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He Whenua Rangatira

A Mana Māori History of the Early–Mid Nineteenth Century

Mānuka Hēnare



THE UNIVERSITY OF
AUCKLAND
Te Whare Wānanga o Tāmaki Makāurau
NEW ZEALAND

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By Mānuka Hēnare



Edited by

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With an afterword by Anne Salmond

University of Auckland, Auckland, New Zealand

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BIOGRAPHY

Mānuka Hēnare, BA (Hons), PhD (VUW), MInstD (1942–2021)
Te Rarawa, Te Aupōuri, Ngāti Kurī, Ngāpuhi

Mānuka Hēnare is a highly respected kaumātua and rangatira, husband, father and mentor in te ao Māori. He had over 40 years' research and consultancy experience in the field of Māori and Indigenous business enterprise and development economics. His leadership in collaborative research saw him head a number of multidisciplinary research project teams, advise government departments, hold ministerial appointments and serve as an expert witness for the Waitangi Tribunal, a national standing commission of inquiry related to Māori Tiriti o Waitangi claims.



An associate professor at the University of Auckland Business School until February 2020, Mānuka was called upon for spiritual, cultural, academic and pastoral care of University staff and students. He taught Māori business and economic history, strategy and management of tribal enterprises. In 2018 he received the Ako Aotearoa Award for Sustained Excellence in Tertiary Teaching—Kaupapa Māori Category. For this, he wrote the following:

“My role as a tertiary teacher in the field of Māori and Indigenous business enterprise and development economics did not begin until mid-life. While I refer to academia as my third career, my passion for university studies and writing began much earlier. It was in my previous roles as CEO of two national non-government organisations—Caritas Aotearoa-New Zealand and Community Volunteers—that I became involved in international development, justice and peace, and travelled extensively throughout Asia and the Pacific.

These experiences shaped my work as a senior Māori academic, examining how the philosophies, religions, cultures and worldviews of Indigenous peoples inform theories and practices in innovation, management, organisational culture, economics, and globalisation. My internationally recognised research, based on fieldwork as well as in archives and literature, has identified the versatility and persistence of traditional Māori and other Indigenous peoples' concepts, ideas and practices in business and society.

In 1996, I was the first lecturer in Māori business development to be appointed to the University of Auckland Business School (UABS), and the third Māori academic, behind Drs Pare Keiha and Ella Henry. The UABS provided me with an environment for deeper academic thinking on local and global economic development. My main teaching contribution has been to the Postgraduate Diploma in Business (Māori Development), known as the Te Tohu Huanga Māori Programme. I also saw an opportunity to foster teaching and research on the history of the Māori economy, which was lacking in both the UABS and New Zealand business history generally. Two new courses were introduced to increase the relevance of the Bachelor of Commerce degree for Māori undergraduates; one on Māori business, and another on Māori philosophy.

Business histories in Aotearoa-New Zealand often implicitly and explicitly put forward an argument that business and economic development were introduced by European settlers. There is little regard for the 1,000 years of Māori development prior to 1840, let alone the 5,000 years of prior Austronesian development. Yet, while Māori economic engagement with the Anglo-West is only two centuries old, the Māori economy extends some 6,000+ years. I make it my mission to highlight to my students that thriving economies existed prior to the settlers' arrival, with culturally-appropriate businesses in areas such as fishing, horticulture, land management, forestry management, and bird catching. Instead of compressing Māori entrepreneurial histories to fit Anglo-Western time frames and models of success, my colleagues and I unpack these activities and intentions and place them in more appropriate cultural and temporal contexts."





Above left: Mānuka Hēnare in New Zealand Army uniform circa 1966.

Above centre: Mānuka in Cambridge, United Kingdom, 20 June 2014.

Above right: Mānuka and Diane at their son's graduation, 2014.

Below: Extended whānau gathered for the 70th birthday of Mānuka at Long Bay Beach, 21 October 2012.





Above: Whānau Hēnare, Christmas 2019.

Below left: Mānuka with mokopuna at Waitangi teaching them about Te Kara, January 2020.

Below right: Mānuka and Paul Diamond at Hocken Library Gallery, Dunedin for opening of the exhibition Whakapono: Faith and Foundations, 8 November 2014.



NGĀ MIHI MAIOHA: Acknowledgements from Mānuka, 2020

Kia rere arorangi atu taku mihi maioha ki ngā wheinga memeha kore, kaumātua atawhai, tūpuna māia hoki, kua whakarewaina nei rātou kei runga, kei ngā rārangi whetū e tū ngātahi ana i Titi-o-kura. E koutou mā i āta poipoi, i āta napinapi i ahau i mua i ō koutou whakarehunga atu i te ao tangata nei.

My sincere salutations and acknowledgements fly to the many friendly and unforgettable adversaries, caring elders and the diligent ancestors who have been elevated on high amongst the myriad of stars assembled at Titi-o-kura. As it is, you have all contributed to my nurturing and guidance prior to you all having dimly faded from this mortal world.

Ngā mihi aroha to my wife Diane, to whom I have always said “If you ever leave me... I am going with you.” I dedicate this mātauranga to my tamariki and mokopuna, so they always know their whakapapa: Erina, Ruia and Maanawa; Mark, Naomi, Coco and Hedy; Tania, Paul, Maeghan, Joshua and Jacob; Martin, Nadine, Luke, Charlotte, Vaughan and Eden; Kimiora, Lucia and Kees Kahukura.

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My particular thanks to the Busby family in Scotland, Australia and New Zealand for access to the papers of James Busby.

Ngā mihi to the late John Deeks for his editing finesse on earlier writing that contributed to this publication; and Stephanie Tibble, for editing the sections in te reo.

And last but not least, ngā mihi nunui to my colleagues over many years at the University of Auckland Dame Mira Szászy Research Centre, Dr Amber Nicholson and Dr Billie Lythberg, for their immense dedication and effort in recrafting this, my PhD thesis, for publication; and Dame Anne Salmond for her fine eye and final words.

RĀRANGI KUPU: Glossary

Ahikāroa	<i>Occupation</i>
Aotearoa	<i>Land of the Long White Cloud: The Māori name given to New Zealand</i>
Atua	<i>Supreme or spiritual being/s</i>
Haka	<i>Ceremonial dance</i>
Hākari	<i>Feast</i>
Haki	<i>Flag. A transliteration that refers to 'Jack' as in the Union Jack</i>
Hapū	<i>Tribal kinship groups</i>
Hau	<i>Spirit, wind and breath of life</i>
Hauā	<i>A fight of little consequence</i>
He Korunga o Ngā Tikanga	<i>A spiral/matrix of ethics</i>
He Whakaminenga o ngā Hapū	<i>Confederation of Tribes</i>
He Whakaputanga o te Rangatiratanga o Nu Tīreni	<i>The Declaration of Independence of the Independent tribes of New Zealand</i>
He whenua rangatira	<i>The most noble of land; inclusive prosperity and well-being in a time of peace and harmony</i>
Huihuinga	<i>Great gathering</i>
Io-Matua Kore	<i>Supreme Divine Being, the source of all creation</i>
Iwi	<i>Tribal social structures</i>
Kāinga	<i>Home, living environment and country, primary place of abode and living</i>
Kaipuke	<i>White-masted sailing ships</i>
Kaitiaki	<i>Guardianship role</i>
Kaituhituhi	<i>Scribe</i>
Kanohi ki te kanohi	<i>Face to face</i>
Kaumātua	<i>Respected elder/respected elders</i>
Kawa, tikanga, ritenga	<i>Cardinal ethics, morals, values, and appropriate behaviours</i>
Koha	<i>The gift or contribution towards another; reciprocity.</i>
Kororāreka	<i>Russell (a town of Northland)</i>
Kotahitanga	<i>Solidarity</i>
Kuia	<i>Respected female elders/ leaders</i>
Makariri	<i>Winter, cold</i>
Mana	<i>Spiritual power and authority; integrity</i>
Mana hapū, mana iwi, mana Māori history	<i>The prestigious history of local tribal kinship groups</i>
Mana Māori	<i>Māori sovereignty/ Māori national identity</i>

Manaaki	<i>Care, hospitality</i>
Māoritanga	<i>Māori way of life</i>
Marae	<i>Ancestral meeting place where Māori protocol takes precedence</i>
Marae ātea	<i>Clear grass space lying before the whare</i>
Matua	<i>Close male relatives, uncles</i>
Mauri	<i>Life essence/ life force</i>
Moko	<i>Facial tattoo</i>
Nu Tīreni	<i>Transliteration of New Zealand</i>
Ngahuru	<i>Autumn</i>
Pākehā	<i>New Zealand European</i>
Papakāinga	<i>Ancestral home</i>
Papatūānuku	<i>Earth</i>
Pēwhairangi	<i>Bay of Islands</i>
Puhipi	<i>James Busby, as known to Māori</i>
Rangatira	<i>Leader/s</i>
Ranginui	<i>Sky</i>
Raupatu whenua	<i>Conquest of land</i>
Ringa kaha	<i>Entitlement</i>
Ritenga	<i>Customs/behaviours</i>
Rohe	<i>A sense of place, a boundary, a district</i>
Rūnanga	<i>Councils for local Māori administration and authority</i>
Tai Tokerau	<i>Northland</i>
Takahitanga	<i>Trampling under, or the plundering of the people</i>
Tangata	<i>Person or humanity</i>
Tangata Māori	<i>Māori people</i>
Tangata whenua	<i>People of the land</i>
Taonga tuku iho	<i>Highly prized intangible and tangible treasures inherited from past generations</i>
Tapu	<i>Sacred; being with the potentiality of power</i>
Taunaha whenua	<i>Discovery</i>
Te ao tūroa	<i>The environment, cultural milieu</i>
Te Ika-a-Māui	<i>The great fish of Māui, referring to the North Island</i>
Te Kara	<i>The first Māori chosen national flag of Nu Tīreni Transliteration of colour</i>
Te Matenga	<i>Māori name for Samuel Marsden</i>
Te Moana-nui-a-Kiwa	<i>the Great Ocean of Kiwa, commonly, the Pacific Ocean</i>

Te reo rangatira / Te reo Māori	<i>Māori language</i>
Te rongo me te ātanoho	<i>Good life as prosperity in a time of lasting peace</i>
Te Tiriti o Waitangi	<i>The Māori text of the Treaty of Waitangi signed between Māori and the British Crown in 1840</i>
Tī kouka	<i>Cordylis Australis, Cabbage tree</i>
Tika	<i>Accurate, true</i>
Tikanga	<i>Customs, ethics, including tikanga manaaki, namely the pleasantries exchanged; tikanga mana, the exchange of interests; and culminated with tikanga hau o tō taonga, the shaking of hands and gift exchange</i>
Tohunga	<i>Experts in ancestral knowledge; Religious leaders</i>
Tupuna/Tūpuna	<i>Ancestor/ancestors</i>
Tūrangawaewae	<i>A place to stand and be</i>
Urupā	<i>A sacred burial place where ancestors are interred; the idea that things have come to an end</i>
Utu	<i>Redress, revenge, reparation</i>
Wairua	<i>Spirit</i>
Waka	<i>Ancestral canoe</i>
Whaikōrero	<i>Ritualised speech making of orators</i>
Whakapapa	<i>Genealogical account; ties or layers of descent and affinity</i>
Whānau	<i>Family units</i>
Whanaungatanga	<i>Sense of belonging</i>
Whare kai	<i>Eating house, dining hall</i>
Whare tupuna	<i>Ancestral house</i>
Whare wānanga	<i>Tribal schools of learning</i>
Whenua	<i>Lands</i>

Research Language

Citations of quotes from texts that use Māori words receive a macron, whether the original text featured a macron or not. The English possessive form ('s) is not appended to any Māori words or names. No macrons used for names of people except that of author – Mānuka Hēnare [his preference].

Aotearoa New Zealand is the name of the country used when referring to the present. When discussing the early–mid nineteenth century, the then new Māori name of Nu Tīreni or its variations (Niu Tīreni, Nu Tirani) is used. New Zealand becomes, later in the nineteenth and twentieth centuries, a space for settlers in which Māori are located.

CHAPTER ONE

Introduction: From Hapū Narrative to Māori History

My first serious enquiry into hapū (kinship group) history began some twenty-five years ago. I did most of the initial work with a man who is now deceased—my grandfather’s younger brother by twenty years. We knew him simply as Uncle Mane, of Te Aupōuri and Te Rarawa (tribal affiliations of North Hokianga). I did not know him when I was young, and he did not know me. We met as adults. He was a dairy farmer, a labourer, a forester, an electrical linesman, a football player and a boxer who, when he became the kaumātua (leader) of our local marae (ancestral meeting place where Māori protocol takes precedence) and tribe in the North Hokianga, emerged as an authority on genealogy and North Hokianga tribal history. It was he who guided me and others through the complex world of Māori thought, particularly of Hokianga and Te Tai Tokerau, on matters to do with our past.

In our Ngāti Hauā account of the history of our harbour, Whangāpē, the shores of which we have inhabited since the times of Kupe (said to be the original Pacific explorer who discovered the islands of Aotearoa), Whangāpē was named by our Te Aupōuri ancestor Tohe. However, there is a lake in south Auckland also called Whangāpē, and further south near Matamata is another tribe called Ngāti Hauā. According to them, we are named after the southern Waikato tribes. I brought this apparently conflicting account to the attention of Uncle Mane, pointing out the thoroughness of the other group’s historical account and noting that it was documented and published in 1949 in Leslie G. Kelly’s *Tainui*.¹ Our account is known largely through oral stories. After much questioning and debate his response was that if it was the view of Tainui, let them have it, but it is not ours. According to Mane, Tohe named the harbour Whangāpē Karaka during his epic journey south, searching for his daughter Raninikura, who lived in the Hokianga area. As he came upon places and events during his journey, he named many of them — Kapo Wairua, Tohora, Waikanae, Waipakaru, Hukatere, Waimimiha, Herekino. Eventually, when he arrived at our harbour, he came upon a group preparing karaka berries for eating, thus the name Whangāpē Karaka. As for the re-naming of our hapū as Ngāti Hauā, the story refers to the wasted death of an ancestor called Takapari who died in a hauā, a fight of little consequence. The earlier name was Ngāti Hinepahero.



Uncle Mane

1 Kelly 1986 [1949].



Top left: Whangapē Harbour, Hokianga County, 1984. Whites Aviation Ltd: Photographs. Ref: WA-77653-F. Alexander Turnbull Library, Wellington, New Zealand. <https://natlib.govt.nz/records/23035721>

Above: Early view of Whangapē (between 1910 and 1930), Northwood brothers: Photographs of Northland. Ref: 1/1-010684-G. Alexander Turnbull Library, Wellington, New Zealand. <https://natlib.govt.nz/records/22447778>

Above right: Aerial view of Whangapē taken by Mānuka, 15 November 2005.

Uncle Mane knew that I often worked in the Tainui area and advised me to be circumspect about how, when in their tribal area, I listened to their version of the history of Whāngāpe. “It is not for you to challenge their account while in their area. However, if they should come to our marae and tell us their history of how we received our name and that of the harbour, then,” he said, “we will correct them.” This proved to be a lesson to me in the politics and dynamics of kinship histories.

The view on history of Uncle Mane is an example of *mana hapū* or *mana iwi* history, which is local and specific to the group whose history it is. It is an example of tribal relativism, meaning that tribal accounts can be understood and assessed only by members of the kinship group. Māori scholars of the 1860s recognised the problems of tribal relativism and the difficulty of reaching common positions on crucial matters. There was debate in 1865 on these points when Te Matorohanga of Wairarapa spoke to his pupils in the Whare Wānanga (place of learning), saying:

There was no one universal system of teaching in the Whare Wānanga. For each tribe this was so.... My word to you is: Hold steadfastly to our teaching; leave out of consideration that of other (tribes). Let their descendants adhere to their teaching,

and you to ours, so that if you are wrong, it was we (your relatives) who declared it to you (and you are not responsible); and if you are right, it is we who gave you this treasured possession.²

This book, however, is not a hapū or iwi specific history, but part of the meta-history of Māori people. I am a descendent of Te Rarawa rangatira (leaders) who in 1835 formed a coalition that came to be known as He Whakaminenga o ngā Hapū,³ rendered as the Confederation of Tribes, which acted in a collective capacity on behalf of all New Zealanders. Rangatira of He Whakaminenga signed He Whakaputanga o te Rangatiratanga o Nu Tīreni, the Declaration of the Independence of New Zealand, on behalf of their people—their whānau, hapū and iwi. Te Rarawa co-founders of the nascent Nu Tīreni (New Zealand)⁴ nation state were Papahia, Te Huhu, Te Morenga and Panakareao and yet the collective exploits of these Māori leaders and others are little discussed in hapū or iwi discourse. This raises two questions that are central to this book:

1. Why is it that Māori attempts to set up a nation-state in 1835 have received very little recognition in histories of Aotearoa and New Zealand?
2. Why is it that contemporary Māori themselves seem unable to accept that some tūpuna (ancestors) had the foresight to form a confederation of hapū and then establish a Māori state?

The answer to these questions may help us to understand why He Whakaputanga o te Rangatiratanga of 1835 has not received the attention it deserves.

Perhaps it is because of the nature of Aotearoa New Zealand history itself. It encompasses a variety of histories of which the two dominant streams are Māori and its tribal histories, and settler history. On Māori history and related issues, Pākehā (New Zealand Europeans) historians have become somewhat shy, due I think to the wave of criticism from both Māori and Pākehā asserting that only Māori can say anything about Māori.

Māori history is emerging as a genre with its own standards and ethics. It contains two streams. The strongest and most longstanding are the tribal ethnographies or tribal histories. The second, and yet to be clearly articulated, is the idea of Māori history. Tribal histories are closed histories and are representations and interpretations of the past specific to the members of a particular kinship group, namely whānau and hapū. In Māori terms, outsiders ought not to openly critique or even comment on these perceived views of the past and its interpretations. This is the sole prerogative of those who belong to the hapū/iwi. As John Rangihau forcefully stated: “Each tribe has its own history. And it is not a history that can be shared among others”.⁵

2 Smith 1913: Vol. I, 84; cited in Salmond 1985: 248.

3 Also referred to as Wakaminenga—differences in dialect of Te Reo Māori (the Māori language) account for the addition or subtraction of the h, for example, w[h]akaminenga, w[h]akaputanga. w[h]enua.

4 Aotearoa New Zealand is the name of the country used when referring to the present. When discussing the early–mid nineteenth century, the then new Māori name of Nu Tīreni or its variations (Niu Tīreni, Nu Tirani) is used. New Zealand becomes, later in the nineteenth and twentieth centuries, a space for settlers in which Māori are located.

5 Rangihau 1992 [1975]: 232.

A problem with this type of relative history is that it does not account for or explain the bigger picture, for example the emergence of new social groups or ethnic identity and nationalist movements. This I discovered when some of the actions of one of my early nineteenth-century ancestors, Papahia, were not explained by local oral discourse. For instance, why did he and his brother sign the 1835 He Whakaputanga o Te Rangatiratanga/Declaration of Independence, and what was he doing in 1840 travelling to other parts of the country on Christian missionary work and participating in Te Tiriti o Waitangi/Treaty of Waitangi debates? The religious and pan-Māori activities of Papahia are not part of our hapū oral history; his meta-narrative was not considered significant in kinship group narratives.

Because of the particularities of tribal histories, Māori history cannot be the sum total of tribal narratives. Māori history is a genre that is not yet fully developed. I would define it as a history of the people of that social or ethnic group called Māori of Aotearoa New Zealand, both before and after European arrival. Insiders or outsiders can provide interpretations within this genre. For a long time, Pākehā historians have dominated the discipline and have defined it, set the standards of scholarship to be attained and imposed ethical and moral interpretations of events and people. In recent years, a growing group of Māori historians and anthropologists have critiqued the outsiders' performance and interpretations of the Māori past. It is not yet clear if there are to be new or amended standards of scholarship and ethics to be applied to Māori history by Māori historians.

Māori and Pākehā historians together have a role that includes a duty to be accountable to the broader community, both Pākehā and Māori, to explain and elaborate what has happened in the past and provide pointers to the future. Māori historians have responsibilities to be accountable to this broader community. However, we also have a primary responsibility to critique society on behalf of our own people and provide explanations and representations in terms of hapū and iwi worldviews and as a Māori nation of free and independent peoples. It is our task to write histories of Māori as a people. Māori history is open to wider public scrutiny and interpretation. In my view these are histories that can be conducted by anybody—Māori, Pākehā, Hawaiian, French and so on. However, Māori historians write their work primarily for the Māori public and then for whoever else wants to understand what has happened.

One's claim to authority depends on which level of history is being discussed or written. Tribal histories usually require a mandate from the kinship group. Māori history conducted by Māori for Māori requires mandating by appropriate Māori institutions and groups, although the specifics of these criteria are currently being debated. A phenomenon of the late twentieth century is that many Māori have become disillusioned and sceptical of various Pākehā accounts of Māori in New Zealand history and anthropology and assert that Māori must have control over our history.

What follows in this book is a mana Māori history of the early–mid nineteenth century. It is a history of ideas, some internal to Māori society and others external to Nu Tīreni, and a Māori response to them. It is a review of a sequence of events, from the beginning of the nineteenth century and culminating in the signing of a treaty in 1840 between Māori leaders and the British Crown. The focus is on the Māori response to the offer, which takes into

account prior events as well as early–mid nineteenth-century Māori language texts, which contain a consistent set of ideas, aspirations, anxieties and intentions.

Six important events, considered not as isolated or unrelated activities but as a process, elucidate the phenomenon of the making of the Indigenous Māori nation. Many of the events are internationally recognised as symbols of nation- and state building.⁶ The first event includes the visit of Hongi Hika and Waikato to England, their historic meeting with King George IV and their visit to the House of Lords. The second is the writing of a rangatira letter to King William IV, which led to the third, the appointment of James Busby as the first British Resident. His arrival in Nu Tīreni and subsequent meetings with Māori led to the adoption of the first Indigenous flag as the fourth event and the consequent international recognition of Māori sovereignty. The fifth nation-making event is the attempt to establish a national body of Māori leaders and their issuing of a declaration of independence, *He Whakaputanga o Te Rangatiratanga o Nu Tīreni*. The final component of the nation-making phenomena is a treaty with Queen Victoria of Great Britain, the 1840 Treaty of Waitangi.

Taken together, these events and texts show a continuum of discourse over a number of years. They are events around which Māori leadership of the early nineteenth century weighed new approaches to old problems, for example the tendency of kinship groups to atomise. Each event in the process of nation making became a potent symbol of significance in Māori self-awareness of themselves as people on a global stage. The treaty offered by the British Queen is, from a Māori view, an affirmation of Māori independence.

At present, New Zealand historiographic discourse ignores the fact that nineteenth-century Māori thought (philosophy, religion and metaphysics) was flexible and astute enough to adapt to and address new economic, social, religious and political ideas and circumstances. Dominant themes in New Zealand historiography represent Māori as either passive or unresponsive in the face of the encounter with Europeans, their technology and ideas. In either view, Māori agency is ignored or not recognised. Māori metaphysics and its religion offer another approach to understanding this history of change. This mana Māori history, when thought about as a narrative, offers an alternative interpretation and explanation of early–mid nineteenth-century Māori political, economic and cultural aspirations and intentions.

6 cf. Hobsbawm 1983: 1–14; 1990.



Above: Polack, Joel Samuel, 1807–1882: Kororareka, Bay of Islands, New Zealand (London, Richard Bentley, 1838). Being a narrative of travels and adventures during a residence in that country during the years 1831 and 1837. Ref: PUBL-0115-1-front. Alexander Turnbull Library, Wellington, New Zealand. <https://natlib.govt.nz/records/records/23070067>

Below: Polack, Joel Samuel, 1807–1882: Parramatta, Kororarika Bay, the residence and property of Mr Polack, Bay of Islands (1840). *Manners and customs of the New Zealanders*. London, James Madden & Hatchard and Son, 1840. Ref: PUBL-0064-2-TP. Alexander Turnbull Library, Wellington, New Zealand. <https://natlib.govt.nz/records/22354552>



PARRAMATTA, KORORARIKA BAY, THE RESIDENCE AND PROPERTY OF MR. POLACK,
BAY OF ISLANDS.

CHAPTER TWO

He W[h]akaputanga o Te Rangatiratanga o Nu Tīreni, 28th October 1835

A Confederation of Tribes

During a wet stormy week in late October 1835, a group of local and travelling rangatira responded to an invitation to meet with James Busby, the British Resident, New South Wales Governor, and the man they considered their senior foreign political adviser. They gathered on the front lawn of Agnes and James Busby's house at Waitangi in the Bay of Islands, as many of them had frequently done since Busby's arrival in 1833. There they would sleep in the open and debate important issues of the day with Busby, who they named Puhipi. At these assemblies, Busby took the opportunity to progress his idea that Māori leaders ought to "act in concert" for the well-being of their people.⁷ Many of the rangatira had gathered at a similar event nineteen months earlier on Thursday 20th March 1834.⁸ On that occasion, with Busby's guidance and in the midst of British pomp and civility, some twenty-five rangatira and hundreds of supporters selected "Te Kara", their first national flag for Nu Tīreni.⁹

In 1835, acting on the instructions of Queen Victoria, Busby called the assembly of chiefs to enact a law to prevent Charles Baron de Thierry, the self-styled French "King of Nuku Hiva and sovereign chief of New Zealand" from gaining a foothold in the country. While the perceived Thierry/French scare was a British ploy aimed at ensuring Māori dependency on the goodwill of the British, it is not clear from Māori sources what weight, if any, rangatira gave to the alarmists.

The Busby home overlooked Māori space called Te Moana i Pikopiko i Whiti, which is the ancient name of the inland harbour and its many bays, beaches and inlets. The foreigners called it the Bay of Islands, which in Māori became Pēwhairangi. Standing on the small round grass lawn in front of Busby's house and porch the rangatira, gazing slightly to their right, could see across to the other side of the harbour towards the town and grog shops of Kororāreka,¹⁰ aptly named Hell by the missionaries.¹¹ To their left they could see the jutting, rocky Tapeka peninsula, past which whaling, trading and military ships sailed into a safe haven for both ships and their crews. 103 such ships visited the bay in 1835. On top of the cliffs sat Tapeka Pā, a strategic sentinel with clear views along both the northern and eastern coastlines of outer Pēwhairangi bay. From within the pā, the guardian could look directly ahead in an easterly direction to the horizon of Te Moana-nui-a-Kiwa.

The rangatira had gathered to consider proposals of extraordinary complexity involving shifting horizons of anxiety and opportunity. At the end of intensive and lively discussions, a group of rangatira reached a consensus, and a document in Māori language was prepared as

7 Busby to Ellic, 22 June 1833, MS 46.

8 Te Morenga, Taiamai, Heke, Pomare, Kiwikiwi, Moetara, and Waikato, and probably the following—Waka Nene, Patuone, Rewa, Moka, Warerahi, Kawiti, Titore Takiri, Kekeao, Taonui, Matangi, Te Haara, Te Reweti Atuaaere, Tareha, Pumuka, Panakareao, Pāpā hia and Tirarau.

9 New Zealand, already known internationally in the English-speaking world by this name, was rendered in Māori as either Nu Tirani or Nu Tīreni (Busby MS 46 1834: 139; cf. Von Hügel 1834: 449, 450).

10 Commonly referred to as Russell.

11 Markham 1963: 63.

proceedings closed on the 28th October. On this day, Northern Māori leaders declared that they and their people were free and independent. In their agreement to form a Wakaminenga o ngā Hapū, a Confederation of Tribes and a new cultural institution, they decided they must act in a collective capacity, and on this basis declared their position and intent. They reinforced their claim to the mana (sovereignty, power and authority) of the islands of Nu Tīreni for Māori people.

Prompted by Busby, the rangatira proclaimed Nu Tīreni as “he whenua rangatira”, literally the most noble of land. Busby and Williams gloss it as “an independent state.” Considered in this way and with these words, the country is the highest expression of mana. In effect, by accepting the usage of the expression ‘mana i te wenua’ in article 2 of He W[h]akaputanga (the 1835 Declaration of Independence, explained further below), the gathered leaders made explicit what was already implicit. In the minds of the rangatira, the islands belonged to Māori through taunaha whenua (discovery), whakapapa (genealogy), raupatu whenua (conquest), ahikāroa (occupation) and ringa kaha (authority, control).¹² The principle of taunaha whenua is implicit in the naming of the islands. The whenua had many names, with Te Ika-a-Māui (the great fish of Māui) referring to the North Island, also named Aotearoa by Kupe and his wife, and then again named Nu Tīreni (New Zealand). Whatever the name, it remained Māori land. The assertion of a collective mana over the islands was an old value expressed in a new idiom, the idiom of international law and politics.

Text of the Declaration of Independence

The full Māori text of the 1835 Declaration of Independence, with a semantic-historical translation of the declaration, is set out below, copied from the original Māori text. In producing this text, James Busby with the missionary Henry Williams prepared a text in English, which was then translated in Māori. It is likely that Eruera Pare, the bilingual nephew of the leading rangatira Hongi Hika, played a key role in the translation. From his first known letter of 1825 and evidence of letter writing in subsequent years, Eruera Pare was very competent in written Māori and fluent in spoken English. However, if the common practice of the time was followed, the draft was read to the assembled rangatira and followers, who debated the text. In the context of the discussion, any necessary changes were made, resulting in the final version, as follows:

Māori text	Historical-Semantic Translation by Mānuka Hēnare, 2001	Busby’s Version, 1835
1. Ko mātou, ko ngā Tino Rangatira o ngā iwi o Nu Tīreni i raro mai o Hauraki, kua oti nei te huihui i Waitangi, i Tokerau, i te rā 28 o Oketopa, 1835.	We, the absolute leaders of the tribes (iwi) of New Zealand (Nu Tīreni) to the north of Hauraki (Thames) having assembled in the Bay of Islands (Tokerau) on 28th October 1835.	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.

¹² These are expanded further on in this chapter.

Māori text	Historical-Semantic Translation by Mānuka Hēnare, 2001	Busby's Version, 1835
Ka wakuputa i te Rangatiratanga o tō mātou wenua; a ka meatia ka wakuputaia e mātou he Wenua Rangatira, kia huaina, “Ko te Wakaminenga o ngā Hapū o Nu Tīreni”.	[We] declare the authority and leadership of our country and say and declare them to be chiefly country (Wenua Rangatira) under the title of ‘Te Wakaminenga o ngā Hapū o Nu Tīreni’ (The sacred Confederation of the Tribes of New Zealand).	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. Ko te Kīngitanga, ko te mana i te wenua o te wakaminenga o Nu Tīreni, ka meatia nei kei ngā Tino Rangatira anake i tō mātou huihuinga; a ka mea hoki, e kore e tukua e mātou te wakarite ture ki tētahi hunga kē atu, me tētahi Kāwanatanga hoki kia meatia i te wenua o te wakaminenga o Nu Tīreni,	The sovereignty/kingship (Kīngitanga) and the mana from the land of the Confederation of New Zealand are here declared to belong solely to the true leaders (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 (Kāwanatanga) to be established in the lands of the Confederation,	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 declared they will not permit any legislative authority separate from themselves in their collective capacity to exist,
ko ngā tāngata anake e meatia nei e mātou, e wakarite ana ki te ritenga o ō mātou ture e meatia nei e mātou i tō mātou huihuinga.	unless (by persons) appointed by us to carry out (wakarite) the laws (ture) we have enacted in our assembly (huihuinga).	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. Ko mātou, ko ngā Tino Rangatira, ka mea nei, kia huihui ki te rūnanga ki Waitangi ā te Ngahuru i tēnei tau, i tēnei tau, ki te wakarite ture, kia tika ai te wakawākanga, kia mau pū te rongo, kia mutu te hē, kia tika te hokohoko.	We, the true leaders have agreed to meet in a formal gathering (rūnanga) at Waitangi in the autumn (Ngahuru) of each year to enact laws (wakarite ture) that justice may be done (kia tika ai te wakawākanga), so that peace may prevail and wrong-doing cease and trade (hokohoko) be fair.	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,
Ā ka mea hoki ki ngā tauwiwi o runga, kia wakarērea te wawai, kia mahara ai ki te wakaoranga o tō mātou wenua, ā kia uru rātou ki te wakaminenga o Nu Tīreni.	[We] invite the southern tribes to set aside their animosities, consider the well-being of our land and enter into the sacred Confederation of New Zealand.	and they 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.

Māori text	Historical-Semantic Translation by Mānuka Hēnare, 2001	Busby's Version, 1835
4. Ka mea mātou, kia tuhituhia he pukapuka, ki te ritenga o tēnei o tō mātou wakauputanga nei, ki te Kīngi o Ingarani, hei kawatu i tō mātou aroha; nāna hoki i wakaae ki te Kara mō mātou.	We agree that a copy of our declaration should be written and sent to the King of England to express our appreciation (aroha) for this approval of our flag.	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;
Ā nō te mea, ka atawai mātou, ka tiaki i ngā pākehā e noho nei i uta, e rere mai ana ki te hokohoko, koia ka mea ai mātou ki te Kīngi kia waiho hei matua ki a mātou i tō mātou Tamarikitanga, kei wakakāhoretia tō mātou Rangatiratanga.	And because we are showing friendship and care for the Pākehā who live on our shores, who have come here to trade (hokohoko), we ask the King to remain as a protector (matua) for us in our inexperienced statehood (tamarikitanga), lest our authority and leadership be ended (kei whakakāhoretia tō mātou Rangatiratanga).	and in return for the friendship and protection they have shown, and are prepared to show, to such of his subjects as have settled in their country, or resorted to its shores for the purposes of trade, they entreat that he will continue to be the parent of their infant State, and that he will become its Protector from all attempts upon its independence.
Kua wakaaetia katoatia e mātou i tēnei rā, i te 28 Oketopa 1835, ki te aroaro o te Reireneti o te Kīngi o Ingarani.	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.	Agreed to unanimously on this 28th day of October 1835, in the presence of His Britannic Majesty's Resident.

28 Oketopa 1835

34 Māori signatories—23 with moko marks, 7 cross marks and 3 written signatures

Kaituhituhi

4 English witnesses

The following sentence was added to the declaration probably in January 1836 by George Clark CMS.

Ko mātou, ko ngā Rangatira, ahakoa kīhai i tae ki te huihuinga nei, nō te nuinga o te Waipuke, nō te aha rānei, ka wakaae katoa ki te wakauputanga Rangatiratanga o Nu Tīreni, a ka uru ki roto ki te wakaminenga.

We, the rangatira, although not able to attend the great gathering (huihuinga), because of floods and for what ever other reasons, we all fully support (wakaae) the declaration of authority (independence) over Nu Tīreni, and we now enter into the sacred confederation (wakaminenga).

Busby offered no translation of this additional paragraph, neither did George Clark.

A further 18 rangatira signatories were gathered – 11 moko marks, 4 cross marks, 2 signatures and Te Kahawai signed on behalf of Te Werowero – were gathered from 13th January 1836 to 22nd July 1839.

He Wakaputanga O Te Rangatiratanga O Nu Tīreni

1. Ko mātou, ko ngā Tino Rangatira o ngā iwi o Nu Tīreni i raro mai o Hauraki, kua oti nei te huihui i Waitangi, i Tokerau, i te rā 28 o Oketopa, 1835. Ka wakaputa i te Rangatiratanga o tō mātou wenua; a ka meatia ka wakaputaia e mātou he Wenua Rangatira, kia huaina, "Ko te Wakaminenga o ngā Hapū o Nu Tīreni".
2. Ko te Kīngitanga, ko te mana i te wenua o te wakaminenga o Nu Tīreni, ka meatia nei kei ngā Tino Rangatira anake i tō mātou huihuinga; a ka mea hoki, e kore e tukua e mātou te wakarite ture ki tētahi hunga kē atu, me tētahi Kāwanatanga hoki kia meatia i te wenua o te wakaminenga o Nu Tīreni, ko ngā tāngata anake e meatia nei e mātou, e wakarite ana ki te ritenga o tō mātou ture e meatia nei e mātou i tō mātou huihuinga.
3. Ko mātou, ko ngā Tino Rangatira, ka mea nei, kia huihui ki te rūnanga ki Waitangi ā te Ngahuru i tēnei tau, i tēnei tau, ki te wakarite ture, kia tika ai te wakawākanga, kia mau pū te rongō, kia mutu te hē, kia tika te hokohoko. Ā ka mea hoki ki ngā tauwiwi o runga, kia wakarērea te wawai, kia mahara ai ki te wakaoranga o tō mātou wenua, a kia uru rātou ki te wakaminenga o Nu Tīreni.
4. Ka mea mātou, kia tuhituhia he pukapuka, ki te ritenga o tēnei o tō mātou wakaputanga nei, ki te Kīngi o Ingarani, hei kawē atu i tō mātou aroha; nāna hoki i wakaae ki te Kara mō mātou. Ā nō te mea, ka atawai mātou, ka tiaki i ngā pākehā e noho nei i uta, e rere mai ana ki te hokohoko, koia ka mea ai mātou ki te Kīngi kia waiho hei matua ki a mātou i tō mātou Tamarikitanga, kei wakakāhoretia tō mātou Rangatiratanga.

