

Treaty of Waitangi A Comparison

Dedicated to my friends Sam, Shaun and Karen.

This essay is the introduction to Treaty of Waitangi A Study that follows.

Friends have rejected anything I am doing with the ONZF citing their conviction that the maori people on the whole have been greatly disadvantaged and deserve preferential treatment. This is a misconception of what the ONZF is attempting to rectify. The ONZF is entirely centred on exposing the greatest travesty ever perpetrated on this nation, the substitution of our founding document with one that is clearly not genuine and doing what we can to correct decades of gross misinformation defamation and rewriting of history. Then those friends taking issue with the actual focus of the ONZF do so because of their complete belief in a history sold to them by an insidious industry. Yes they have read the books, spoken to their colleagues, had the entire politically correct road show acted-out for them on company time and cost. It must all be true then, yes? We are not here to prevent any people from exploring their heritage and improving their life and well-being, we are all for this, there is however no just reason for blaming all ills upon the fact of European contact and domination and as a fanciful remedy perverting history and documents to now read of broken promises and a stolen nationhood. In this dear country of ours we not only have people living with imagined grievances but those acting in their cause are dedicated to essentially cheating and theft by exploiting falsehoods and manipulating fear. This has fooled both maori and pakeha alike and pitted both against each other. The treaty itself and its observance or lack of is not and never can be the cause of any ills felt today. It had one task and that was over and done with 170 years ago. Whatever issues arising since then have recourse only to the courts. Land and resource claims even if they have genuine basis still do not have anything to do with the treaty. There are no *treaty* issues but very possibly many *justice* issues; which will include pakeha as well as maori complainants.

INTRODUCTION

Any person making their foray into this political minefield need first be aware of one thing. New Zealanders have been subjected to an extraordinary campaign since 1975 to rewrite history and destroy much of our social fabric. Programmes that began with Project Waitangi and up to the most recent Treaty 2U road show have one consistent theme of European guilt and maori victim hood. After so many decades of constant and consistent media lashing and doctored curriculum's we have a population so fearful and controlled they actually believe our founding document says one thing even as they read the text stating the opposite. Such is the power of political correctness over media, scholarship, legislation and liberty of speech.

BACKGROUND

All the English language drafts are the workings of men under extraordinary orders to put into words all the instructions given to them by the British Colonial Secretary. (Lord Normandy's Brief) All these drafts had one purpose, to form a succinct statement; fit to be placed in Henry and Edward Williams's hands from which they would create the treaty text. All the English drafts and their differences to each other and the Tiriti O Waitangi are irrelevant. As are all the machinations surrounding all the English drafts. The text commonly regarded as the Treaty of Waitangi Official English Version; was compiled by Lt Gov Hobson's secretary James Freeman. It was never heard by; any Chief; at Waitangi nor even at Waikato Heads where by chance it was used to gather signatures after the reading and signing of the Maori text treaty. (*See Waikato Heads printed copy*) It is not and never was the Treaty of Waitangi. (*See The Certified Treaty*)

The document signed at Waitangi and around the country (Even at Waikato Heads) is in Maori. The text was read to the Chiefs and tribal members and they either accepted or rejected what they heard. Only what was heard was discussed and nothing else. Nothing in English was ever spoken to them and therefore not one word in English could have been part of this agreement.

A simple comparison between this so-called **Official English Version** and the Maori language text **Tiriti O Waitangi** and the back translation *should* be enough for anyone to see that the two 'versions' are not at all related. But this of course has been explained away as both deception and incompetence by the British team. But, the only deception is the Waitangi Act of 1975 and the only incompetence is from media, politicians and academics ever since.

This presentation will give the reader the opportunity to compare the texts for themselves.

A fuller explanation of the different texts and their origins is available at TreatyofWaitangi.net The following are basic details.

