MAJESTY has sent me

Na te PUHIPI, te Tangata
o TE KINGI O INGARANI—

Ki nga Rangatira me nga
Tangata o Nu Tirani.

E HOA MA,

KUA rongō nei koutou ki te pukapuka o TE KINGI O INGARANI, i kawea mai nei e hau. E hiāhia ana ia kia wakahoatia koutou ki a ia. Ko tana mea kino te mahi kino o te pakeha ki a koutou.

Ko a hau tenei kua tonoa mai e ia kia meinga ai koutou hei hoa pumau ki a ia. A kia kore ai e tutu nga tangata o TE KINGI O INGARANI ki a koutou. A kia tika ai te hokohoko a te pakeha ki te tangata maori, a te tangata maori—ra nei ki te pakeha. Hei a muri nei ki te tutu e tahi tangata ki a koutou, hei reira koutou kite ai, ko a hau te hoa mo te tangata maori.

to reside amongst you. And, I hope and trust, when any opportunities of doing a service to the people of this country shall arise, I shall be able to prove to you how much it is my own desire to be the friend of those among whom I am come to reside.

It is the custom of HIS MAJESTY, THE KING OF GREAT BRITAIN, to send one or more of His servants to reside as His Representatives in all those countries of Europe and America, with which He is on terms of friendship; and in sending one of His servants to reside among the Chiefs of New Zealand, they ought to be sensible not only of the advantages which will result to the people of New Zealand, by extending their commercial intercourse with the people of England, but of the honor THE KING of a great and powerful nation like Great Britain, has done their country, in adopting it into the number of those countries with which He is in friendship and alliance.

I am, however, commanded to inform you, that in every country to which HIS MAJESTY sends His servants to reside as His Representatives, their persons and

No tua iho ano tenei ritenga o TE KINGI O INGARANI kia tonoa e tahi o ona tangata ki nga kainga tawiti o Uropi, o Amerika, o hea, o hea, nga kainga hoki e wakahoatia ana ki a ia. A ka tonoa mai nei a hau e TE KINGI kia noho ki to koutou kainga. Kia mahara koutou, e nga Rangatira o te tangata maori, hei pai tenei mo koutou; mā konei hoki ka hono ai to koutou hokohoko ki a matou, ki nga tangata o Ingarani: kia mahara ano hoki koutou, he wakarangatiranga tenei na TE KINGI o te iwi nui o Ingarani, ta te mea hoki ka wakahoatia koutou ki a ia.

Tenei ake ano tenei kore-ro; ka tonoa nga tangata o TE KINGI kia noho kihea kihea, nona pu hoki ia tangata. E kore rawa e ahatia ana tangata, o ratou tama-

families, and all that belongs to them, are considered sacred. Their duty is the cultivation of peace, and friendship, and goodwill; and not only THE KING OF GREAT BRITAIN, but the whole civilized world would resent any violence which His Representatives might suffer in any of those countries to which they are sent to reside in His name. I have heard that the Chiefs and people of New Zealand have proved the faithful friends of those who have come among them to do them good, and I therefore trust myself to their protection and friendship with confidence.

All good Englishmen are desirous that the New Zealanders should be a rich and happy people; and it is my wish, when I shall have erected my house, that all the Chiefs shall come and visit me, and be my friends. We shall then consult together by what means they can make their country a flourishing country, and their people a rich and a wise people, like the people of Great Britain.

At one time Great Britain differed very little from what New Zealand is now. The people had no large

riki ra nei, o ratou taonga ra nei e te kainga e noho ai ratou. E noho ana hoki ratou hei hunga mo te pai, mo te atawai, mo te maunga rongō. Ki te mea e ahatia nga tangata o TE KINGI, ka riri ia me nga pakeha katoa. Oti ra kua rongō a hau, he hunga pai nga rangatira me nga tangata o Nu Tirani, ki nga pakeha e noho ana ki a ratou mo te pai, koia hoki a hau te mataku ai kia noho, ko taku ko tahi anake ano ki to koutou kainga.