Kua wakaaetia katoatia e mātou i tēnei rā, i te 28 Oketopa 1835, ki te aroaro o te Reireneti o te Kīngi o Ingarani.

Ko **Te Paerata**, (nō Te Patu Koraha)
 Ko **Ururoa**, (nō Te Taha Wai)
 Ko **Hare Hongi**
 Ko **Hemi Kepa Tupe**, (nō Te Uri Putete)
 Ko **Te Kekeao**, (nō Ngāti Matakiri)
 Ko **Te Warepoaka**, (nō Te Hikutu)
 Ko **Titore**, (nō Ngāti Nanenane)
 Ko **Moka**, (nō Te Patu Heka)
 Ko **Te Warerahi**
 Ko **Rewa**
 Ko **Wai**, (nō Ngāi Tawake)
 Ko **Te Reweti Atua haere**, (nō Ngāti Tautahi)
 Ko **Te Awa**
 Ko **Wiremu Taunui**, (nō Te Wiu)
 Ko **Tenana**, (nō Ngāti Kuta)
 Ko **Pī**, (nō Te Māhurehure)

 Ko **Kaua**, (nō Te Herepaka)
 Ko **Waikato**

Ko **Tareha**, (nō Ngāti Rēhia)
 Ko **Kawiti**, (nō Ngāti Hine)
 Ko **Pumuka**, (nō Te Roroa)

Ko **Te Kamara**,¹³ (nō Ngāti Kawa)
 Ko **Pomare**, (nō Ngāti Manu)
 Ko **Wiwia**, (nō Te Kapo Tai)
 Ko **Te Tao**, (nō Te Kai Mata)
 Ko **Marupō**, (nō Te Wānau Rara)
 Ko **Te Kopiri**, (nō Te Uri Taniwha)
 Ko **Warau**, (nō Te Wānau Horo)
 Ko **Te Ngere**, (nō Te Uri Kapana)
 Ko **Moetara**, (nō Ngāti Korokoro)
 Ko **Te Hiamoe**, (nō Te Uri-o-Ngongo)
 Ko **Tamati Pukututu**, (nō Te Uri-o-te-Hawato)
 Ko **Hoane Wiremu Heke**
 Ko **Te Peha**

Eruera Pare, te kaituhituhi

13 Signed by proxy on the Treaty parchment as Te Kamara, refers to rangatira Te Kemara.

English witnesses:

Henry Williams, Missionary CMS

George Clark, CMS

James C Clendon, Merchant

Gilbert Mair, Merchant

Note: After October 1835, other rangatira joined the confederation of tribes (te wakaminenga) and supported the Declaration (te Wakaputanga Rangatiratanga). The following paragraph was added to the document in January 1836, most probably by George Clark who was the English witness to other signatories.

Ko mātou, ko ngā Rangatira, ahakoa kīhai i tae ki te huihuinga nei, nō te nuinga o te Waipuke, nō te aha rānei, ka wakaae katoa ki te wakaputanga Rangatiratanga o Nu Tīreni, ā, ka uru ki roto ki te wakaminenga.

13th January 1836

Ko **Tamati Waka Nene**

Ko **Huhu**

Ko **Tona**

Ko **Panakareao**

Ko **Kiwikiwi**

9th February 1836

Ko **Tirarau**

29th March 1836

Ko **Hamuera Pita Matangi**, (nō Te Popoto)

Ko **Tawai**, (nō Te Māhurehure)

Ko **Mate**, (nō Ngāti Moe)

Ko **Patuone**, (nō Ngāti Rangī)

25th June 1837

Ko **Parore**, (nō Ngāti Apa)

Ko **Kaha**, (nō Ngāti Tautahi)

12th July 1837

Ko **Te Morenga**, (nō Te Rarawa)

Ko **Mahia**, (nō Te Aupōuri)

16th January 1838

Ko **Taonui**, (nō Te Popoto)

24th September 1838

Ko **Papahia**, nō Te Rarawa,

25th September 1838

Ko **Te Hapuku**, (nō Ngāti Apiti) (Hawkes Bay)

22nd July 1839

Ko **Te Werowero**, (nō Ngāti Mahuta), – Ko Kahawai, te Kaituhituhi

Mana and Sovereignty

Early nineteenth-century rangatira had an understanding of sovereignty, which was about the locus of power itself. This understanding is inherent in the term mana. The Māori language text of the Declaration of Independence refers in clause two to the authority and power of the Māori leaders to act and speak as “Ko te kīngitanga, ko te mana i te wenua”. Busby and Henry Williams rendered this as “All sovereign power and authority within the territories....”; “Kīngitanga” (literally ‘kingship’) is glossed as sovereignty. The second phrase, “Ko te mana i te wenua”, needs explication, because Busby and Williams’s translation is inadequate and does not capture the subtlety and nuances implicit in the phrase. “Ko te mana i te wenua” refers to the mana intrinsic and infused in the land, which flows directly from it to the rangatira. The whenua gives to mana to the rangatira, and this is the basis upon which rangatira must act as custodians and defenders of the land and its mana. By translating the phrase as “All sovereign power and authority within the territories,” Busby and Williams address only the *effects* of the mana, i.e. power and authority. The phrase in Māori is subtler and more extensive: “ko te mana i te whenua”, refers to the source of the mana, which is the land, and ultimately the source of mana itself, which is that of Papatūānuku and Ranginui to Io Matua Kore—Mother Earth, Father Sky and the Supreme Divine Being.

For Busby, this became the political basis for the Māori claim of sovereignty, nationhood and statehood as understood in the writings of the renowned Swiss jurist Emerich de Vattel in *Droit des Gens*.¹⁴ Translated as *The Law on Nations*, this text was published in two volumes in London in 1760. A new corrected translation was published in London in 1793 and later in the United States in 1805.¹⁵ Busby illustrated the principles of de Vattel regarding the retention of sovereignty while being in a protectorate relationship with another independent state. He spoke to the rangatira about the Ionian people, and a treaty between European allies which respected the sovereignty of the Ionian Islands.¹⁶

However, for the rangatira, their statement of ‘mana i te whenua’ asserted a metaphysical and moral entitlement over the land based upon inheritance through the five great principles of land tenure. The first, taunaha whenua (the bespeaking of land), gained through discovery. The second, whenua raupatu, which involved conquest and the ability to hold the land. Whakapapa, genealogical connections to the land, is the third principle, followed by ahikāroa (long-burning-fires), the fourth principle, meaning constant occupation, including residence on the land, working the cultivations, hunting, bird snaring and fishing on or near the land.¹⁷ The fifth principle is known as ringa kaha, which is the defence of entitlement to occupation. Simply put, no-one is strong enough to kick the people off the land.

In their formulation, without knowing it, Māori leaders followed Emerich de Vattel and others in articulating what Paul McHugh describes as a constitutionalist belief in inherent authority. According to McHugh, the constitutionalists in the Anglo discourse held that:

14 De Vattel 1916 [1758].

15 Burns 1989: 71.

16 Jervis 1852: 291–295; Orkney (George W.H. Fitzmaurice, Earl of) 1864 Vol. I: 293–298.

17 Parker 1978: 170–171.

...where (and for whatever reason) man came together in political society, that is organized and co-operative association, the group assumed a corporate identity so conferring the 'natural attribute' of inherent authority over its own members.¹⁸

Māori leaders of the 1830s were able to recognise the collective mana of a gathering of rangatira who met for a specific purpose. This idea, following the assertion of sovereignty and mana, "Ko te Kīngitanga, ko te mana i te wenua", is expressed as "ka meatia nei kei ngā tino Rangatiratanga anake i tō mātou huihuinga," which Busby and Williams gloss as "declared to reside entirely and exclusively in the hereditary chiefs and heads of tribes in their collective capacity." A better translation, however, is as follows: "The sovereignty (Kīngitanga) and the mana from the land of the Confederation of Nu Tīreni are here declared to belong solely to the true leaders (Tino Rangatira) of our gathering in common." The leaders state that their collective mana, and therefore sovereignty, is derived from the land (mana i te wenua) and its people; they reject the English notion that sovereignty is vested in one person (a monarch), or in a parliament.

In the life of any modern nation state, the extraordinary political event of 28th October 1835 would be celebrated as a milestone of achievement, when a gathering of Māori leaders declared their collective, independent authority. For much of the twentieth century, however, it was a silent part of mana Māori history as the discourse on the 1840 Treaty of Waitangi became dominant. Moreover, in settler political and constitutional historiography during the nineteenth and twentieth centuries, the 1835 declaration has often been ignored, denigrated or dismissed as irrelevant to New Zealand history. There has been little attempt to evaluate it in terms of Māori agency or within a framework of Māori historiography. Arthur Thomson,¹⁹ for instance, described the declaration process as "the absurdity of the whole affair" and was aghast at the idea that Māori would be capable of appreciating its significance. William Pember Reeves referred to the Declaration gathering as "this comical scheme" for a "congress, legislation, magistrates and other machinery of civilisation for a race of savages still plunged in bloodshed".²⁰

The late October gathering in Busby's space was the climax of a series of events involving practical day-to-day political and longer-term economic and social issues. In the process, Māori established an identity for themselves as a distinctive people in relation to the world at large, particularly Australia, the wider Pacific, Europe and the Americas. Incorporated in this emergent national identity was the sense of belonging to a nation and a state in the making. The formation of a He Whakaminenga o Ngā Hapū was the culmination of a series of events acknowledging the identity of Māori in relation to the world and defining themselves as a nation. To understand its full significance we need to trace the earlier history of contact between Māori and the British Crown, and then explore the dynamic of Māori metaphor in political, economic and social processes in the first half of the nineteenth century.

18 McHugh 1986: 28.

19 Thomson 1859: 277–278.

20 Reeves 1998 [1898]: 133.

He whakaputanga o te Rangatoratanga o Nui Tirenī.

1 Ko matou ko nga Tino Rangatorā o nga uwi o Nui Tiri.
i raro mai o Hauraki kua oti nei te huihui i Whātangi i Tōtorau
20 o Oketopa 1835. ka whakaputa i te Rangatoratanga o to matou ki
mua a ka meatia ka whakaputanga e matou ke Wenua Rangatorā.
kia huaina " Ko te wakaminenga o nga Hapu o Nui Tirenī."

2. Ko te Kingitanga ko te mana i te wenua o te wakaminenga o Nui
Tirenī ka meatia nei kei nga Tino Rangatorā anake i to matou
huihuiinga. a ka mea hoki e kore e tukua e matou te wakarite tū
kei te tahi huinga ke atu, me te tahi Kawanatanga
hoki kia meatia i te wenua o te wakaminenga o Nui Tirenī.
ko nga tangata anake e meatia nei e matou e wakarite ana kei
te utanga o to matou tū e meatia nei e matou i to matou
huihuiinga.

3 Ko matou ko nga tino Rangatorā ka mea nei kia huihui kei
te runanga kei Whātangi a te Ngāhuru i teni tū i teni tū kei
te wakarite tū. kia tika ai te wakaranga kia mau pu
te rongu kia mutua te ke kia tika te hoko hoko. a ka mea
hoki kei nga Tūiwi o runga. kia wakarere te wawai. ka
mahara ai kei te wakaranga o to utatou wenua. a kia uru
ratou kei te wakaminenga o Nui Tirenī.

4 Ka mea matou kia tukitukia ke puka puka kei te
utanga o teni o to matou whakaputanga nei kei te Kingi
o Ingarani kei kare atu i to matou aroha. mana hoki i
whakaae kei to Kara mo matou. a no te mea ka atawai

matou, Ka tika i nga pakeha e noho nei i utā. e uru mai
ana kei te hoko hoko, kia ka mea ai matou kei te Kingi kei
sawake kei matou kei a matou i to matou Tamarihitanga
kei wakarite tū to matou Rangatoratanga.

Kua whakaitia katoa e matou i teni ra i te 20. o
Oketopa. 1835 kei te aorangi o te Reirangi o te Kingi o Ingarani

Parata

Rangia W
 Hare Hongi Hare Hongi
 Hemi Kapa Tupa
 Wai Toa
 Waihato
 Pitore
 Moka
 Wairaki
 Kawa
 Wai
 Reweti Atua
 Awa
 Whenua Tei Taurua
 Te mana
 Pi
 Kawa
 Tereha
 Kawiti
 Puniha
 Kekeke
 Te Hamara
 Pomare
 Waiwa
 Te Tia
 Maru
 Pahi
 Whina
 Ngere
 Moetara
 Hiamoe
 Pukuhutu
 Te Peka
 Hone Waiu Heke
 Hone Waiu
 English Witness
 James B. Cleverly
 Gilbert

Colours here de kai tuihikiri
 James B. Cleverly
 Gilbert

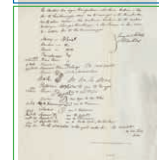
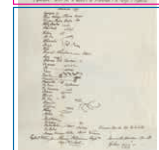
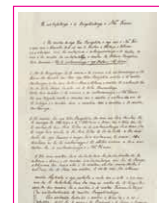
He Whakaputanga, Signatories

Archives New Zealand Reference: IA1 9/1/1a

Previous page: The Declaration

Above: Signatories

Following page: Signatories and Witnesses



Ko Motou ko nga Kaitiaki, ahakoa kihai i tae
 ki te huihuinga nei no te munga o te Whaipuke,
 no te aha ranei - ka wakaac katoa, ki te waka
 huringa Rangaturatanga o Nu Tereu a ka uru
 ki rotou ki te Whakaminunga

Kene - Mire

Huhu - e

Toua - e

Panahanae e

13 Jan 1836 - Kiwi Kiwi x

9 Feb. Tinian - Matangi o te papote

29 Mch. Hamona Pita - no te Maharehure

Mate S no ka le Moe

1837 Patuone M no te nga te rangi

25 June Paore Pappal no te nga tiapia

" Kaha. S no nga te tau tahi

12 July S no te Karawa

1838 Uahia S no te Haproui

Jan 16 Taouia S no te papote

Sept 24 Papatua S no te Karawa

1839 25 Hapukua S no te Wata apiti (Hauke Bay)

July 22. Ko te Wrofulro na ko ngati mahu ta - ko kahawai

U Bai Tupa
 Tuki

English Witnesses
 Illustrated

Photolithographed at the Govt Printing Office Wellington, N.Z., by T. Dwyer.

(Fac-simile)

He Whakaputanga, Signatories and Witnesses

Archives New Zealand Reference: IA1 9/1/1a



Above: Victoria—residence of the late James Busby Esq. where treaty of Waitangi was signed, Bay of Islands, New Zealand. Photograph by D.L. Mundy. Auckland Libraries Heritage Collections 7-A4331.

Below: Waitangi, grove of cabbage and fig trees, thought to be site of Busby's garden, March 1956, National Publicity Studios, Wellington. Alexander Turnbull Library.



CHAPTER THREE

Māori and The British Crown 1820–1835

During the 1847 uprising of Hone Heke, Kawiti and others against British breaches of Te Tiriti/The Treaty of Waitangi, Heke sought advice from his friend the Catholic Bishop, Jean Baptist Pompallier. Pompallier urged him not to fight and suggested that Heke put his case in writing to Queen Victoria.²¹ On the 10 July 1847, Hone Heke sent a letter in Māori to the Queen. He protested that the relationship between Māori and Her Majesty was broken and that, through the actions of her officials, she was ultimately instrumental in the break:

I therefore say, who was it sent those people (Busby, Hobson, Fitzroy, and Grey a fighting governor) here? Which makes me think that you were the original cause of the dispute between us.

Heke reminded Victoria of the special relationship established in 1820 between his uncles, Hongi Hika and Waikato, and her grandfather, King George IV, when Hongi Hika and Waikato of Ngāpuhi, assisted by the Church Missionary Society missionary, Thomas Kendall, visited England. The Northern tribes first developed a relationship with the British Crown with visits by Te Horeta of Ngāti Maru, Te Taonui and the two brothers, Waka Nene (?–1871)²² and Patuone (?–1872),²³ to British Navy ships. But the meeting between Hongi Hika, Waikato and King George IV marks the first major step in the process of Māori nation formation.

Reminding Victoria of what King George had said to Hongi Hika, Heke requested she “restore the flag of my island of New Zealand, and the authority of the land of the people.” If you do this, continued Heke, it will be a sign of your love for New Zealand and for what King George had said to Hongi. “For although he and Hongi are dead, still the conversation lives; and it is for you to favour and make much of it, for the sake of peace, love, and quietness”, he wrote. According to Heke, the “conversation” between Māori leaders and the British royal family began in 1820 and remained a living discourse.²⁴

The “conversation” idea is a fine example of Māori historical metaphor. Heke recalls an epochal event that is part of an on-going narrative about Māori identity. Such an event, argues Ricoeur, “generates feelings of considerable ethical intensity”.²⁵ The passion of the address of Heke to Victoria and his fierce defence of the integrity of the Treaty of Waitangi, which he referred to as “he kawenata hou”, the new covenant, shows that the meeting of Hongi Hika with King George IV was an event of this kind.

The beginnings of Māori overseas experience were hardly auspicious and the adventures were somewhat mixed. The kidnapping of high-ranking Māori leader Ranginui by French navigator de Surville in 1769, and his tragic death off the coast of South America in 1770

21 McKeeffry 1938: 123–125.

22 Ballara 1990c: 306–308.

23 Ballara 1990d: 338–340.

24 GBPP 1850 [1820]: 17.

25 Ricoeur 1988 [1985]: 187.

when he succumbed to scurvy,²⁶ was followed by the kidnappings to Norfolk Island in 1793 of two further young rangatira, Tuki Tahua and Te Huru Kokoti, by colleagues of Philip G. King, the Governor of the penal colony of New South Wales. Yet following their eventual return home, many others were to travel to other countries, some working their passages on whaling boats that had called at New Zealand.²⁷

Hongi Hika and Waikato were neither the first nor the only Māori to discover England in the first decades of the nineteenth century. Others had travelled to England in 1805, 1806, 1807, 1809, 1815 and 1818. Many others visited Australia, particularly New South Wales. Almost without exception, they returned to their homeland laden with presents.²⁸ A striking quality of the time is their adaptability to rapidly changed circumstances. They retained their Māoritanga, their way of life, and showed remarkable resilience often in extreme situations. Some travellers suffered in acute and oppressive circumstance while others, who received appropriate mentoring and patronage, exhibited a remarkable ability to move freely within the conventions of new ways of life. Language difficulties were not impediments to exploration and were overcome. Despite being isolated from the rest of the world for hundreds of years, they were readily able to exploit opportunities offered and resources discovered, and had retained the Polynesian instinct for travel.

Perhaps the first Māori of Nu Tīreni to visit London was the high-ranking Ngāpuhi Moehanga (also known as Te Mahanga) of Kororāreka, who travelled with Dr John Savage in 1805. He stayed with Earl Fitzwilliams, Savage's patron, and was able to observe aspects of London life but was not introduced to the King. On his return to Nu Tīreni, he became a postman delivering letters to sea captains when they were in the harbour. His ability to speak English enabled him to adopt this new occupation. Moehanga regaled listeners, Māori or Pākehā, about his visit, making observations of the Royal family, the London water supply system, horses, carriages, house furnishings, roads and agriculture. According to Marsden, Moehanga was listened to attentively.²⁹

Matara, a son of Te Pahi, one of the senior chiefs of the north-western Bay of Islands, was taken to London on 1807 by a friend of his father, Phillip Gidley King, who had recently retired as Governor of New South Wales. Not much is known of the visit other than he was introduced to the Royal family and the ex-Governor King died a year later. Matara returned to New South Wales laden with gifts after being treated well, although Marsden believed that the gifts were stolen. Matara was to die soon after his return from an illness picked up while away.³⁰

The third Māori to visit London was Ruatara, another Ngāpuhi chief, in 1809. He had served on whaling and sealing ships since 1805 and had suffered at the hands of Europeans. After a short return to the Bay of Islands, he went back to sea in 1808 serving on the sealer, *Santa Anna*, but was never paid for his work. Undeterred, Ruatara returned to serve on the *Santa Anna* but this time as a sailor on its journey to England. It was his hope to see King George

26 Salmond 1991: 339–343.

27 Wilson 1990: 27.

28 Colenso 1868: 64, 66.

29 Cited in Elder 1932: 202; cf. Colenso 1868: 66, MS 76; cf. Wilson 1990: 29.

30 Colenso 1868: 66 MS 76; Ramsden 1936: 27; Wilson 1990: 28.

III but he was left stranded in London in 1809 without a patron and became ill and destitute. Somehow Ruatara returned to Parramatta, Australia where Rev. Samuel Marsden, later to be called Te Matenga, found him on board the ship *Anne*, penniless and debilitated. Ruatara lived with Marsden for six months at Parramatta before joining the whaling ship, *Frederick*. Again, he suffered at the hands of European captains and crew before eventually returning in 1812 to the Bay of Islands.³¹

Whatever the circumstances, these early travellers were the forerunners of what was to become a feature of rangatira commercial and political action, namely to travel to England with an aim of meeting British monarchs. This impetus coalesces in the decisive events of 1820 and the start of what Hone Heke in 1849 referred to as the “conversation”.

The “Conversation” Begins—Hongi Hika, Waikato, and King George IV, 1820

On 2nd March 1820 one of the most powerful Māori leaders of his generation, Hongi Hika, and a younger rangatira, Waikato, accompanied by Thomas Kendall left Nu Tīreni for England, arriving in London on 8 August 1820. Hongi (1772–1828), a direct descendent of Rahiri, a great Ngāpuhi tupuna, and Waikato of the Mawhatu people from Kaihiki in Mangonui Inlet, departed for overseas to fulfil an ambition of Hongi. The role of Waikato on the trip was as a “servant companion for Hongi”.³²

Kendall, who was not a young man when he joined the missionary endeavour in the Pacific, had arrived in Australia in 1813. He was a layman who aspired to the Anglican priesthood, and in November 1814 was appointed a Justice of the Peace by the Governor of New South Wales, along with three rangatira of the Bay of Islands, Hongi, Ruatara and Korokoro. The four were vested with authority to implement orders to do with law and order, based on a vague jurisdiction over New Zealand. The Governor envisaged some type of minimal protection was to be offered to Māori of the Bay of Islands from the “customary depredations”. The relationship of Hongi and Kendall had begun in Parramatta where Hongi lived for a short period with Samuel Marsden. Hongi, Ruatara and Korokoro and others accompanied Marsden and Kendall on board the *Active* when it sailed for Pēwhairangi in 1814. In very short time, Kendall became more and more dependent on the goodwill and patronage of Hongi Hika.³³

In 1820 Hongi, Waikato and Kendall took passage to England on the whaler *New Zealander*. The journey took twenty-three weeks, during which Kendall wrote his *Guide to the Study of the New Zealand Language*.³⁴ Little is known of the activities of Hongi and Waikato during the voyage, but it can be assumed that they assisted in Kendall’s task.

On arrival in London, the Church Missionary Society saw an opportunity to achieve a systematic spelling and orthography for the Māori language. The group went quickly to Cambridge, about sixty miles north of London, to confer with Dr Samuel Lee, one of the great European linguists of the nineteenth century. At the time of the visit, Lee was a

31 Orange and Wilson 1990; Lee 1983: 60.

32 Ballara 1990a: 201; Lee 1987: 103–106; Binney 1968: 56 Note 1.

33 Binney 1968: 13, 25–26; Thomson 1859 Vol. I: 254.

34 Morgan 1927: 148.

Fellow of Queens' College and Professor of Arabic. Later in his extraordinary career he became a Fellow of Trinity College and Regius Professor of Hebrew. Lee was their host at Queens' College, which sits on the side of the Cam River from Silver Street to Milne Street, now known as Queens Lane, where they were in residence for about two months.³⁵

The cultural and architectural milieu within which Hongi and Waikato worked with Professor Lee is beyond anything they would have experienced in Nu Tīreni or Parramatta. With his inquisitive mind, Hongi would have been captivated. Queens' College received its charter in 1446 from King Henry VI, possibly in honour of a youthful Queen Margaret of Anjou. A second queen, Elizabeth Woodville, Queen of Edward IV, was its second patron. One of the College's heraldic devices is the boar's head badge, which derives from King Richard III whose Queen, Anne Neville, was the third patron of the College.

The Old Court and the Cloister Court in which Hongi and Waikato regularly walked, considered the most picturesque in Cambridge, were completed in 1449 and the 1490s respectively. The Old Court is made of medieval brickwork with all the essential features of a typical university college embodied in a single court—Chapel, Library, Hall, Kitchens and living accommodation. The Cloister Court, which is enclosed on one side, contains a reception room for visiting dignitaries. In the south-east corner is the tower where the famous European scholar Erasmus of Rotterdam lodged during his long stay in Cambridge sometime between 1511 and 1514. Another feature, which Hongi surely would have studied and enquired about, is the famous sundial that dates from 1733 with its unique moon-dial.

The Pacific visitors would have dined in the great Hall with its 1732 classical panelling, together with tutors and students. They sat under the watchful gaze of portraits of Erasmus, Elizabeth Woodville and Sir Thomas Smith, himself a renowned Fellow of the College and an Elizabethan scholar and Secretary of State to Queen Elizabeth I. Māori would have recognised these portraits as ancestors, containing their mauri (life essence). What a privilege to dine in their presence, and simultaneously, how fitting it was to be there returning their gaze, rangatira to rangatira.

Their scholarly collaboration took place in the rooms and cloisters of Queens' during the long vacation at Cambridge, and ended with the publication of *Grammar and Vocabulary of the Language of New Zealand* in November 1820.³⁶ This work, although later modified and revised, formed the basis of written Māori language as it is known today.³⁷ According to Rev. Jonathon Holmes, Keeper of the Record at Queens' College, Samuel Lee's career was extraordinary. As an uneducated farm labourer, he was found one day sitting near a barn reading and studying languages. His squire was so impressed by his dedication to study that he sent Lee away to be educated. Almost immediately on his appointment to Queens' College, he became a Professor. By 1820 the pre-eminent language scholar in Europe, Lee enthusiastically addressed the problem of converting the Māori language from speech to text. Earlier attempts to write te reo rangatira, as it is known in Māori, had produced difficulties in capturing the phonetic values of the vowels. Kendall had already moved towards resolving this problem of orthography by employing the 'continental'

35 Lee 1820: Preface.

36 Morgan 1927: 148.

37 Yate 1835: 227–229.

or open vowel system and inserting accent marks for long vowels. Lee supported this approach to a standardised orthography while setting Kendall's work and collections of words in order, and listening to demonstrations of pronunciation by Hongi and Waikato.³⁸

Lee came to the task with some prior experience in his attempts to develop the language in print form. He had earlier criticised Kendall's foundation work for its complexity and decided that the orthography must be "as simple and comprehensive as possible".³⁹ Two years earlier, Lee had met the two young Ngāpuhi rangatira, Tuai and Titere, who in 1818 attended a school in Madeley, Shropshire. They came to learn English, both oral and written.⁴⁰ Tuai, misspelt as "Tooi" and "Tui", and Titere had assisted Lee in the task of constructing a written language, but they were not able to complete the project. Lee had sent the material collected from Tuai and Titere to Kendall in New Zealand.⁴¹ The result was the *Grammar and Vocabulary of the Language of New Zealand*, based on a collaboration involving Kendall, Lee, Tuai, Titere, Hongi Hika and Waikato.

Kendall's absence from New Zealand was not approved, however, and he was censured for being away and the possibility of priestly ordination was withdrawn. Eventually, the Church Missionary Society relented and he was ordained a Deacon in Ely, received Holy Orders in Norwich during his brief stay in England, and remained an employee of the Society.

J.L. Nicholas, who accompanied the original settlers to New Zealand in 1814, renewed his acquaintance with Hongi Hika, and at Cambridge, Kendall met Baron de Thierry, a student at Queens College.⁴² Thierry was said to have given Kendall a large sum of money to purchase some 40,000 acres of land from Muriwai and Patuone at Hokianga. However, in 1837 when Thierry arrived in New Zealand, he could not substantiate the claim.⁴³

There have been a number of explanations of the motives of Hongi for undertaking this excursion to England. According to Pākehā historian Judith Binney, Thomas Kendall was a gun runner and his trade in muskets had become a "monkey on his back," inviting censure from the leaders of the New Zealand mission. The "fundamental object" of Hongi, says Binney, "was the acquisition of muskets and powder" to enact utu (redress) on the Hauraki and Ngāti Whātua tribes who had inflicted a series of defeats over Ngāpuhi from about 1793.⁴⁴ Jack Lee, a Bay of Islands historian, says that Hongi Hika "undoubtedly undertook the journey with the sole objective of promoting his own warlike ambitions by securing further arms".⁴⁵ However, Lee goes much further, making a moral judgement. He believed Hongi to be an "evil genius," and his aspersions on the character of Hongi echo similar views and assumptions of earlier settler historians.⁴⁶

38 Morgan 1927: 149.

39 Lee 1820: Preface; cf. Binney 1968: 60.

40 Jenkins 1993: 4–5.

41 Binney 1968: 56, 61 Note 26.

42 Holmes 2000.

43 Lee 1983: 103.

44 Binney 1968: 56–57.

45 Lee 1983: 104.

46 Cowan 1930: 174; cf. Condliffe and Airey 1954 [1935]: 31; Wright 1959: 92, 98.

These assumptions are harsh and, in my view, not well substantiated. When explaining his motives for the visit to England it is either stated or inferred that he went to fetch guns to further his own political ambitions. This is a case of reading a motive into actions after the event. Shrimpton and Mulgan say of the motives of Hongi that:

He was so impressed by a defeat suffered by his tribe at the hands of a chief who had a few muskets that he went to England mainly with the intention of providing himself with enough muskets to make his tribe invincible.⁴⁷

Cowan, Shrimpton and Mulgan, Condliffe and Airey, Wright, Binney, Lee and others sought to demonstrate that the motivation of Hongi was driven by *utu*, rendered as revenge, on his enemies.⁴⁸ This explanation is simplistic and reductionist, arguing a one-reason case for motivation. Moreover, the assertion does not make sense. If Hongi was motivated solely by *utu*, he did not need to go to England to purchase guns, ammunition and the necessary accessories. He had only to go direct to Parramatta in New South Wales, which is where he eventually bought guns, ammunition and powder on his return from England. The reductionist argument about this chain of events is as follows. Hongi, ridden with *utu*, conspired to go to England to meet the English King, gather a large cache of gifts then return to Parramatta, sell the presents and purchase weapons. This logic is very close to that proposed by one Ngāti Whātua source of the time⁴⁹ and it is timely to reassess the biases of this source. Hongi did not go to England solely to purchase weapons but rather with nobler intentions more in tune with his primary responsibilities (as suggested in the *korunga o ngā tikanga*, the matrix of ethics described in more detail in chapter five): His aim was to provide for the well-being of his people.

There were very large stocks of surplus British weapons already on sale in New Zealand and in Parramatta in 1820. Kendall himself had reckoned that before their departure in 1820 some 300 muskets were already in the Bay of Islands, and Parramatta was a major supply centre of weapons to New Zealand.⁵⁰ Kendall himself was an arms dealer in New Zealand, and on his eventual return, continued selling arms in order to afford his missionary work.

There is much evidence to support the view that the visit of Hongi to England was *rangatira* to *rangatira* business. Thomas Kendall, the organiser of their journey, wrote on 14 August 1820, six days after their arrival in London, about the objects of the visit of “Shunghee and Whykato” to England. According to Kendall:

Shungee and Whykato are come with a view to see King George, the multitude of his people, what they are doing, and the goodness of the land. Their desire is to stay in England only one moon (*month?*); and they wish to take with them at least one hundred men as settlers. They are in want of a party of men to dig up the ground in search of iron. An additional number of Blacksmiths: an additional number of carpenters; and an additional number of preachers who will try to speak to them in the New Zealand Tongue in order that they may understand them. Also 20 soldiers and 3 officers over them. The above settlers are to take cattle with them in order to

47 Shrimpton and Mulgan 1921: 40.

48 Cowan 1930; Shrimpton and Mulgan 1921; Condliffe and Airey 1954 [1935]; Wright 1959; Binney 1968; Lee 1983.

49 Cited in Binney 1976: 57 Note 5.

50 cf. Belich 1986: 22.

assist in cultivating the land. Land will be readily granted to the settlers. “The words of Shunghee and Whykato.”

Shunghee and Whykato assert that as Englishmen are permitted to visit New Zealand, it is just and reasonable that New Zealanders should be permitted to visit England.

[*The note has the following statement, which is crossed out*]

Shunghee wishes to take a Lion with him to New Zealand.

[*The note continues*]

The natives wish to take with them a large dog each.⁵¹

Hongi himself had stated his intentions for visiting England before departure. He goes, he said, “to see King George and bring back missionaries, carpenters, blacksmiths, Europeans, and twenty soldiers.”⁵² This statement was reiterated in an interview reported in the *Cambridge Chronicle* of 2 December 1820. Under the heading “New Zealand Chiefs”, the reporter noted:

The views and wishes, with which Shunghee and Whykato have visited England will be best conveyed by themselves, as Mr Kendall wrote them down from their mouths, without any prompting on his part:

They wish to see King George – the multitude of his people – what they are doing – and the goodness of the land. Their desire is to stay in England one month then return. They wish for at least 100 people to go with them. They are in want of a party to dig the ground, in search of iron – an additional number of blacksmiths – an additional number of preachers, who will speak in the New Zealand tongue, in order that they may understand them. They wish also twenty soldiers, to protect their own countrymen, the settlers; and three officers, to keep the soldiers in order.⁵³

There is no mention of purchasing weapons in England. Neither does Rev William Yate, a contemporary of Kendall’s, mention the purchase of arms in his description of the visit of Hongi and Waikato to England. Rather, he refers to their return loaded with valuable supplies gathered during their journey.⁵⁴ The medical doctor Arthur Thomson in his two-volume work, *The Story of New Zealand*,⁵⁵ makes no assertion of the alleged desire of Hongi to go to England to acquire weapons. Thomson, who interviewed the aging Waikato sometime in the late 1840s or early 1850s, wrote that upon the return of Hongi and Waikato to New Zealand via Parramatta:

...a New Zealander informed him that during his absence his son-in-law had fallen in battle on the banks of the river Thames. From the grief this news produced he soon recovered, and immediately commenced collecting guns and powder.

After hearing this news at Parramatta, according to Thomson, Hongi sold all the valuable presents collected on the trip and immediately purchased some 300 muskets.⁵⁶ This is at variance with Yate’s remark that Hongi returned to the Bay of Islands still laden with valuable

51 Webster Collection, M.S. Papers 1009-2/+6 (My italics).

52 Thomson 1859 Vol. 1: 254.

53 Cambridge Chronicle and Journal 2nd December 1820: 4.

54 Yate 1835: 169.

55 Thomson 1859

56 Thomson 1859 Vol. I: 265.

supplies. Working on 1832 prices for the purchase of guns in Parramatta, the 300 muskets already in the Bay of Islands when Hongi left for England might have cost about £45 in total (each musket costing three shillings each).⁵⁷ There is no way of knowing the true value of the gifts Hongi received in England, how many were converted into money for muskets in Parramatta, nor how many were retained for the journey back to the Bay of Islands.