- **William Hobson's Final Draft** This final draft, dictated to and scribed by James Busby, is the only complete draft text. This final draft represents a shift from the familiar formal language Hobson and Busby would have naturally thought in when composing such formal pacts, to the realisation that the majority of this work was unsuitable for translation into Maori. It is the only draft dated the 4th of February; all other surviving draft works predate this. It is the only one that is practically identical to the Tiriti in form, vocabulary, and length.
- **James Reddy Clendon's Copy**. James R Clendon, an Englishman employed as US Consul was duty bound to inform his superiors in Washington of the newly created British colony. When Hobson returned from Waimate, Clendon requested of him 'an English text of the treaty' Hobson's final draft was loaned to him. Clendon's copy of this English wording of the treaty has existed in the US National Archives ever since. Clendon then gave this original paper Hobson's final draft, to his solicitor Mr Henry Littlewood where it remained with the Littlewood family and rediscovered by his descendents in 1989. It is now commonly known as the Littlewood Treaty Document or Busby's Draft. The Clendon copy was rediscovered by researcher Ruth Ross and published in the early 70's
- **Charles Wilkes Copy**. A copy of Hobson's draft; was also made by the Commodore of the US Antarctic Expedition Charles Wilkes in April 1840. Wilkes had gone so far as copying even the same cross outs and spelling errors including the word ceded which Busby had corrected. See Treaty Drafts
- **TE Young Back Translation 1869**. The original Hobson final draft could not be located. This led to Parliament making a request to the Native Department for a back-translation from Te Tiriti O Waitangi to serve for all legislative requirements. This then is the back-translation supplied by Mr TE Young of the Native Department.
- All this shows that the **only English text** that Lt.Gov Hobson considered to be correct was his own simple language final draft.
- **Te Tiriti O Waitangi**. The real treaty. Its text is in the Maori language, translated by Henry and Edward Williams from W Hobson's final draft in English, over the night and morning of the 4th and 5th of February 1840. There is actually no lawful treaty known as 'The Treaty of Waitangi' because the only document recognised as the true treaty by Lt.Gov Hobson is the is the maori language **Te Tiriti O Waitangi**.

Only one treaty was signed at Waitangi. The most pernicious fable ever told about the treaty is that two documents, two different versions were signed that day. Count the signatures. There were a total of 52 Chiefs who signed at Waitangi, and all their signatures are all on one document and that is the maori language Te Tiriti O Waitangi. [Treaty of Waitangi](#) **In Lt.Gov Hobson's own words**, "*The treaty which forms the base of all my proceedings was signed at Waitangi on the 6 February 1840, by 52 chiefs, 26 of whom were of the federation, and formed a majority of those who signed the Declaration of Independence. This instrument I consider to be de facto the treaty, and all signatures that are subsequently obtained are merely testimonials of adherence to the terms of that original document*".

For the purposes of easier comparison each section of the treaty is treated separately. They are Preamble, Article One, Article Two and Article Three and the Consent. All 'versions' also follow in the same order for each section. Lt Gov. Hobson, James Reddy Clendon's, Charles Willkes, the Official English Version, adopted in 1975 under the Waitangi Act, Tiriti O Waitangi and the back translation by TE Young 1869.

As you compare the texts that follow the one question you should ask is

Why has an English language text that has no authorisation by Lt.Gov Hobson and bears no resemblance to Te Tiriti O Waitangi been used since 1975 as the 'English Version' of the treaty, when the official back-translation of 1869 was sufficient and it was possible to back translate from (Tiriti O Waitangi) again if desired? It was also possible to cross-reference any back-translation with the two existing and accessible copies of the final draft. Possibly even use the Clendon copy as an English language edition of Te Tiriti O Waitangi. These are copies made in February and April 1840 were both located in the 1970's. Lt Gov. Hobson's final draft was discovered in 1989.

Compare The Texts You can just skim over the texts noting the major difference in size. You will get the picture without needing to read every word.

PREAMBLE

Lt.Gov Hobson's final draft 4th February 1840

Her Majesty Victoria, Queen of England in Her gracious consideration for the chiefs and people of New Zealand, and her desire to preserve to them their land and to maintain peace and order amongst them, has been pleased to appoint an officer to treat with them for the cession of the **Sovereignty** of their country and of the islands adjacent to the Queen. Seeing that many of Her Majesty's subjects have already settled in the country and are constantly arriving; And that it is desirable for their protection as well as the protection of the natives to establish a government amongst them. Her Majesty has accordingly been pleased to appoint me William Hobson a captain in the Royal Navy to be Governor of such parts of New Zealand as may now or hereafter be **ceded** to her Majesty and proposes to the chiefs of the Confederation of the United Tribes of New Zealand and the other chiefs to agree to the following articles.