E mea ana nga tangata wakaro katoa o Ingarani, kia noho pai te tangata maori, kia wiwi ano ki nga taonga o te pakeha. A e mea ana a hau, ka oti te tahi ware moku te hanga, kia haere mai nga rangatira maori katoa kia kite i hau, kia waka hoatia ano ki hau. A kia wakaro ano hoki koutou he pai mo to koutou kainga, kia wakarite ai koutou ki nga tangata o Ingarani.

Inamata riro ko te ritenga o Ingarani kei te ritenga o Nu Tirani. Kahore o ratou ware pai, kahore he kahu

houses, nor good clothing, nor good food. They painted their bodies, and clothed themselves with the skins of wild beasts. Every Chief went to war with his neighbour, and the people perished in the wars of their Chiefs, even as the people of New Zealand do now. But after GOD had sent HIS SON into the world to teach mankind that all the tribes of the earth are brethren, and that they ought not to hate and destroy, but to love and do good to one another; and when the people of England learned HIS words of wisdom, they ceased to go to war with each other, and all the tribes became one people.

The peaceful inhabitants of the country began to build large houses, because there was no enemy to pull them down. They cultivated their land and had abundance of bread, because no hostile tribe entered into their fields to destroy the fruits of their labors. They increased the numbers of their cattle because no one came to drive them away. They also became industrious and rich, and had all good things they desired.

Do you, then, O Chiefs and Tribes of New Zealand,

pai, kahore he kai pai. He mea pani o ratou hiako ki te ta, ko o ratou kakahu he huruhuru kararehe. A e wawai ana tenei kainga ki tera atu: a ngaro iho nga tangata i te parekura me koutou ka ngaro nei. Oti ra ka tonoa e te ATUA tana TAMAITI ki te ao, hei ako i te tangata, he teina, he tuakana nga tauwi katoa i te ao: a he mea he te wawai, te hae; ko te pai ia kei te aroha, kei te atawai. Na! wakarongo ana nga tangata o Ingarani ki ana kupu pai, mutu wakarere te wawai o ratou ki a ratou ano, ka wakarohia ka huihua tauwi katoa.

Ko te hunga mo te pai kei te hanga i e tahi ware nunui mo ratou, kahore hoki he tangata hei wawahi; ka agakia te wenua, ka hua te kai, kahore hoki he hoa riri hei takahi: ka tini haere nga kararehe, kahore hoki he tangata e wiua ketia ai, e tangohia ai. A ka mahi ano ka wiwi ki te taonga.

E mara ma, E nga Rangatira, e nga Tangata o Nu

desire to become like the people of England? Listen first to the word of God, which HE has put it into the hearts of HIS servants, THE MISSIONARIES, to come here to teach you. Learn that it is the will of GOD that you should all love each other as brethren, and when wars shall cease among you, then shall your country flourish. Instead of the roots of the fern, you shall eat bread, because the land shall be tilled without fear, and its fruits shall be eaten in peace. When there is abundance of bread, men shall labor to preserve flax, and timber, and provisions for the ships that come to trade; and the ships which come to trade, shall bring clothing, and all other things which you desire. Thus shall you become rich. For there are no riches without labor, and men will not labor unless there is peace, that they may enjoy the fruits of their labor.

JAMES BUSBY,
Bay of Islands,
 17th May, 1833.

Tirani, peratia koutou me te hunga o Ingarani? Ma iia ka wakarongo ki te kupu o te ATUA kua ho mai nei ki ona tangata ki TE MIHANERE. Kia rongo koutou ko te hiahia o te ATUA kia aroha koutou katoa ki a koutou ano, kia wakateima, kia wakaturu kana koutou katoa. A ka wakamutu te wawai, ko reira kake haere ai to koutou kainga, ka pai ano. Ka mutu te kai i te aruhe, kei te taro anake; ka ngakia katoatia te wenua, ka kainga marietia nga kai. Ka nui hoki te kai, ko reira hoki mahia ai he Muka, he Rakau, he Kai ra nei, hei hokohoko mo te kaupuke. A ka riro ma mo koutou he kakahu me nga mea katoa e pai ai koutou. Makonei ka wai taonga ai koutou. Ki te kahore hoki he mahi, kahore he taonga tena ko te mahi, ma te rangi marie anake, ma te ata noho ka puta ai kia kite ai te tangata i ana mea i mahi ai ia.