Clearly, Hongi decided to sell some of his gifts to purchase new weapons in Australia. It seems that this was an after-thought; an opportunity arose and he made a decision to sell gifts and purchase guns. This does not, however, mean that he went to England with this objective in mind. Historian Percy Smith follows Thomson in suggesting that after meeting in Parramatta with Te Hinaki of Ngāti Paoa from Mokoia (Panmure) and Te Horeta of Ngāti Maru in Hauraki, Hongi realised that he had an opportunity to punish these people for their present and past attacks on Ngāpuhi.⁵⁸

During their sojourn in England, Hongi and Waikato were shown every consideration, meeting with leading academics, gentry, Bishops and ladies of English society. One highlight for the rangatira was their visit to the House of Lords on the 21st October, where they observed first hand a meeting of British leaders. This is significant because Samuel Marsden and others had already sown the seeds of the idea of a parliament for Māori, as a new way of settling inter- and intra-tribal disputes. The oral memory of this visit remains in Tai Tokerau today.

A lengthy report of their journey to England appeared in *The Times* of London on 2 November 1820 under the heading “London Auxiliary Bible Society.” The newspaper reported the eighth Anniversary meeting of the City of London Auxiliary Bible Society held at the Egyptian Hall, Mansion House, from 11.00am to 4.00pm. In two and a quarter full-page columns, an extensive report of proceedings was given. In introducing the report, *The Times* says the hall was packed to excess and included dignitaries such as Lord Gambier, the Chancellor of the Exchequer, Sir Digby Mackworth, Mr Sheriff Williams, the Lord Mayor of London and several Clergymen of the Church of England. Then it introduces the two New Zealanders who had caused a stir in their recent visit to the House of Lords:

The two New Zealanders who, a few days ago, attracted so much attention in the House of Lords, were also present, and greatly excited the curiosity of the assembly.

After the Secretary of the Society had read the annual report, the Chancellor of the Exchequer rose and moved that the report be received and adopted. He then spoke to the meeting praising the endeavours of the Society, and the breadth and success of English missionary work, observing to much applause:

Indeed their exertions embraced not only India and Africa, but New Zealand, and the remotest regions of the globe. The name of England would, therefore, in future times, be hailed as a blessing to the people of those countries for the advantages which the British Bible Societies had spread amongst them (Applause).

Later, another speaker, The Reverend Mr Owen, directed the attention of the company to the two New Zealand chiefs who:

57 Belich 1986: 22.

58 Smith 1984 [1910]: 181–182.

Had come over to this country to implore religious instructions for the people of the uncultivated regions over which they ruled (Applause).

The final reference to New Zealand and the two rangatira is as follows in a report of comments from the Rev. D. Wilson who said:

...before the New Zealand chiefs retired, he wished to introduce them more particularly to the meeting and to state that they came here from the Antipodes to learn the books, manners, religion, habits, and improvements of the English; and they hoped for the aid of this Society in the attainment of their object. (Applause.) They had been in Cambridge with Mr Lee, the Professor of Arabic, in order to reduce for the first time, their language to a grammatical scale; and he (Mr Wilson) hoped that these New Zealanders would shortly be able to carry back to their countrymen a Bible printed in their own language. (Applause.)

The two chieftains, at the conclusion of Mr Wilson's speech bowed to the assembly, and immediately withdrew.

Soon after the triumphant visit to the House of Lords, and the public approbation they received at the London Society meeting and in London's pre-eminent newspaper, the principal ambition of Hongi was achieved. On Monday 13th November, he and Waikato were presented to King George IV. The *Cambridge Chronicle* of 24th November 1820, under the heading "University Intelligence", recorded the occasion as follows:

On Monday the 13th inst. The two New Zealand chiefs, Shunghee and Whykato, who were for a short time resident in this university, were presented to his Majesty; a circumstance which will give great satisfaction to their friends here, as one of them, Shunghee, so much respected by all who knew him, had earnestly and frequently expressed a desire to have a personal interview with "King George." His Majesty shewed to them his armoury and treated them with the greatest condescension and affability. They received also upon this occasion from his Majesty some valuable presents, with which, as with the reception they experienced, these chiefs are highly delighted. They are now about to return to New Zealand, accompanied by the Rev. Thomas Kendall, one of the Church Missionaries.⁵⁹

In the mind of Hongi, he now had a personal reciprocal relationship with King George. The tour of the Tower of London and the personal exchange of gifts, which included a musket and a suit of armour from the Tower, put him in a higher category of mana than the likes of his confreres Titore and Patuone, who had also exchanged gifts with the King but from afar. Hongi did not seem overawed by the experience, but rather considered the whole affair as a meeting of equals, of rangatira.

From the point of view of Hongi, and commensurate with Māori ethics and values of the time, his relationship with King George IV was based on tikanga manaaki, namely the pleasantries exchanged; tikanga mana, the exchange of ancestral prestige; and culminated with tikanga hau o tō taonga, the shaking of hands and gift exchange. In the thinking of Hongi Hika and later Ngāpuhi, it was understood that a special bond with Northern iwi was established in 1820.⁶⁰

59 Cambridge Chronicle 24 November 1820: 3.

60 Orange 1987: 8.

While he was still far from home, Hongi became desperately ill. He, Kendall and Waikato left England for Australia in the convict ship *Speke*, a less than salubrious transport for men of their stature, especially those in compromised health. In Parramatta, Hongi, now recovered, encountered Te Hinaki and Te Horeta from Coromandel. He informed them that in response for the Ngāpuhi defeats at Waiwhariki (Bay of Islands) and other battles, the destruction of their people was imminent. On July 11th 1821, Kendall and friends arrived at the Bay of Islands on board the *Westmoreland*.

The triumphant meeting of Hongi with important dignitaries in England, especially his meeting with King George IV and the visit to the House of Lords, were in his eyes a recognition and enhancement of mana, the principal reason for his visit. Mana was not just accorded to himself, Waikato and Ngāpuhi, but to all Māori people, as Hongi was already thinking past the limits of his own kinship framework of whānau-hapū (extended family). He returned home as a proto nationalist and with something of an outlook of an internationalist, informing all who would listen of his undoubted success in gaining such mana. His mana increased further in light of the success of the visit. In his mind, he had secured a new long-term relationship with the King and with England, and certain concessions. One concession sought was that in return for allowing the King's people to live in Nu Tīreni in peace, Māori would be treated like British subjects when visiting Australia and England.

Upon his return Kendall resumed his trade in armaments. In June 1821, Marsden charged Kendall over his arms dealings.⁶¹ Kendall estimated that there were now 2000 arms in the Bay, an increase on an earlier estimate of 500 some twelve months earlier.

The Rangatira Letter to King William IV, 1831

The second major step in nation making is found in the events of 1831, when thirteen rangatira, all belonging to the Hokianga–Bay of Islands axis, put their moko marks (facial tattoo) to a letter personally addressed to King William IV of England. Composed and written in Māori, the following letter went together with an English translation to London via Parramatta.

1831 Letter to King William IV The Gracious Chief of England.

Ki a Kīngi Wiremu te Rangatira atawai o Ingarangi

E Kīngi Wiremu. Ko mātou ko ngā Rangatira o Niu Tīreni e huihuia nei ki tēnei kāinga ki te Kerikeri, e tuhituhi atu nei ki a koe; e rongō ana hoki mātou ko koe te Rangatira nui o tarawāhi, nōu hoki ngā kaupuke maha e ū mai nei ki tō mātou wenua.

He hunga rawakore mātou, heoi anō, ō mātou taonga he rākau, he muka, he poaka, he kapena, he oi, ka hokona ēnei mea ki ōu tangata, ka kite mātou i te taonga o te Pākehā. Ko tōu kāinga anake te atawhai ana ki a mātou, nōu anō hoki ngā Mihaneri e ako nei i a mātou ki te wakapono, ki a Ihowa te Atua, ki a Ihu Karaite anō hoki tana tamaiti.

61 Lee 1983: 104–105.

Kua rongō mātou ko te Iwi o Marion tēnei me ake ū mai ki te tango i tō mātou kāinga, koia mātou ka inoi ai kia meinga koe hei hoa mō mātou nei kaitiaki i ēnei motu, kei tata mai te wakatoī o ngā tauīwi, kei haere mai ngā tāngata kē ki te tango i tō mātou wenua. Ā ki te mea ka tutu ētahi o ōu tāngata ki a mātou, ka noho nei hoki he hinu ki te wenua nei, he mea oma mai i runga i te kaupuke, māu rā pea rātou e riri kia rongō ai, kei hō noa te riri o te tangata Māori.

Nō mātou tēnei pukapuka nō ngā Rangatira o te Iwi Māori o Niu Tīreni.

No. 1	Wārerahi	No. 2	Rewa
No. 3	Patuone	No. 4	Nene
No. 5	Kekeao	No. 6	Titore
No. 7	Tamoranga (<i>Te Morenga</i>)	No. 8	Ripi (<i>Ripa</i>)
No. 9	Hara (<i>Haara</i>)	No. 10	Atuahaere
No. 11	Moetara	No. 12	Matangi
No. 13	Taunui (<i>Taonui</i>)		

Signed in the presence of the Committee of Missionaries at Kerikeri, Oct 5, 1831.

William Yate

Rangatira Letter to King William IV, 5 October 1831, NA CO201/221, pp.387–388.

The English Translation, 1831 Letter (William Yate)

To King William, The Gracious Chief of England

King William. We, the chiefs of New Zealand assembled at this place, called the Kerikeri, write to thee, for we hear that thou art the great Chief of the other side of the water, since the many ships which come to our land are from thee.

We are a people without possessions. We have nothing but timber, flax, pork and potatoes. We sell these things, however, to your people, and then we see the property of Europeans. It is only thy land which is liberal towards us. From thee also come the Missionaries who teach us to believe on Jehovah God, and on Jesus Christ His Son.

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, lest through the teasing of other tribes should come war to us, and lest strangers should come and take away our land.

And if any of thy people should be troublesome or vicious towards us (for some persons are living here who have run away from ships) we pray thee to be angry with them that they may be obedient, lest the anger of the people of this land fall upon them.

* The French Ship *La Favorite* anchored the day after the document was signed. The Natives call the French Marion from the name of the Captain who was cut off in June 1772.

This letter is from us the chiefs of the natives of New Zealand:

The foregoing is a literal translation of the accompanying document.

William Yate

Secretary to the Church Missionary Society, New Zealand

Wharerahi, chief of Paroa

Rewa, chief of Waimate

Patuone, chief of Hokianga

Nene chief of Hokianga

Kekeao, chief of Ahuahu

Titore, chief of Kororāreka

Te Morenga, chief of Taiamai

Ripa, chief of Mapere

Haara, chief of Ohaewai

Atuahaere, chief of Kaikohe

Moetara, chief of Pakanae

Matangi, chief of Waima

Taonui, chief of Utakura

(NA CO201/221, pp.385–387; cf. Buick 1976:11).

For a number of years, only the English translation of this document was available to historians⁶² but more recently, a copy of the original Māori language letter, including the moko marks of the rangatira has become available. Few historians if any have seen the letter, which is now held at the National Archives in Wellington. The genesis of key ideas and some resultant themes are identified. First, it is fascinating to see that many rangatira now began to speak to an outside world in written form. At the same time, through literacy, they progressed the identification of themselves and their people as a people in a wider world. This is seen in the opening statement of the letter when, after addressing King Wiremu, they identify themselves and their country by writing, “Ko mātou ko ngā rangatira o Nu Tīreni” rendered as, we the leaders of Nu Tīreni. This was to be a standard way for Māori rangatira to address others in the world. Secondly, the word *kāinga* is used to identify three different types of place. First, “Tēnei kāinga ki te Kerikeri”—“This place called Kerikeri,” a particular location. A second use of *kāinga* is seen in “tou kāinga anake”—“it is only your land”; here *kāinga* refers to a country. A third use of *kāinga* in the letter is “Tōu mātou kāinga”, which refers to “our country”. Thirdly, the letter also lists what they consider their *taonga*, which are valuables or commodities available for trade. Finally, the moko marks are used as signatures.

William Yate, the scribe for the rangatira, added a note regarding Marion de Fresne to the letter the day after the rangatira had signed it with their moko marks, and sent the original letter to the Executive Council who met in Government House in Parramatta. The Council consisted of three British Crown appointed officials—the Governor Richard Bourke, the Colonial Secretary and Colonial Treasurer. An Archdeacon of the Anglican Church and the Honourable Colonel Lindsay were also in attendance.

At the Executive Council meeting, Governor Bourke presented papers and the proposal of his predecessor, Governor Darling, who first considered placing a resident at the Bay of Islands or any other suitable place for the purpose of protecting and promoting the commercial intercourse between Australia and New Zealand. According to Bourke, the duty of the Resident should be to “conciliate the goodwill of the Chiefs and to encourage the production of those articles of commerce of which Great Britain and the Colony stand in need”. In addition, he said, the proposed Resident should “endeavour to protect the Natives from ill treatment by all lawful means, and to procure the surrender of the fugitive convicts who are lurking in those Islands”.⁶³ The Council discussed the proposal, including who ought to bear the expense of establishing the office of Resident.

62 cf. Buick 1976 [1914]: 11.

63 Rangatira Letter to King William IV, 5 October 1831, NA CO201/221: 389–390.

On the question of the perceived French threat to claim the Islands for France, as raised in the rangatira letter, the Council put that aside. For good measure, and by a convenient coincidence it seems, the French naval ship *La Favorite* anchored in the Bay of Islands the day after the letter was signed, a point added to Yate's translation as he explained the reference to Marion de Fresne who was in Nu Tīreni in June 1772.⁶⁴ Fear that 'The French are coming' was an alarm device, used by the missionaries for their own ends. Indeed, Claudia Orange observes that the French threat was harmless but rumour served a missionary agenda for a modicum of official British intervention.⁶⁵ Despite the fact that Yate and Rewa had two weeks earlier returned from a visit to Parramatta, apparently with the rumour that the French warship was to annex Nu Tīreni to France,⁶⁶ I am not convinced that Rewa, Taiwhanga or other rangatira were driven by such anxiety. Oral tradition does not record any alarmist tendency from among Māori about French intentions to take over the country, or that they harboured the anxiety for fifty-nine years until English missionaries arrived to help them.

The rangatira letter to King William IV, 1831, was a formal invitation from a collective of Māori leaders from the Bay of Islands for a continued relationship with the British King. These rangatira were engaging with the empire on Māori terms, with an assumption of a relationship based on reciprocity at political, social and economic levels. The Council read a report from the case for the appointment of a Resident and discussed the appeal to King William. The request received the support of the Council, who recommended the appointment of a Resident in New Zealand.⁶⁷

The Appointment of a British Resident for Nu Tīreni

The third step in the process of articulating a Māori nation began in Parramatta in 1831, and culminates with the appointment of the first British Resident to be located in Nu Tīreni. At its meeting in Parramatta on 22nd December 1831, the Executive Council recommended the appointment partly in response to the rangatira letter. But, in reaching a recommendation, they also considered other relevant information such as representations from missionaries and traders in New Zealand, and in particular the trade figures for the same year between Parramatta and New Zealand.

The trade figures were impressive. From 1st January 1831 to 8 December 1831, New Zealand exports to Parramatta were valued at £34,282 and included 1182 tons of flax, 277,600 feet of planks and timber, 597 handcrafted spars, 26 tons of potatoes, 45 tons of whale oil and 7.13 tons of whale bones. Flax represented 71% of the value of the exports, timber products 15%, and whale and seal products 11%. There was a healthy trade surplus in favour of Nu Tīreni in 1831, a trend noticeable since 1826, when British official records began for Nu Tīreni.

The 1831 imports from Parramatta to Nu Tīreni were also healthy, with a balance of trade in the favour of Nu Tīreni. However, the imported products point to the political priorities of the time. The Parramatta arms dealers sold 5,888 muskets, 61,453 lbs in gunpowder and 39 cwt in shot and balls and other accessories. Weapons accounted for 38% of the exports,

64 NA CO 201/221: 385; Salmond 1991: 394–395.

65 Orange 1987.

66 Orange 1987: 11.

67 NA CO 201/221.

whaling gear and casks 20%, groceries, clothes and other provisions for missionaries and other Pākehā inhabitants 23%, and spirits and tobacco 9%.⁶⁸

There is irony in the fact that while Pākehā missionaries were writing to Church agencies and government officials expressing concern about Māori fighting among themselves, Māori were arming themselves with guns purchased for them by Pākehā arms traders in Parramatta. Further, some of the gun runners in Nu Tīreni were missionaries like Thomas Kendall and possibly Samuel Marsden, as well as traders. Dorothy Urlich's study of the diffusion of arms within Māori society suggests that the iwi of the Bay of Islands were already close to saturation point during the late 1820s, that Taranaki entered the arms race in 1828 and that Ngāi Tūhoe received their first bulk supply of weapons in 1831. Waikato, the East Coast Ngāti Porou, the inland Te Arawa and other iwi reached saturation point about 1835. Urlich's pattern of three stages from 1800 to 1840 is relevant. The period between 1807 and 1820 was the "primary stage" of firearms diffusion, with arms being introduced to Nu Tīreni through the top parts of North Auckland, especially through the Bay of Islands. In the second stage, "the proper diffusion stage" between 1821 and 1830, new centres of innovation and diffusion were established, first as subordinate centres but quickly becoming innovation centres in their own right, and overtaking the original primary centre, the Bay of Islands. Urlich's third stage of dissemination is the "condensing stage", 1830 to 1835, where firearms were "commonly known." 1835 represents a saturation point for the North Island, when there was "an equalisation in the possession of firearms".⁶⁹

On the basis of representations from the Executive Committee, the British government in London decided to appoint a British Resident to New Zealand, one of the lower levels of diplomatic appointments. However, it was evidence that Māori of Nu Tīreni had continued moving ever more closely into a British sphere of political and economic influence. For many North Auckland Māori this was considered progress, and consistent with the vision of Hongi Hika and others.

The British Resident Arrives, 1833

James Busby arrived in 1833 to establish his office in the Bay of Islands. He was the son of Sarah Kennedy (1768–1842), a Scottish woman and member of the Kennedy Clan of Culzean Castle, Ayrshire, where, according to Busby family tradition, she was born.⁷⁰ The Castle and estates are on the southern Scottish coastal area overlooking the Irish Sea. Sarah had what the Scottish refer to as 'second sight', a power known to Māori as *matakite*. James' father was John Busby (1765–1857) an Englishman from Alnwick, Northumberland in Northern England. He was a mineral surveyor and mining engineer who developed an aptitude in surveying for minerals and water.

John and Sarah had married in 1798 in Tynningham Village, near Haddington in Scotland, the seat of the 9th Earl of Haddington. The Earl later became the patron of the Busby family and was most helpful in lobbying Lord Bathurst, the Secretary of State for the Colonies, to support the family's emigration to Australia in 1823. He later assisted in James' application to be the first British Resident of New Zealand.

68 NA Minute no. 66, Executive Council, 22 December 1831.

69 Urlich 1969: 75–80; see Table Three, 'A Correlation between Migrations and the Dissemination of Firearms, 1800–1840'.

70 A.D.M. Busby 1994 Vol. I: 42–45; Ramsden 1942: 27–28; cf. Ferguson 1998.

The Busby family shifted from Haddington to Edinburgh, where James was born in Thistle Street on 7 February 1801. Except for short period as a ten-year-old in Morne, Northern Ireland, all his schooling was in Scotland. From 1816–1817, James followed his older brother George to the University of Edinburgh. George finished his medical degree but James was able to complete only one year as a student in the faculty of medicine because his parents were experiencing financial difficulties. However, in the context of the time, one year at university was considered a significant achievement and one of which his parents were justifiably proud.

Ged Martin's informative review of James Busby's early years in Edinburgh emphasises the significance of the cultural and intellectual milieu of the time. A city in which the "written word, the bond, the act of parliament was held in special reverence," Edinburgh was the centre of Scotland's unique legal system. James, says Martin, would have studied Scottish history, particularly two documents that shaped Scotland's past and which have an "uncanny" similarity to the Treaty of Waitangi. The first document is the National Covenant of 1638 signed in Greyfriars, Edinburgh. The second is the 1706 Treaty of Union with England, which twelve months later led to the Union of the Parliaments. Martin speculates that the idea of the Treaty of Waitangi as a covenant may have derived from the national Covenant of Scotland.⁷¹ He refers to the famous reference to the treaty by Hone Heke and Patuone as "he kawenata hou", or new covenant. However, the Act of Union of 1707, says Martin, would have won the approval of James because it led to the extinction of one party, namely the independent kingdom of Scotland. Martin's view is that a similar extinction happened to the United Tribes of New Zealand at the signing of the Treaty of Waitangi. While I accept that Busby changed his mind about Māori independence sometime after 1838, it cannot be assumed that Māori leaders followed Busby's change of heart and mind on *mana Nu Tīreni*, or the cession of sovereignty.

James Busby's history is described here at length because to treat him as if he was an Englishman is a mistake. So too are the severe criticisms of his character by historians including Claudia Orange, Keith Sinclair, William Pember Reeves and Peter Adams.⁷² Busby was born and raised as a Scot, and in this light, some of his advice to Māori from 1833 to about 1838 comes into focus. His proposals to Māori on independence, law making and working together as a collective all seemed to be underpinned by contemporary legal and constitutional principles more closely associated with Scottish jurisprudence, which derives many of its principles from continental Europe and international law espoused by Emerich de Vattel, than with English precedents.

According to Lord Thomas Mackay Cooper, Lord President of the Scottish Court of Session, the principle of the "unlimited sovereignty of Parliament is a distinctively English principle which has no counterpart in Scottish constitutional law".⁷³ Significantly, Busby, or Puhipi as Māori in the Bay of Islands knew him, was a widely respected figure among many of the Māori leaders of the time. Evidence of this is seen in the regular meetings with rangatira at his house at Waitangi. In chapter four, I suggest that the Busby residence functioned in the Māori mind like a marae, which explained why many rangatira from all over the country were comfortable meeting in the space in which they were able to encounter, *kanohi ki te kanohi* (face to face), representatives of the new world of Europe.

71 Martin 1992: 17, 20–21.

72 Cited in Martin 1992: 14, 21–22.

73 Cooper 1991: 98.

From the Flag of the Independent Tribes 1834 to the Flag of Independence

The fourth step in the process of nation making began in March 1834, when James Busby convened a gathering on his front lawn of a group of Northern rangatira to select a flag of convenience. This was in response to long-standing problems of Māori- and Pākehā-owned shipping on the high seas, including the dangers of piracy, and against a backdrop of clashes with customs officers in Parramatta.⁷⁴ They met under a specially constructed awning near Busby's house in front of which the British Ensign was flown on the first flagstaff, erected by Captain Lambert of His Majesty's ship *Alligator*. The significance of the choosing of a flag, surrounded by British ritual, pomp and civility, meant that Nu Tīreni and New Zealand was entitled to, and in time received, a modicum of international recognition, including an international personality. Up to this moment, Nu Tīreni and Māori had no international legal status.

The attendance of Māori leaders and their entourages at this hastily arranged gathering to select a flag signifies the importance of the occasion. Busby records that twenty-five rangatira with a "considerable number of followers," attended the one-day meeting on Thursday 20 March 1834. One witness, Von Hügel,⁷⁵ suggests that some 750 Māori attended, of whom about one third were women. It was the season of ngahuru, or autumn, the best time to convene such a gathering. Ngahuru was the harvesting time when bird life was plentiful, especially kūkupa (woodpigeon, *Hemiphaga novaeseelandiae*) and kūaka (bar-tailed godwit, *Limosa lapponica*), and the seafood was fat. Politically, it was the time of least fighting because of the needs of harvesting before the makariri, the cold of winter.

After close voting between one of three possible flags placed before the rangatira, a national flag, initially known as the Flag of the Independent Tribes, was selected. In Busby's Scottish terms, this process represented an early expression of a Māori parliament. Busby reported that a son of one of the rangatira assisted in recording the votes. The assistant was probably Eruera Pare Hongi, by now a very polished interpreter, writer and commentator for his many relatives. After the business proceedings, Busby offered a hākari, a feast acknowledging his role as host for his visitors. Some 584 pounds of flour and 100 pounds of sugar were consumed. The new delicacy named kōrori by Māori, a porridge of boiled flour, water and sugar, was eagerly consumed. The events of the day, as Busby reported to the Colonial Secretary of New South Wales, emphasised the importance of the occasion.⁷⁶

In his speech in Māori to the gathering (see text below), Busby explained that King William IV of England considered himself and Māori as friends, "Kua wakaae te Kīngi o Ingarani ki a koutou, hei hoa mōna." Further, the King hoped that settlers and Māori would continue to live in peace. For the Northern Māori, William was simply restating and reaffirming understandings reached between King George IV, Hongi Hika and Waikato in 1820, when a mutually beneficial relationship was established.

In the remainder of Busby's address, he explained that three flags had been brought to them for their consideration, and outlined the procedure for selecting one flag. If King William should approve of the flag they selected, which in future would be flown on their trading ships, this would amount to an unambiguous offer of protection. Māori saw the King

74 Orange 1987: 19.

75 As cited in Rev. Lochore Papers.

76 Letter to the Colonial Secretary of New South Wales, 22nd March 1834, NA CO 209/1, pp.234–236).

as extending to them his tapu (sacred qualities, power) and mana (spiritual power and authority, integrity), thereby enhancing their individual and collective mana. By going along with Busby's plan, the rangatira enhanced the mana given to King George IV by Hongi and Waikato. Busby explained it as follows:

Anō ka wiriwiria te kara, ka kawea e te Rangatira o te puke (ship) taua ā ka wakatakoria ki ngā waewae o te Kīngi – ā, ki te paingia te kara e ia ko ngā kaipuke e wakatare ana i taua kara e kore e tangohia, otirā, ka tukua ki ngā tūranga kaipuke o Kīngi Wiremu, hohoko ai.

When you have made your decision the Captain of the ship will bear your choice to the King of England, signifying that the particular flag is the one you have chosen as the flag for New Zealand and such a flag will then be flown on the ships of New Zealand serving under His Majesty King William.

'Te kara' referred to in Busby's address, the Northern Māori word for a flag, is a transliteration of the word 'colours' associated with flags on trading and military ships. Another Māori term for a flag is haki, which is a transliteration that refers to 'Jack,' i.e. the Union Jack. The haki has an early usage that sometimes refers to the kaitaka, or a woven flax mat that was used as a type of flag on the masthead of the *Sir George Murray* in Parramatta Harbour in 1834.⁷⁷ This ship was built at Horeke in Hokianga and was linked to Patuone and Taonui, who were on board in November 1830 when the ship was seized in Parramatta and the cargo impounded because it did not have an acknowledged national flag.⁷⁸ These incidents led to the gathering convened by Busby.

James Busby's 1834 Address to the Chiefs on the Occasion of the Adoption of a Flag (Māori text)⁷⁹

17th March 1834

E aku hoa,

Kua wakaae te Kīngi o Ingarani ki a koutou hei hoa mōna, nā ka tonoa mai hoki hau, tana Retuirenete, kia noho ki Nu Tirani, ā e hiahia ana hoki ia kia hohoko ōna tāngata ki a koutou, a kia mahi tika rātou; kia kua e riri ki a koutou, me koutou anō hoki ki a rātou. – Otirā, kāhore he kara mō ngā kaipuke i hangā ki Nu Tirani, hei puke hohoko mea, ā, ko ngā kaipuke kara kore e tangohia. – Ā he mea tika mā ngā rangatira e wiriwiri tētahi kara mō Nu Tirani. – Ā ko ngā kaipuke hoki e hangā ki konei ka tukua kia hohoko ngā tūranga kaipuke o te Kīngi o Ingarani – koia rā ko tēnei, ko te mea i tuhituhi ai hau mō ngā rangatira o Nu Tirani. Ā e te toru ēnei kara kua oti te kawē mai e te Rangatira o tētahi o ngā kaipuke taua o Kīngi Wiremu, – koia hoki ka wakaminea nei e hau ngā Rangatira kia wiriwiri ai e koutou tētahi kara mō Nu Tirani – mā ngā rangatira nunui anake, e wiriwiri te kara – nō te mea ko ētahi pea e hiahia ki tētahi kara, ko ētahi e hiahia ki tētahi atu. Otirā, mā te Rangatira anō e mea ki a ia anō te kara e tino pai, ā, ko te kara e tangohia e te tokomaha o ngā Rangatira ko tō kara tērā mō Nu Tirani, ā heoi anō hoki te mea e tangohia –

77 Sutherland 1958.

78 Orange 1987: 19.

79 Busby NA, BR 1/1 p.139.

Anō ka wiriwiri te kara, ka kawea e te Rangatira o te puke taua, ā, ka wakatakoria ki ngā waewae o te Kīngi – ā, ki te paingia te kara e ia, ko ngā kaipuke e wakatare ana i taua kara e kore e tangohia, otirā, ka tukua ki ngā tūranga kaipuke o Kīngi Wiremu, hohoko ai. –

Ā kia wakaaro ngā Rangatira o Nu Tirani ki tēnei, ki te aroha nui o te Kīngi o Ingarani ki a rātou, ā, kia atawai rātou ki ōna tāngata.

Address to the Chiefs on the Occasion of the Adoption of a Flag (English text)

17th March 1834

The King of England has graciously taken you the representatives of the Māori people to be his friends and has sent me his representative to reside here in New Zealand. He desires me to express to you his desire that you and I are to long continue to be friends and work together for the good of everybody. He hopes that you will live in peace with the new settlers. He realizes that the ships that have been built in New Zealand have no flags of their own and therefore desires you the chiefs to accept this flag as a pattern for the flags for such ships so that such ships sailing the seas in flying for trade would fly the flag of the King of England, and on your behalf I would like to write to the King of England to signify your acceptance of the flag. Three flags have been delivered to me by the Captain of one of the ships of his Majesty King William and I desire that you as chiefs choose one of these flags to be the flag for New Zealand. I want you to consult with chiefs of other parts of New Zealand so that your decision would be the decision of the majority, for I visualise that many would prefer one and others would prefer another. When you have made your decision the Captain of the ship will bear your choice to the King of England signifying that the particular flag is the one you have chosen as the flag for New Zealand and such a flag will then be flown on the ships of New Zealand serving under His Majesty King William. Please give this matter your due consideration. I send you the greetings of King William of England.

Yours faithfully

(Sgd.) James Busby

Responding to the choice laid before them, the rangatira observed that foreign flags with icons and symbols evoked a certain respect. The colours were more than pieces of cloth to Māori who found meaning in the colours and symbols on the material recognising the tapu, mana, mauri and wairua (spirit), or vital life forces imbued in Te Kara.

Henry Williams, who before becoming a missionary had been a lieutenant in the British Navy, designed the iconography of the chosen flag. He knew of Māori interest in iconography, symbols and metaphor, and understood the need for an astute choice of colours and symbols in order to gain the support of the rangatira. Bay of Islands Māori already identified the large red cross on a white background as the St George Cross of the Church Missionary Society. Henry Williams increased the size of the red cross to meet Ngāpuhi and other Māori affection

for red, a sign of mana and rank and a mark of tapu objects.⁸⁰ In the top left-hand corner, he added four white eight-pointed stars; each placed on a deep blue coloured background divided into four quarters by a red cross.⁸¹

According to a New Zealand Navy historian, Peter Dennerly,⁸² the flag design was not the standard British Navy pattern of the time. Stars were not yet on British Navy flags and the white ensign was still some twenty years away from becoming an official Navy flag. Further, the stars may be of Polynesian derivation and the black fimbriation may well be a thick line of the design page. The fimbriation was normally white. Fimbriations are, in heraldic design, used for the demarcation of colours. The stars likely represent the ancient Polynesian sailing symbols for the South Pacific,⁸³ namely the constellation of the Southern Cross known by Māori as Te Pūtea-iti-ā-Reti (Tamarēreti) or Te Kāhui Rua-māahu.⁸⁴

In heraldic terms, points on a flag are important. For instance, the stars on the Australian flag have seven points representing the seven states. The eight-pointed stars are likely to be a reference to the Southern Cross.⁸⁵ According to Māori linguist Bruce Biggs,⁸⁶ eight occurs with better than chance frequency with obvious symbolic overtones. While he found no mention of the special significance of the numeral, it possesses great power and cultural significance for Māori. Furthermore, he demonstrates the cultural significance of eight entities. We might therefore speculate that Henry Williams may have known of this aspect of Māori belief and cultural significance and included it in his design. Dennerly considers that the blue background to the stars represents the blue of the Pacific Ocean, but again this is speculation, as the records are not clear on these details.

Te Kara, as the Flag of the Independent Tribes is more commonly known, is a very good example of the cultural appropriation of symbols. Over time, it became a potent symbol—sometimes in war, a prize—used by tribes as a sign of their tribal mana and Māori sovereignty. Te Kara was subsequently chosen by Te Heuheu Iwikau as the flag to be flown at Pūkawa for the selection of Te Wherowhero as first Māori King in 1856.

There is no evidence that in incorporating Te Kara as part of their symbolic system, Māori were “making a sign of deference to the English”, as Greg Denning has argued for the use of flags in the Polynesian Wallis Islands. According to Denning, the Wallis people “see it as a sign of overarching sovereignty that was outside and above local politics but was imbued with all their metaphors”.⁸⁷ Such symbols and metaphors, however, are not necessarily signs of deference to Pākehā power. I suggest that this is true also for Māori Polynesians with the incorporation of moko (facial tattoo), scrolls used as signatures on letters, colours on

80 Busby to the Colonial Secretary of New South Wales, 13 January 1834, NA CO 209/1 No. 33, p.224–225; see Binney 1968: 88 Note 16.

81 Dimensions, National Flag, NA CO 209/1, p.124.

82 Dennerly 1995, personal communication.

83 cf. Best 1978 [1955]: 28, 79–80.

84 Hongi 1911: 202.

85 cf. Sutherland 1958.

86 Biggs 1990: 32–37.

87 Denning 1992: 280; cf. Sahlins 1994: 80.

flags, plus stars of significance. In reality, they were the opposite. Acceptance of the moko as signatures and other Māori symbols was a case of English deference and recognition of another cultural system.⁸⁸

The Flag of the Independent Tribes, and the international recognition accorded to it, enabled Māori and Pākehā traders based in Nu Tīreni to sail the open seas, guaranteed protection by the recently established (1816) East Indies and China Command⁸⁹ and the later Pacific Command established in 1819 under Commodore Sir Thomas Masterman Hardy. From the 1820s, British Navy ships visited Nu Tīreni as a presence and to enforce, if necessary, law and order in the Bay of Islands.⁹⁰ However, over the longer term, Te Kara was to become a symbol and metaphor of Māori independence, a flag for the Māori monarchy and Māori identity during the remainder of the nineteenth century.



Above: The Rev Thomas Kendall and the Maori chiefs Hongi and Waikato. James Barry, active 1818–1846. Ref: G-618. Alexander Turnbull Library, Wellington, New Zealand. <https://natlib.govt.nz/records/23241174>

Left: New Zealand Company / United Tribes flag, 1839, maker unknown. Gift of Andrew Haggerty Richard Gillespie, 1967. CC BY-NC-ND 4.0. Te Papa (GH002925).

88 cf. Dening 1994: 470.

89 McLintoch 1996 Vol. I: 694.

90 Waters 1956.

CHAPTER FOUR

The Phenomenon of The Māori Nation

There is every reason to argue that, in the dominant New Zealand discourse on nation and state, Māori agency gains little credence in the period under discussion. Rather, settler historiography ascribes agency for the founding of the modern nation state, first to British initiatives represented in the 1840 Treaty of Waitangi, and second to Māori cession of sovereignty in perpetuity. The role played by many of the rangatira and tohunga (religious leaders) of Nu Tīreni-Aotearoa in establishing a Māori nation state is a silent part of mana Māori and New Zealand Pākehā history to date. This view fails to recognise that Māori not only had their own views, but those views were valid. And yet, from 1800 to 1840 a series of events took place in Aotearoa New Zealand in which Māori were actively engaged in what became a radical transformation of culture and society.

In offering a reinterpretation of nineteenth-century New Zealand constitutional and social history, as this book does, the dynamics of Māori metaphor in political, economic and social processes over time until 1840 must be explored. This may explain Māori motives for their active participation in the new types of public gatherings to which rangatira in and around the Bay of Islands accorded some priority, especially those convened at Waitangi with the British Resident.

In many ways, the British Residence functioned like a marae, which would explain why rangatira from all over Nu Tīreni were comfortable meeting there. Such 'frontier' marae became places of encounter between Māori and Pākehā, rather like the "islands and beaches" described in Greg Dening's illuminating ethnohistory of the Marquesas Islands of East Polynesia.⁹¹ The beaches of the Marquesas were the zones of encounter where strangers could meet and cross over into different worlds and later return to their own. In crossing over and back again, nothing was the same after the encounter. When entering Busby's cultural space, the rangatira crossed a boundary into a liminal state, which is a "step neither inside nor outside but in-between",⁹² a taumata in Northern Māori dialect, but known in other regions as paepae, a portal to another world. In that world, a new way of looking at economics and politics was possible, if on a grander scale to that which they were accustomed.