James Reddy Clendon March 1840

Her Majesty Victoria, Queen of England in Her Gracious consideration for the Chiefs and the people of New Zealand, and her desire to preserve to them their Lands and to maintain peace and order amongst them, has been pleased to appoint an officer to treat with them for the cession of the Sovereignty of their Country and of the Islands adjacent, to the Queen - seeing that many of her Majesty's subjects have already settled in the Country and are constantly arriving: And that it is desirable for their protection as well as the protection of the Natives, to establish a Government amongst them. Her Majesty has accordingly been pleased to appoint me William Hobson, a Captain in the Royal Navy to be Governor of such parts of New Zealand as may now or hereafter be ceded to Her Majesty and proposes to the Chiefs of the Confederation of United Tribes of New Zealand and the other Chiefs to agree to the following Articles.

Charles Wilkes April 1840

Her Majesty Victoria, Queen of England in her gracious consideration for the chiefs and people of New Zealand and Her desire to preserve to them their lands and to maintain peace and order amongst them has been pleased to appoint an officer to treat with them for the cession of their **lands** country and the islands adjacent to the Queen seeing that many of Her Majesty's subjects have already settled in this country and are constantly arriving and that it is desirable for the protection of the Natives to establish a Govt. amongst them. Her Majesty has accordingly been pleased to appoint me William Hobson a Captain of the Royal Navy to be Governor of such parts of New Zealand as may now or hereafter be **ceded** to Her Majesty and proposes to the chiefs of the confederation of the United Tribes of New Zealand and the other chiefs to agree to the following articles

The Official English Version authorised 1975

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

Tiriti o Waitangi 6th February 1840

Ko Wikitoria te Kuini o Ingarani i tana mahara atawai ki nga Rangatira me nga Hapu o Nu Tirani i tana hiahia hoki kia tohungia ki a ratou o ratou rangatiratanga me to ratou wenua, a kia mau tonu hoki te Rongo ki a ratou me te Atanoho hoki kua wakaaro ia he mea tika kia tukua mai tetahi Rangatira-hei kai wakarite ki nga Tangata Maori; o Nu Tirani-kia wakaaetia e nga Rangatira Maori; te Kawanatanga o te Kuini ki nga wahikatoa o te Wenua nei me nga Motu-na te mea hoki he tokomaha ke nga tangata o tona Iwi Kua noho ki tenei wenua, a e haere mai nei. Na ko te Kuini e hiahia ana kia wakaritea te Kawanatanga kia kua ai nga kino e puta mai ki te tangata Maori ki te

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

TE Young Back Translation 1869

Victoria, Queen of England, in her kind thoughtfulness to the Chiefs and Hapus of New Zealand, and her desire to preserve to them their chieftainship and their land, and that peace may always be kept with them and quietness, she has thought it a right thing that a Chief should be sent here as a negotiator with the Maoris of New Zealand - that the Maoris of New Zealand may consent to the Government of the Queen of all parts of this land and the islands, because there are many people of her tribe that have settled on this land and are coming hither. Now the Queen is desirous to establish the Government, that evil may not come to the Maoris and the Europeans who are living without law. Now the Queen has been pleased to send me, William Hobson, a Captain in the Royal Navy, to be Governor to all the places of New Zealand which may be given up now or hereafter to the Queen; and he give forth to the Chiefs of the Assembly of the Hapus of New Zealand and other Chiefs the laws spoken here.

ARTICLE ONE

Lt.Gov Hobson's final draft.

The chiefs of the Confederation of the United Tribes and the other chiefs, who have not joined the confederation, cede to the Queen of England for ever the entire **Sovereignty** of their country.

James Clendon

The Chiefs of the Confederation of the United Tribes and the other Chiefs, who have not joined the confederation, cede to the Queen of England forever the entire **Sovereignty** of their country.

Charles Wilkes

The chiefs of the confederation of the United Tribes and the other chiefs who have not joined the confederation cede to the Queen of England forever the entire **Sovereignty** of their country.

The Official English Version.

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

Tiriti O Waitangi

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

TE Young

The Chiefs of the Assembly, and all Chiefs also who have not joined the Assembly, give up entirely to the Queen of England for ever all the Government of their lands.

ARTICLE TWO

Lt.Gov Hobson's final draft.