PUHIPI,
Paihia,
 Mai 17, 1833.

APPENDIX III

WAITANGI TREATY MEETING

MOKI SPEAKERS (IN SPEAKING ORDER)

DAY ONE (FEBRUARY 5 1840)		DAY TWO (FEBRUARY 6 1840)		HOKIANGA TREATY MEETING -		12 FEBRUARY 1840	
NAME (MS)	NAME (PUBL ⁿ)	NAME (MS)	NAME (PUBL ⁿ)	NAME (MS)	NAME (PUBL ⁿ)	NAME (SHORTLAND PUBL ⁿ)	IDENTIFICATION
1. KAMERA	TE KAMERA	TE KAMERA *	NGATI KAWA	TE KAMERA *	NGATI KAWA	TE KAMERA *	TE KAMERA *
2. REWA	REWA	REWA *	NGAI TAWAKE	REWA *	NGAI TAWAKE	REWA *	REWA *
3. MOKA	MOKA	MOKA *	PATUHEKA	MOKA *	PATUHEKA	MOKA *	MOKA *
4. KAWITI	KAWITI	KAWITI *	NGATI HINE	KAWITI *	NGATI HINE	KAWITI *	KAWITI *
5. WAI	WAI	— Did not sign	NGAI TAWAKE	— Did not sign	NGAI TAWAKE	— Did not sign	— Did not sign
6. HAKIRO	HAKIRO (speaking for TITORE - deceased)	HAKIRO MO TITORE	NGATI HAKIENANE	HAKIRO MO TITORE	NGATI HAKIENANE	HAKIRO MO TITORE	HAKIRO MO TITORE
7. TAREHA	TAREHA (Hakiro's F)	KOA MATE	NGATI REHIA	KOA MATE	NGATI REHIA	KOA MATE	KOA MATE
8. MARUPO	MARUPO	MENE - his own signature	NGATI KAWA	MENE - his own signature	NGATI KAWA	MENE - his own signature	MENE - his own signature
9. RUHE	RUHE	TE TAWAITI O TAREHA	WANAUARA	TE TAWAITI O TAREHA	WANAUARA	TE TAWAITI O TAREHA	TE TAWAITI O TAREHA
10. KAITOKE	KAITOKE	MO TONA MATUA *	NGATI HINEIRA	MO TONA MATUA *	NGATI HINEIRA	MO TONA MATUA *	MO TONA MATUA *
11. MOHI TAWHAI	MOHI TAWHAI	TE KAMERA *	NGATI KAWA	TE KAMERA *	NGATI KAWA	TE KAMERA *	TE KAMERA *
12. RANGATIRA	RANGATIRA	MARUPO * (signed again at Hokianga)	NGAI TAWAKE	MARUPO * (signed again at Hokianga)	NGAI TAWAKE	MARUPO * (signed again at Hokianga)	MARUPO * (signed again at Hokianga)
13. PAKANAE	PAKANAE	RUHE TE TAWAITI O KOPIRI *	PATUHEKA	RUHE TE TAWAITI O KOPIRI *	PATUHEKA	RUHE TE TAWAITI O KOPIRI *	RUHE TE TAWAITI O KOPIRI *
14. TAONU	TAONU	—	NGAI TAWAKE	—	NGAI TAWAKE	—	—
15. TAMATI WAKA NENE	TAMATI WAKA NENE	—	NGAI TAWAKE	—	NGAI TAWAKE	—	—
16. KAITOKE MURIWAI	KAITOKE MURIWAI	—	NGAI TAWAKE	—	NGAI TAWAKE	—	—
17. DANIEL KAHIKA	DANIEL KAHIKA	—	NGAI TAWAKE	—	NGAI TAWAKE	—	—

FOR

FOR

HOKIANGA TREATY MEETING

AGAINST

IDENTIFICATION

HAPOU ?

