THE TREATY OF WAITANGI

AN EXPRESSION IN ENGLISH OF THE TEXT IN TE REO

(Signed at Waitangi on the 6th February 1840 and afterwards around the country by over 500 Rangatira)

Victoria, the Queen of England, in her gracious thoughtfulness to the Rangatira and Hapu of New Zealand, and in her desire to record both her recognition of their paramount authority and that the lands are theirs, so that all may live in peace and good order, has thought it right to send an officer to make arrangements with the Maori people of New Zealand. Let the Rangatira agree to the Kawanatanga (governorship – the delegated duty to govern Pakeha and other non-Maori) of the Queen over all parts of this land and its islands. This is to be done because a great number of her people have settled in this country, and others will come.

The Queen desires to arrange Kawanatanga so that no evil will come to the Maori people or to the Pakeha, who are living here in a state of lawlessness.

Now the Queen has been pleased to send me, William Hobson, a Captain in the Royal Navy, to be the Kawana for all parts of New Zealand which have been allocated, or shall be allocated, to the Queen. And she says to the Rangatira of the Confederation of the Hapu of New Zealand and the other Rangatira, these are the laws spoken of:

**THIS IS THE FIRST**

The Rangatira of the Confederation and all the other Rangatira who have not joined that Confederation delegate Kawanatanga to the Queen of England forever for lands entrusted to Pakeha and other non-Maori.

**THIS IS THE SECOND**

The Queen of England will make the arrangements and recognises the Tino Rangatiratanga (retained paramount and ultimate authority, which includes sovereignty) of the Rangatira, Hapu and all the people of New Zealand over their lands, villages and everything else that is held precious. But the Rangatira of the Confederation and all the other Rangatira allow the Queen to trade for the use of those pieces of land that the owners consent to allocate, subject to agreement over payment which will be agreed to between the Rangatira and an agent who will be appointed by the Queen.

**THIS IS THE THIRD**

This is the arrangement for the agreement to the Queen’s Kawanatanga. The Queen will care for all the Maori people of New Zealand and ensure that they have the same access to the laws and customs as the people of England.

**THIS IS THE FOURTH**

The Governor says that all faiths - those of England, of the Wesleyans, of Rome and also Maori custom and religion - shall all alike be protected by him.

(This fourth article was agreed to before any of the Rangatira had signed the Treaty. It came about when the Catholic Bishop Pompallier asked Hobson that there be a guarantee of freedom of religion. The Anglican missionary William Colenso subsequently worded the article then Hobson and the Rangatira agreed to it.)

Now we, the Rangatira of the Confederation of the Hapu of New Zealand, assembled here at Waitangi and we, the other Rangatira of New Zealand, understand the intent of these words and agree to their entirety, and so we put here our names and our marks.

Done at Waitangi on the 6th day of February in the year of our Lord 1840.

Network Waitangi Otautahi www.nwo.org.nz April 2018

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**HE KUPU WHAKATAKI,**

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 ataa noho hoki, kua wakahauro ia i he mea tikia kia tukua mai ritehia Rangatira hei kaiwakarite kia nga tangata Maori o Nu Tirani. Kia wakaaetia e nga Rangatira Maori te Kawanatanga o te Kuini kia nga wahihanga o te wenua nei a mea motu. Na te mea hoki he tokomaha ke nga tangata o tonia iwi kia kua noho ki tenei wenua, e a haere mai nei.

Na ko te Kuini e hiahia ana kia kaiwakarite te Kawanatanga, kia kaua 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 ahau, a Wiremu Hopihana, he Kapitana i te Roiara Nawi, hei Kawana mo nga wahihanga o te Hapu o Nu Tirani i tukua alanei a mua 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 koreotia nei.

**KO TE TUATAHI,**

Ko nga Rangatira o te Wakaminenga, me nga Rangatira katoa hoki, kihai i uru ki taua Wakaminenga, kia tuku rawa atu ki te Kuini o Ingariani ake tonu atu te Kawanatanga katoa o o ratou wenua.

**KO TE TUARUA,**

Ko te Kuini o Ingariani ka kaiwakarite kia 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 kaiti. Otiia ko nga Rangatira o te Wakaminenga, me nga Rangatira katoa atu ki a tuku ki te Kuini te hokongia o rera wahihanga o te wenua e pai ai te tangata nona te wenua ki te riterenga o te utu e wakaaetia ai e ratou, ko te kaihokio me meatia nei e te Kuini ki he kaihokio mona.

**KO TE TUATORU,**

Hei wakaaetanga mai hoki tenei mo te wakaaetanga ki te Kawanatanga o te Kuini. Ka tikanga e te Kuini o Ingariani nga wahihanga o te Maori katoa o Nu Tirani. Ka tuku kia a ratou nga tikanga katoa rite tahi ki ana mea, ki nga tangata a Ingariani.