The Queen of England confirms and guarantees to the chiefs & tribes and to all the people of New Zealand the possession of their lands, dwellings and all their property. But the chiefs of the Confederation and the other chiefs grant to the ~~chiefs~~ Queen, the exclusive right of purchasing such land as the proprietors thereof may be disposed to sell at such prices as shall be agreed upon between them and the persons appointed by the Queen to purchase from them.

James Clendon.

The Queen of England confirms and guarantees to the chiefs and the Tribes and to all the people of New Zealand, the possession of their Lands, dwellings and all their property. But the Chiefs of the Confederation and the other Chiefs grant to the Queen, the exclusive rights of purchasing such Lands as the proprietors thereof may be disposed to sell at such prices as may be agreed upon between them and the person appointed by the Queen to purchase from them.

Charles Wilkes

The Queen of England confirms and guarantees to the chiefs and tribes and to all the people of New Zealand the possession of their lands, dwellings and all their property. But the chiefs of the confederation and the other chiefs grant to the chiefs Queen the exclusive right of purchasing such lands as the proprietors thereof may be disposed to sell, at such prices as shall be agreed upon between them and the person appointed by the Queen to purchase from them.

The Official English Version

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

Tiriti O Waitangi

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

TE Young

The Queen of England arranges and agrees to give to the Chiefs, the Hapus and all the people of New Zealand, the full chieftainship of their lands, their settlements and their property. But the Chiefs of the Assembly, and all the other Chiefs, gives to the Queen the purchase of those pieces of land which the proprietors may wish, for such payment as may be agreed upon by them and the purchaser who is appointed by the Queen to be her purchaser.

ARTICLE THREE

Lt.Gov Hobson's final draft

In return for the cession of the **Sovereignty** to the Queen, the people of New Zealand shall be protected by the Queen of England and the rights and privileges of British subjects will be granted to them.-Signed, William Hobson Consul & Lieut. Governor.

James Clendon

In return for the cession of the Sovereignty to the Queen, the people of New Zealand shall be protected by the Queen of England and the rights and privileges of British subjects will be granted to them. signed, William Hobson Consul and Lieutenant Governor.

Charles Wilkes

In return for the cession of the **sovereignty** to the Queen the people of New Zealand shall be protected by the Queen of England and the rights and privileges of British subjects will be granted to them. Signed Wm Hobson Consul and Lt Governor

The Official English Version

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

Tiriti O Waitangi

Hei wakaritenga mai hoki tenei mo te wakaetanga ki te Kawanatanga o te Kuini-Ka tiakina e te Kuini o Ingarani nga tangata Maori; katoa o Nu Tirani ka tukua ki a ratou nga tikanga katoa rite tahi ki ana mea ki nga tangata o Ingarani. Signed William Hobson Consul & Lieutenant Governor

TE Young

This is an arrangement for the consent to the Government of the Queen. The Queen of England will protect all the Maoris of New Zealand. All the rights will be given to them the same as her doings to the people of England. William Hobson Consul and Lieutenant Governor

CONSENT

Here for comparison is the consent and the dates they were created. Note. All parchments (See Archives New Zealand and NZ History Online) have the Sixth of February date regardless of when they were signed. All the signings subsequent to Waitangi were taken as adherence to the original document signed on the 6th of February.

Lt Governor William Hobson. 4th February 1840

Now we the chiefs of the Confederation of the United tribes of New Zealand being assembled at Waitangi, and we the other chiefs of New Zealand having understood the meaning of these articles, accept of them and agree to them all. In witness whereof our names or marks are affixed. Done at Waitangi on the 4th Feb. 1840.

James Clendon March 1840

Now we the Chiefs of the Confederation of the United Tribes of New Zealand assembled at Waitangi, and we the other tribes of New Zealand, having understood the meaning of these articles, accept of them and agree to them all. In witness whereof our Names or Marks are affixed. Done at Waitangi on the Sixth day of February in the year of our Lord one Thousand Eight Hundred and Forty.

Charles Wilkes April 1840

Now the chiefs of the confederation of the United Tribes of New Zealand being assembled at Waitangi and we the other chiefs of New Zealand having understood the meaning of these articles, accept of them and agree to them all. In witness whereof our names or marks are affixed. Done at Waitangi the sixth day of Febu in the year of our lord, one thousand eight hundred and forty. Consulate of the US of America at the Bay of Islands N Zealand. April 3rd 1840.