NAME (SHORTLAND PUBLⁿ)

SIGNED NAME

1. TAONU

2. PAPAHA

3. MOSES

4. TAONU

5. KAITOKE

6. TAONU

7.

8.

9. KAITOKE

10.

11.

12.

13.

TAONU *
PAPAHA KO
TE RARAWA *
(signed at Waitangi)

KAITOKE *
(asked for signature
before next day
- TAYLOR)

NGARO

MOSES

RANGATIRA

TAONU

NENE

JOHN KING

DANIEL

MOHI TAWHAI

RANGATIRA MERTARA

{ MURAIWA OR
APERAHIMA TAONU

TAMATI WAKA NENE

SON OF MURIWAI

NGARO *

MOHI TAWAI *

RANGATIRA *

PAKANAE *

TAONU *

TAMATI WAKA NENE
(at Waitangi)

KAITOKE MURIWAI

DANIEL KAHIKA

DAY ONE (FEBRUARY 5 1840)

NAME (MS)

NAME (PUBLⁿ)

HAPOU (COLLEJO PUBLⁿ)

[= own signature]
SIGNED NAME
[* = signed by proxy]

NAME (MS)

NAME (COLLEJO PUBLⁿ)

HAPOU (COLLEJO PUBLⁿ)

[= own signature]
SIGNATURE
[* = signed by proxy]

1. KAMERA

2. REWA

3. MOKA

4.

5.

6. KAWITI

7. WAI

8.

9.

10. HAKIRO

11. TAREHA

12.

13.

14.

15.

16.

17. KAMERA

DAY TWO (FEBRUARY 6 1840)

18. MARUPO

19. RUHE

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38.

39.

40.

41.

TE KAMERA *

REWA *

MOKA *

KAWITI *

— Did not sign

HAKIRO MO TITORE

KOA MATE

MENE - his own signature

TE TAWAITI O TAREHA

MO TONA MATUA *

TE KAMERA *

MARUPO * (signed again at Hokianga)

RUHE TE TAWAITI O KOPIRI *

TE KAMERA *

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TAMATI PUKUTUTU

MATIU

PUMUKA

WAGERAHI (George King)

RAWIRI

HOANI HEKE

HAKITARA

TAMATI WAKA NENE

ERUERA MAHE PATUONE

RAWIRI

HOANI HEKE

HAKITARA

TAMATI WAKA NENE

ERUERA MAHE PATUONE

RAWIRI

HOANI HEKE

HAKITARA

NGATI TAWAHAI

MATARAHIURAHU

KA PAWA

NGATI HAO

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TAMATI PUKUTUTU *

MATIU HUKA (?)

PUMUKA *

HOANI HEKE NO TE MATARAHAHURAHU

HAKITARA *

TAMATI WAKA NENE

PATUONE *

RAWIRI TAIWANGA

HOANI HEKE NO TE MATARAHAHURAHU

HAKITARA *

TAMATI WAKA NENE

PATUONE *

RAWIRI TAIWANGA

HOANI HEKE NO TE MATARAHAHURAHU

HAKITARA *

TAMATI WAKA NENE

PATUONE *

RAWIRI TAIWANGA

HOANI HEKE NO TE MATARAHAHURAHU

HAKITARA *

TAMATI WAKA NENE

PATUONE *

RAWIRI TAIWANGA

HOANI HEKE NO TE MATARAHAHURAHU

HAKITARA *

TAMATI WAKA NENE

PATUONE *

RAWIRI TAIWANGA

HOANI HEKE NO TE MATARAHAHURAHU

HAKITARA *

TAMATI WAKA NENE

PATUONE *

RAWIRI TAIWANGA

HOANI HEKE NO TE MATARAHAHURAHU

HAKITARA *

TAMATI WAKA NENE

PATUONE *

RAWIRI TAIWANGA

HOANI HEKE NO TE MATARAHAHURAHU

HAKITARA *

TAMATI WAKA NENE

PATUONE *