Following Dening's reflections on history, anthropology and methodology I discuss two Māori metaphors, the marae and the kaupuke. The first is a model for decision-making and exchange, while the second, the sailing ship, is a Māori model of society, the nation or the state.

The Marae of Puhipi

In early nineteenth-century Māori society, the marae complex of land and buildings was an institution that could be constituted in any place considered convenient for Māori purposes. A marae, says Kawharu, was a place of consultation, a forum for debate where binding decisions might be reached "by sanctions on trust and credibility, sanctions of ridicule or

91 Dening 1992.

92 Kawharu 1987: 12

hostility or rejection.” “For political purposes,” he says, “any piece of ground would suffice as a marae, given an appropriate identification of the political group.”⁹³

Wi Tako created such a marae in 1839 on the Pito-one beach in Port Nicholson (Wellington), when he decided to welcome a shiplot of Pākehā settlers who had arrived as part of the New Zealand Company’s colonisation scheme. Rather than removing his people who were working on the beach to their formal marae setting further inland, Wi drew a line in the sand to mark the paepae. Gathering his people on one side, he indicated to the strangers that they should remain on the other side of the line in the sand. Whaikōrero, ceremonial speeches, were made by the orators and a haka (ceremonial dance) was performed. In this way, some of the early settlers to Wellington were formally welcomed to these islands. The institution of the marae was a place of encounter between locals and visitors, the living and the dead—a timeless place where matters were considered and deeds done according to ritual. As Anne Salmond describes it, these places of encounter were “beginnings and ends”, “frontiers and boundaries.”⁹⁴

At Waitangi the house and property was James and Agnes Busby’s cultural space, a little piece of Scotland that they called home. The Busby home overlooked Te Moana i Pikopiko i Whiti, renamed the Bay of Islands or Pēwhairangi. Te Moana i Pikopiko i Whiti also refers to the beachfront on the Pacific island called Wawauatea at Rangiātea. This, in the Ngāpuhi tradition, is the original Hawaiki homeland of Māori.⁹⁵ Wawauatea was the island beach from which the canoe of Kupe, and later many other canoes, were launched to cross Te Moana-nui-a-Kiwa in the ancestral search for Aotearoa.⁹⁶

Te Moana i Pikopiko i Whiti was the breeding ground in which fish spawned in the warm shallows. The sea-children of Tangaroa grew in this sanctuary before leaving the safety of the harbour for the deeper coastal waters and open expanses of Te Moana-nui-a-Kiwa, the Great Ocean of Kiwa, known to the English European world as the Pacific Ocean. By 1840 the bay, its beaches and islands were already internationally famous for dolphin, marlin, whales and bird life aplenty.

In 2001 I stood in the grounds of the Busby’s house at Waitangi, imagining the life and events of the 1830s. When James and Agnes Busby settled there in 1833 they developed vegetable and flower gardens and planted exotic trees among the existing native species. The plants, which reflected the couple’s passion for viticulture and botany, included grapevines, fruit trees, vegetables and a nursery of native seedlings. Soon after their arrival, two rows of tī kouka (*Cordylis Australis*), commonly referred to as cabbage trees, were planted in front of the house about a hundred yards to the left. One tradition has it that they were planted to shelter a vineyard, but they may also have formed an ornamental border to the gravel path surrounding the garden. The tī kouka remain standing today as elder sentinels to a Scottish family plot and a sacred meeting place of tūpuna, ancestral leaders.

93 Kawharu 1987: 12

94 Salmond 1983 [1975]: 32.

95 Erima Henare, 2001, personal communication.

96 cf. Simmonds 1976: 31, 210, 212

In a Māori sense the Scottish family house and porch, with its lawn and gardens laid out in front of it overlooking the waters, was the British Resident's marae. Moreover, rangatira treated the place as such whenever they gathered individually or collectively to meet with Puhipi, as Māori named James. He and his wife created a unique cultural space with its whare tupuna, an ancestral house containing cultural artefacts and mementos of their Scottish and English ancestors and past. The marae ātea, the clear grass space lying before the whare, was an environment where leaders met to discuss, debate, make decisions of significance and seek a meeting of minds.

Kaipuke

From the marae of Puhipi, the bustling activity of the harbour could be seen. White-masted sailing ships, which Māori described as kaipuke because they seemed like floating hills of food, delivered their produce and other products for Māori and Pākehā consumers. Kaipuke were not considered waka or ancestral canoes, the only other means of sea transport of Māori.⁹⁷ On their outward journey from Pēwhairangi, kaipuke were loaded with fresh vegetables, timber and other commodities.

There was a great deal of activity in the harbour in the 1830s. Ninety-one British colonial, American and Tahitian ships had arrived in 1834, and 89 the year earlier, of which 31 and 20 were trading vessels respectively. 1835 also looked prosperous with the arrival and departure of 103 kaipuke, followed by 151 in 1836, 108 in 1837, 133 in 1838 and 155 in 1839 (See Table 1).

Many of the rangatira had already sailed aboard these 'floating hills.' As they glided in and out of Pēwhairangi in the 1830s and 1840s, each kaipuke was imagined as inhabited by a community with a captain to steer it. The kaipuke sailing ship became a potent Māori metaphor for nationhood and sovereignty, illustrated by Nopera Panakareao in May 1840 in his final speech at the Kaitiāia signings of te Tiriti o Waitangi. He said:

We have now a Helmsman, before everyone wished to steer the helm, one said let me steer, another said let me steer, and we never went straight.⁹⁸

In addition, many had first-hand experience in trading with foreign vessels and knew of the value that such business brought to their respective kāinga. The value of trade grew to extraordinary levels. In a seven-year period from 1826 to 1833, exports from Nu Tīreni to New South Wales alone totalled £531, 403, while the imports from New South Wales totalled only £164, 083 (see Table 2).

Māori were not aware of the vagaries of European market forces and their impacts on local whānau-hapū and regional economies such as the Bay of Islands and North Auckland. Nor were they aware of the overall effects of this international trade on the country. Based on what they experienced, however, the future looked very promising and their response to the new commercial activities was optimistic.

⁹⁷ Nahe 1894: 233, 235.

⁹⁸ Taylor MS Vol. 1: 352; see also Wards 1968: 49; Ballara 1990b.

Table 1: The Number of Visits by Vessels to the Bay of Islands, 1833–1839.

	1833	1834	1835	1836	1837	1838a	1839b	1839c
British and Colonial								
British Warships	2	3	2	2	2	3		}
British Colonial Vessels	2	1				3		}
British Whaling Vessels	23	23	20	25	20	15		}19
British Trading Vessels	6	2	3	2	5	3		}
NSWd Whaling Vessels	16	30	25	35	15	12	15	
NSW Trading Vessels	18	10	21	25	13	12	34	
VDL e Whaling Vessels	4	3	3	4	2	1	1	
VDL Trading Vessels	1	3	1			1		52
British-American Whaling Vessels		1	1		2	1		
Total	72	76	76	93	59	51	71	71
Foreign								
American Whaling Vessels	11	10	18	49	44	57		}
American Trading Vessels	4	4	8	5	1	1		}59
Tahitian trading Vessels	2	1	1	1	1	2		}
French Whaling Vessels				3	3	18		}
French Warships						3		}20
Dutch Warships						1		5 f
Total	17	15	27	58	49	82	84	84
Total of all vessels	89	91	103	151	108	133	155	155
*Total trading vessels	31	20	34	33	20	19	34	
Percent of NSW vessels that were trading vessels	57	25	54	41	46	50	69	

* Total trading vessels in source summed incorrectly—correct totals in text.

a. Full details of vessels for 1838 are given in Long 1839: 91–94.

b. Busby does not give full details for 1839. Source: Tapp 1958: 177.

c. Harrop 1926: 107.

d. NSW = New South Wales

e. VDL + Van Damiens Land (Tasmania).

f. Category title is “other”, which would include Dutch and Tahitian vessels (Id).

Source: James Busby to the Governor of New South Wales (except where noted: Tapp 1958)

Table 2: New Zealand Trade with New South Wales (Excluding Fisheries)

Year	Value of Exports to New South Wales	Value of Imports from New South Wales	Vessels to New South Wales		Vessels from New South Wales	
	(£)	(£)	Number	Tons	Number	Tons
1826	30,000	1,735				
1827	63,000	4,926				
1828	125,862	4,845				
1829	135,486	12,692				
1830	60,356	15,597				
1831	68,804	60,354				
1832	47,895	63,934				
1833						
1834						
1835	35,542	39,914				
1836	32,155	36,184	41	5,430	36	4,709
1837	42,886	39,528	36	5,480	45	6,721
1838	53,943	46,926	38	4,291	39	5,358
1839	71,707	95,173	51	8,368	81	13,581
1840	54,192	215,486	68	13,123	83	17,111
1841	45,659	114,980	48	7,601	80	14,607
1842	37,246	131,784	81	14,085	78	13,080

Source: Thomson 1859 Vol. II: 324.

If one refers back to the Māori text of Busby's address, it used the term "kaipuke" throughout, and the term became a powerful metaphor for the nation and the state. My point is that not only have Māori observed the floating mountains moving in and out of the Bay, but they have shrewdly seen what they are: self-contained units with living communities on board and a helmsmen or captain in charge. The metaphor of the kaipuke and a captain to guide the ship was consistent with the principles of protection. The rangatira understood the difference between the owner of a ship, and the captain who was hired to sail it.

Rangatira of Tai Tokerau, Waikato, Tūwharetoa and other regions had an appreciation of the kind of role that they wanted the British Queen and her government officials to play, which was that of a captain or helmsman. The metaphor of the *kaipuke* was a dominant idea of the weeks during the signings. The first Bishop of Nu Tīreni, Bishop Jean Baptiste Pompallier, reported this analogy in his diary on 19th January 1845, after urgent conversations with Catholic Māori leaders, who prevailed on him upon to intervene with his friend Hone Heke, who was considering challenging the British Crown over their abuse of the Treaty.⁹⁹

From the late eighteenth century to the early part of the nineteenth century, dozens of Māori leaders travelled to Sydney and lived with various Governors, including Governor King among others. There they were able to observe and experience what a Governor did, and how they operated. The Governor was not the owner but the captain of the ship. All power ultimately lay somewhere else, and they supposed that ultimate *mana* was vested in the Queen, not fully comprehending that *mana* might be vested in an institution, namely Parliament in Westminster, London. However, as Claudia Orange has shown, this did not stop Henry Williams and Hobson from “representing the Crown through the person of the Queen,” thus softening the “full import of the loss of sovereignty.”¹⁰⁰

Māori engagement in the events of nation making was based on their own pre-understandings; their understandings of society, the economy and the nation. These can be garnered through the use of metaphors and symbols, used prolifically in Pacific languages, including Māori, where words and phrases often have layers of meaning and context is important. New metaphors and symbols are accepted and used by Māori to express changing and expanding political, economic, social and religious visions. These were markedly different to the pre-understandings of Kings George and William, the British Resident James Busby, Queen Victoria, Captain William Hobson, the Christian missionaries and all other strangers involved in the encounters. In explaining the phenomenon of the making of a Māori nation, it is important to consider the understandings that Māori and European brought to the encounters and to acknowledge that different worldviews were present. I now turn to explore the pre-understandings of Māori through a discussion of society, its economy and the emerging view of nation.

Understandings of Nu Tīreni, the Māori Nation

Two understandings of the idea of a nation are considered here. The first understanding embodies the assertion of a human tendency to form a nation as a means of controlling and managing a people’s affairs. The second understanding involves eighteenth- and nineteenth-century political ideas about the nation and the state. Both understandings have ethical, economic and juridical implications. On the fundamentals of the concept of nation, three apparently diverse authorities are considered; a philosopher, a geneticist and a sociologist.

99 McKeeffry 1938: 115.

100 Orange 1987: 46.

Natural Law of Nation Building

One idea of nation is found in its parent term ‘nature,’ derived from the Latin *nātus* or *nātūra*, meaning that which is born, made, destined by nature, or formed or constituted by nature.¹⁰¹ The idea that the nation is based on human nature was articulated in a philosophical discourse by Pope John Paul II, a philosopher and leader of the Catholic Church, to the 50th General Assembly of the United Nations. On 5th October 1995, the Pope spoke to the Assembly about the rights of nations and how the tension between the particular and the universal is immanent in human beings. The word ‘nation’, he said, is derived from the root term *nāscī*, to be born into, suggesting that the primary nation into which a human being is born is the family. When considered philosophically and anthropologically, “by virtue of sharing in the same human nature, people automatically feel they are members of one great family”—an ethnic group, a community or a nation. Moral, political, economic and cultural rights and duties flow to each person and each of the groups constituting the nation. This natural law exposition of natural groupings for solidarity, identity and strong sense of personal worth in community is close to that inferred in Māori philosophy and realised in Māori social organisation.

In his book *In the Blood*, the geneticist Steve Jones considers the idea that destiny is inborn and explores its linkage to the root meaning of nature and nation:

Genetics is, at last, like Germany, ready to stop apologizing for its past.... My title *In the Blood* turns on the widespread conviction that destiny is inborn. That belief began long before science. The term ‘nature’ itself derives from the Latin *nātus*, that which is born, ‘nation’ from the same root. The Latin *sanguis* gave rise to the English ‘sanguine’; hopeful and confident. Originally, though, it meant not just blood, but family, race and descent.¹⁰²

According to Tom Nairn,¹⁰³ “The discovery of the intimate structures of living heredity” through genetic research, and other projects such as the Human Genome project, makes it possible to “understand the materiality of descent in ways not available to previous generations.” In his discourse on nationalism, particularly Scottish nationalism, and its diversity of applications, Nairn argues that both Darwinism and Social Darwinism were founded on simple ignorance and that it is now possible to look at linkages in more informed ways. He says, “Any new paradigm depends on establishing a plausible link between biology and kinship on one hand, and the world of political nation-states and resurgent nationality on the other.” From the fundamentals of the linkage between *nātus*, *nāscī* and nation and the impact of modernity, he says the linkage with nationalism is made. Nairn thus challenges the view of Ernst Gellner¹⁰⁴ that nationalism produces the nation, instead arguing that the nation informs nationalism.

There are two aspects to my thinking in this respect. My argument is that the Māori nation was conceived in the womb of Māori metaphysics, born when necessity induced it, and grew in active involvement in transforming political, economic and social events in the early–mid nineteenth-century. It is essentially a “primordialist” case. As David McCrone

101 Smith 1933 [1855]: 454, 455; see Barnhart 2000: 696.

102 Jones 1996: vii, viii.

103 Nairn 1997: 13.

104 Gellner 1983; 1997.

Table 3: Historians and Commentators on Cession or No Cession of Sovereignty by Rangatira.

Cession intended or took place	
Thomson 1859 Vol. II:2	Cession occurred and cites Emmerich Vattel, p.23, on unclaimed country
Swainson 1859:379	Cession
Rusden 1975 [1888]:4–5	Cession
Reeves 1998 [1898]:145	Cession
Buick 1976 [1914]:163, 279	Cession
Shrimpton and Mulgan 1921:91	Cession
Harrop 1926:139	Cession
Rutherford 1949:65	Cession
Condliffe and Airey 1954:62	Cession
Waters 1956	1840, established British sovereignty
McLintoch 1958:61	Cession
Tapp 1958:131	Cession
Wright 1959:187	Cession
Ngata 1963	Cession
Wards 1968:43	Cession
Sinclair 1980 [1959]:7–73; 1984:28	Cession
Lambourne 1988	Cession
Binney 1989:26; 1990a:70; 1990b:27	Cession likely
Walker 1990	Cession
Doubt that cession by Māori was intended	
Wilkes 1845 Vol.II: 375–376	No cession by Pomare and others
Pompallier in McKeefry 1938:123–125	Cession took place but it was not the Māori intention
Vaggioli 2000 [1896]:98	Deception took place, no Māori cession
Turner 1986:88, 100	Cites Louis-Catherin Servant
Belich 1990:75	Nominal sovereignty kept but British got cession
No Cession Intended	
Kelly 1986 [1949]:426	No cession by Te Wherowhero
Grace 1992 [1959]:238; Kelly 1949:426	No cession by Te Heuheu Mananui
Stafford 1967:347	Cession doubtful while acknowledging the mana of Queen Victoria
Ward 1973:42	No intention of surrendering mana
Orange 1987:46–59; 1990:43	No cession intended
Henare, Sir James 1987:13; cited in Kelsey 1990: 8-11	No sovereignty ceded, No cession
Kawharu 1991:576	No cession of rangatiratanga or mana intended
Williams, J. 1991:190–197	Not ceded but redistributed
Durie 1991:157.	It is doubtful whether Māori saw themselves as ceding sovereignty

says, “nations are primordial entities embedded in human nature and history which can be identified through distinctive cultures expressed by way of language, religion and culture.”¹⁰⁵ However, McCrone says, for the ‘modernists’ who are in the ascendancy at the moment, “nationalism is a cultural and political ideology of ‘modernity’, a crucial vehicle in the Great Transformation from traditionalism to industrialism, and in particular the making of a modern state.”

In New Zealand historiography on the Māori declaration of independence 1835–1839 and early attempts to establish a Māori nation state, the thrust of Pākehā discourse is that Māori leaders of 1840 ceded, forever, sovereignty to Queen Victoria of England and her heirs, and that Māori are infants in respect of matters to do with politics. Table 3 lists some historians and commentators who argue that sovereignty was ceded; others who suggest that while cession took place, it was not what Māori intended, and, finally, a group of tribal historians and other historians and commentators who argue that either their respective rangatira did not cede sovereignty, or that Māori did not cede sovereignty to the British Crown.

Imagined futures and nationhood

A second way of looking at forces influencing Māori leadership during the early–mid nineteenth-century involves the notion of the imagined community or communities, a modernist view in which nineteenth-century political ideas of the nation and the state are critiqued.¹⁰⁶ In the ‘anthropological spirit’ of Benedict Anderson, one of the modernists, the nation is “an imagined political community – and imagined as both inherently limited and sovereign.”¹⁰⁷ Anderson cites Hugh Seton-Watson’s *Nations and States. An Enquiry into the Origins of Nations and the Politics of Nationalism*:

All I can say is that a nation exists when a significant number of people in a community consider themselves to form a nation, or behave as if they have formed one.¹⁰⁸

Following Seton-Watson, Anderson argues that “consider themselves” may be translated as “imagine themselves”. It is “imagined”, says Anderson, because while all those who are members of a nation may never know or meet everyone in it, they have in their minds an image of their communion. He suggests three criteria for the idea of nation as imagined: it is limited, sovereign and a community. The nation is imagined as “limited”, says Anderson, because it has finite and somewhat flexible boundaries beyond which are other nations. A nation is imagined as “sovereign” because the concept came from the turmoil of the European Enlightenment and revolution when the legitimacy of divinely ordained and hierarchical sovereigns were being destroyed, and sovereignty was transferred to the people. Finally, it is imagined as a “community” when, irrespective of any inequality or exploitation that may be at hand, the nation is always seen as a “deep, horizontal comradeship.”¹⁰⁹ For Anderson it is intimately a brotherhood and sisterhood.

105 McCrone 1998: 10.

106 cf. Belich 1996: 85, Footnote 63.

107 Anderson 1991 [1983]: 15 & Footnote 9.

108 Seton-Watson 1977: 5.

109 Anderson 1991 [1983]: 16.

Pre- and early–mid nineteenth-century Māori saw themselves as a nation in a number of ways. The beginnings of the sense of belonging to a social group greater than that of a primary kinship group lay in the evolution of Māori agency in coping with the ever-increasing presence of a wider world. There was an inbred sense of kotahitanga and whanaungatanga, of solidarity and of belonging to a place and a people. Kinship ties linked individuals and human groups to the ancestral atua children of Papatūānuku and Ranginui, both physical and metaphysical worlds being one in the Māori mind.

Oral tradition, popularly expressed as “ngā mahi a ngā tūpuna,” informed Māori that Māui the Polynesian trader-explorer and fisher extraordinaire fished the islands now known as Nu Tīreni from the depths of the great ocean of Kiwa, Te Moana-nui-a-Kiwa. In this tradition, metaphorical understandings are powerful. The north island is “Te Ika-a-Māui”, the giant fish of Māui, and the south island is “Te Waka-a-Māui”, the canoe of Māui. This imagery continues today in contemporary haka, song and speech-making, invoking pride and a strong spirit of whanaungatanga and kotahitanga to a nation with a history and a culture.

However, in the early–mid nineteenth century, another politically and economically powerful metaphor emerges in the heavily populated regions of Tai Tokerau, Waikato and Ahuriri (Hawkes Bay). The metaphor is Nu Tīreni. The October 1831 gathering of thirteen Ngāpuhi leaders boldly signed their letter to King William IV in London as “ngā Rangatira o te Iwi Māori o Niu Tīreni”, glossed as the leaders of the Māori people of New Zealand. In October 1835 a much larger grouping of Tai Tokerau leaders asserted in clause one of *He Whakaputanga o te Rangatiratanga o Nu Tīreni* that the islands of Māui constituted Māori territory named Nu Tīreni. From 1835 to 1839, additional support for the agenda of the Declaration came from Waikato and Ahuriri. Collectively, the rangatira spoke of Nu Tīreni as their land and country, rendered in the vernacular as “tō mātou whenua.”

The possessive pronoun “tō mātou”, glossed as our or ours, is revealing. “Possession in Māori is extremely complex”, says Winifred Bauer.¹¹⁰ Possessive pronouns are divided, as a general rule, into two categories in which a choice is made between the “o” form and the “a” form. The “o” form is used with things inherited such as: qualities, transport, clothing, buildings, water for drinking, people in authority, organisations to which one belongs, and land and country. The “a” form is used with things produced by one’s own effort such as: movable property, food, tools, husband, wife, children or animals not used for transport.¹¹¹

By using the exclusive pronoun, mātou—ours but not yours, the rangatira confidently state that the whenua, the land and resources of the islands, are in the possession of Māori. There is no issue with location of the possession, because any other person, persons or authorities are specifically excluded. Acting as kaitiaki, in their guardianship role, the whenua is the land and resources of Nu Tīreni considered in a collective sense. An alternative expression might have been “ō mātou whenua”, which is the plural form of “tō mātou whenua”, i.e. ‘our tribal lands’. This latter expression refers to both the possession and location of separate tribal lands with which each rangatira is associated and where each is a kaitiaki over their particular tribal area. The use of the exclusive possessive pronouns, which affirm whenua possession, coupled with the emergent metaphorical model of society in “kaipuke,” points to a nascent collective consciousness of Māori as a nation. Both the linguistic meanings and

¹¹⁰ Bauer 1997: 390.

¹¹¹ Ryan 1995: 12–13; cf. Bauer 1997: 390–391; cf. Williams 1975 [1844]: 1, 237.

embryonic metaphors are compelling evidence of a transformation in thinking and vision. In chapter five, another powerful and closely related metaphor around the notion of “kāinga”—meaning home, living environment and country—is explored.

It is well to recall that from the British Crown’s view, New Zealand was already the recognised international name of the islands. In Captain James Cook’s 1769 instructions from the Admiralty, he was to visit, “the land discover’d by Tasman and called New Zealand.”¹¹² Upon encounter with the world of colonial Australia and Europe, the Māori sense of nation was reinforced and enhanced as their collective lands were given the transliterated name Nu Tīreni. As strangers, Pākehā begin recognising the Māori nation and treating its leadership with deference and respect.

The Phenomenon of Nation Making – Towards a New Political Arrangement by Māori for Māori

The seeds for a new political system of governance were sown in 1820 when Samuel Marsden travelled to the Hauraki-Thames area with Te Morenga, a close Ngāpuhi friend and confidante over many such trips. Te Morenga, like the Hauraki leaders, was concerned about the need for the cessation of Māori fighting against Māori and he considered that some form of government might now be appropriate. According to Marsden, some Hauraki people endorsed the idea of “regular government” and the protection of the British Government. There were two reasons for this. The first was that some form of governance might protect them from the aggressions of larger and stronger tribes, and second, they wanted to turn their attention to new endeavours and as Te Matenga (Marsden) wrote, “reap the fruits of their industry”.¹¹³ Te Morenga and others like Hongi Hika and Waikato were also privy to lengthy discussions with missionaries and traders who expounded ideas of government, either in Nu Tīreni or Australia. For Hika and Waikato such ideas were like a bald bird given feathers when in 1820 they experienced at first hand a parliament in action with their visit to a House of Lords sitting in London.

As Māori communities set themselves up for participation in the emerging international world order, an imagined community emerged like an unfolding fern frond. The convergence of two forces, one internal and the other external, occurred. This dynamic also fulfilled the increased demands of Māori leadership and the maintenance of self-sustaining communities. By 1835, the proposals of James Busby for concerted action through the formation of a system of national governance of Māori made sense to the rangatira. They began to realise that to gain increased benefits from new technology and trade, and new ways of producing goods and services, a new political process was needed, perhaps something independent from existing tribal processes.

In 1844 in a letter to Governor Fitzroy, Sir Stuart Alexander Donaldson the Colonial Secretary said that he:

...repudiated the notion that the treaties which we have entered into with these people are to be considered as a mere blind to amuse and deceive ignorant savages.... You will honour and scrupulously fulfil the conditions of the Treaty of Waitangi.¹¹⁴

112 cited in Begg and Begg 1969: 3.

113 Marsden in Elder 1932: 46, 335.

114 cited in Waitangi Tribunal 1987.

The fact that Donaldson felt the need to strenuously oppose the idea that Māori were nothing more than ignorant savages suggests that the idea was actively being debated and pursued in important circles.

The 'Māori as savage' idea received something akin to official sanction in 1877 when Chief Justice Sir James Prendergast made his infamous ruling that the Treaty of Waitangi was a "simple nullity".¹¹⁵ Prendergast based his finding not on matters of law, but on the assertion that barbarians and savages were not capable of signing treaties with civilized nations. These pre-understandings were apparent in Prendergast's earlier career as the colony's Attorney General. Conditioned by what Keith Sorrenson describes as the "war psychosis and heightened racism of the time,"¹¹⁶ Prendergast's line of argument, or prejudice, is significant in that Māori as individuals and as a group would no longer be considered a civilized nation.

Following from these premises, Māori were assumed to be incapable of signing a treaty with civilised societies and nations. This marked a shift in Pākehā constitutional and legal thinking. The age of legal positivism now rose like a dark star over the horizon. The effects of this ruling dominated New Zealand legal and constitutional law for a hundred years, until the passing of the Treaty of Waitangi Act in 1975. The consequence of legal positivism was to negate Māori endeavours for legal and constitutional remedies based on the Treaty.¹¹⁷ Mana Māori or sovereignty were at once ignored and set aside.

The Prendergast ruling provided the settler community with the moral-legal force to take whatever steps were necessary for a total social, economic and political acquisition of the balance of land and other natural resources required to meet the aspirations of settler society. While part of Prendergast's ruling was over-ruled by the Privy Council at the start of the twentieth century, the substantive part stuck. The treaty was now a "simple nullity" and the ruling became orthodoxy that effectively blocked Māori from invoking Te Tiriti o Waitangi, their Magna Carta, before the Courts. The judiciary had joined the economic, political and military instruments of war against Māori.

The idea that nations and nationalism were inventions of European experience and intellect,¹¹⁸ and operated in Nu Tīreni and Māori society only when Pākehā advisers like Busby encouraged Māori towards a nationalist framework, is a modernist theory that does not make sense in Māori terms.¹¹⁹ Earlier I discussed the understanding of Nu Tīreni as the emergent nation. Following the contemporary Scottish historians McCrone and Nairn, the Māori nation is a primordial entity embedded in nature and Māori history and culture. This Indigenous nationalism is based on Māori metaphysics, and emerges as necessity demands.

External influences are important but internal mechanisms and the urge for change are pre-eminent. Māori nationalism is a dominant feature of the later nineteenth century, flourishing as the bitter experience of settler colonisation, underpinned by British imperialist dreams, fed Māori nationalists' urge for vestiges of effective mana and sovereignty.

¹¹⁵ Prendergast 1877.

¹¹⁶ Sorrenson 1993.

¹¹⁷ Brookfield 1989: 15–17.

¹¹⁸ Gellner 1983, 1997.

¹¹⁹ cf. Anderson 1991 [1983].

As argued above, the phenomenon of mana Nu Tīreni, the mana of an Indigenous Pacific nation, is considered in terms of six events of significance. The first event is Māori leaders' visits to overseas countries—particularly that of Hongi Hika and Waikato to England. The second is the little-known yet decisive letter from Māori leaders to King William IV in 1831. The encounter with the first British Resident, James Busby, and its impact is the third decisive moment in the period. Fourth is the selection of the first national flag and its symbolic significance as well as its political impact. Fifth is the declaration of independence of Māori, He W[h]akaputanga o Te Rangatiratanga o Nu Tīreni, in 1835, which gains very little serious recognition in settler historiography, yet remained as a signpost of Māori nationalism and struggle for independence during the nineteenth-century period. The sixth event of significance is Māori responses to the offer of the British Queen of a treaty in 1840. When viewed as a phenomenon of nation building, these events show a continuum of Māori thought and action over a number of years. The treaty offered by the British Queen is, from a Māori view, an affirmation of Māori independence.

CHAPTER FIVE

Māori Society in The Nineteenth Century

In seeking to understand Māori motives for participating in the many gatherings with the British Resident that culminated in the 1835 Declaration, and to responses in 1840 to the British Queen's invitation to a treaty, it is necessary to understand the metaphysical, social and economic organisation of Māori life in the first half of the nineteenth century. He Whakaputanga o Te Rangatiratanga o Nu Tīreni and Te Tiriti o Waitangi were possible only because other things were in place: a philosophical framework, a social fabric, an economy and a new-born nation. All of these were instrumental in feeding the soul and life force of the impulse toward nationhood. Māori pre-understandings inform the events of 1835 and 1840 and provide an indigenous interpretation of the history of the period.

It is a story about ideas, economics, livelihood, nationhood and peace. This chapter explores Māori philosophy and social organisation; the next describes the Māori economy; while in chapter seven, the Treaty is reinterpreted from within this Māori setting, rather than an Anglo-European scientific (utilitarian, positivist, secularist) framing.

Māori Philosophy of Vitalism and the Natural World

Māori religion is a philosophy and metaphysical system that articulates ideas about human nature, of creation and being, body and soul, the mind and knowledge, and the broader social setting in which people are considered. Māori philosophy and metaphysics constitutes a theory of vitalism and humanism, that is, a worldview that includes a belief in life forces, and their significance in society and nature. Within this frame of reference Māori see themselves as descendants of spiritual powers, and as such, partners with those powers in a physical and spiritual universe. The spiritual is pre-eminent in Māori social order.¹²⁰

Māori people did not see themselves as separate from nature, humanity and the natural world, being direct descendants from Papatūānuku, Earth Mother. Thus, the resources of the earth did not belong to humankind; rather humans belonged to the earth. While humans as well as animals, birds, fish and trees can harvest the bounty of Mother Earth's resources, they did not own them. Instead, humans had "user rights".¹²¹ Māori based their user rights on their cosmic and genealogical relations with the natural world.

He Korunga o Ngā Tikanga: Spiral of Virtue, Ethics and Values

Māori religion, metaphysics and philosophy of vitalism (the idea of a living cosmos) inform us of a fundamental set of virtues and ethics that governed rangatira behaviour during the nineteenth century, and still remain intact today. Past, present and future Māori practice is informed by a matrix of ethics, considered as cardinal virtues. In using the symbolism of the koru, I describe this spiral of ethics as He Korunga o Ngā Tikanga. Each ethic is integrated and interdependent with each other and each has a cluster of other values of importance to Māori. However, when considered as a koru, a double spiral, the centre symbolises the source of life itself and of cosmic energy.

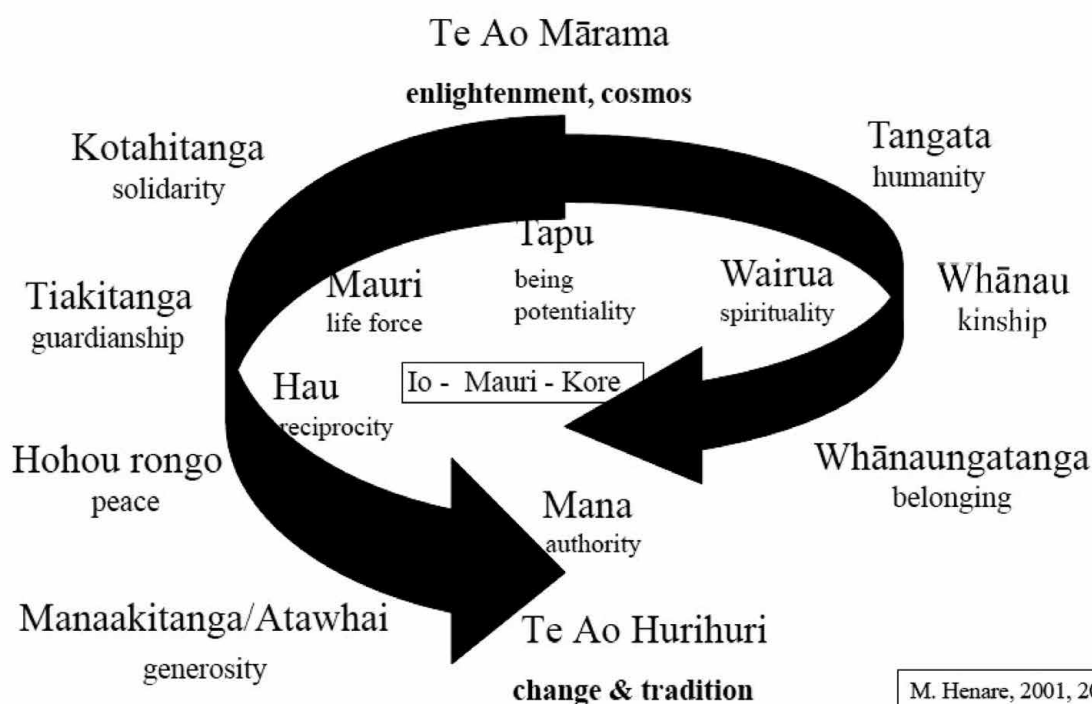
120 Hēnare 2001; 2016

121 Marsden and Henare 1992: 18.

The following cardinal virtues inform Māori relationships with Māori, Māori relationships with Pākehā and the world at large, and specifically in terms of this book, relations with British Kings and Queen and other officials such as Busby and Hobson and Grey:

- Tikanga te ao mārama: the ethic of wholeness, evolving, cosmos.
- Tikanga te ao hurihuri: the ethic of change and tradition.
- Tikanga tapu: the ethic of existence, being with potentiality, power, the sacred.
- Tikanga mauri: the ethic of life essences, vitalism, reverence for life.
- Tikanga mana: the ethic of power, authority and common good, actualisation of tapu.
- Tikanga hau: the ethic of the spiritual power of obligatory reciprocity in relationships with nature, life force, the breath of life.
- Tikanga wairua: the ethic of the spirit and spirituality.
- Tikanga tika: the ethic of the distinctive nature of things, of the right way, of the quest for justice.
- Tikanga whānau: the ethic of family, tangata—the human person
- Tikanga whanaungatanga: the ethic of belonging, reverence for the human person.
- Tikanga tiaki-tiakitanga: the ethic of guardianship of creation, land, seas, forests, environment.
- Tikanga hohou rongou: the ethic of peace and reconciliation, restoration.
- Tikanga kotahitanga: the ethic of solidarity with people and the natural world and common good.
- Tikanga manaaki-atawhai: the ethic of love and honour, solidarity and reciprocity.

He Korunga o Ngā Tikanga Spiral/Matrix of Ethics



Māori understandings of their leadership responsibilities in a Māori society involved an expectation of operating according to He Korunga o Ngā Tikanga, plus a complex set of complementary values. These ethics and values guided behaviour within kinship groups, between Māori from different tribal areas and with foreigners. For example, rangatira exercised manaaki through hospitality and their tiaki role by protecting the missionaries and other Pākehā traders. All these concerned the exercise of mana and the maintenance of the groups that they led. These tikanga act as a prism through which Māori society and the Māori economy is viewed.