**KO TE TUAWA,**

E mea ana te Kawana ko nga wakapono katoa o Ingariani, o nga Weteriania, o Roma, me te ritenga Maori hoki e tikanga ngaatahitia e ia.

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 wakaaetia katoaia 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, e wa tekau o to tatou Arikir.
PREAMBLE

Her Majesty, Victoria, Queen of the United Kingdom of Great Britain and Ireland, regarding with Her Royal Favour the Native Chiefs and Tribes of New Zealand, and anxious to protect their just Rights and Property, and to secure to them the enjoyment of Peace and Good Order, has deemed it necessary, in consequence of the great number of Her Majesty’s Subjects who have already settled in New Zealand, and the rapid extension of Emigration both from Europe and Australia which is still in progress, to constitute and appoint a functionary properly authorised to treat with the Aborigines of New Zealand for the recognition of Her Majesty's Sovereign authority over the whole or any part of these islands. Her Majesty therefore being desirous to establish a settled form of Civil Government with a view to avert the evil consequences which must result from the absence of the necessary Laws and Institutions alike to the native population and to Her subjects has been graciously pleased to empower and to authorise me William Hobson, a captain in Her Majesty’s Royal Navy, Consul, and Lieutenant-Governor of such parts of New Zealand as may be or hereafter shall be ceded to Her Majesty, to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.

ARTICLE THE FIRST

The chiefs of the Confederation of the United Tribes of New Zealand and the separate and independent Chiefs who have not become members of the Confederation, cede to Her Majesty the Queen of England, absolutely and without reservation, all the rights and powers of Sovereignty which the said Confederation or Individual Chiefs respectively exercise or possess, or may be supposed to exercise or to possess over their respective Territories as the sole Sovereigns thereof.

ARTICLE THE SECOND

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof, the full exclusive and undisturbed possession of their Lands and Estates, Forest, Fisheries, and other properties which they may collectively or individually possess, so long as it is their wish and desire to maintain the same in their possession; but the Chiefs of the United Tribes and the Individual Chiefs yield to Her Majesty the exclusive right of Pre-emption over such lands as the proprietors thereof may be disposed to alienate, at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

ARTICLE THE THIRD

In consideration thereof, Her Majesty the Queen of England extends to the Natives of New Zealand Her royal protection and imparts to them all the Rights and Privileges of British Subjects.

Now therefore, We the Chiefs of the Confederation of the United Tribes of New Zealand being assembled in Congress at Victoria, in Waitangi and We the Separate and Independent Chiefs of New Zealand claiming authority over the Tribes and Territories which are specified after our respective names, having been made fully to understand the Provisions of the foregoing Treaty, accept and enter into the same in the full spirit and meaning thereof. In witness of which, we have attached our signatures or marks at the places and the dates respectively specified.

Done at Waitangi, this Sixth day of February in the year of Our Lord, one thousand eight hundred and forty.

NOTE: There was no record on the English version of the agreement on the protection of religious freedom and customary law. (The Fourth Article.)
HE WAKAPUTANGA O TE RANGATIRATANGA O NU TIRENI
THE DECLARATION OF INDEPENDENCE OF NEW ZEALAND
28 OCTOBER 1835

• is an international declaration
• was signed on 28 October 1835
• was witnessed by the Crown Resident

1. We the hereditary chiefs and heads of the tribes of the Northern parts of New Zealand, being assembled at Waitangi in the Bay of Islands, on this 28th day of October, 1835, declare the independence of our country which is hereby constituted and declared to be an Independent State under the designation of the United Tribes of New Zealand.

2. All sovereign power and authority within the territories of the united tribes of New Zealand is hereby declared to reside entirely and exclusively in the hereditary chiefs and heads of tribes in their collective capacity, who also declare that they will not permit any legislative authority separate from themselves in their collective capacity, nor any function of government to be exercised within the said territories, unless by persons appointed by them and acting under the authority of laws regularly enacted by them in Congress assembled.

3. The hereditary chiefs and heads of tribes agree to meet in Congress at Waitangi in the autumn of each year for the purpose of framing laws for the dispensation of justice, the preservation of peace and good order, and the regulation of trade. They also cordially invite the southern tribes to lay aside their private animosities and to consult the safety and welfare of our common country by joining the Confederation of the United Tribes.

4. They also agree to send a copy of this Declaration to His Majesty the King of England to thank him for his acknowledgment of their flag. In return for the friendship and protection that they have shown and are prepared to show to such of his subjects as have settled in their country or resorted to its shores for the purposes of trade, they entreat that he will continue to be the parent of their infant State, to protect it from all attempts upon its independence.

Agreed to in its entirety by us on this 28th day of October, 1835, in the presence of His Britannic Majesty's Resident.

• was the forerunner of the Treaty of Waitangi
• has a flag to symbolise tribal rights to trade as independent nations

More information available from Network Waitangi Otautahi www.nwo.org.nz, September 2018