

Historian casts doubt on modern interpretation

Treaty of Waitangi never a 'partnership'

TREATY ISSUES

Walter Christie

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The "politically correct" subject of the Treaty of Waitangi and its place in New Zealand's history is the subject of this review, by author Walter Christie, a retired school principal who studied for a BA in history to gain an understanding of the issues facing his country.

His main theme is that by the treaty the chiefs gave sovereignty to Queen Victoria, to become her subjects on the same basis as all other subjects. He sets out to show it was not a

partnership, a description he claims only came into use in 1987.

He presents a good case for his interpretation, as he examines both the English and Maori versions of the treaty — accepting some ambiguity in the latter. He makes an analysis of the various sections, including Hobson's version in English, Henry Williams' in Maori and then translated back into English by A. H. McClintock, T. E. Young and I. H. Kawharu.

For confirmation of his views he refers to the Colonial Office's written instructions to Hobson in 1839, also to the document prepared for Governor Gipps of New South Wales in 1840, and to Lord Russell's "Instructions to Governor Hobson of 9

December 1840", the latter being reproduced in part as an appendix. He quotes Henry Williams' use of "Ranga-tiratanga" and "Te tino rangatiratanga" to assert that the British authorities, Hobson and Williams did not consider a constitutional partnership was being formed. He states the treaty in both languages must be considered within the context of the occasion — for example, the haste of its drawing up, and other evidence "circumstantial and documentary".

Beyond the treaty, the author considers the failure of the British government to provide early governors with adequate resources, the land question, the Ratana movement and its association with the Labour Party, the vastness of New

Zealand and the small part of it actually occupied by the indigenous people, inter-marriage of Maori and European, the legalisation of the Treaty of Waitangi by a Labour government, the setting-up of the Waitangi Tribunal by a National government, legislative changes since, and the current ambiguity of the use of the term "Crown".

Treaty Issues is quite soundly based, so far as primary sources are used for the circumstances and content of the treaty, but otherwise the author has covered too much by including developments from 1840 to the present day.

This latter is an extensive subject which requires much research of many complex issues. It is not sufficient to broadly blame

governments since 1935 for the policies of reconciliation with Maori and part-Maori. The inclusion in the treaty of the terms "lands, forests and fisheries" has been the cause of much difficulty and quite different interpretations of its meaning from Maori leaders, the Government, historians, and the author reviewed here.

In what is quite a short book, 188 pages, and a short list of references, the author presents an interesting profile of the treaty itself, but by no means leaves us with confidence that he has sufficiently researched the period from 1840 to the present.

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