As we have seen, the role of national Māori leadership is critical in the developments of the period. The criteria for leadership and the role of leadership exercised by rangatira are discussed not from a static perspective but rather from one in which the dynamism of leadership is understood. All rangatira possessed attributes, talents and qualities. Some of these were said to be inherited, almost in a genetic sense, some were ascribed upon performance and some were gained through tribal schools of learning and experience.¹²²

Ngā Pou Mana e Whā: The Four Pillars of Wisdom

A matrix of ethics associated with mauri (the life force), tapu (the sacred) and mana (integrity, spiritual power) provide pointers to a Māori worldview and an understanding of the private and social mores governing Māori society. In the following outline of Māori society of the late eighteenth and early–mid nineteenth centuries, four sets of Māori concepts associated with mauri, tapu and mana are distilled. I describe them as “ngā pou mana e whā” because they represent the four pillars of mana, namely; whanaungatanga (sense of belonging); taonga tuku iho (highly prized intangible and tangible treasures inherited from past generations); te ao tūroa (the environment, cultural milieu); and tūrangawaewae (a place to stand and be). They constitute a framework for exploring Māori society, and are interdependent, interrelated and interacting. The aim is to keep a holism in our view of society rather than emphasise one part or any number of parts. These four pillars provide social, economic and political criteria for understanding the foundations of Māori society and its development since the early nineteenth-century.¹²³ The fundamentals of mana are the cement that binds the society and constitutes its social fabric. I will now turn to explaining each pou in detail.

1. Whanaungatanga: Group and Individual identity in social organisation

A decentralised system of social groups known as whānau (family) and hapū (tribe) was a dominant feature of Māori social organisation and society at the end of the eighteenth century and in the first half of the nineteenth century. Specific identity was founded on these two entities. People, especially rangatira and tohunga, had relations with various combinations of hapū. Cognatic descent meant that genealogical connections were possible through either the father’s or the mother’s side, a principle that could be extended through generations of either male or female ancestors.¹²⁴ It is, says historian Joan Metge, a distinctive feature of Māori social organisation that descent from ancestors and ascent from descendants back to ancestors is traced through links of both sexes.¹²⁵ The descent

122 cf. Winiata 1954: 1–3.

123 cf. Hēnare 1988: 24–25; 1999: 51–53.

124 cf. Metge 1995: 52–53; Kawharu 1975.

125 Metge 1995: 77.

lines are everything to descent group and affiliation.¹²⁶ In addition, Māori were ambilocal, which allowed for further choice as to which sides of the respective whānau the husband or wife affiliated with after starting their relationship. The flexibility of choice in where to live had consequences for social organisation and leadership. In this context, rangatira had a number of distinct groups with which they might have reciprocal ties, as did members of each group. The same ties also enabled rangatira and groups to mobilise support in times of need and crisis, often on a very large scale. The statuses, rights and obligations of rangatira were rarely forfeited but could lie dormant and be revived when residence shifted. Residence (ahikā, literally keeping one's fires alight on the land) and genealogy governed the performance of status, roles and obligations.

While decentralisation of social organisation remained a constant feature throughout the latter part of the nineteenth century, the number of closely bound social groups grew. The emergence of the iwi as a new system of social organisation was a major development and a direct consequence of British Crown and settler agency, and Māori agency. The Crown found it easier for colonial purposes to manage its affairs over Māori by both forcing and encouraging the formation of larger Māori entities such as iwi, as part of its programme of pacification. However, Māori found that such new formations were a pragmatic way of maintaining semblances of localised mana while at the same time continuing their assertion of mana Māori. The developments addressed the Crown imperative of acquiring effective sovereignty, or as James Belich describes it, “substantive sovereignty or real empire”, which he says is where, “the sovereign power removes the capacity of its subjects to make war among themselves.”¹²⁷ However, Māori support for new institutions was in response to the Crown's and later settler government's drive for total power and control of New Zealand, and a practical means of asserting Māori independence. Reference to waka, or canoe associations, also become a significant factor for group identification in the struggle against the hegemony of foreign settlement.¹²⁸

Whanaungatanga

Belonging and solidarity are implicit in the ethics of whanaungatanga and kotahitanga, where kinship rights and obligations underpin whānau, hapū and iwi (extended family and kinship groups) as systems of social organisation.¹²⁹ These rights and obligations strengthen individuals, families and larger social groups. The sense of belonging thus developed is deeply ingrained. Kotahitanga, solidarity, is a basic cultural value that is felt by members of the group, enabling it to operate effectively and cohesively. Whanaungatanga is both a part of, and underpinned by, the values of He Korunga o Ngā Tīkanga.

Pre-European Māori understood themselves as normal and ordinary (māori) and were identified by their whānau-hapū kinship relationships based on ancestry.¹³⁰ These kin group relationships were reinforced in local social, economic and political activities. From the 1760s to the 1830s in areas such as Tai Tokerau and other coastal communities, the encounter with Europeans intensified through trade and the adaptation and use of new foods and technologies, such as white potatoes and iron, which the foreigners supplied. These, together

126 Metge 1976 [1967]: 8–9.

127 Belich 1996: 267–268.

128 Ballara 1998.

129 Rakena 1971.

130 Metge 1995: 48.

with competition for the control of land and other scarce natural resources, influenced Māori to consider new systems of social organisation that met the demands of the new economic and political forces. They began in some areas to identify more strongly with a nascent iwi system of social organisation, which became more firmly established about 1850.

Outlined below are five levels of Māori identity in the nineteenth-century—whānau, hapū, iwi, waka and the historical roots of the notion of tangata Māori—the idea of being a Māori person, and te iwi Māori, the Māori people. All are intimately associated with the people's system of social organisation, whanaungatanga, and its related matrices of values. These new identifiers are found in the earliest known letters written by Māori at a time when the relationship with the English and other Europeans was intensifying. Some Māori referred to the latter as te iwi Pākehā.

Whānau—the fundamental social unit and the domestic economy

Te whānau of the eighteenth century has been considered the smallest and “self-contained” social group of Māori society and was the domestic economy.¹³¹ It constituted the fundamental social unit because it was the primary land-holding institution and the principal unit of food production.¹³² Its membership consisted of three or four generations of an extended family, living together under the guidance of the kaumātua and kuia, male and female leaders. While the kaumātua and kuia could also be referred to as rangatira, their leadership was significant in the process of day-to-day family decisions that were made at whānau level.¹³³ These features of the whānau continued throughout the nineteenth century as the primary unit of socialisation and organisation of Māori society. Historically, a feature of whānau social organisation has been its ability to both initiate change and manage it and to produce leaders with appropriate acumen for each generation.

Change is fundamental to the life of whānau, says Joan Metge in her major review of conceptions of the whānau, where characteristically it “passes through a cycle of growth, segmentation and regeneration.”¹³⁴ In addition to this constant pattern of existence, the whānau has since the end of the eighteenth century passed through a “series of irreversible, historical changes.” The most traumatic of the changes involved the “incorporation into a capitalist market economy” followed later in the twentieth century by the phenomenon of “urban migration.” Here Metge refers to the core set of values of a market economy, which were at odds with those of Māori.

According to Metge, the three leading New Zealand anthropologists of the early twentieth century, Elsdon Best, Raymond Firth and Te Rangi Hiroa, identified the whānau of the late eighteenth century as:

- a family usually comprising three generations: an older man and his wife, some or all of their descendants and in-married spouses, or some variant (such as several brothers with their wives and families) representing a stage in a domestic cycle;

131 Best 1924: 340; 1974: 95; cf. Salmond 1991: 255.

132 Walker 1990: 63.

133 Schwimmer 1966: 33.

134 Metge 1995: 74–75; cf. Winiata 1954: v–xi.

- a domestic group occupying a common set of buildings (sleeping house or houses, cookhouse and storage stages) standing alone or occupying a defined subdivision of a village;
- a social and economic unit responsible for the management of daily domestic life, production and consumption;
- the lowest tier in a three-tiered system of socio-political groups defined by descent from common ancestors traced through links of both sexes, the middle tier consisting of hapū and the highest of iwi.¹³⁵

Metge summed up this early 1920 model by citing Firth who said:

In matters of organisation each whānau was fairly self-reliant, the direction being taken by the head man of the group in consultation with other responsible people. As a rule it managed its own affairs without interference, except in such cases as came within the sphere of village or tribal policy.¹³⁶

However, Metge offers a critique of this neat and tidy model of whānau,¹³⁷ noting that the anthropology of Best, Firth and Hiroa very much reflected its time. While they recognised that whānau increased in numbers over generations, in time the writers thought that whānau became a hapū. According to Metge, the three did not fully appreciate “the complexity of the process and the differences in the function carried out by whānau and hapū.” Further, the model was “limited in its provision of detail and its handling of variation, process and change.” The idea that there was some kind of explicit evolutionary progress from whānau to hapū was further elaborated in the researches of Maharaia Winiata, Pat Hohepa and Hugh Kawharu, and Joan Metge herself. According to Metge, they were trained in British functionalism, “a theoretical approach, which emphasised functional relationships in the present and undervalued historical depth.”¹³⁸ The focus was on the whānau in its modern form and uncritically they accepted what Metge describes as the “classic whānau” model. It meant that they did not examine the model critically nor did they “chart the process of change” over time. It seems to me that a consequence of the formula that whānau became a hapū led to the assumption in later twentieth-century anthropology and Māori political ideology that the hapū became an iwi.

However, says Metge, during the last thirty odd years of the twentieth-century, more critical approaches to the study of Māori society have highlighted greater diversity, changes and developments.¹³⁹ She highlights the critical works of Stephen Webster, Margaret Orbell, Eric Schwimmer and Anne Salmond.¹⁴⁰ According to Metge,¹⁴¹ Webster shows how the relationship between ideologies of descent enabled whānau to persist and how the practical processes of both restricting and recruiting members enabled them to function as groups. He

135 Metge 1995: 35.

136 Metge 1995: 111.

137 Metge 1995: 37.

138 Metge 1995: 44.

139 Metge 1995: 44.

140 Webster 1975; Orbell 1978; Schwimmer 1990; Salmond 1991.

141 Metge 1995: 44–46.

argues that Māori were more flexible and rhetorical in the use of the terms *whānau* and *hapū*, which were usually “contextually determined” but understood by members of the community.

Orbell’s revisionist study of classic models of eighteenth-century *whānau* concluded with a critique of the standard translation of *hapū* as sub-tribe. What Orbell identified says Metge, were at least two levels of *hapū*: small ones, usually with degrees of autonomy; and larger composite *hapū*, which could form fighting alliances and at times fought among themselves.¹⁴² Through his study of the generative capacity of *hapū*, Schwimmer demonstrated that rather than the *whānau* blossoming into *hapū*, such formation was much more complex than originally described. Instead, the process involved fission and fusion of *hapū*, which included at times the need to restructure genealogy in response to historical challenges.¹⁴³

Finally, in Anne Salmond’s study of Māori cosmology, ancestors and cognatic descent, and her stress on the “tremendous flexibility” characteristic of Māori social life particularly as applied to *whānau* and *hapū* relations, Metge identified certain principles that gave a philosophical grounding to Māori social order in the pre-encounter period. The principles, says Metge, “were worked out in practice at groups at every level, including *whānau*.” She cites Salmond who wrote:

the unity of all phenomenal life through genealogical connection; the complementarity of male and female; the principle of primogeniture; all of which can be overcome by a fourth principle of competitive striving expressed in a language of war.¹⁴⁴

Metge’s important revision of early anthropological interpretation is valuable. When considered together with the adaptive and transformative capacity of the *kāinga* system, the residential and settlement community of Māori society, we gain an insight into the primary role of the *whānau* in society, in history and of “structural transformations” that are inferred in the system.¹⁴⁵ The flexibility and relative autonomy of the *whānau* system is demonstrated in the way that settlements and houses were adapted and changed over time as both people and circumstances required.

Significant archaeological studies of individual residences, known as *kāinga*, show both a remarkable resilience and high level of adaptability. According to Douglas Sutton, his team found evidence of four types of early Māori dwellings and houses associated with undefended settlements around Pouerua in Tai Tokerau.¹⁴⁶ The uniqueness of this study was that *kāinga* change was analysed over a much longer historical period than the study of the *pā*, the fortified settlement, which was itself a much later development in societal change. The *pā* represents a relatively recent feature of Māori history, apparently appearing about 1400 AD, whereas the *kāinga* mode of settlement was the dominant pattern in the pre-1400 period, and was a particular feature of Tai Tokerau settlement history.

Roger Green also reconsidered the ethnographies of Firth and Te Rangi Hiroa and their tendency not to make clear the distinctions between the *pā*, as the fortified village, and the

142 Metge 1995: 45.

143 Metge 1995: 46.

144 Salmond 1991b: 346.

145 cf. Ohnuki-Tierney 1990: 9–18.

146 Sutton 1990: 186, 201, 203.

kāinga, as the unfortified or unprotected village.¹⁴⁷ According to Green, as the pā developed from 1400 A.D., so too did the kāinga continue to change according to circumstances. Many but not all kāinga became part of the fortified settlement system.

The place of kāinga development figures little in the history of societal change, especially when seen from the perspective of early twentieth-century ethnology. Elsdon Best exemplifies an ‘evolution of society’ approach modelled on British civilisation theory.¹⁴⁸ He asserts that pre-European Māori “lived for the most part in small fortified villages situated on hills and headlands.” While he concedes that in some cases “people were enabled to live in unfortified hamlets”, he concludes that kāinga were, for the most part, closely associated with the pā.¹⁴⁹ Schwimmer closely follows Best in citing village life in only two forms, some “with stockades and known as pā” and “others, unfortified, were known as kāinga.”¹⁵⁰

Sutton’s Tai Tokerau kāinga study documents the “continuous change from the beginning ... on into the historical period” where each dwelling type served a variety of domestic purposes associated with food preparation, cooking, tool making and maintenance, and communal food storage. Using a functional definition of kāinga, Sutton describes them as “discrete undefended settlements... which existed in New Zealand prior to the development of fortifications.” The kāinga, says Sutton, “tended to increase through time in size, number of dwellings, and by implication, population”.¹⁵¹ He concludes that “The origins of the pā reflect the formation of larger and larger socio-political units over time, and suggest the recent origins of large scale Northern Māori tribalism.”¹⁵² Salmond explains the expansion of settlements from coastlines to inland areas and the changes in sixteenth-century horticultural regions as consequences of population pressures, and the growing competition for resources and prestige.¹⁵³ The construction of fortified pā was one of the developments. Finally, after walking over the landscape of Pouerua and the surrounding area, I found that the kāinga area includes waterways such as streams and lakes, and forests in close proximity to the settlements, suggesting that kāinga are a lot more than housing, cooking and general living blocks of land.

The critical aspect to this discussion is the role and scope of the kāinga and its continued dynamic function within the larger social groupings. The people dimension of the kāinga is historically the whānau, the agents of change in settlement patterns and developments. The mid-nineteenth-century and twentieth-century notions of iwi had neither usurped the significance of the kāinga and the whānau or their primary functions in society. As the system of social organisation adapted to meet the conditions of any given times, so too did transformations in meaning attached to kāinga.

The pre-eminent space and place of Māori people in history is the kāinga, whether as part of the pā complex or in the many unfortified villages scattered throughout the country. The pre-eminence of kāinga in the early nineteenth-century mindset is evidenced in the earliest

147 Green 1990: 23; Firth 1972: 92; Te Rangi Hiroa 1987 [1949, 1950]: 137.

148 Best 1974 [1924]: 174.

149 Best 1974 [1924]: 254.

150 Schwimmer 1966: 48.

151 Sutton 1990: 201.

152 Sutton 1990: 208.

153 Salmond 1991: 39.

known letters of Māori. From the 1820s, the term is used to describe a living area like a town and a country, as in the 1825 letter of Pare Eruera to the gentlemen of England where he refers to England as, “*tou kāinga pai*”, your good country. Six years later, the 1831 letter of Ngāpuhi leaders to King William IV uses *kāinga* in two ways; first, to refer to the place in which they write the letter, Kerikeri, a busy Māori town in the Bay of Islands and a base for missionary activity, as “*tēnei kāinga kei te Kerikeri*.” Its second usage in the letter speaks of *kāinga* as country when they say to the King, “*ko tōu kāinga anake*,” meaning your country alone. This is followed by “*tō mātou kāinga*” where they refer to New Zealand as our country (but not yours). These letters are discussed in detail later in this chapter. Finally, in the first half of the second article of the Māori text of Te Tiriti o Waitangi, the contents of which are a reasonable snapshot of Māori society in 1840, “*te tino rangatiratanga o ō rātou wenua ō rātou kāinga me ō rātou taonga katoa*.” This is a reference, says Kawharu, to Māori being in absolute control over their communities and estates.¹⁵⁴ The treaty text is discussed fully in chapter seven.

Hapū

Let me now turn to the next level of social organisation, structure and identity, the *hapū*, whose members traced their descent from a common ancestor. Most people were connected to a number of *hapū*. While it is agreed that *hapū* consisted of an unspecified number of *whānau*, Metge’s warning, citing Winiata, Kawharu and Hohepa, that it cannot be presumed that “*whānau*” grew into *hapū* is timely.¹⁵⁵

Headed by *rangatira*, each *hapū* had autonomy and its primary purpose was to foster and support its member *whānau*. Larger cultivation, fishing, canoe-making and political affairs were dealt with at *hapū* level. The larger group identity was reinforced in a range of activities and events organised at the appropriate level. The social and political processes were dynamic, and land and resources could be reapportioned as change occurred.

Some clarification of the meaning of the word ‘tribe’ as used in the early- to mid- nineteenth-century by British English speakers is pertinent because of the later rendering of *hapū* to mean subtribe. I have glossed *hapū* as meaning tribe rather than sub-tribe because it is the appropriate English term to be used and is the likely understanding of the English language text of the Treaty of Waitangi in 1840. Further, the translations of the Māori version printed in 1869 by order of the Legislative Council refer to “*ngā hapū*” as “*Tribes*”.¹⁵⁶

Two popular English language dictionaries of the eighteenth and early nineteenth centuries define tribe in the following ways. Samuel Johnson’s 1768 and 1806 *Dictionary of the English Language* says that tribe is from the Latin *tribus* and defines tribe as “1. A distinct body of peoples as divided by family or fortune, or any other characteristick (sic)” and 2. “It is often used in contempt.”¹⁵⁷ The 1813 *Barclay’s Dictionary* says tribe, “[*tribus*, Latin] in antiquity, was a certain quantity or number of persons, when a division was made of a city

154 Kawharu 1991: 576.

155 Metge 1995: 43; 38–39; Kawharu 1975; Hohepa 1964.

156 NZAJLC 1869: 69–71; Orange 1987 Appendix 5: 262–263.

157 Johnson 1768; 1806.

or people into quarters or districts”.¹⁵⁸ Busby, Henry Williams, Colenso, Hobson, and others would have understood tribe as a distinct body of peoples, rather than the later nineteenth- and twentieth-century usage of tribe.

The translation of hapū as sub-tribe is a relatively recent rendering and relegates the hapū to a subordinate function of the iwi, which is glossed also as tribe. A reading back into the 1820s to 1840s of the later nineteenth- and twentieth-century interpretation of societal reality is problematic. Two examples are seen in the anthropological works. First is Anne Salmond who, for a submission to a Waitangi Tribunal Claim, has translated hapū as sub-tribe.¹⁵⁹ It is illustrated also in the Sir Hugh Kawharu English language translation of the Māori text where “ngā hapū” is rendered as “the subtribes”¹⁶⁰ The Kawharu translation of the Māori version was written and used by the New Zealand Appeal Court during the *New Zealand Māori Council v Attorney-General* case as a primary document in the late twentieth-century reworking and interpretation of the meanings of the 1840 treaty.¹⁶¹ The effect of the new interpretation is to shift the locus of political and economic mana, power, from the whānau-hapū nexus to that of the iwi. The effect of this is seen in post treaty and colonial tribal politics, and remains troublesome in history and anthropology as well as Māori studies.

Iwi

The iwi is at the heart of twenty-first-century Māori and Crown agency discourse but it has contestable meanings. However, reading early and mid nineteenth-century Māori history from a twenty-first-century Māori and Pākehā perspective is a good example of a tendency to write history in terms of the present. While the term iwi is as old as the language itself, its primary meanings have changed and been elaborated over time. According to the 1892 edition of the *Dictionary of New Zealand Māori Language*, iwi is glossed as “bones” and “tribe”.¹⁶² In the 1975 edition of the *Dictionary of Māori Language* iwi has the following primary meanings: “bones”, “stone of fruit”, “strength” and “nation, people.”¹⁶³ However, in the context of this thesis the primary meanings of “bones”, “tribe”, “nation” and “people” are the most relevant.

Historically, iwi was used to refer to people connected to each other through whakapapa, thus the ‘bones’ analogy. It is the older meaning to the term. Later, as Māori communities re-organised themselves from the 1800s and later still as colonisation developed, hapū groupings formed iwi, which themselves became more institutionalised from about the 1850s. A significant factor in the emergence of the larger tribal configurations was the process of British colonisation and settler government policy. Ballara shows how institutionalised iwi were promoted for New Zealand settler government purposes;¹⁶⁴ but that Māori communities also responded in such a way that the government programme of reorgani-

158 Barclay 1813.

159 Salmond n.d.: 3–4.

160 Kawharu 1984; 1991: 576; 1992: 24.

161 Richardson 1987; 1 NZLR 641.

162 Williams 1892: 44.

163 Williams 1975 [1844]: 80.

164 Ballara 1998.

sation became a Māori programme of agency and resistance.¹⁶⁵ In this sense, the term *iwi* refers to the Māori people and conveys the larger idea of Māori nation. From the mid-1850s, two institutional forms expressed this new embedded notion of being a distinctive people. One was the traditional *rūnanga*, which refers to types of councils of local Māori administration and authority. The second was the Māori King movement, a specifically monarchist nationalist movement wherein Māori attempted to control the chaos of land dealings with the colonialists and the colonial government.¹⁶⁶ These struggles for autonomy and *mana Māori* continued despite the fact that governments denigrated and worked against the *rūnanga* and were openly hostile towards the King movement. According to Alan Ward:

the *rūnanga* persisted. It enjoyed favour because it embodied Māori, not alien, authority, because its proceedings and decisions in some respects were more appropriate than English law.¹⁶⁷

The *iwi* has become, since the mid-nineteenth-century, a new system of social organisation and constitutes a larger grouping of *whānau-hapū*, over which it often exhibits some political and social control in opposition to other kinship groups and in dealings with settler governments and the New Zealand Crown. In many parts of the country, *iwi* acquired a territorial entity, the latter previously associated with the diverse numbers of local *hapū*. *Iwi* thus became the basis for a wider group ideology and in effect were alliances of *whānau-hapū* who remained together as interdependent political units, achieving self-sufficiency and self-government in economic and social matters. Prominent landmarks, significant ancestors and oral history all helped to firmly establish *iwi* identity throughout the latter half of the nineteenth century.

Te Waka

Te waka is defined as a group of people with a common territory and common links with members of a voyaging canoe that brought ancestors to Aotearoa. The term is used to identify larger groups than *iwi* or *hapū*. While very strong in some regions of Aotearoa, the identification with a single, primary *waka* is not found in all Māori communities. For example, *waka* affiliation in Tai Tokerau is extremely complex because most of the *whānau* and *hapū* are associated with many different *waka*, which landed around the peninsula. Some voyagers initially settled but later moved on to other areas around the North and South islands. The Northern peoples celebrate their multiplicity of *waka* associations as part of their identity. Some *hapū* and *iwi* groupings in other parts of the country are associated with a sole primary *waka*. Tainui is an example of such a configuration of *iwi* and *hapū*. To what extent *waka* affiliations were significant in the economic, political and social dynamics of early- to mid-nineteenth-century society is difficult to ascertain. Ranginui Walker has argued that the *waka* represented “a very loose ideological bond.”¹⁶⁸ While agreeing with the ideology association, I have found no archival evidence nor heard oral evidence that suggests a prominence in shaping or driving Māori agency in the early- to mid-nineteenth century.

165 cf. Durie 1998.

166 O'Malley 1997: 187–188; Cox 1993.

167 Ward 1973: 242.

168 Walker 1990: 65.

Being Māori—Identity and Literacy

Identification as a Māori person in contrast with the identification with other people who are not Māori is historically established. The first written records of terms associated with Pākehā and Māori are 1817 and 1820, which suggests a much earlier oral usage. John Liddiard Nicholas in his 1817 two-volume narrative about his voyage to New Zealand has the following words in a vocabulary in Volume One. “Packahâ,” is rendered as “white man”, with the following notation, “the flea is also called by this name, as they [Māori] assert it to have been first introduced into their country by Europeans – the turnip is likewise called packahâ”. Elsewhere in the vocabulary is found “Pakkahah”, which is glossed as “White men” and “tungata maoude” is “blackmen”.¹⁶⁹

The second early written record, published in 1820, is *A Grammar and Vocabulary of the Language of New Zealand* with a preface by Samuel Lee. The section ‘Dialogue II’ contains a question and answer conversation, possibly between Professor Samuel Lee, Waikato and Hongi Hika. The following are answers to questions about the purpose of the trip and their return. Reference is made to “te ánga o te pákeha” and translates as “the occupations of the people”, while describing the people of England:¹⁷⁰

Ko te títiro átu óki ki te pai o te wenúa óki, ki te ánga o te pákeha óki, ki te tini o te tangata óki, ki te tīni o te tángata óki.

To see the goodness of the land, the occupations of the people, the number of the inhabitants.

In addition, to a question about when they propose to return to New Zealand the response includes reference to “te tángata máodi” as “the people of their country”:

E e óki mai ána ra óki rátu. E ánga mai ána pe óki ratu ki nga tamaniki, me aki te tángata máodi. E kóre pe óki rátu e óti átu.

They return. They perhaps regard their children, and the people of their country. Perhaps they will not remain abroad.

The description of the two distinct groups, tangata Māori and tangata Pākehā, is quickly consolidated in the following years. The earliest known Māori writings include these terms. From as early as 1825, Māori writers composed letters in their mother language about relations between themselves and English people. Terms used are “tangata Māori”, for Māori people or natives, and “ngā Pākehā” for Europeans from England or white people. In defining themselves as tangata Māori, glossed as Māori people, Māori identified themselves as a distinct people in relationship to others in the world. At the same time there is an appreciation that in international terms Māori society constituted a larger community and possibly a nation.

However, a small digression is necessary to make a distinction between literacy in Māori language and literacy in English. A number of young Māori started to learn to read and write in English between 1814 and 1825. Kuni Jenkins’ account of the experiences of two young Māori men, Tuai and Titere of Ngāpuhi of the Bay of Islands, both aged about 18 years old,

¹⁶⁹ Nicholas 1817: 338, 344 [my brackets].

¹⁷⁰ Lee 1820: 97. Accents in original.

is illuminating. They attended a school in Madeley, Shropshire in England, after spending two years from 1815 with Samuel Marsden in Parramatta, Australia. On his initiative, they sailed to England in 1817 to attend the Madeley School and returned to their homeland in 1819. Copies of their letters to Mr Josiah Pratt, Secretary of the Church Missionary Society, London, are held at the Turnbull Alexander Library. The letters, written in English in 1818, describe the difficulty of learning to read the Bible and to be Christians.¹⁷¹

Literacy in Māori became a new means whereby Māori could define and name the world as they see and experience it, including giving definition to categories of other people in the world. In addition, the free use of Nu Tīreni and its variations such as Niu Tīreni or Nu Tirani as the translation of the English name New Zealand shows an acceptance of the new national identity imposed on their lands. In itself, the acceptance of Nu Tīreni as the given name also points to a degree of sophistication, and an ability and willingness to think outside the limits of tribal boundaries towards a larger imagined community.

The discovery by Alexander Turnbull Library archivists of additional papers that were part of the Webster Collection included letters from George Clark and a young Māori male named Eruera Pare Hika. A nephew of Hongi Hika, Eruera Pare, named in English Edward Parry, from an early age learnt to read and write in Māori and probably in English. Popularly known in historical accounts as Eruera Pare, he has received scant attention and does not figure either in Northern history or mana Māori history. Eruera Pare was a young schoolboy when in 1825 he wrote an open letter in Māori to the gentlemen of England. In it, he introduces himself to the good gentlemen, asks for more writing paper and seeks an invitation to visit England. One of his mentors, the Christian missionary George Clark, wrote a rather poor translation in English. The letter is that of a young man curious about a wider, bigger world, which he would like to get to know better. His writing is firm and readable and shows an experienced hand.

With the finding of this letter, Eruera Pare becomes a significant person in New Zealand and Māori histories. His letter is the earliest known piece of Māori writing available. Furthermore, his historical mana continues to rise through his involvement in transforming events around the Bay of Islands as a young adult. Eruera was baptised a Christian by William Yate in November 1831, and died in October 1836 a year after the signing of *He Whakaputanga o te Rangatiratanga o Nu Tīreni*. After he married in 1833 or 1834, he wrote a tender letter to a mentor Reverend William Yate (1802–1877), and it was rumoured he was one of Yate's one-time lovers.¹⁷² Yate, who arrived in Paihia in 1828 to join the Church Missionary Society (CMS), was later dismissed from the CMS because of allegations of sexual relationships with several young Māori men and the third mate of a ship.¹⁷³ Before his departure from New Zealand in 1834, Yate received from Eruera Pare the following note of affection. The flow of the English narrative suggests it is a translation by William Yate of a text in the Māori vernacular. To find the original Māori text would be a treasure, a taonga indeed. Eruera writes:

To the man whose name is Yate, and who comes to teach us here.

Here am I, sitting in the verandah of my house at Ohaiawai (Ohaeawai), thinking within me, that I shall not see your face again, nor hear the sound of your horse's

171 Jenkins 1993.

172 Binney 1975; Jerram 1999: 122.

173 Elder 1932: 518–519, 531–532; Binney 1990c: 611–612.

feet. The soles of his feet, with you upon his back, will not leave a mark behind them on my ground again, till I am dead, and Paitaro is become the head Chief of Mangakauakaua. Perhaps I shall die; perhaps not. You say you shall return; but I am thinking, no: you will not leave again your good country, for this bad country, and this very bad and unbelieving people. You will love your own friends more than the New Zealanders, and will not again leave them for this. These are our thoughts. We have love in our hearts for you; we have love in our words; and all our thoughts to you are one, at this residence. We are not good to your going; we are not satisfied with the Buffalo for sailing from Wangaroa, when you are within. Go in peace, Mr. Yate, and see your friends in Europe; and say my How-do-you-do to the whole of them, not passing over one. This is all, from him who was once your boy, but is now married to a wife at Mangakauakaua, me.....Hongi.¹⁷⁴

By 1834 Eruera Pare was a competent writer in Māori, who assisted Busby as a secretary at the flag selection ceremony. In the following year, he played an important behind-the-scenes role in making and recording the Declaration of Independence, *He Whakaputanga o te Rangatiratanga o Nu Tīreni*, in 1835. On this occasion, he was the minute taker for Busby and a scribe for the Māori draft of the Declaration. His name is listed in the text of the Declaration as Eruera Pare, te Kaituhituhi, the scribe. Given his skills as an interpreter and translator in Māori and English, Pare was an advisor who was able to discuss topical issues freely with the rangatira, many of who were his uncles (or matua in Northern dialect), and other close relatives who were involved in this historical moment. No doubt he acted as translator for them in their conversation with Busby. Eruera Pare uses terms such as “tangata Māori” for New Zealanders and “tangata Pākehā” for the gentleman of England. He is very clear about the distinction between the two groups of people.

A second letter written in 1825 is from a Ngāpuhi rangatira, Rawiri Taiwhanga (c. 1774–1874) from Paihia. It is addressed to his friend in Australia the Rev. Samuel Marsden (Te Matenga). It is not known if he dictated to a scribe or wrote it himself. Taiwhanga, hapū leader of the Ngāti Tautahi of Uri-o-Hau section of Ngāpuhi, was, during his long life of 100 years, a fighting leader of Ngāpuhi and ally of Hongi Hika. He would have been conversant with the thoughts and experiences of Hongi Hika, and like Hika saw value in befriending Pākehā traders and missionaries.

Taiwhanga lived with Samuel Marsden in Parramatta, Sydney, for nearly 18 months from 1822–1824 where he developed his knowledge of “European farming methods and skilled trades.” On his return to Nu Tīreni, he continued his responsibilities as a fighting leader but, after the last fighting expedition in 1825, he decided to quit fighting and started working as a sawyer at the Paihia Anglican mission.¹⁷⁵ A great innovator, Taiwhanga became a farmer, a missionary and a school teacher. He urged his people to learn to read and write, started a new European type school for his children and developed new modes of agricultural production including milking cows and growing vegetables on the tribal estates. His life reflects the dramatic changes in Māori society in the 1820s and 1830s.

The adoption of foreign farming methods and associated skills by Taiwhanga may signify special qualities in Marsden’s eyes, but does not in itself represent a fundamental shift

174 Yate 1835 : 266–267; see Jerram 1999: 122.

175 Orange and Wilson 1990: 417.

in his world view. Schaniel has demonstrated that in acquiring European technology through transactions, Māori did not necessarily acquire European values.¹⁷⁶ In other words, Taiwhanga did not conceive of the introduced technology in a European mechanistic framework, but rather used his acquired technologies and skills within Māori frameworks.

In writing to Marsden, Taiwhanga requests a cask of nails so he can build a new house and teach in it. He complains about the difficulty in preaching to his people who will not listen or are deaf to his words. In the translation, his use of terms such as “tangata Māori” and “ngā Pākehā” are rendered as “natives” and “white people.” In his letter, Taiwhanga indicates a new national perspective when he refers to “ngā tāngata katoa o tēnei kāinga o Nu Tīreni”.¹⁷⁷ This translates as ‘all the people of this settlement of New Zealand’. The distinctions between Māori and settler are very clear in his letter. Further, in the phrase “tēnei kāinga o Nu Tīreni”, one can see his acceptance of a new name for his country and his place in it, pointing to an imagined community consisting not solely of his own tribal patch but of his country, his nation within a wider world.

The writer of the third extant letter in Māori, Nopera Panakareao (?-1856) of Te Rarawa, was a rangatira, a warrior, an evangelist and an assessor. Dated 9th May 1837, his letter was sent from his base in Kaitāia to Te Matenga [Samuel Marsden] in Parramatta. In it he asks for “tētahi Kāwana mō tātou, hei tiaki i a tātou”—a Governor and protector for us. Interestingly, Panakareao uses the inclusive pronoun “tātou”, suggesting that the Governor would protect both Māori and Pākehā, Marsden’s people. While he was a supporter of Busby, Panakareao was worried about Busby’s inability to protect Te Rarawa from Ngāpuhi. In addition to seeking a governor, he asks Marsden for soldiers who would perhaps stop Ngāpuhi from fighting: “Mehemea e wai hoia ana te tangata Māori e kore pea e whawai me Ngāpuhi e whawai nei”—‘If the Māori people had soldiers then perhaps Ngāpuhi would not fight as they fight now.’¹⁷⁸ He supported an active engagement with Pākehā missionaries and traders, developing an acute understanding of their ways of thinking and practices.¹⁷⁹ Like Eurera Pare and Taiwhanga, Panakareao had a strong sense of distinct collective identities in relationships between Māori and Pākehā.

Panakareao had a clear long-term vision. On 13 January 1836 he had associated himself, despite misgivings, with some Ngāpuhi and Te Rarawa leaders and joined “te wakaminenga”, the fledgling confederation of hapū. Together with Tamati Waka Nene, Huhu, Tona and Kiwikiwi, Panakareao put his moko mark on *He Whakaputanga Rangatiratanga o Nu Tīreni*. They were in the second group of signatories following the October 1835 huihuinga. The English missionary George Clark was the foreign witness on this occasion, and may well be the author of the explanatory paragraph added to the document:

Ko mātou, ko ngā Rangatira, ahakoa kīhai i tae ki te huihuinga nei, nō te nuinga o te Waipuke, nō te aha rānei, ka wakaae katoa ki te wakaputanga Rangatiratanga o Nu Tīreni, a ka uru ki roto ki te wakaminenga.

