

WAITANGI

Backgrounding The Treaty

Solemn compact or mere trickery? Whatever was written in the Treaty of Waitangi is subject to more scrutiny now than at the time of its signing.

By Tony Simpson

There must be few New Zealanders, even down to the smallest child, who are not aware of the Treaty of Waitangi. To remind us, every year on February 6 we commemorate the signing in 1840 with a day-long ceremony into which political protests seem in a curious way to have been incorporated as a part of the whole. We impart certain meanings to the event; that this was a solemn compact between Maori and pakeha in which the sovereignty of Britain was accepted by one in return for a guarantee of certain rights by the other.

Whether that bargain is considered to have been honoured or not depends upon one's own point of view, but both views are essentially the obverse and

reverse of the same coin. The coin, it may startle many New Zealanders to discover, is counterfeit. Most of the things we believe concerning the treaty are wrong, not only in terms of the meanings we give them but even to the facts themselves.

One of the main difficulties we have in ascertaining these facts is that the

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The signing as painted by L.C. Mitchell, a scene familiar to most New Zealanders.

treaty was so little regarded at the time of its signature that nobody bothered to write down what had happened. We have little more than the instructions issued to Governor Hobson and the eye witness account written down half a century later by the missionary printer William Colenso from notes he took at the time.

One thing at least is clear from Hobson's instructions from the Colonial Office. It was only with the greatest reluctance that the British Government became involved at all. For the preceding 40 years they had done their level best to stay out of the affairs of the European settlements in New Zealand, and had three times passed Acts of Parliament to declare that they accepted no jurisdiction over these settlements. Nevertheless, the growing European population (3000, mainly in the Bay of Islands, in 1840) and the prodding of the powerful Church Missionary Society forced it to act. The CMS was bothered by the lawlessness of the whaling port of Kororareka which was interfering with their mission and leading increasingly to disputes over land. Hobson was instructed to go to New Zealand, declare sovereignty, establish law and order and sort out land titles. He was authorised in addition to obtain the consent of the Maoris if that seemed necessary. This last was the origin of the Treaty of Waitangi.

On January 29 he sailed into Kororareka to the accompaniment of a seven-gun salute. The following day he issued notice of a meeting on February 5, and proclaimed New Zealand to be a possession of the British crown. This latter is important. It was not the treaty which established sovereignty, but this proclamation. By the time the chiefs signed, New Zealand had been a British possession for a week or more.

On the appointed day, a Wednesday, Hobson addressed those chiefs who had been assembled by the missionaries. He spoke no Maori and was obliged to use the services of the Rev. Henry Williams as an interpreter. This subsequently led to an altercation when one of the grogshop owners, who had come along for the fun, claimed that Williams was not interpreting accurately either the remarks of the Governor, who read the Maoris the text of a treaty he had prepared, or the responses of the chiefs. Perhaps Williams had his reasons. Certainly, although some welcomed the coming of the Governor, most of the chiefs who spoke rejected the suggested treaty and some invited Hobson in no uncertain terms, and to general applause, to take himself back to where he had come from and his concept of sovereignty, quaintly rendered as *Kawanatanga*, with him. After a day of debate the meeting broke up in some confusion with Hobson indicating that there should be a further meeting on Friday, February 7.