The Official English Version Authorised 1975

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

Tiriti O Waitangi 6th February 1840

Na ko matou ko nga Rangatira o te Wakaminenga o nga hapu o Nu Tirani ka huihui nei ki Waitangi ko matou hoki ko nga Rangatira o Nu Tirani ka kite nei i te ritenga o enei kupu, ka tangohia ka wakaaetia katoatia e matou, koia ka tohungia ai o matou ingoa o matou tohu. Ka meatia tenei ki Waitangi i te ono o nga ra o Pepueri i te tau kotahi mano, e waru rau e wa te kau o to tatou Ariki.

TE Young Back translation 1869

Now, we the Chiefs of the Assembly of the Hapus of New Zealand now assembled at Waitangi. We also, the Chiefs of New Zealand, see the meaning of these words: they are taken and consented to altogether by us. Therefore are affixed our names and marks. This done at Waitangi, on the sixth day of February, in the year one thousand eight hundred and forty, of Our Lord.

The one purpose of Te Tiriti O Waitangi was to pass by cession, the authority of the chiefs throughout the country over to Her Majesty thus making possible the commencement of the rule of law and the end of the constant warfare and general lawlessness. In my opinion the 'Official English Version' was adopted to create the myth of perfidy and incompetence on the part of the British and so commence the industry of maori grievances.

1. There is one and only one treaty. The maori language Te Tiriti O Waitangi.

2. There are no versions of Te Tiriti o Waitangi. The maori language Tiriti O Waitangi is not a version of any text and there is no other maori language text at variance to it. It is simply the only text authorised by Hobson to be the 6th February 1840 contract.

3. ***There is no English language version of Te Tiriti o Waitangi.*** *No English language text was ever written in conjunction with Tiriti O Waitangi. There may be several sheets of draft works in English plus the multiple English Royal Style language variations composed by James Freeman which were despatched to England etc, but not one word of these English texts was authorised by Hobson as an official treaty text.*
4. *The final draft by Hobson is a vital treaty document proving that the last English wording matches the content of Te Tiriti. There is no discrepancy in meaning between these two texts.*
5. *The insistence that the Waikato Heads English text document is actually the English text of Te Tiriti is ludicrous and its adoption in 1975 as the Official English language version of the Treaty of Waitangi was both unlawful and deliberate.*

No Chief or maori person was read or given an English text. The only contract they heard and signed was the maori language Te Tiriti O Waitangi. One reading by Henry Williams of the translation of the final draft into Maori (Te Tiriti O Waitangi) and all the Chiefs at Waitangi and other meetings had a very plain understanding that their authority was to be secondary to Hobson and this proposed new government included them as subjects. This takes away any argument that the British intention to rule the country was not understood by the maori. (See The Chief's Speeches) So much has been made from the differences in the English and Maori language texts but it has all been a ruse. The Official English Version is a straight fraud and nothing is English is relevant anyway for the simple and should be obvious fact that nothing in English was ever agreed to by any Chief. The only 'misunderstanding' over language differences, is by the revisionists' wilful deception.

Michaela Allen Copyright. 17 June 2010

Please address all questions and discussion via the One New Zealand Foundation forum.

This Comparison of the treaty texts is a presentation based upon the original research by Ross Baker and Martin Doutré. I am indebted to them for their kind advice opinion and patience during the preparation of the Treaty of Waitangi A Comparison and my own work Treaty of Waitangi A Study.

REFERENCE

ENZB

From An Authentic and Genuine History... William Colenso 1890

[The Chief's Speeches](#)

NZ HISTORY ONLINE

 Interactive Zoomable Images

1877 Facsimiles

[Waikato Heads printed copy.](#) [Declaration of Independence](#) [Treaty of Waitangi](#)

NZETC

[Kohimarama Conference](#)

ARCHIVES NEW ZEALAND

 Interactive Images

In present day condition Archives has all nine sheets of the treaty viewable online as well as downloadable. Download the high resolution copy. You will need a reader such as Microsoft Paint.

[Treaty of Waitangi Sheet 1](#)

TREATYOFWAITANGI.NET

 In depth explanations. Used with permission of the authors

[The Certified Treaty /Official English Version](#) [James Reddy Clendon Despatches](#) [Time Line Busby Wilkes and Clendon Treaty Drafts](#)

WAITANGI TRIBUNAL

The Official English Version

[English Version 1975](#)