176 Schaniel 1985.

177 Letter from Taiwhanga to Samuel Marsden 1825: 68, 69, 147.

178 Panakareao to Marsden, 9 May 1837, Vol. 3 A1994, pp.139, 136–137.

179 Ballara 1990b: 327–328.

This is glossed as:

We, the rangatira, although not able to attend the great gathering (huihuinga), because of floods and for what ever other reasons, we all fully support (wakaae) the declaration of independence of Nu Tīreni, and we now enter into the sacred confederation (wakaminenga).

The 1835 Declaration and 1837 letter of Panakareao are consistent in seeking formal recognition from Britain. Panakareao asks for a protectorate relationship and assistance from the King in building a united Māori nation. There are shades of Busby's advice to Northern Māori, based on the de Vattel principle whereby an emergent nation could to seek help from an established nation, without ceding sovereignty.¹⁸⁰ In the 1835 huihuinga, Busby had talked about the Ionian Islands and the protectorate relationship established between European allied powers and the Islands through the 1815 Treaty of Paris. In Article Two of that Treaty, the new State of the United States of the Ionian Islands was placed under "the immediate and exclusive protection of His Majesty the King of the United Kingdom of Great Britain and Ireland, his heirs and successors."

Historically, the fact that these letters from Māori were drafted soon after Māori became a written language are pointers to the speed at which those who had the opportunity and put their minds to it developed literacy in their mother tongue. They are snapshots of how younger and older Māori were thinking about themselves and their country, and a glimpse at how they referred to the people from England, and identified themselves in relation to the European world.

There is no inference, however, that in the 1820s or the 1830s, literacy was widespread among Māori. In his work on this topic, Don McKenzie suggests that missionaries and recent historians alike have "misread the evidence for Māori literacy."¹⁸¹ I concur, because the principal means of communication between Māori in the 1820s to 1840s remained the spoken word. The letters, other documents and descriptions of the process of writing by these early adopters all point to a ready acceptance and willingness to utilise new means and tools of communications when it suited Māori purposes. McKenzie states it well when he argues that written texts, such as the Treaty of Waitangi, must be considered not simply as "verbal constructs but as social products" also.

In the 1983 *Motunui-Waitara Report*, the Waitangi Tribunal affirms a vital principle for a Māori approach to understanding the Treaty of Waitangi, particularly its Māori text. According to Chief Judge Edward Durie, the Tribunal articulates the Māori approach that gives primacy to seeking the "wairua," the spirit, of what is being conveyed in written form rather than:

...literal constructions of the actual words... The spirit of the Treaty transcends the sum total of its component written words and puts narrow or literal interpretation out of place.¹⁸²

180 De Vattel 1916 [1758].

181 McKenzie 1985: 9,15 Note 19, 32, 35.

182 Waitangi Tribunal 1987: 10.3.

This is the attitude and approach I have adopted for understanding and translating early Māori writing in Māori. The context in which the words are used is everything in Māori historical understanding.¹⁸³ In the words of the President of the New Zealand Appeal Court when affirming the importance of understanding the spirit of the Treaty, “What matters is the spirit,” he said.¹⁸⁴

“Māori” and “Pākehā”

The term Māori is not free of controversy, particularly from the 1890s to the present. Some have argued that its nineteenth-century usage is a case of the colonisers imposing the term on Māori.¹⁸⁵ I have demonstrated already that, rather than having late nineteenth-century colonial origins, the category tangata Māori is about self-description and self-identification. Its genesis was the rapidly increasing encounters with the English and other foreigners, and necessity demanded its usage. The late nineteenth-century debates over the word Māori reflect the tyranny of the racist context of the times.¹⁸⁶ From 1865 to 1900, settler politicians had convinced themselves that Māori were a conquered and dying race and that their divine role was to “smooth his dying pillow.” Sir Robert Stout spoke for many settlers when he was moved to say:

The race is dying, and if we were at all affected with love of humanity we should strive to preserve it, or make its dying moments as happy as possible.¹⁸⁷

By the 1860s, the Native Land Court was in action. It alienated vast tracts of land to the Crown for on-selling to immigrant settlers. Ironically, for Māori, the profits from Crown land sales paid for British emigration schemes to New Zealand.¹⁸⁸ Settler parliaments passed legislation that effectively destroyed the dominance of Māori in the economy, stripping Māori of access to natural resources.¹⁸⁹ Heavy military interventions supported moral persuasion.¹⁹⁰ Tamati Reedy, a Ngāti Porou scholar, describes the 1840s to 1890s as “te takahitanga” phase of Treaty of Waitangi history, the era of treading upon Māori, of demoralisation. Settler government policy, he said, was about the amalgamation of Māori and settler as quickly as possible. Takahitanga is appropriate because it translates as the trampling of the people.¹⁹¹

It was in this racist context that in 1893, A. S. Atkinson challenged the explanation that tangata Māori refers to a native of New Zealand and offered an alternative translation, which provoked a subsequent debate. In an article titled “What is Tangata Māori?” and published in the *Journal of the Polynesian Society*, he argued that the primary meaning of Māori as in “tangata Māori” is:

183 McKenzie 1985: 19 Note 35; See King 1978: 9–18.

184 Richardson 1987: 663.

185 Atkinson 1893: 136; Paora 1893: 116–117.

186 cf. Ballara 1986: 35.

187 cited in M. Hēnare and Douglas 1988: 149.

188 Adams 1977: 205.

189 Williams 1984: 301–302, 318–319.

190 Belich 1986.

191 cited in M. Hēnare and Douglas 1988: 148.

a human being; not a human being of the Polynesian race as distinguished from some human being of another race; but a common or real human being as distinguished from a being, human indeed in form, but not in fact.¹⁹²

Rev. Hauraki Paora countered stating that the word Māori means both common and native.¹⁹³ When added after a noun, it can mean common as in “kaipuke-Māori” which can be glossed as an ordinary or common sailing ship. However when used to refer to “te tangata tupu o te whenua”, the person grown from the land, it means native. He disagrees with an earlier article by Tuta Tamati who suggested that the word Māori was not an old word. It dates, Tamati said, to when Pākehā arranged the orthography of the language.¹⁹⁴

Hoani Nahe also disagreed with Tamati, arguing that the word Māori is indeed an ancient term originally from Hawaiki. He cites very old love songs and chants where the terms Māori and tangata Māori are repeated, which when applied properly in its context means native.¹⁹⁵

The term Pākehā for English European also has a controversial history over its meaning and usage. In his statement, Hoani Nahe argues that both Pākehā and kaupuke are new words that emerged since the coming of people from Europe.

Contrary to these late nineteenth-century and twentieth-century criticisms, however, the written historical evidence shows that the terms ‘Māori’ and ‘Pākehā’ were readily accepted and freely used by Māori and Pākehā alike from at least 1815, and possibly much earlier. The three letters discussed above illustrate the terms’ wider acceptance and use in this early period.

In fact, the term Pākehā first appeared in print earlier than these letters, when in 1815 Thomas Kendall published a book titled *A Korao no New Zealand*. It contains an entry “tangata packahhah,” which is glossed as white man. The eminent linguist Bruce Biggs has established that from earliest contact, Māori and Pākehā speakers were, “using Māori and Pākehā as nouns distinguishing New Zealand’s two populations.” At first, English speakers in the early- to mid-nineteenth century used the words English and native to make distinctions between the two communities, until the word native declined in use because of “negative connotations.” According to Biggs, the origin of the word Pākehā is obscure but it is clearly a Māori word and not a derivation of an English word. Likewise, he says, the word Māori is “derived from proto Polynesian maa’oli and means “true, genuine, normal” and that originally a tangata Māori was a “normal, mortal man in contrast... to a superhuman, immortal atua.”¹⁹⁶

In recognising a new level of personal identity, belonging to a group identity became explicit. Historically, whanaungatanga is the fundamental ethic upon which levels of identities were built, irrespective of the particular forms of social organisation—te whānau, hapū, iwi and Māori.

192 Atkinson 1893: 136.

193 Paora 1893: 116–117.

194 see Tamati 1893: 60–61.

195 Nahe 1894: 27–31, 32–35.

196 Biggs 1988.

Having discussed the first pou mana, pillar of wisdom, whanaungatanga, I now move on to the next pillar of wisdom, ngā taonga tuku iho.

2. Taonga Tuku Iho: Tangible and Intangible ‘Gifts’ Handed to Generations

Taonga are treasures or something of value. ‘Tuku iho’ refers to taonga handed down from ancestors, from earlier generations. Taonga are imbued with spiritual powers, or the ultimate divinity. It is the recognition of the primary source of taonga in whakapapa, ancestry, that establishes their value. Taonga tuku iho include the following values:

- kete mātauranga—the knowledge and the gift from Io-matua-kore (the primary source of all creation), the wisdom of past generations, the skills passed down;
- tikanga—is derived from tika which determines its meaning. Tikanga is the way in which something is tika (right, appropriate, proper, correct). Everything in creation possesses tikanga; it can thus mean function or destiny; the tikanga of human beings is their rightful nature i.e., appearance, conduct, habits, the principles which determine ethics, values and behaviour, and the rights of the individual or group;¹⁹⁷
- ritenga—the philosophy of behaviour, the practice determined by tikanga i.e., which corresponds (rite) to something previous, or a precedent¹⁹⁸

3. Te Ao Tūroa—The Environment

The third pillar of wisdom, te ao tūroa, refers to guardianship and stewardship over the visible and invisible worlds, where the well-being of the land is linked with mana Māori and personal well-being. The features of the land are often personified and used to link people to the land and to their ancestry. Some important concepts include:

- whenua—land linkages, usage and responsibility for the future, given by those of the past: the mauri (life force) is present and is respected through the ritenga of food production and gathering;
- ngahere—forests, including flora and fauna;
- moana—seas;
- awa, puna—lakes, waterways;
- tiakitanga—guardianship.

4. Tūrangawaewae—To Stand Is To Be

The fourth and last pillar of wisdom, tūrangawaewae, refers to a place to stand, and to be. According to Bishop Manuhua Bennett, the concept of tūrangawaewae is essentially that land becomes an outward and visible sign of something that is deeply spiritual.¹⁹⁹ It is a source of nourishment for the inner person, rather than for their physical needs. It is the origin of the person’s identity—their awareness, their mana, indeed their very life. It includes the following cluster of associated values:

197 Johansen 1954: 174–175.

198 Johansen 1954: 175.

199 Bennett 1979: 74–79.

- kāinga—primary place of abode and living;
- papakāinga—earth upon which the kāinga stands, closely related to Ranginui and Papatūānuku (Sky Father and Mother Earth);
- marae—the land upon which the whare tupuna (ancestral meeting house) and the whare kai (eating house) stand, and the open space in front for oratory, debate and rituals of encounter; a place where one and the group have a sense of belonging;
- rohe—a sense of place, a boundary;
- urupā—a sacred burial place where ancestors are interred; the idea that things have come to an end;
- koha—the gift or contribution towards another; reciprocity.

In this review of nineteenth-century social organisation and its social fabric, I have identified four sets of Māori concepts associated with mauri, tapu and mana; ngā pou mana e whā, the four pillars of wisdom that uphold te ao Māori. My aim has been to indicate a holism in the ancestral Māori view, where society is based on kinship (whanaungatanga), gifts handed down from the ancestors (ngā taonga tuku iho), the natural world and the cosmos (te ao tūroa), and where people belong to and stand on the land (tūrangawaewae).

The whānau is the key agent of change and adaptation. In the whānau both individuals and the group are able to exercise high levels of adaptability and agency where choice and freedom are exercised. At the same time, the whānau continued its traditional role as the fundamental unit of socialisation for itself and for other levels of tribal society. Associated with the whānau is the kāinga as the primary place of habitation, where the whānau and hapū carry out their everyday activities. The kāinga, like the whānau and the hapū, quickly adapted to new technology and ideas, leading to economic transformation during the eighteenth and nineteenth centuries.

CHAPTER SIX

The Economy of Mana

Economic transformations were a significant part of the dynamic towards the articulation of nationhood. Māori accounts describe the living history of what I have coined an ‘Economy of Mana’, when economic sovereignty was measured by inclusive prosperity and well-being in a time of peace and harmony, he whenua rangatira.²⁰⁰ In 1769, when James Cook observed a “great deal of Cultivated land laid out in regular inclosures, a sure sign that the Country is both fertile and well inhabited” in the Bay of Plenty, and ‘a good Anchorage and every kind of refreshment for Shipping’ in the Bay of Islands, he was witnessing the outcome of millennia of inclusive prosperity.²⁰¹

This chapter outlines the ‘Economy of Mana’, which is embedded in Māoritanga Māori ways of life. The Economy of Mana describes a worldview and tribal modes of production that consider spiritual and human ancestors and descendants not yet born, and prioritise holistic well-beings and value creation over profit maximisation.

The resilience of Māori economic practices of inclusive prosperity, manifest as reciprocity and gift exchange during a period of sustained growth over the centuries, is not yet understood or appreciated. However, the Economy of Mana is evident in Māori conceptualisations of ‘te rongo me te āta noho’, the good life as prosperity in a time of lasting peace as described in the preamble of Te Tiriti o Waitangi.

In outlining the economic history of Māori, I bring together key insights from works by Karl Polanyi, Goran Hyden, William Schaniel, Raymond Firth and Dorothy Urlich. Karl Polanyi’s work provides a general theoretical framework of economics through which early–mid nineteenth-century Māori economics can be understood. His world economic history, with specific reference to the Pacific and Māori evidence, shows that Pacific tribal economies do not fit the ‘economic man’ models of classical European economics. Pacific tribal economies are embedded in Pacific culture and religion, and in the values and ethics that inform the functioning of the economy. The other works are more particularly related to Māori economic understandings of the early- to mid-nineteenth century; Hyden by comparison with African groups, and Schaniel, Firth and Urlich through direct study. My discussion of these four works will address the adaptive capabilities of Māori economics as a function of Māori thought.

Economic History of the Pacific and Nu Tīreni

The economic historian Karl Polanyi makes the obvious but important point that no society lives for any length of time without it possessing an economy of some type. Furthermore, says Polanyi, “no economy ever existed that... was controlled by markets”.²⁰² It is ideas about the linkages of culture, society and economy and the supposed autonomy of the

200 Hēnare 2011; Hēnare and Douglas 1988; Hēnare, Middleton and Puckey 2013; Hēnare, Petrie and Puckey 2009; 2010.

201 Cook, James. (1 November 1769).

202 Polanyi [1944] 2001: 45.

market that I now discuss. The idea of the market economy was very much a predilection of nineteenth-century European writers, who assumed that market-driven economies were normative for all societies worldwide. Polanyi disputes this assumption, showing that it is Eurocentric and historically recent.²⁰³ In terms of world economic history, and particularly for Māori and other Pacific peoples, he argues, the idea of a market economy as a self-regulating and self-adjusting system is new. It did not exist anywhere until the nineteenth-century.

In regards to Nu Tīreni and other Pacific Islands, this type of market economy emerges in some shape after the establishment of Anglo-European and Anglo-American settler societies throughout the great ocean. According to Polanyi, the institution of the market emerges after the Stone Age, but “its role was no more than incidental to economic life”.²⁰⁴ Such an economy with its market was not indigenous to the Pacific.

While many nineteenth-century thinkers were to assume that it was “natural” to behave like traders, Polanyi has demonstrated with reference to social anthropology, sociology and studies of tribal economies, that the philosophy of economic liberalism was alien to ancestral Pacific ways of thinking. His questioning of the liberalist view led to an attack on the assumptions, stated like universal truths, that underlay the market economy system.

Karl Polanyi posits eight propositions which, taken together, furnish an understanding of early and mid nineteenth-century Māori economics as an internally logical system. His first proposition, that the motive of gain is not “natural” to humanity, is evidenced in tribal economics by the absence of any desire to make profits from production or exchange.²⁰⁵ The second proposition is that to expect payment for labour is not “natural” to humanity. He follows Malinowski, who said that gain never acted as an impulse to work in the Trobriand Islands, and Thurnwald who found that nowhere in Pacific societies was labour ever leased or sold.²⁰⁶ Furthermore, in Raymond Firth’s 1929 study of Māori economics, Polanyi found that the treatment of labour as an obligation did not require indemnification.

The third proposition of Polanyi is centred on the idea that to restrict labour to the unavoidable minimum is not “natural” to humanity. Thurnwald observed that work was never limited to the unavoidable minimum but exceeded the absolute necessary amount owing, he argued, “to a natural or required function urge to activity” .²⁰⁷ He further argued that labour consistently goes beyond that which is necessary.²⁰⁸

The fourth proposition, says Polanyi, is that the usual incentives to labour are not gain but reciprocity, competition, joy of work and social approbation. According to Malinowski:

Most if not all economic acts are found to belong to some chain of reciprocal gifts and counter-gifts, which in the long run balance, benefiting both sides equally....
The man who would persistently disobey the rulings of law in his economic

203 Polanyi [1944] 2001: 35–218.

204 Polanyi [1944] 2001: 45.

205 Polanyi 2001 [1944]: 277 citing Thurnwald 1932b: xiii and Malinowski 1930: 60.

206 Polanyi 2001 [1944]: 277 citing Malinowski 1930: 156; Thurnwald 1932b: 169.

207 Polanyi 2001 [1944]: 277 citing Thurnwald 1932a: 209.

208 Polanyi 2001 [1944]: 277 citing Thurnwald 1932b: 163.

dealings would soon find himself outside the social and economic order- and he is perfectly well aware of it.²⁰⁹

This is the ethic of reciprocity.

On competition, Polanyi followed Malinowski who argued that:

men vie with one another in their speed, in their thoroughness and in the weights they can lift when bringing big poles to the garden or in carrying out their harvested yams.²¹⁰

Polanyi cited Goldenweiser,²¹¹ who found that “competition is keen, performance though uniform in aim is varied in excellence... a scramble for excellence in reproducing patterns.” On joy of work, he found in Firth that “work for its own sake [was] a constant characteristic of Māori industry”;²¹² and in Malinowski, the observation that a lot of time and labour was given to “aesthetic purposes, to making gardens tidy, clean, cleared of all debris”.²¹³ There was no doubt that Western Pacific people pushed their conscientiousness way beyond the limit of the necessary. According to Polanyi,²¹⁴ the tidiness of gardens, public expressions of laziness and the value of social service were features of Pacific people’s economic activities and social approbation. The maintaining of perfect gardens was the general index to the social value of a person and in Polynesian economies every person is expected to show a normal measure of application. Further, to make available one’s labour under the leadership of another is a social service and not merely an economic service. In addition, he cited Radcliffe-Brown’s observation that in the Andaman Islanders, laziness is an antisocial behaviour.

The fifth proposition of Polanyi²¹⁵ is that humanity is the same down the ages. According to Polanyi, these sources demonstrate that collective emotions are essentially the same with all human beings, and account for the recurrence of similar configurations in social existence.

In his sixth proposition,²¹⁶ Polanyi argues that economic systems are embedded in social relations and that distribution of material goods is ensured by non-economic motives. According to Thurnwald, early economies are social affairs, which dealt with the number of persons as part of an interlocking whole, and where wealth was not of an economic nature but rather was social.²¹⁷ Malinowski found that labour was capable of extremely effective work because it was “integrated into an organised effort by social forces”.²¹⁸ He also found

209 Polanyi 2001 [1944]: 277–278 citing Malinowski 1926: 40–41.

210 Polanyi 2001 [1944]: 278 citing Malinowski 1922: 61.

211 Polanyi 2001 [1944]: 278 citing Goldenweiser 1936: 99.

212 Polanyi 2001 [1944]: 278 citing Firth 1926: 17.

213 Polanyi 2001 [1944]: 278 citing Malinowski 1922: 59.

214 Polanyi 2001 [1944]: 278–9 citing Malinowski 1930, Firth 1929, and Radcliffe-Brown 1948.

215 Polanyi 2001 [1944]: 278–9 citing Linton 1963: 484; Thurnwald 1932b: 282; Benedict 1934: 168.

216 Polanyi 2001 [1944]: 273 citing Thurnwald 1932b: xii, 106, 107; Malinowski 1930: 167; 1926: 125.

217 Polanyi 2001 [1944]: 278 citing Thurnwald 1936: 383.

218 Polanyi 2001 [1944]: 279 citing Malinowski 1922: 157.

that the bartering of goods and services was carried on within a standing partnership, or at least associated with defined social ties or coupled with mutuality in non-economic matters.²¹⁹

According to these studies, the two main principles which governed economic behaviour were reciprocity and storage-cum-redistribution. For Malinowski, “the whole tribal life is permeated by a constant give and take”.²²⁰ Moreover, Thurnwald argued that today’s giving is recompensed by tomorrow’s taking.²²¹ This he said was the outcome of the principle of reciprocity. Malinowski said that what made reciprocity possible were duality of institutions or “symmetry of structure” found in every tribal society.²²² These provided the indispensable basis of reciprocal obligations.

Furthermore, says Polanyi, Thurnwald discovered that combined with reciprocal behaviour was the practice of storage and redistribution.²²³ This was the most general application from the hunting tribe to the largest of empires, where goods were centrally collected and then distributed to members of the community using a diversity of ways. It was a feature among Micronesian and Melanesian peoples. This distributive function, he argued, was a prime source of the political power of central agencies.

In his seventh proposition, Polanyi²²⁴ finds that individual food collection exclusively for the use of one’s own person and family does not form part of early human life. These studies, says Polanyi, corrected the assumption that pre-economic people took care of themselves and their families only.

Polanyi’s final proposition is that reciprocity and redistribution are principles of economic behaviour that applied not only to small primitive communities but also to large and wealthy empires.²²⁵ According to Thurnwald, distribution has its own particular history, beginning with the life of the hunting tribes. Differences begin to emerge when societies have more pronounced stratification. The distributive function increased with the growing political power of a few families and the rise of despots. These developments resulted in complicated systems of distribution. As the archaic states emerged, such as Ancient China, the Incas, the Indian kingdoms, Babylonia and Egypt, use was made of metal currency for taxes and salaries. However, the reliance on payments in kind stored in granaries and warehouses and later distributed to officials, warriors and leisured classes—the non-producing part of the population—was maintained. In this case, distribution fulfils an essentially economic function.

219 Polanyi 2001 [1944]: 279 citing Malinowski 1926: 39.

220 Polanyi 2001 [1944]: 279 citing Malinowski 1922: 167.

221 Polanyi 2001 [1944]: 279 citing Thurnwald 1932a: 106.

222 Polanyi 2001 [1944]: 279 citing Malinowski 1926: 25.

223 Polanyi 2001 [1944]: 279.

224 Polanyi 2001 [1944]: 279–280 citing Firth 1929: 12, 206, 350; Thurnwald 1932a: 170–268; Thurnwald 1932b: vol II, 146; Herskovits 1940: 34; Malinowski 1930: 167.

225 Polanyi 2001 [1944]: 280 citing Thurnwald 1932b: 106–108.

Polanyi's notion of the embedded economy is sustained in the work of Goran Hyden,²²⁶ who argues that tribal economies have their own modes of production that are driven by the ethics and values of their societies and not the self-regulating markets of capitalism. Hyden's work on the economies of West African societies, which he describes as 'economies of affection', is applicable to the Pacific, particularly Nu Tirenī. I argue that the Māori economy can be defined as an economy of affection with its own mode of production, which consisted in the mobilisation of kinship ties for food production and associated social services.²²⁷ The economy of affection may also be considered an Economy of Mana.

William Schaniel's²²⁸ important economic history, *The Māori and the Economic Frontier: An Economic History of the Māori of NZ, 1769–1840*, can be contrasted with Raymond Firth's seminal work on the anthropology of Māori economics. Schaniel emphasises the agency in Māori involvement in trade with the outside world, and the changes brought about by the introduction and use of new technologies and ideas. He offers evidence to show that in acquiring European technology through transactions, Māori did not necessarily acquire European values of appropriate use. In other words, Māori did not conceive of the introduced technology in a European framing, but rather used the new technologies—iron tools, white potatoes—within Māori frameworks. His explanation is consistent with Jacobs' schema of levels of culture and cultural change, that argue that technological changes do not necessarily lead to changes in fundamental values and worldview.²²⁹

Schaniel provides an economic historian's critique of the fourth work, Raymond Firth's *Economics of the New Zealand Māori*. In this work, Firth argued that, "on the whole the organization of economic activity remained singularly unimpaired" by contact with the European world.²³⁰ In Firth's anthropological account of the Māori economy, change is little acknowledged or explained. Neither does he refer to the massive migrations before and after European arrival, and the consequent disruptions to communities and society identified by Ulrich. Schaniel highlights the problem of anthropological literature when dealing with large changes in Māori livelihood and social process consequential to encounters with Europeans.

Finally, Dorothy Ulrich studied the causal relationships in migrations in the period 1800–1840.²³¹ She overemphasises the role of muskets as a primary causal factor for migrations and tribal re-groupings—a point that Schaniel makes, and one with which I agree. However, the value of her study is in detailing the massive migrations which took place in the early post-contact period. While Schaniel does not adequately discuss these migrations and their causes, his historical economic evidence and explanations offer a more complex set of factors leading to understanding why such migrations took place.

226 Hyden, Goran, 1980.

227 Hēnare 1995: 215–216. Hēnare 2011; 2016

228 Schaniel 1985

229 Cited in Aylward Shorter (1988). In Jacobs' schema on traditional African religions, he proposes that a religious understanding of life and reality is at the heart of culture and that worldview is very slow to change.

230 Firth 2011 [1929]: 454.

231 Ulrich 1969

The Māori Economy of Mana

I turn now to a summary review of Māori economic history to 1840. William Schaniel's economic history investigated the evolution of Māori institutions of livelihood and the movement of goods engendered by pre-colonial contact. He considered Māori social processes, change and innovation, and looked at how the roles of leaders and slaves changed in the response to trade, as did intertribal relations. In the process of trade, Schaniel notes that both sides, European and Māori, followed their own rules; both interpreted their actions and the actions of the other within their own frame of reference. Schaniel, however, does not adequately address the matter of worldview and beliefs. In the period under study, Māori established transactional relations with visiting vessels, missionaries, traders, sealers and whalers. Before exploring the history of these Māori transactional relations, let me outline key aspects of philosophy and religious belief in which the Māori economy is embedded.

In ancestral Māori framings, hau is a cosmic force and a vital essence in humans and all other things in creation. The spiritual impulse that is hau urges reciprocity in human relations with nature and in relations with other people. This is the metaphysics as explained in the writings of Tamati Ranapiri of Ngāti Raukawa to New Zealand settler anthropologist Elsdon Best, and elaborated by French anthropologist Marcel Mauss in his writings about the spirit of gifts and gift exchange.²³²

Anthropological theories about gift exchange are often presented in the form of the following propositions: that exchange is a fundamental social system; that gift exchange is a prior economic system; that a gift economy is animated by the spirit of the gift (hau); that the spirit of the gift creates an indissoluble bond between persons engaged in the exchange; and that it was Western societies that were responsible for the separation of persons and things.²³³

In what follows, I adopt Goran Hyden's notion that tribal societies each have their own mode of production, which defines its type of economy. In the West African case, an economy of affection is considered. Karl Polanyi's economic history and the eight propositions related to the economic attitudes and behaviour of Pacific island peoples and cultures supports Hyden's thesis about the affective nature of tribal economies. These views of Pacific economies and the hau suggest that in considering Māori attitudes to trade, the sale of goods and services to foreign kaupuke and crew are intrinsically different to the economic attitudes and behaviour of Pākehā English traders in the late eighteenth to the mid nineteenth century.

According to Schaniel, the initial focus for European trade in New Zealand was the Bay of Islands in the north of the North Island, but by the late 1820s traders were channelling European goods to many other coastal Māori communities. The inland and landlocked communities had networks of traders and gained regular access to European goods. Schaniel observes that while inter and intra tribal transactional systems remained unchanged, the composition of goods transacted changed considerably. These relations and patterns, and the new technology embodied in the goods and foodstuffs acquired made a significant impact on the role of women, slaves, men and Māori leadership. According to Schaniel, white potatoes,

232 Hēnare 2018; Nicholson 2019; Salmond 2017.

233 Mauss 1950 [1923–4]: 143–279; Schrift 1997.

iron and firearms increased the importance of women and slaves in the process of gaining livelihood. The activities of men and leaders such as rangatira and tohunga also changed. For instance with the advent of potatoes, iron and firearms, war expeditions, particularly from North Auckland, were longer in duration and greater distances were undertaken. The role of leadership now included managing transactions with Europeans.

Not only did intertribal relations change as the ability to conduct such relations expanded, there was also a widening of the range of relations:

While European technologies and goods changed social roles and livelihood, they were integrated into the same conceptual framework as the items they replaced. The Māori maintained their non-scientific framework and pursued their traditional ends.²³⁴

According to Schaniel, the “little change” school of anthropological thought looked upon the constancy of the non-scientific framework and ends, and ignored the impact of European transactions and technology on the actual working of Māori systems.

According to Schaniel, economic historians ignored the pre-colonial period because they regarded this earlier period as having little importance in New Zealand history. The historian E.J. Tapp said of this early contact period that it was questionable whether the impact of European upon Māori was beneficial, and the geographer Kenneth Cumberland said that the consequences of contact were that Māori were exploited and their culture and economy largely destroyed.²³⁵ The historians’ approach was based on several assumptions, which Schaniel properly describes as of dubious validity. First, they confuse change with social disintegration, suggesting that change is the same as disintegration. Second they often made a “moralistic judgement” that Europeans involved in the early trade relationships between Māori and European were “bad elements”, and therefore that trade with those Europeans was necessarily detrimental to Māori society. I agree with Schaniel when he argues that this is a view founded in European ethics, which denies Māori the ability to understand their own actions. Since Māori were the significant political and economic power of the time, the relationship should be analysed in light of Māori understandings. In this way, we can better understand and evaluate the performance of their endeavours.

Tribal Modes of Production—The Economy of Affection

Schaniel’s history can be linked with Goran Hyden’s description of tribal economies of affection. The latter is particularly relevant to Māori of Nu Tīreni. Recent studies of African modes of production and the interaction of traditional tribal economics with capitalism and the market economy suggest models applicable to Māori studies. According to Hyden, each mode of production gives rise to its own type of economy. In the African context a peasant mode created an economy in which the affective ties based on common descent and common residence prevailed.

There has been inadequate research into what I would describe as a Māori economy of affection. Following Hyden, in the case of Māori, a tribal rather than a peasant mode of production developed over time and blossomed as an economy of affection. Early

234 Schaniel 1985: 3.

235 cited in Schaniel 1985: 4–5.

pre-European tribal groupings developed their own ways of organising reproduction of both material and social conditions, the circulation of goods and services, and consumption. The exchange of goods between communities was common throughout the country. While money was not used for pricing purposes, it seems that Māori exchange was not simply a barter system as in other societies. Muriel Lloyd Prichard has succinctly described it as, “People received gifts and they made gifts”.²³⁶

In this kind of economy, work, or improved productivity, was not an end in itself. In such an economy, economic action was not motivated by individual profit alone but had other considerations such as the redistribution of opportunities and benefits. Reciprocity was expected and was both structurally and spiritually induced, according to Māori belief systems in the early–mid nineteenth-century. As in the continent of Africa, the nineteenth-century Māori economy of affection encountered the intrusions of the market economy. As Hyden has demonstrated, however, the market economy does not unilaterally cause the destruction of economies of affection because the latter have the power to survive, and over time can affect the operation of the market economy.²³⁷

Māori power to survive and adapt within the market type of economy during the second half of the nineteenth century is demonstrated by Merrill’s review of economic activity, and is discussed later in this section. Firth’s study of pre-European Māori economic psychology shows a complexity of motives in economic life. First, Māori were impelled to meet basic vital needs. At the same time, the totality of economic life was not considered solely on this basis. For Māori, rational effort was tinged with warm emotional interest, described by Firth describes as:

The pleasure of craftsmanship, the feeling of emulation, the desire for public approval, the sense of duty towards the community, and the wish to conform to custom and tradition, all these and more find outcome in economic action.... It is clear that self-interest alone is not the driving force in native (Māori) industry... each man (*sic*) is actuated to some degree by the wish to promote the welfare of the community of which he is a member.²³⁸

This is fundamentally different from modernist theories of market economics. Little New Zealand research has been carried out on the cultural impacts of such ideas as an efficient labour market, the commodification of labour, the primacy of capital over labour, principles of supply and demand and the motivating power of self-interest, utility-maximisers and the free market. Together these principles, values and ethics represent the sum of a particular cultural milieu and worldview and a feature of eighteenth- and nineteenth-century Anglo-capitalism.

The effect of these attitudes and behaviour has been to reduce Māori and their culture to mere instruments of the economy. Indeed, settler governments assumed and planned that Māori should serve as unskilled labour for the settler economy. This is evidenced in the type of schooling and tertiary education offered to Māori.²³⁹ Furthermore, according to this view, Māori, whether as individuals or in their *whānau-hapū* kinship groups, are motivated primarily by self-interest and respond to the laws of supply and demand as do other New Zealanders.

²³⁶ Prichard 1970: 4.

²³⁷ Hyden 1980: 18–19.

²³⁸ Firth 2011 [1929]: 162.

²³⁹ Walker 1991; Barrington and Beaglehole 1974.

Traditionally, however, this is not how Māori understood the nature and purpose of economic activity. In the literature, Firth, Merrill and Sutch describe the early Māori economy before the full impact of capitalism and the market economy. Firth analyses the structure of Māori economic organisation, Merrill gives an outline of the Māori economy and society around 1840 until the 1860s and identifies the features of Māori economic change, and Sutch offers a survey of the time of the coming of the European. According to these writers, the early Māori economy served both material and spiritual needs. It was the result of “high mental endowment and their environment” and very hard work,²⁴⁰ where aesthetic values were highly developed,²⁴¹ and Māori were able to carry out extensive economic changes in a culture that appeared to have very few of the institutions considered necessary for the task.²⁴²

Significantly Merrill argues that Māori social structures and institutions of the time facilitated rather than inhibited economic changes. Rather than competition between self-interested individuals or small nuclear family groups, Māori economic activity was motivated by a paradoxical clash in essential values. On one hand, the unifying power of the ethic of whanaungatanga and kotahitanga was structurally expressed in the kinship groupings of whānau, hapū and later iwi and waka. On the other hand, the rivalry and competition that the ethic of mana demands could be divisive. This is not a case of balance, rather it is a case of the creativity of contrasting values. The flexibility of atomisation induced by the rivalry for mana was complemented by the unity of purpose of the kinship groups. Competitive striving aimed to ensure the well-being of the group.

The paradoxical nature of Māori thought stems from a strong motivation for survival. This is characteristic of Polynesian systems, which arose in the tightly circumscribed environments of atolls and small islands and the concomitant limited natural resources available to sustain large populations.²⁴³ One might speculate that this quality is an inheritance from the Lapita peoples who according to archaeologists, colonised the Western Pacific. Irwin²⁴⁴ argues that survival was the primary consideration in the Polynesian colonisation of the Pacific, both in terms of motivation and the methods of exploration.

From the 1850s to the 1900s, a recognisable Māori economy was destroyed through direct military and legislative interventions coupled with massive immigration flows of new settlers. A judicial and parliamentary programme was established to support an economy more suited to meet the social and cultural aspirations of the settlers. Māori lost control of both reproduction and production. The new immigrants came to build an Anglo-European economy, first alongside the Māori one and then to replace it.²⁴⁵ According to Merrill, Māori attitudes and behaviour towards work and employment did not disappear with the emergent market economy. Later studies point to the maintenance of attitudinal and behavioural indicators similar to those observable in an economy of affection. These sentiments and values underpinned a reconstituted rural Māori economy developed under

240 Sutch 1964: 6, 8.

241 Firth 1972 [1929]: 395.

242 Merrill 1954.

243 cf. Sullivan 1985.

244 Irwin 1989.

245 Hawke 1985: 4.

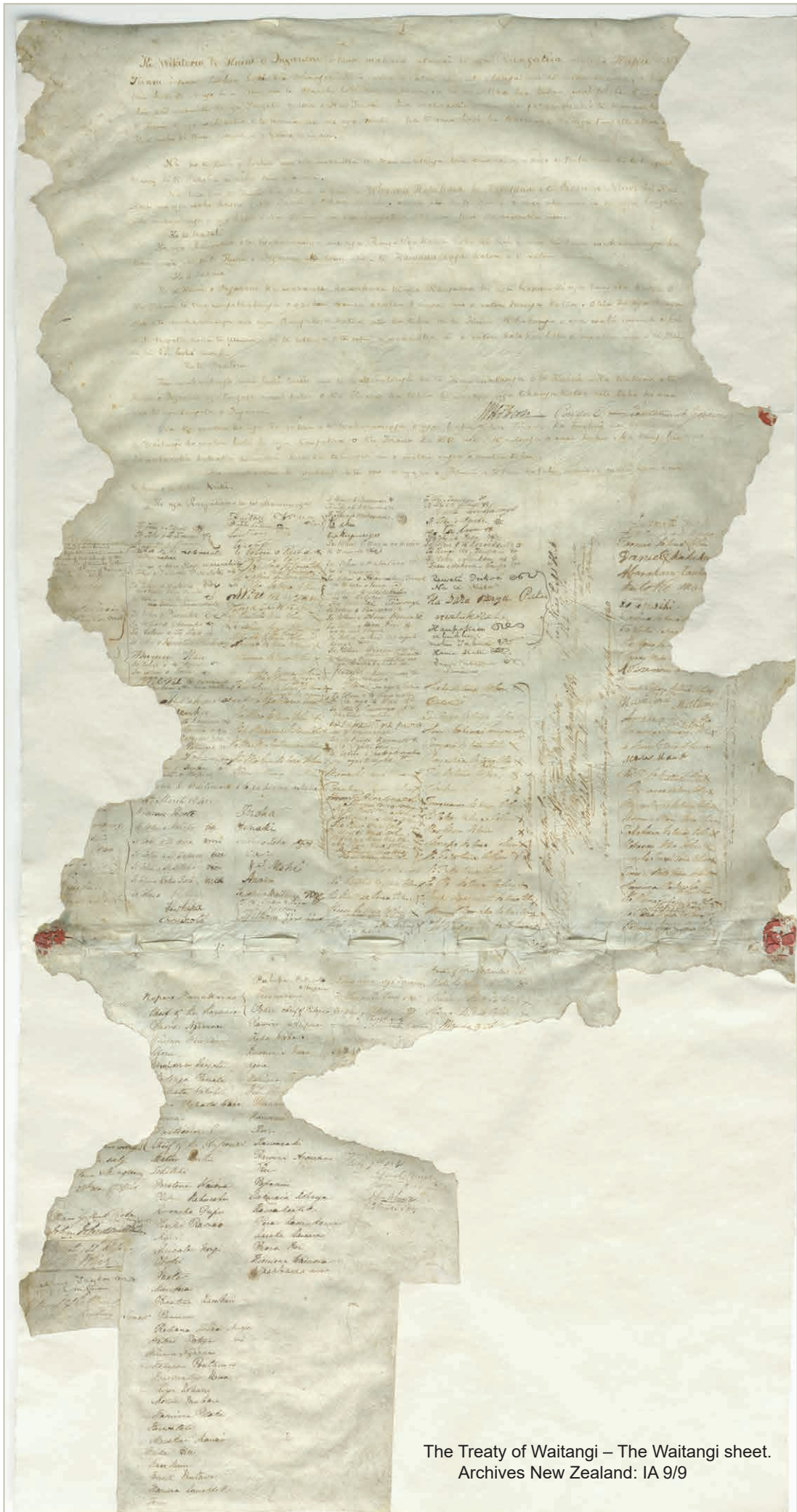
the influence of Apirana Ngata and the Young Māori Party. The agenda of Ngata was for greater incorporation in the market economy of the early twentieth century, while retaining fundamental Māori values.²⁴⁶

Further study of the tribal mode of production would help identify the basic logic and structures of early Māori social formation. It would also clarify, following Hyden, the changes, if any, to Māori attitudes to work and employment in the nineteenth century.

The worldview of the new settler economy was a mechanistic one in which human labour was valued solely for its economic purpose. The economic approach adopted by settler society placed capital and other material resources at the centre of economic activity, rather than the people. It contained a vision of an atomised society consisting of individuals serving and meeting their own self-interests.

To recapitulate Polyani's eight economic propositions, he states that gain, and expecting payment for one's labour, is not natural and neither is restricting labour to an unavoidable minimum. Further, the incentives for labour are reciprocity, competition, joy of work and social sanction and can be seen as social service. He asserts that man has not changed and that economic systems are embedded in social relations and non-economic motives ensure the distribution of goods. Based on the Māori researches of Merrill, Firth and Schaniel, reciprocity, whanaungatanga and redistribution governed economic behaviour. These lead to a conclusion that the early–mid nineteenth-century Māori economy was an economy of affection, or in Māori terms, an economy of mana and manaakitanga, and the actualisation of tapu.

246 Ngata and Sutherland 1940: 135.



The Treaty of Waitangi – The Waitangi sheet.
Archives New Zealand: IA 9/9

CHAPTER SEVEN

Te Tiriti o Waitangi

The purpose of this chapter is to argue that Māori did not intend to cede sovereignty in perpetuity by signing the Māori text of the Treaty of Waitangi, known in Māori as Te Tiriti o Waitangi. Te Tiriti o Waitangi is the sixth and concluding step in the process of forming the Māori nation. It follows from the five previous steps outlined in this book, namely: the meeting of Hongi Hika and Waikato with the British King, George IV; the rangatira letter to King William IV; the appointment of the first British Resident; the adoption of Te Kara; and He Whakaputanga o te Rangatiratanga o Nu Tīreni, the Declaration of Independence of Nu Tīreni.

The preceding chapters have explored a continuum of Māori thought and action which informed the thought and action of those rangatira involved in Te Tiriti o Waitangi. In this chapter I argue that Māori notions of mana and Pākehā notions of sovereignty are, philosophically speaking, very different understandings of the locus of power.

Secondly, I discuss the cultural milieu, and imperatives, that informed early–mid nineteenth-century rangatira. Building on earlier discussions of Māori metaphysics and society, I will focus on Māori ideals of leadership implicit in rangatiratanga and tohungatanga—the ethical milieu that guided the agency of the rangatira and tohunga.

Finally, I analyse the textual recording of the kōrero of rangatira at the three venues where Te Tiriti was debated, and offer a retranslation of Te Tiriti o Waitangi using a historical semantic approach. In keeping with the Māori historical approach of this book, my primary focus is to ascertain the intentionality of rangatira, what they thought they were agreeing to when they signed Te Tiriti. However, the intentionality of several of the main Pākehā players will also be discussed, to illustrate how much of the confusion surrounding Te Tiriti stems from an initial “talking past each other”.²⁴⁷

Locus of power

In my research, I look for the assumptions made by the parties involved with the Tiriti o Waitangi process. One of the initial misunderstandings of sovereignty between Māori and Pākehā lies within the perceived locus of power. For Māori the locus of mana was in the person of the Queen, the highest-ranking rangatira of the people of England; whereas for the English, it was located in the institution of parliament, with the Queen as a figurehead and a symbol of sovereignty and power. There was a philosophical clash between Māori personalism and English institutionalism.

In recognising the mana of Queen Victoria, Māori were assuming that Victoria herself was the centre of power under the English system, and that she ought to exercise it over her own people, not Māori people. In this framework of understanding, the rangatira would exercise their mana over their own Māori people, and not Pākehā people. This framework was expressed in 1820 at the meeting with King George, contained in the 1831 letter to King William, it is implicit in the flag ceremony and expressed clearly in the declaration of 1835. With this appreciation of what they had to offer, many rangatira were more than

247 Metge and Kinloch 1984.

happy to be engaged in and with Queen Victoria's empire, but on Māori terms. There were no assumptions of deference to a superior being or culture, but rather an expectation of an enduring relationship based on tikanga whanaungatanga and tikanga hau, of belonging to an empire based on reciprocity at political, social and economic levels.

In dominant narratives on Māori leadership, the impression is given that somehow rangatira were objects of Māori culture who conformed to Māori cultural norms or forms of behaviour. Sometimes, there is little or no recognition of the role of individual agency. The problem of New Zealand settler historiography is its logical rationalism and its mechanistic explanation of Māori thinking and actions. Based on one-sided historical evidence, it argues that Māori leaders ceded in perpetuity their mana-sovereignty and the mana-sovereignty of future descendants yet to be born. The disengaged view of Māori involvement in the treaty is in effect a mechanist one, pointing to an external locus of control as the dominant modus operandi of rangatira in their whānau-hapū, and later iwi, and Māori contexts. However, there is ample evidence that an internal locus of control was also operating that enabled rangatira to assume that they were in control of certain events that affected both their own and their people's lives. The competitive elements involved in the quest for mana tangata and mana hapū would require high levels of flexibility in approaches to decision-making and organisation.²⁴⁸ A mana Māori historical and philosophical interpretation presents a view of rangatira as engaged agents.

Rangatira as Engaged Agents

In the early–mid nineteenth century, there were criteria for leadership but the role was not static. All rangatira of quality possessed attributes, talents and qualities. Some were said to be inherited, almost in a genetic sense, some were ascribed upon performance, and some were gained through tribal schools of learning and experience. In this time, differences between the ordinary person or a slave and a rangatira were birthright and the history that goes with one's whakapapa (genealogy), for without this history there is no tikanga. While the reality is more complex and flexible, instances of rangatira-like attributes found in common persons or slaves were seen as exceptions. In this frame of thinking, as expressed in the phrase "e waru ngā pūmanawa," which is glossed as the eight sources of the heart, only a well-bred rangatira is able to achieve the full potential of leadership.²⁴⁹

E waru ngā pūmanawa

Māori proverbs utilise many metaphors to express the significance of rangatira for their kin groups:²⁵⁰

Te tumu herenga waka—the anchor post for canoes

Te rata whakaruruhau—the sheltering rata tree

Te tā kotuku—the white heron feather

In early nineteenth-century thinking, a hapū without a leader was considered to be in great danger, like a drifting, abandoned, unanchored canoe, or a group exposed in a storm without

248 Parsonson 1981: 140–167; 1992: 176–198; Belich 1996: 81–83.

249 Johansen 1954: 178 f & Note 159, 56 f.

250 Cited in Ngā Tuara n.d.: 20.

shelter or protection. This is emphasised in another proverb that draws on the metaphor of the kōtuku, the white heron, considered in Māori thought one of the most sacred of birds:

Kia ai he tā kōtuku ki roto o te nohoanga pahī, kia tau ai.

Let there be a plume of white heron feather in the assembly so the people are settled.²⁵¹

A list of six qualities of a rangatira was compiled by Wiremu Te Rangikāheke of Ngāti Rangiwewehi²⁵² in the 1840s and published in the 1850s. The full impact of colonisation was about to be experienced, followed by the debilitating land wars and confiscations. According to Te Rāngikaheke, a rangatira:

He mōhio ki te whakahaere i ngā kōrero o te mahi kai	<i>Has command of the knowledge, science and technology of food acquisition and production</i>
...o te tangohanga whare, waka, pātaka, hereimu	<i>Has command of the knowledge, technology, rituals and traditions pertaining to the construction and acquisition of houses, canoes, and storehouses and cooking sheds</i>
Ka mōhio ia ki te whakahaere i ngā kōrero mō te whawhai, toa tonu ki te riri, hopu tūpāpaku tonu atu, whati rawa mai ka riri, nāna anō i whakahoki atu te whati	<i>Has knowledge on how to conduct discussions on the strategies of warfare and he is courageous in battle, is not afraid to kill, and can turn adversities into victories</i>
Ko te kōrero manuhiri anō tētahi	<i>Is competent at inviting and welcoming visitors</i>
Ko te kōrero rūnanga anō tētahi	<i>Is able to conduct meetings of the people to discuss important issues</i>
Ko te atawhai anō tētahi	<i>Is able to offer hospitality and to take care of people</i>

A late nineteenth-century source, Tikitu, speaks of the “e waru pūmanawa,” the eight talents or qualities of a rangatira,²⁵³ which were required in the post-Te Tiriti o Waitangi period. A new type of defensive war was required against the government’s Māori Land Courts legislation, the effect of which was the alienation of Māori land. Leaders were expected to represent their people in court hearings and have a sound knowledge of tribal land boundaries, the history of battles and details of the significant blocks of land such as burial, forest and water harvesting sites. According to Tikitu²⁵⁴ the talents required by leaders in his time were as follows:

251 Williams 1975 [1844]: 354.

252 Curnow 1990: 494–495.

253 cf. Best 1898: 242; Firth, 1972 [1929]: 106, 107 & Note No. 2, 108.

254 Cited in Grove 1985: 6–7; see Ngā Tuara n.d.

He kaha ki te mahi kai	<i>Has the knowledge of and is industrious in obtaining or cultivating food</i>
He kaha ki te whakahaere i ngā raruraru	<i>Able to mediate, manage and settle disputes</i>
He toa	<i>Is courageous in war</i>
He kaha ki te whakahaere i te riri	<i>A good strategist and leader in war</i>
He mōhio ki te whakairo	<i>Has knowledge of the arts of carving</i>
He atawhai tangata	<i>Knows how to look after people</i>
Te hanga whare nunui, waka rānei	<i>Has command of the knowledge and the technology to build large houses or canoes</i>
He mōhio ki ngā rohe whenua	<i>Has a sound knowledge of the boundaries of tribal lands</i>

These two lists demonstrate that the ancestral values of the 1850s were consistent with those described later by Tikitu. Both emphasise the importance of the leader as a fighter as well as strategist and war leader.²⁵⁵ However, the times were changing and the fighting contexts were significantly different. For Te Rangikāheke, in the times before the Treaty of Waitangi, the fighting context included inter-hapū and intra-hapū wars, and the period of major internal migrations of communities and economic transformations. The leadership qualities detailed by Tikitu refer to a largely colonial context in which the government is at war with Māori.

While the context had changed, the fundamental values of and expectations on leadership remained constant. Each context was informed by ancestral understandings, ethics and dominant values, which guided their behaviour within their kinship groups, between other Māori from other tribal areas and with the foreigners. These fundamentals, which for many in leadership roles were enhanced by some elements of Christian morals, assisted tribes in the selection of their rangatira in particular times.

Rangatira were not disengaged thinkers and passive actors. They were leaders knowledgeable in food acquisition and production, the art of woodcarving, the technology to build large houses and canoes and the boundaries of tribal estates, and they were the guardians of the environment. Rangatira were also mediators and managers of people's affairs, and were expected to settle disputes on behalf of the people. They were recognised as strategists in war, either in defence or attack, and expected to show courage in battle. On public occasions, they were often the chosen spokespersons and were counted upon to ensure that the formal welcoming of visitors and the arranging of hospitality appropriate for each occasion occurred.

This latter attribute of formally welcoming important visitors and travellers, and providing a suitable level of hospitality, is seen to be as important as the qualities of fighting and acquiring food for the community. In terms of Māori metaphysics and ethics, it is appropriate to consider tikanga manaaki as a fundamental preoccupation of early–mid nineteenth-century rangatira, who must show love and honour to his or her people and they to each other. In these ways, mana endures within a renewed tikanga kotahitanga, solidarity of the kinship group. Further, manaaki creates mana and whanaungatanga, which is the ethic and practice

255 cited in Ngā Tuara n.d.: 15–16.

of belonging. Thus, to manaaki, to show care to others is to “give out of one’s own life”.²⁵⁶ In so doing one’s tapu is enhanced, revitalised and fulfilled. To be anxious on the other hand is to be āwangawanga, which is described as being uneasy, or disturbed or undecided and can refer to condition of distress.²⁵⁷ These two human attributes can be noted in the debates over the treaty signings.

While the leader’s kinship group may make decisions on behalf of the community about relations with other tribes or groups of people, it was the rangatira who visited the tribes and made the relations with them. Finally, it was the leader who invited important guests to the community. Their acts of generosity and forgiveness towards those less powerful than themselves are “connected with the fact that he lives the life of the whole tribe.” The greatness of the leader enables the taking of a wider view of things. As the leader gathers the relationship to other tribes to their person, he or she stands as security for the keeping of promises and agreements made. What is at stake is their mana tangata in terms of any external obligations.²⁵⁸ Their understanding of obligations would have been present when they met with Hobson in 1840. They expected him to be consistent in his thinking and share the same kinds of understanding, but because of Hobson’s own worldview and his different horizons, this was not the case. Ultimately, the rangatira were also tangata, individuals who were capable of making their own considered decisions in terms of their belief that they were in control of events and consequences.

Rangatira were agents engaged in a culture and in a world already changing in which they were principal actors. When they arrived at Waitangi, or at any signing site for that matter, they represented the aspirations and anxieties of their people. At the same time, they came with their own particular views of themselves, their people and their way of life and their everyday experience of the world, as they knew it. Hobson, Williams, Busby, Colenso, Shortland, Taylor and other eyewitnesses had their own understandings of what was intended, namely colonisation and the acquisition of Māori land for emigration purposes. Inevitably, there were profound clashes with Māori interests and understandings.

Previous understandings

For the rangatira, the past involved a long slow process of encounter with whalers, traders and missionaries, and extensive travel by Māori leaders to Sydney, London and other parts of the Pacific where they experienced life in other countries, along with different forms of leadership and the exercise of mana. It included knowledge of: the relationship between Hongi Hika and Waikato and King George IV; meetings with James Busby; engagements with other Māori tribal groups, Māori and Pākehā; the experience of debating and signing Te Tiriti in 1840; and by 1849, a tense relationship by correspondence between Hone Heke and Queen Victoria and her government.

The living environment for Māori leaders in February 1840 was one of considerable instability. Many were recovering from the long-term effects of inter- and intra-hapū fighting. Many had experienced dramatic fluctuations in their involvement in international trade as markets waxed and waned. Many travelled extensively throughout the North Island on diplomatic,

²⁵⁶ Johansen 1954: 91.

²⁵⁷ Williams 1975 [1844]: 23.

²⁵⁸ Johansen 1954: 180.

military and political agendas. Māori networks and flows of information throughout the two islands ensured that before British emissaries arrived in their communities for signings of Te Tiriti, many other areas had a reasonably good idea as to what had transpired in the North. In one famous incident, Te Hapuku of Ahuriri (Napier), a close ally of Pomare in the Bay of Islands, refused to sign the Treaty because he was not fully conversant with the thinking of his friends and colleagues among the Ngāpuhi leaders. He was also sceptical about any relationship with the British Queen that placed her in a position of superiority over himself and other rangatira. He eventually agreed when Governor Hobson sent a ship from Napier to the Bay of Islands to bring his colleague Te Haara to meet with Te Hapuku and persuade him to sign;²⁵⁹ both rangatira had signed He W[h]akaputanga o Te Rangatiratanga o Nu Tīreni.

After debating the pros and cons of Te Tiriti and a relationship with the British Queen, 540 rangatira signed. They were attempting to bind each other in relations of mutual peace and security for themselves and their people, and to implement a relationship with the British Crown and the settlers. By signing Te Tiriti, the rangatira committed to a future whose short-term and long-term outcomes were not very clear. Their agency was based on good faith and their limited experience of governors, royalty and the British Crown. Evidence points to hundreds of other leaders who for diverse reasons refused to sign Te Tiriti, or were not invited to sign.

Prominent among the many hundreds of rangatira who refused to sign Te Tiriti were the higher ranking leaders such as Te Heuheu Mananui of Ngāti Tūwharetoa in the centre of the North Island,²⁶⁰ Te Wherowhero of Ngāti Mahuta,²⁶¹ Tupaea of Ngāi Te Rangī in Tauranga²⁶² and nearly all the Te Arawa rangatira, except for Timoti, who was closely connected to the Amohau family.²⁶³ They were anxious about an unknown future and chose not to engage in such a formal relationship with the British Crown. They could not see any immediate benefits for Māori in Te Tiriti and sought to maintain the status quo, in which relationships with the British were moving slowly and surely at a pace which they believed they could control. It was after all a question of equality and mana and for Te Wherowhero, Te Hapuku and Te Heuheu, their mana was equal or greater than that of the Queen in England.

The Pākehā protagonists in Te Tiriti had their own understandings. According to English history and views of the world, ruling colonies and the sending out of migrants were integral parts of British society and way of life. In this way, English Imperialism both described a past and prescribed a course for the future. The representatives of English society understood this agenda as they stood at Waitangi, Kaitāia, the Hokianga and every other place where the Treaty was signed. Their agency was the manner in which they sought to extend the influence and power of England and the British Crown.

William Hobson, Henry Williams and James Busby were the Pākehā *dramatis personae* of the Treaty proceedings. For Hobson, Williams and Busby, their pasts as an incoming Governor, a leading missionary and former naval lieutenant, and a retiring British resident involved a background in public service, either for the British Government or the Anglican

259 Orange 1987: 81, 82.

260 Grace 1992 [1959]: 237–239.

261 Orange 1987: 68–69.

262 Orange 1987: 71, 77.

263 Stafford 1967: 347.

Church. These three were conversant with a proud colonial tradition and the immediate and long-term ambitions of the British Government, which involved a programme of immigration and control over the affairs of New Zealand. They were aware of the fact that hundreds of thousands of British citizens were emigrating to the North Americas and Australia, and that many desired to come to New Zealand. Hobson had no knowledge of Māori, and no knowledge of Busby and his Scottish background. The missionaries were helping Hobson achieve his objective of cession, and Williams and his son were responsible for the translations of the English treaty.

James Busby, a Scot raised in Scotland, was educated in the Scottish education system, and was a scholar who liked to think in terms of principles rather than pragmatics. The study of de Vattel's *Law of Nations* was a standard reference for all budding British Residents and other officials entering the Foreign Service. According to one of de Vattel's core principles, where a new emerging nation wished to be established, its people could ask a well-established state to assist them in a protectorate relationship. In such a relationship, cession of sovereignty was not required. According to the *Law of Nations*:²⁶⁴

§ 192 Protection

When a Nation is unable to protect itself from insult and oppression, it may obtain for itself the protection of a more powerful State. If this protection is obtained by a promise to do certain definite things, such as to pay tribute in acknowledgement of the protection granted, or to furnish the protecting State with troops, or even to make common cause with it in all its wars, provided the contracting State reserves the right of governing itself, the treaty is merely one of protection, which is not in derogation of sovereignty, and which is distinguished from ordinary treaties of alliance only by the difference which it creates in the standing of the contracting parties.

Based on his many letters to family and to officials and other sources, Busby appears to have explained the principle of protection to Māori leaders between 1833 and 1835. In a letter to the Colonial Secretary of New South Wales on 16th June 1837, Busby re-iterated a suggestion made in an earlier Despatch on 26th January 1836, explaining the core principle relative to the recently announced Māori declaration of independence. He wrote:

It is founded upon the principle of the protecting state, administering in chief the affairs of another state in trust for the inhabitants, as sanctioned by the treaty of Paris, in the instance of Great Britain and the Ionian Islands, and as applied, I believe, in various instances, on the borders of our Indian possessions.²⁶⁵

Busby explained the principles to the rangatira when they were choosing Te Kara, the flag of independence, and in the making He W[h]akaputanga o te Rangatiratanga, the Declaration of Independence, illustrating the principles with the example of the Ionian Islands who through the Treaty of Paris 1815 entered into a protectorate relationship with Great Britain, in which Ionian sovereignty remained with Ionia. By the time of Te Tiriti, the rangatira appeared to have an understanding of the principles and practicalities of a protectorate relationships. This is demonstrated in the Declaration itself and in Te Tiriti. From a Māori view, the principles of international law underpinned their willingness to enter into a treaty

²⁶⁴ de Vattel 1916 [1758] Vol. 3: para. 192.

²⁶⁵ NLS Copy of Despatch from Governor Sir R. Bourke to Lord Glenelg, 9th September 1837.

of protection, not cession. In the use of the metaphor of the sailing ship by Panakareao at the Kaitāia signings of the Treaty, recorded in Pompallier's report to the Vatican, the metaphor of the kaupuke and the gaining of a captain to help sail the ship is consistent with the principles of protection. The rangatira understood the difference between the owner of a ship and the captain, who was a hired hand.

Māori encounters with the British in the Treaty negotiations were not meetings of equals in terms of their experiences with each other, and their experience of other countries. For Māori, the contact with new countries was an experience of very recent origins, whereas for the British, their experience had been accumulated over hundreds of years of colonising and building an Empire. The horizons of the two parties were vastly different, foreshadowing the limits of a future that was yet to come once the Treaty was signed.

Based on their past experiences, the rangatira anticipated a future in which they were offered assistance to build a civil society, and the protection of their culture and ways of life. Māori did not know, nor could they be expected to know, the full force of British intentions. For Māori the horizon was based on trust and the hope for a future in which they would prosper in their relationship with the British Government and Queen. Māori had little experience of colonisation, though they had observed some of its negative effects in Australia and Tahiti. On the other hand, colonisation was part of British people's long lived experience. The British horizon was based on a well thought out and pragmatic plan of colonisation and control and the exercise of political, social and economic power. Traditional settler historiography would have us accept that Māori willingly submitted themselves to domination, albeit to domination of a different kind to that which many had witnessed in Australia and Tahiti. I argue that a Māori interpretation of evidence points to something quite different: they sought to pursue a relationship that was based on trust and equality, peace and prosperity in alliance with Queen Victoria.

I ngā wā o mua

I ngā wā o mua expresses Māori notions of time, event, place and the past, present and future. It translates literally as 'from the times in front', but refers to the past—that which is already known and is therefore metaphorically in front of us. In 1840, Māori were not yet living according to lineal or chronological time. Their notion of time was governed by "regularly recurring phenomena" —the ebbing and flowing of the tides, the phases of the moon, sunrise and sunset, the song of the birds in the morning, "Kaore anō kia kō te manu, ka haere mātau"—Ere the birds began to sing we departed.²⁶⁶ In addition, time was marked out by events of significance. Their world and view of time was cyclical. It was important to complete one set of actions and relationships, to the best of their ability, before moving on the next. For Māori what constituted the appropriate time to move from one event to another was likely to be based on the sets of relationships to be established in the present.

Hobson, Busby and Williams' view of time was transactional, rather than relational, and lineal rather than cyclical, preoccupied with dates and targets to be met. This involved external pressure from their respective headquarters in London and Sydney to achieve their quest for cession of sovereignty, meeting the demands from their own people for immigration and law and order in what they considered to be a wild west New Zealand.

266 Best 1922: 42.

An interesting question arises in light of these very different understandings of time. The discussions just before the signings took place over a very short time for Māori, considering the significance of the event. Why take two days to cede sovereignty just after you have spent twenty years engaging in a relationship with Great Britain to enhance and maintain mana? A contrast can be made with the signing of the Treaty of Paris in 1815 over the Ionian Islands when the European countries talked for weeks to negotiate before signatures were gathered. In Māori understandings, a much longer time for discussion was needed with the possibility of an ongoing dialogue before a cautious agreement by some to establish a formal relationship was reached. They came to Waitangi in large numbers, but with limited supplies provided by Hobson and the missionaries, they were running out of food at the hui and so there was some urgency to get back to their tribal homelands.

Given the fundamental differences in understandings of mana, rangatiratanga and sovereignty, Māori did not truly grasp what the British intended, a point that Colenso himself was to make and which Hobson abruptly swept aside.²⁶⁷ Remembering that the kaupuke was a dominant metaphor used in the weeks of the signings. The first Bishop of Nu Tirenī, Bishop Jean Baptiste Pompallier, reported this analogy in his diary on 19th January 1845, after urgent conversations with Catholic Māori leaders, who prevailed on him upon to intervene with his friend Hone Heke, who was considering challenging the British Crown over their abuse of the Treaty.²⁶⁸ An informed cession of mana-sovereignty in this context seems highly improbable.

A second source of information on the role of governors came from the New Testament in the Bible. Many of the Māori leaders involved in Te Tiriti negotiations, while they were not professed Christians, were already students of the Bible. Many of them knew the story of the Roman Governor, Pontius Pilate, and his administration in Israel. They knew from those studies that Pontius Pilate was not the ultimate authority in Israel, only the Governor, and that Israel had a relationship with Rome. Israel was ostensibly a free country but under the tutelage of Rome.²⁶⁹ Additionally, as Busby has shown them, using the Ionian example, that governorship, or protectorate status, was not necessarily permanent.

The Māori understanding, based in the experience of Te Wakaminenga o ngā Hapū o Nu Tirani, was that the locus of mana was in their ancestors and their own kin groups. When they met in Waitangi, Hawkes Bay, Waikato and possibly Taupō to discuss the business of making a Declaration of Independence, many from the Far North were already aware of the role of a parliament in providing rules and laws that could then be applied across the board to moderate certain forms of behaviour. As early as 1820, Samuel Marsden had written in his diaries that Māori leaders in Thames were considering establishing a parliament where all the Māori leaders could meet to pass common laws that would then be applied to all the various tribal groupings throughout the country to get consistency in behaviour. It is important to note that Māori were not discussing centralising the locus of power, rather the parliament was to be a forum for standardising certain ritenga.

Māori, and particularly Northland Māori, also had an understanding of a relationship with the British Crown. Claudia Orange has described the event in which Hongi Hika and Waikato

267 See Taylor 1997 [1995]: 73.

268 McKeefry 1938: 115.

269 cf. D. Williams 1985: 161–170.

shook hands with King George IV, and where the King urged that Māori and Pākehā were not to kill each other.²⁷⁰ Based on that exchange, the North Auckland Māori believed that a relationship of equality and alliance with the British Crown had been established. In terms of the oral tradition of North Auckland Māori, the shaking of hands was seen as extremely significant, agreeing on some common understandings to do with relationships. In the Northern Māori mind, every subsequent event is an affirmation of the handshake. This is significant because the political and constitutional changes being proposed all came from the North. The journey of Hongi Hika in 1820 with Waikato and Kendall is central to the preunderstandings of North Auckland Māori because not only did it signal the beginning of the relationship, it was also a source of new ideas, especially regarding parliament and the trading and military power of the British.

On the British side, archival records show an official recognition that a relationship with Māori was established before 1840, but the relationship was based on letters and formalities rather than a handshake. On the Māori side, besides the handshake, there is the letter of 1831, in which Māori leaders from the Bay of Islands wrote to King William IV and formally asked for a relationship to be continued. The King responded with gifts, which Māori would have interpreted as an acceptance of their proposal on the principles of gift exchange. That letter, plus petitions from other sources that were not Māori, led to the appointment of the first British Resident, James Busby. He was dispatched primarily to look after the British interests in New Zealand, particularly trade, and secondly to advise Māori how to reorganise themselves in some form of constitutional arrangement.

The idea of a Māori Parliament was still embryonic. There is little available evidence that describes in any way a parliament in action. Some commentators, however, particularly the Scots, recognised that the 1834 choosing of a flag was a parliament; moreover in Scotland when the King of Scotland met the Lords, it was a parliament.²⁷¹ In Scotland, Parliament was not seen as a building or a particular place, but anywhere where the people came together and made decisions for the common good, for all the people of Scotland. I have pointed out that Busby was a Scot. In my view, when he advised Māori he was thinking of Scottish styles of governance. This is seen in the First Article of the Declaration of Independence, where he advised them to form a Confederation of Māori leaders. In this way, their individual leadership, responsibilities and powers could be recognised, and when they came together to act in a collective capacity, their collective set of responsibilities. That is described in the first article of the Declaration. In their collective capacity, they would meet in parliament or in a Congress and pass laws for justice, peace and trade. But did this Congress actually meet? It depends on your view of the notion of parliament—whether it is a Scottish view or an English view. If you follow a Scottish mindset, there is some evidence that the Māori leaders did meet together with Busby from time to time in the period before 1840.

By contrast, in England, the idea of parliament was quite different. Their idea was that the parliament was a formal constitutional body, located in Parliament Buildings at Westminster in London. Taking the English view of parliament, there was no parliament in Nu Tīreni, because there was no formal constitution and a building was never built.²⁷²

270 Orange 1987: 10–12.

271 Busby, Scottish newspaper MS 46.

272 Orange 1987.

The many meetings of rangatira with Busby in front of his home are a testament to an emergent practice, based on Scottish rather than English precedents. There is some evidence that Busby called them together from time to time to discuss issues relative to problems that they were facing, such as crime and the lack of law to govern behaviour between tribal groupings.

The problem for the English, both back in London and the early settlers in New Zealand, was that they had their own view of what constitutes a nation and a state. Some historians, in writing about settler history, are quite damning of Busby and the value of his work. They are highly critical of the kind of advice he gave to Māori leaders. While they concede that the Declaration of Independence was recognised by London, they argue that the congress never met as a parliament and therefore nothing happened.

Busby, on the other hand, had very clear opinions on these matters. First, he initially thought that Māori were capable of leading the country but did not have the knowledge or the type of institutions necessary to run a nation state. Second, he considered that the British were the best people to help Māori establish themselves as an independent state, and that in this way the British interests, trading and political, and Māori interests could be combined. By 1839, however, he had concluded that at their existing level of competence and experience, Māori were incapable of running the country. He had swung to the view promoted by Hobson that the British needed to move in and make New Zealand a British colony. Although Busby changed his mind about Māori competence, this does not mean that Māori rangatira agreed that they were incompetent to run Nu Tīreni. There is no evidence that they unlearned what they had already been taught. On the contrary, there is evidence to suggest that Māori continued thinking and acting on all these issues, and working out the details in establishing a parliament and running the country by themselves, this time without Busby's advice.

A consensus was emerging among Māori leaders that the status quo was not working and something else needed to happen. As an initiative of the British Queen and the British Government, Te Tiriti was seen by some Māori as an offer which could be accepted. The offer, as they understood it, was that the British Queen, Queen Victoria and her government would continue to help Māori set up a civil society, in which they would run their own affairs. This is stated in the preamble of the Treaty itself. Indeed, the preamble and the articles of Te Tiriti contain many ideas that Māori had discussed with Busby and others in the period before. Given all that I have described earlier, it becomes easy to understand that in less than 8 months, 540 Māori leaders signed this Treaty with the British Queen.

Māori wanted a civil government and laws that would govern conduct amongst Māori, and between Māori and Pākehā. If the British helped Māori do this, in return Māori would allow British people to live here in peace. In this way, the trade between Britain and New Zealand could continue to the benefit of both sides. That is what Māori understood was being proposed in Te Tiriti o Waitangi, the Māori text that was negotiated and signed. All these things had been discussed in the years beforehand. Many of these ideas were already present in the letter of 1831 from the Māori leaders to King William, and in the 1835 Declaration of Independence where they asked the British King—*Help us establish our country and in return, your people can live here in peace. Be our friend.* I argue that these are the reasons why Māori found the Treaty relatively easy to agree to. This consensus emerged because Māori had thrashed out all these ideas among themselves in the preceding decades.

We do know that Hobson and the British Government had different ideas, which they had not fully explained to Māori leaders. It could be that the missionaries did not realise the full extent of the proposed immigration schemes, but certainly, Hobson knew. In 1837, when he was on an earlier tour of duty in New Zealand, he wrote a letter to his wife in which he told her that because of the capital invested in fisheries and British labour already in the country 'we', meaning the British, would in time occupy New Zealand entirely.²⁷³

The New Zealand Company and the New Zealand Association, who were pushing for increased emigration from Great Britain, were seen as extremists.²⁷⁴ Now we are reasonably clear that emigration was also in the minds of the British government. The view was that instead of the private sector doing it, the government would do it better. This was one of the key pieces of information that was withheld in all of the Treaty discussions. The second was the likely effect of the proposed article that required Māori land sales to be made to the British Crown in the first instance. The British intention was that by having the sole option to purchase land from the Māori they would be able to on-sell the land making huge profits through British Policy on immigration and land. The two are linked. This is a crucial part of the Treaty discussion. If the rangatira had understood this, it is unlikely that they would have signed Te Tiriti on this basis alone.

Te Tiriti

In this section, I use an informative historical and anthropological analysis of the Treaty transactions at Waitangi, Mangungu and Kaitāia in 1840, prepared by Anne Salmond²⁷⁵ for the Waitangi Tribunal, in which she studied the known surviving records of the transactions, with particular reference to the accounts of statements made by various Māori leaders but recorded by people who were not Māori and who had a second language knowledge of Māori. The knowledge and experience of Māori language usage of these recorders varied from reasonable to limited fluency, down to little knowledge and experience.

According to Salmond, the only Māori language record that seems to have survived of the treaty transactions at Waitangi, Mangungu and Kaitāia in 1840 is the parchment version of the Māori language text of the Treaty. The Māori text is a translation of an original English language version, which is now lost, but there are five different English language versions said to approximate the original.²⁷⁶ It is the parchment in Māori that various rangatira and Pākehā signed at Waitangi, Waimate, Mangungu, Kaitāia, Waitemata and Ōkiato. This Māori language text is used in the following section.²⁷⁷

An Historical-Semantic Translation

In preparing the following historical-semantic translation into English of the Māori text of Te Tiriti o Waitangi, I have drawn on a number of earlier translations. These include the literal translation done in 1865 by Mr T.E. Young of the Native Department,²⁷⁸ a historical-semantic translation by Anne Salmond and Merimeri Penfold,²⁷⁹ a taped interview of

273 Orange 1987: 28; 1989: 14.

274 Burns 1989: 16, 120, 130.

275 Salmond n.d.

276 cf. Ross 1972.

277 See Orange 1987: 257.

278 Orange 1987: Appendices 2 & 5.

279 Salmond n.d.: 5

Sir James Henare recorded by Denise Henare,²⁸⁰ and a taped interview of Rob Cooper recorded by Denise Henare.²⁸¹

Other English translations of the Māori version were also considered, namely those of Professor Sir Hugh Kawharu²⁸² and Sir Apirana Ngata.²⁸³ However, as far as I am aware, among these sources only James Henare and Rob Cooper would have had in their mind the visit of Hongi Hika to London, the letter to King William IV, the flag of 1834 and He Whakaputanga o Te Rangatiratanga o Nu Tīreni, and the social context as the backdrop for understanding the Māori Tiriti o Waitangi, although Anne Salmond acknowledged the Declaration of Independence as part of her backdrop for a translation of the Māori text.

<p>Ko Wikitoria te Kuini o Ingarani i tana mahara atawai ki ngā Rangatira me ngā hapū o Nu Tirani</p>	<p><i>Victoria, the Queen of England, in her kind thoughtfulness (caring concern) for the chiefs (Rangatira) and tribes (ngā hapū) of New Zealand</i></p>
<p>i tana hiahia hoki kia tohungia ki a rātou ō rātou rangatiratanga me tō rātou wenua, a kia mau</p>	<p><i>and in her desire to preserve to them their full authority as leaders (rangatiratanga) and their country (tō rātou wenua), and</i></p>
<p>tonu hoki te Rongo ki a rātou me te Ātanoho hoki kua wakaaro ia he mea tika kia tukua mai</p>	<p><i>that lasting peace may always be kept with them and continued life as Māori people (Ātanoho hoki), she has thought it right</i></p>
<p>tetahi Rangatira—hei kai wakarite ki ngā Tāngata Māori o Nu Tirani—kia wakaaetia e ngā</p>	<p><i>that a chief (Rangatira) should be sent (tukua) here as a negotiator or adjudicator (kaiwakarite) with the Māori people (pl) of New Zealand—that the</i></p>
<p>Rangatira māori te Kāwanatanga o te Kuini ki ngā wāhikatoa o te wenua nei me ngā motu—nā te</p>	<p><i>Māori chiefs of New Zealand may consent to the governorship (Kāwanatanga) of the Queen over all parts of this country and the Islands,</i></p>
<p>mea hoki he tokomaha kē ngā tāngata o tōna iwi Kua noho ki tēnei wenua, a e haere mai nei.</p>	<p><i>because many of her people (iwi) have already settled on this land and others are coming hither.</i></p>
<p>Nā ko te Kuini e hiahia ana kia wakaritea te Kāwanatanga kia kua ai ngā kino e puta mai</p>	<p><i>Now the Queen wishes to establish Governorship, that evil may not come to</i></p>
<p>ki te tangata māori ki te Pākehā e noho ture kore ana.</p>	<p><i>the Māori people (pl) and the Pākehā living here without English law (ture).</i></p>
<p>Nā kua pai te Kuini kia tukua ahau, a Wiremu Hopihona, he Kapitana i te Roiara Nawi</p>	<p><i>Now the Queen has been pleased to send (tukua) me William Hobson, a Captain of the Royal Navy,</i></p>
<p>hei Kāwana mō ngā wāhi katoa o Nu Tirani e tukua āiane ā mua atu ki te Kuini, e mea atu ana ia</p>	<p><i>to be Governor (Kāwana) for all those places of New Zealand which may be given up (tukua) now to the Queen; and she declares</i></p>

280 Henare, Sir James C., 1987b.

281 Cooper, Rob, 1987.

282 Kawharu 1984.

283 Ngata 1963.

<p>ki ngā Rangatira o te wakaminenga o ngā hapū o Nu Tirani me ērā Rangatira atu ēnei ture ka kōrerotia nei.</p>	<p><i>to the chiefs of the Confederation of the tribes of New Zealand (Te wakaminenga o ngā hapū o Nu Tīreni), and other chiefs, the following laws which are spoken here</i></p>
<p>Ko te tuatahi</p>	<p>The First</p>
<p>Ko ngā Rangatira o te wakaminenga me ngā Rangatira katoa hoki kīhai i uru ki taua</p>	<p><i>The Chiefs of the Confederation and also all the Leaders who have not entered into the</i></p>
<p>wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu—te Kāwanatanga katoa o ō rātou wenua.</p>	<p><i>Confederation, give completely (tuku rawa atu) to the Queen of England for ever all the Governorship of their country (ō rātou wenua).</i></p>
<p>Ko te tuarua</p>	<p>The Second</p>
<p>Ko te Kuini o Ingarani ka wakarite ka wakaae ki ngā Rangatira ki ngā hapū—ki ngā</p>	<p><i>The Queen of England will put in place (wakarite) and agrees (wakaae) that the Chiefs, the tribes,</i></p>
<p>tāngata katoa o Nu Tirani te tino rangatiratanga o ō rātou wenua ō rātou kāinga me ō rātou</p>	<p><i>and all the People of New Zealand have full (absolute) authority and power (chieftainship) of their lands (pl.) (ō rātou wenua), their settlements and surrounding environs (kāinga), and all their</i></p>
<p>taonga katoa. Otiia ko ngā Rangatira o te wakaminenga me ngā Rangatira katoa atu ka tuku ki te</p>	<p><i>valuables (property) (taonga). But the Chiefs of the Confederation, and all other Chiefs, offer (tuku) to the</i></p>
<p>Kuini te hokonga o ērā wāhi wenua e pai ai te tangata nōna te wenua—ki te ritenga o te utu</p>	<p><i>Queen the exchange (hokonga) of those small pieces of land (wāhi wenua), which the proprietors of the land may wish to make available according to the custom of the exchange of equivalence (ritenga o te utu)</i></p>
<p>e wakaritea ai e rātou ko te kai hoko e meatia nei e te Kuini hei kaihoko mōna.</p>	<p><i>agreed upon by them and the agent (kaihoko) who is now appointed by the Queen to be her trading agent (kaihoko).</i></p>
<p>Ko te tuatoru</p>	<p>The Third</p>
<p>Hei wakaritenga mai hoki tēnei mō te wakaaetanga ki te Kāwanatanga o te Kuini—Ka tiakina e te Kuini o Ingarani ngā tāngata Māori katoa o Nu Tirani ka tukua ki a rātou ngā tikanga katoa rite tahi ki āna mea ki ngā tāngata o Ingarani.</p>	<p><i>In recognition of this agreement to the Governorship of the Queen. The Queen of England will protect (tiaki) all the Māori people (pl) of New Zealand and offers (tukua) all the same English customary rights (tikanga) she offers her people of England.</i></p>
<p>[signed] W. Hobson Consul & Lieutenant Governor.</p>	

Nā ko mātou ko ngā Rangatira o te Wakaminenga o ngā hapū o Nu Tirani ka huihui nei	<i>Now, we, the Leaders (Chiefs) of the Confederation of the Tribes of New Zealand, now assemble at</i>
ki Waitangi ko mātou hoki ko ngā Rangatira o Nu Tirani ka kite nei i te ritenga o ēnei kupu. Ka	<i>Waitangi, and also we the Chiefs of New Zealand, see the meaning of these words.</i>
tangohia ka wakaaetia katoatia e mātou, koia ka tohungia ai ō mātou ingoa o mātou tohu.	<i>We accept and agree to all of this, and so we affix our names and our moko marks (tohu).</i>
Ka meatia tēnei ki Waitangi i te ono o ngā rā o Pepueri i te tau kotahi mano, e waru rau e	<i>This is done at Waitangi on the sixth day of February, in the year one thousand eight hundred</i>
wā tekau o tō tātou Ariki	<i>and forty of our Lord (Ariki)</i>

The Unwritten Fourth

E mea ana te Kāwana, ko ngā whakapono katoa, o Ingarangi o ngā Wetēriana, o Roma, me te	<i>he Governor says that the many faiths (whakapono) of England, of the Wesleyans (Methodist) and of Rome and also</i>
ritenga Māori hoki, e tiakina ngātahitia e ia.	<i>Māori custom, shall be alike protected by him.</i>

The Treaty Discourse

My exegesis of early nineteenth-century Māori language texts is primarily focussed on textual recordings of the *kōrero* (rendered as discourse) of rangatira at three signing venues, as well as recordings of the words of several Pākehā also present at the same venues. Through the textual analysis of the *kōrero* of the rangatira, we can listen carefully to the spoken word imbued in the treaty. In translating the English version of the Treaty into a Tiriti Māori, a Māori treaty, James Busby and Henry Williams did not adequately translate notions of cession or the English notion of sovereignty, rather deciding to fudge the real intention of the British Queen. The Tiriti Māori demands to be spoken out loud at a gathering of hundreds of Māori, rather than to be read slowly and cautiously, as lawyers are wont to do. The exercise whereby the British were surreptitiously acquiring sovereignty on the cheap is English rhetoric, and the rangatira engage them in the drama with Māori rhetoric. Like the declaration, the treaty is a rhetorical problem for both sides.

In analysing the recorded discourse of the treaty signings, bear in mind that the translations were done by people who were not necessarily fluent in Māori or aware of the nuances of metaphorical expression frequently used by rangatira during formal gatherings.

Waitangi Signings, 5th & 6th February 1840 (Colenso 1890)

We first examine the words of the Governor, Hobson, as he is reported to have spoken first to the ‘whites’ gathered at Waitangi and then to the ‘Natives’. He informed the people of the purpose of the gathering and introduced the Queen’s wishes. He reminded Māori of their request for protection:²⁸⁴

284 Colenso 1890: 16.

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 powers to Her Majesty out of her dominions, her efforts to do you good will be futile unless you consent.

You yourselves have often asked the King of England to extend his protection unto you. Her Majesty now offers you that protection in this treaty...

Hobson seems to be saying that he wishes to gain the consent of the rangatira to the Treaty. He represents the Queen and she has no jurisdiction outside of England without the consent of the people here. He reports that she wishes to be helpful to the chiefs and to look after the English settlers who are free to travel where they please. He comments that at this time, the Queen has no power over the settler visitors but will have if the chiefs sign. He indicates that Māori have previously sought protection from the Queen and she now offers it. He mentions that land has been sold to some of these people and the Māori have encouraged them to stay.

After Rev. H. Williams reads the Māori translation to the gathering, Busby addresses Māori telling them that the Governor was not come to take away their land, but to secure them in the possession of what they had not sold. In reply to Hobson and Busby, there are a range of responses from the chiefs present on that day.

Some chiefs express words of welcome, extending the chiefly ethic of manaakitanga towards the visitors. Tamati Pukututu, chief of Te Uri-o-te-Hawato tribe, rises and says,

... Remain here, a father for us, Etc. These chiefs say, 'Don't sit', because they have sold all their possessions and they are filled with foreign property, and they have also no more to sell. But I say, what of that? Sit, Governor, sit. You two stay here, you and Busby – you two, and they also, the missionaries.

He is welcoming the Governor but criticising those who have already sold their lands and are now regretting it. He appears to believe that opposition to the Treaty is led by the chiefs who have sold. Another welcoming chief is Matiu, a chief of the Uri-o-Ngongo tribe.

Do not go back, but sit here, a Governor, a father for us, that good may increase, may become large to us.²⁸⁵

He is welcoming and expecting good to come from the encounter, as does Warerahi (George King), a chief of the Ngāi Tawake tribe,

Yes! What else? Stay, sit; if not, what? Sit; if not, how? Is it not good to be in peace? We will have this man as our Governor. What! Turn him away! Say to this man of the Queen, Go back! No, no.

Pumuka, chief of the Roroa tribe, is also positive when he speaks. He uses the idea of father, foster father perhaps, as an image of protector. Others also use the metaphor of father for the Governor. This idea was reiterated by Rawiri, a chief of the Ngāti Tautahi tribe.

285 Colenso 1890: 22.

Hone Heke,²⁸⁶ a chief of the Matarahurahu tribe, also welcomes the Governor,

To raise up, or to bring down? To raise up, or to bring down? Which? Which? Who knows? Sit, Governor, sit. If thou shouldst return, we Natives are gone, utterly gone, nothing, extinct. What, then, shall we do? Who are we? Remain, Governor, a father for us. If thou goest away, what then? We do not know. This, my friends," addressing the Natives around him, "is a good thing. It is even as the word of God" (the New Testament, lately printed in Māori at Paihia, and circulated among the Native). "Thou to go away! No, no, no! For then the French people or the rumsellers will have us Natives. Remain, remain; sit, sit here; you with the missionaries, all as one. But we Natives are children – yes, mere children. Yes; it is not for us, but for you, our fathers – you missionaries – it is for you to say, to decide, what it shall be. It is for you to choose. For we are only Natives. Who and what are we? Children – yes, children solely. We do not know: do you then choose for us. You, our fathers you missionaries. Sit, I say, governor, *sit!* A father, a Governor for us. (Pronounced with remarkably strong and solemn emphasis, well supported both by gesture and manner.)

Hone Heke seems to be expressing interest in benefiting from the experience of the English, by comparing Māori as children to the governor as father or matua. This same term was used in the Declaration of Independence. He is identifying a preference for the English over others such as the French, and seems to be indicating that Māori will be under threat of extinction if they do not welcome the governor and the Treaty.

Hakitara, a chief of the Rarawa tribe speaks in favour of the Governor's remaining, as does another influential chief of the time, Tamati Waka Nene, chief of the Ngāti Hao tribe. He speaks like Hone Heke but adds that he thinks it is too late to go back on the idea of allowing settlers into New Zealand. He is aware that control of land has already been lost and that in such instances, the chiefs have lost status and mana. He too uses the reference to father as protector and is really referring to the experience of the father and the inexperience of Māori in this area of government. It should not be translated in a paternalistic sense.

Tamati Waka Nene says:

...Is not the land already gone? Is it not covered, all covered, with men, with strangers, foreigners – even as the grass and herbage – over whom we have no power? We, the chiefs and Natives of this land, are down low; they are up high, exalted.²⁸⁷

Other chiefs seem to take an opposite view of what was about to happen. Many of these chiefs had already had negative encounters in relation to their land and were beginning to see that selling land meant a loss of identity and mana. They speak passionately against the Treaty and make many references to the Governor returning home. They are aware of issues of inequality, loss of dignity, chieftainship, mana and independence. They mistrust the words of the visitors.

286 Referred to as Hoani Heke by Colenso.

287 Colenso 1890: 26.

Te Kemara, a chief of the Ngāti Kawa:

.... 'Yes;' but for the Governor to be up and Te Kemara down – Governor high up, up, up, and Te Kemara down low, small, a worm, a crawler – No, no, no. O Governor! This is mine to thee. O Governor! My land is gone, gone, all gone. The inheritance of my ancestors, fathers, relatives, all gone, stolen, gone with the missionaries. I do not wish thee to stay. You English are not kind to us like other foreigners. You do not give us good things. I say, Go back, go back, Governor, we do not want thee here in this country.²⁸⁸

Te Kemara has clearly had negative experiences with the missionaries, and now having lost his land, sees the implications for his mana. He appears to trust Busby and Williams, but not the Governor and what the Governor represents. He is also worried about mana and equality. He repeats his concerns with a second speech, and then shakes hands with the Governor. The experience of Rewa is the same. He feels his loss of mana with the loss of his land. It raises a question whether chiefs like him were attracted by the promise of what they received in payment for their land or whether the concept of selling was so foreign that they did not realise until too late what the process was about. It was outside of the realm of their experience at that time. Rewa has become aware of the loss of equality and mana too late. He only has his name left but not his land. He arose, and says (his first short sentence being in English)

.... I have no lands now – only a name, only a name! Foreigners come; they know Mr. Rewa, but this is all I have left – a name!

Moka, chief of the Patuheka tribe, arises and says:

Let the Governor return to his own country: let us remain as we were. Let my lands be returned to me – all of them – those that are gone with Baker. Do not say, 'The lands will be returned to you.' Who will listen to thee, O Governor? Who will obey thee? Where is Clendon? Where is Mair? Gone to buy our lands notwithstanding the book [Proclamation] of the Governor.

Hakiro is concerned with a possible loss of freedom if the governor stays. He can see no advantage in the idea but is happy for Busby and the missionaries to stay. Meanwhile, Tareha is adamant that nothing is to be given away. He is clear that he is not going to lose his mana to the English. He is distressed by the alienation from the land and the loss of all but name. He sees no good in the encounter.

Tareha, chief of the Ngāti Rēhia tribe, speaks:

... We, we only are the chiefs, rulers. We will not be ruled over. What! thou a foreigner, up, and I down! Thou high, and I Tareha, the great chief of the Ngāpuhi tribes, low! No, no; never, never. Our lands are already all gone....Yes, it is so, but our names remain. Never mind; what of that the lands of our fathers alienated? Dost thou think we are poor, indigent, poverty-stricken that we really need thy foreign garments, thy food?If all were to be alike, all equal in rank with thee – but thou, the governor up high – up, up, as this tall paddle" (here he held up a common canoe paddle), "and I down, under, beneath! No, no, no. I will never say, 'Yes, stay.' Go back, return; make haste away.

288 Colenso 1890: 17–18.

He created a striking effect, which was unmistakably visible on the whole audience of Natives. Another group of chiefs, who express concern about the behaviour of the whites when trading, have developed a strong mistrust because of their experiences. They see themselves being in danger from encounters with the soldiers and settlers and do not see the Governor as having the necessary influence over those who are exploiting them.

Kawiti, chief of the Ngāti Hine tribe, is anxious about the behaviour of the soldiers:

...We do not want to be tied up and trodden down. We are free. What! to be fired at in our boats and canoes by night! What! To be fired at when quietly paddling our canoes by night! I, even I, Kawiti, must not paddle this way, nor paddle that way, because the Governor said 'No' because of the Governor, his soldiers, and his guns! No, no, no. Go back, go back; there is no place here for the Governor.

When the governor attempts to persuade them that lands that had not been purchased fairly would be returned, they do not find this easy to believe because of past experience. During the proceedings, a Pākehā points out to the Governor that some of the translations being offered to him are not accurate and infers that Williams is not interpreting all that is being said, particularly things against the missionaries.

At this point in the proceedings, Reverend Henry Williams, having obtained permission of His Excellency, addresses the whites in English, and says:

A great deal has been said about the missionaries holding land, and their farming, and what not; but the Commissioners who are about to sit will examine into the lands held by the missionaries, and their titles thereto, as strictly as into any other. I wish for this to be done, and I have already applied to His Excellency for the lands in the possession of the missionaries to be first brought before the Commissioners.

People should recollect that were it not for the missionaries they would not be here this day nor be in possession of a foot of land in New Zealand. If any one person has a prior claim to land in this country, that person must be the missionary, who had laboured for so many years in this land when others were afraid to show their noses.

I have a large family – a family of eleven children – more, probably, than any one present; and what are they to do when I am taken from them if they are not to have some land? Much has been said about my land, but I believe that when it is seen and known, and shared up between my children, no one will say that I have been over the mark, but, on the contrary, under. All I can say at present is, I hope that all who hold lands obtained from the Natives will be able to show as good and as honest titles to the same as the missionaries can to do to theirs.²⁸⁹

The discourse of the missionaries, particularly that of Williams seems to become an exercise in justifying their behaviour, firstly to justify their acquisition of land, and then to justify the fairness and honesty of their acquisitions. Busby also seems to feel obliged to justify his purchases and to highlight that he continues to allow use of the land he has bought. Again, several others called for the interpretation to be correct.

289 Colenso 1890: 20–21.

The second day of discussions is much the same as the first, with Hobson proposing that the Rev. H. Williams should read Te Tiriti to Māori from the parchment. At this time Bishop Pompallier, the Catholic Bishop, speaks to the Governor in an undertone about safeguarding religious practices. The fourth article is then written down by Williams and approved by the Bishop. The words added on piece of paper were:

E mea ana te Kāwana, ko ngā whakapono katoa, o Ingarangi o ngā Wetēriana, o Roma, me te ritenga Māori hoki, e tiakina ngātahitia e ia.

The Governor says the several faiths (Beliefs) of England, of the Wesleyans, (Methodist), and of Rome, and also the Māori custom, shall be alike protected by him.

Returning to the discourse of the Treaty partners, the missionary printer Colenso is clearly concerned that the Māori chiefs do not fully understand what is about to happen, and what they are inscribing their names and mana. He tries several times to raise his concerns with Hobson, using the metaphor that Māori had used—children—meaning inexperienced in such matters. Hobson wants the process moved on. Colenso again expresses concern and the possibility of problems coming back to face the missionaries, in whom Māori are placing their trust.

It was after this discussion that Hone Heke signs the treaty, while Marupo, chief of the Wānau Rara tribe, and Ruhe, chief of the Ngāti Hineira tribe makes long speeches against signing. They subsequently signed and others came to the table and signed. Forty-five chiefs signed the treaty at this second day of meeting. As each chief signed Te Tiriti, the Governor said “He iwi tahi tātou”.²⁹⁰

Hokianga Signings, 12th February 1840

On 12th February 1840, the chiefs of Hokianga assembled to debate the treaty and all that its acceptance or rejection implied. There were about 3,000 people present on this occasion, with 400 or so chiefs of varying rank and importance. Reverend John Hobbs, Wesleyan Mission, was the interpreter. Again, Hobson spoke and there was discussion from the chiefs. The arguments used were similar to those that had been presented by those chiefs who were opposed to the arrival of the Governor and had experienced loss of mana and independence. There was a greater level of mistrust in the words spoken at the beginning of the meeting. Again, concern about dishonourable behaviour was expressed.²⁹¹

Aperahama Taonui opens the debate with words of welcome but with concerns about being governed:

...We are glad to see the Governor. Let him come to be a Governor to the *Pakehas*.
As for us, we want no Governor.

Papahia expresses concerns about inequality and loss of mana, a prevalent theme throughout the Treaty debates:

What is the Governor come for? He, indeed! He to be high, very high, like Maungataniwha (a high hill of the district), 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.

290 Colenso 1890: 35.

291 Buick 1976 [1914].

The Governor has to struggle to gain their interest, and does so by raising the idea of settlers without government being even worse to deal with. Taonui calls for his Pākehā adviser. Several chiefs spring up actively in his support, and greatly change the tenor of the debate. Their comments are more in line with the chiefs at the Waitangi discussions, expressing welcome as part of their chiefly role. However, there is still concern about retaining mana and about fair trade practices.

Mohi (Moses) Tawhai:

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*

Papahia asks whether it was right that two men should have all the land from the North Cape to Hokianga. About 56 signed at Hokianga.

Kaitāia Signings, 28th April 1840

The Kaitāia gathering was attended by about four hundred people and was opened by Mr Shortland. Again the speeches were in the same vein. Wero says:

We do not want a shepherd. Our ancestors were gentlemen many generations back you find us so now, you may be a good master but shall we not be stopped by you from getting our firewood. Formerly we cleared any spot we liked and burned the wood from it but then perhaps some one else came and liked the spot and said this spot will do for me to build a house upon then there a quarrel took place.

He raises some anxieties about what may happen in the future as do other speakers at this gathering. There are concerns about the possible behaviour of the soldiers and traders. But there is trust in the missionaries and again signs of welcome for the Governor and what he represents and belief in his role as protector. The themes of the earlier discussions are all present again.

Wiremu Wiriana Kupa follows with his concerns:

They tell us you are come to murder us all but if it were such as were taught it will be to save us. If your actions were like those of the missionaries I should not fear but I fear the soldiers I am afraid of that man (pointing to the soldiers) and that man ...

Panakareao, the last speaker, gives a measured speech and advocates for the Governor advising the others not to listen to Pākehā who warned of trouble. He saw some of the good things that had happened because of contact with Pākehā traders. He expects the Governor to be fair and just. He says:

Hear all of you both white men and natives, this is what I like, my desire is that we should be of one heart that you should speak your words openly as you would act and not say one thing and mean another. I am at your head I wish you to have the governor, this will be our defence we must all hang together let everyone say yes, as I do, we have now supporters to look up to. I am jealous of the speeches of the Pākehā. Māori be careful and don't listen to the speeches of bad white men. Many of the Māori say white men will begin to quarrel. I say no, it will be the natives. It was my great grand father who first brought the white men to this land, not very far off

from where we are now sitting even to this identical spot. All the chiefs then agreed to what my grand father did. Some went on board. He got much trade and many fine things from this ship, which he distributed through the land, Let us act right. Let the Ngāpuhi do as they like let us do no harm to the white men let us imitate my grand father who did right. What have we to say against the governor the shadow of the land will go to him but the substance will remain with us. He will not deprive us of our potatoes by force. It will be as it is now, we shall bring our produce for sale and receive a just and equitable price for it. Let young and old have one mind and leave the Ngāpuhi alone (alluding to their endeavours to get him to join in a conspiracy against the whites) if they do evil they will suffer for it. They took the white men to the bay where they killed and eat them and plundered their ship. We have never gone to Port Jackson to get arms to destroy our countrymen with, the people of this part have always been peaceable they never injured the white man. The natives of Hokianga have gone to cut off the governor. They will suffer for it, if you want to be killed go and fight the governor. We have now a man at the helm. Before everyone wanted to steer. First one said let me steer and then another said let me steer but we never went straight – now we have got a steersman. Be jealous look well into your heart and do no evil. The natives in the bay did wrong and they suffered for it. The whites won't commence the evil act will be from us. What man in his senses ever said we should have to take our food to the governor who would appropriate a portion of it for his own use without paying for it. He will buy it the same as for others. If you have got no more to say now, conclude and say yes altogether.

He speaks with considerable dignity and 60 chiefs signed following him. He is immediately obeyed, the chiefs rushing forward crying yes and signing their names after him.

Concluding comments

Te Tiriti o Waitangi was an initiative proposed by the British Crown, which many Māori rangatira signed, although just as many refused. Its aim was a Crown programme of peaceful European settlement in partnership with Māori. Te Tiriti o Waitangi was a treaty between two sovereign states, not between one state and a motley group of autonomous tribes. The subsequent fact of the Crown's usurpation of cultural and political power does not extinguish the original vision and agenda of rangatira Māori in their dealings with the wider world, and with the British.

Māori were beguiled into signing the Treaty based on the understandings described in this chapter, and this is how the myth of the cession of sovereignty came into being. The record that Māori ceded sovereignty forevermore is written only in the English text, and the English text is one that very few Māori debated and signed. In fact, there are only 40 signatures attached to the English text. The other 500 signatures are attached to Te Tiriti, the Māori text of the Treaty. The English text was taken to the Waikato area by mistake and was never meant to be signed. With their trust in the missionaries, Busby and Hobson, the rangatira signed a document with certain understandings that do not necessarily agree with those in the English text. All of the conversations at the Treaty of Waitangi signings were in Māori, not in English. It is reasonable to assume that Māori were operating according to Māori assumptions and values, and made their decisions on this basis.

In Article 1 of the English text, the language is very explicit. Māori agree to cede their sovereignty to the British queen forever more. I have earlier argued that this a major moral issue. Philosophers usually agree that people do not cede sovereignty unless they are under duress and are forced to. In 1840, there was no basis for Māori to cede their sovereignty to Queen Victoria. Rather, they understood that they were already getting assistance to set themselves up as a nation. The ceding of sovereignty was only important for the British government and its immigration intentions. To this extent, the ceding of sovereignty was a myth created by British officials, missionary witnesses and traders, and many others who were a party to this idea. In terms of archival material, what we have is all the Pākehā protagonists writing to each other saying that Māori have ceded sovereignty, If you look for evidence of Māori saying in 1840, yes we have ceded sovereignty, it is virtually impossible to find any. There is none in the treaty discourse discussed in the previous section.

This chapter has discussed the sixth step in establishing mana Nu Tīreni, an indigenous nation of the Pacific. My historical-semantic translation of the 1840 treaty elucidates Māori intentionality and perspectives. It is argued here that the choices of nineteenth-century Māori were limited. For example, Māori recognised the Queen, not her parliament, as the locus of English power, an understanding that was encouraged by the Pākehā missionaries, the Resident and the Governor. If this was incorrect in the English political and jurisprudential setting, it does not change the intentionality of Māori. Furthermore, the recognition of the English Queen's power did not mean that they were ceding their mana. Rather, Māori believed, in a spirit of tikanga kotahitanga and tikanga hau, of solidarity and reciprocity, that Queen Victoria was willing to help them develop their mana, and they hers. This thematic can be seen right through the remainder of the 19th Century and into the 20th when generations of Māori challenged the notion that mana-sovereignty was gifted or ceded to the Queen and her descendants in perpetuity.

CHAPTER EIGHT

Concluding Thoughts

In the nineteenth century, Māori leaders and their people responded to profound changes, largely in a positive state of mind. Change was induced by human and intellectual factors as well as by a willingness and openness to utilise and diffuse new technology, which led to innovations in economic and military activity. There is a certain creativity in the clash of cultures, and historians should beware of the tendency to write history in terms of winners and losers.²⁹² It is particularly noticeable in the historical accounts (or lack of accounts) of the 1835 Māori leaders' Declaration of Independence, in which little credence is given to Māori agency or its place in nineteenth and twentieth century history of Aotearoa New Zealand. Rather, the narrative focusses on Māori leaders ceding sovereignty, and consequently their agency, to the Queen of England in the British-inspired 1840 Treaty of Waitangi. Within this genre, Māori are removed from the theatre of Pacific Island peoples' histories and are instead located in British imperial and colonial history and enterprises. Māori become part-time, marginal players in narratives driven by European, specifically British, ambitions.

These attitudes are a feature of settler historiography in New Zealand, in which Pākehā, through the British Crown, acquire dominance over Māori—at first peacefully through a treaty, then by military and legal-political aggression supported by an emigration scheme, which guaranteed a flow of new emigrants from Great Britain and eventual numerical domination. In order to sustain this interpretation, agency is denied to Māori. Instead it is claimed, as Edward Said²⁹³ has put it, that like other colonised peoples, Māori “beseeched” the Crown for domination. New Zealand historiography assumes that Māori requested a paternal domination—that what the missionaries and settlers faced in their encounter with nineteenth-century Māori were struggles of modernity over tradition, rationalism over tribal religious interpretation, the separation of religion and society, society and economy. Yet none of these things has a place in Māori worldview and cultural practice.

In a mana Māori history, *He Whakaputanga o Ngā Rangatiratanga o Nu Tīreni 1835* is an event of historical significance for Māori and for other Indigenous Austronesian peoples in the Pacific and elsewhere around the world. The inability of New Zealand mainstream historians to accept the Declaration's part in the history of Nu Tīreni, except in relationship to the 1840 act of cession of sovereignty in perpetuity, is challenged in this new interpretation. In particular, to credit Māori for the move towards nationhood even before more supposedly advanced groups such as Italy, Germany, India and Japan, is a sign that Māori are not credited with any agency in constitutional development for themselves.

Six decisive events are discussed in this book as an historical process within a Māori moral-ethical framework. This web of proceedings constitutes identity making through nation building. The number of rangatira, the embodiments of their people, involved in each event grew within a remarkably short passage of time, suggesting a conjuncture of ideas and aspirations. A metaphorical conversation, as Hone Heke described it, began with small

292 Butterfield 1965 [1931]

293 Said 1993

beginnings in 1820 when two rangatira travelled to England intent on meeting the British King, George IV, and reached a zenith in 1840 when 540 tribal leaders signed a formal treaty with Queen Victoria, King George's young granddaughter. A national identity was forged within twenty years, less than a generation in Māori genealogical terms. In addition, a Māori society identified itself to itself and to a globalising world. In so doing, many tribes decided to confederate and be a Māori nation, if not in substance certainly in embryonic form. Following the spectacular sojourn of Hongi Hika and Waikato in England, thirteen leaders signed a letter to King William IV in 1831, followed by some 25 who participated in choosing Te Kara, the national flag in 1834. At the 1835–1839 signings of He Whakaputanga o te Rangatiratanga o Nu Tīreni, the numbers grew to 56 Rangatira who joined the confederation of hapū called te Whakaminenga and declared their authority over the land of Nu Tīreni. Finally, at the instigation of the British Crown and not Māori, 540 rangatira signed a treaty with the British, in a short seven-months' period in 1840. Led by their political, economic and religious leaders—ariki, rangatira and tohunga—Māori were engaged in what became a radical transformation of Māori culture and society.

Driven by a combination of economic and metaphysical factors, a new political reality emerges for Māori over the horizon. Led by a coalition of Tai Tokerau leaders, this reality coalesces around ideas about managing their affairs in new collective ways, previously unknown to Māori experience. They declared themselves a free people, free from any foreign dependency and threat. After decades of inter-hapū and intra-hapū fighting, mass migrations of communities and economic changes, they begin the momentum towards forming a confederation of hapū. The intention was to assert mana Māori, rendered as Māori power and authority, namely sovereignty, over the whole country. Māori intentions in signing the Treaty of 1840 were to form an enduring nation-to-nation relationship with the British Queen, a mutually beneficial arrangement of a practical kind. Ultimately, the treaty of 1840, as Māori understood their own action, was for the long-term—it was about reciprocity and they reckoned it to be a practical means of guaranteeing Māori freedom into the future.

AFTERWORD

Anne Salmond, 2020

For many years now, it has been a privilege and pleasure to converse and exchange ideas with Mānuka Hēnare. Starting with one thought, he'll turn to another, marvelling at the depth and provocative acuity of Māori framings of reality—whakapapa, or hau, or mana, or ora, for instance. Talking about an episode in the past, Mānuka lights up as he discusses ancestral journeys, laughing at the mistakes that were made during cross-cultural encounters, and deploring Western arrogance while delighting in the wonder of discovering new worlds.

Whenever he can, Mānuka has followed his Northern ancestors on their global journeys, visiting places like Sydney or the University of Cambridge and Scotland, and studying past ways of life in these settings so that he can imagine what influenced explorers like Ruatara, Hongi Hika and Waikato before they returned to Aotearoa. He is equally curious about the Europeans who came to New Zealand in the early contact period, studying their texts, technologies and institutions and viewing these from Māori vantagepoints, often coming to insights that have eluded others. It is a moving experience to visit ancestral sites with Mānuka, and to hear his vivid evocations of past events on the spot.

In this book, Mānuka's narrative of the late eighteenth and early nineteenth century in Aotearoa is shaped by the swirling patterns of whakapapa, circling back to ancestral sources and then flying out into the future. His fascination with He Whakaputanga o te Rangati-ratangi o Nu Tīreni, the 1835 Declaration of the Independence of New Zealand is instructive, exploring Māori concepts and strategies as Northern (and later other) rangatira worked to shape a free, prosperous future for their people. Mānuka's frustration with imperial and neo-colonial historiography in New Zealand is just as insistent, highlighting and contesting at every turn its denial of mana Māori.

This 'mana Māori history' of the early contact period in New Zealand, especially in Tai Tokerau, is imbued with the intellectual curiosity and love of learning that characterises the wānanga tradition. In successive chapters, Mānuka Hēnare explores the four 'pillars of wisdom,' key principles that underpin ancestral actions during this period, and the Māori economy that aims to generate ora (well-being, health, prosperity) for people and land alike. In his narrative, he traces six steps in the formation of a Māori nation in Aotearoa, a series of pivotal events that culminated in the debates over Te Tiriti o Waitangi, the Treaty of Waitangi in 1840.

His observations are apt and original, and often surprising. Mānuka Hēnare's explorations of past places and events, his investigations of ancestral ideas, and their impact on the history of this country highlight Māori agency, and lay the basis for a new kind of historiography based on whakapapa and the living presence of the ancestors, and the recognition of Māori innovation and creativity in confronting a new and ever changing world.

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He Whenua Rangatira

A Mana Māori History of the Early–Mid Nineteenth Century

Mānuka Hēnare



Mānuka Hēnare, 1942–2021.
Te Rarawa, Te Aupōuri, Ngāti Kuri, Ngāpuhi



View of Waitangi river from Whare Āio, Haruru (the Hēnare residence).