

Texts of the Treaty

The Treaty of Waitangi (English text)

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 authorized 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 authorize me William Hobson a Captain in Her Majesty's Royal Navy Consul and Lieutenant Governor of such parts of New Zealand as may be or hereafter shall be ceded to Her Majesty to invite the confederated and independent Chiefs of New Zealand to concur in the following Articles and Conditions.

Article the first

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

Article the second

Her Majesty the Queen of England confirms and guarantees to the Chiefs and Tribes of New Zealand and to the respective families and individuals thereof the full exclusive and undisturbed possession of their Lands and Estates 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 Preemption over such lands as the proprietors thereof may be disposed to alienate at such prices as may be agreed upon between the respective Proprietors and persons appointed by Her Majesty to treat with them in that behalf.

Article the third

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

(signed) W. Hobson Lieutenant Governor

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.

Te Tiriti o Waitangi 1840 (Māori text)

Ko Wikitōria te Kuini o Ingarani i tana mahara atawai ki ngā Rangatira me ngā Hapū o Nu Tirani i tana hiahia hoki kia tohungia ki a rātou ō rātou rangatiratanga me tō rātou wenua, ā kia mau tonu hoki te Rongo ki a rātou me te Ātanoho hoki kua wakaaro ia he mea tika kia tukua mai tētahi Rangatira - hei kai wakarite ki ngā Tāngata māori o Nu Tirani - kia wakaaetia e ngā Rangatira māori te Kāwanatanga o te Kuini ki ngā wāhikatoa o te Wenua nei me ngā Motu - nā te mea hoki he tokomaha kē ngā tāngata o tōna Iwi Kua noho ki tēnei wenua, ā e haere mai nei.

Nā ko te Kuini e hiahia ana kia wakaritea te Kāwanatanga kia kua ai ngā kino e puta mai ki te tangata Māori ki te Pākehā e noho ture kore ana.

Nā, kua pai te Kuini kia tukua a hau a Wiremu Hopihona he Kapitana i te Roiara Nawi hei Kāwana mō ngā wāhi katoa o Nu Tirani e tukua āiane, amua atu ki te Kuini, e mea atu ana ia ki ngā Rangatira o te wakaminenga o ngā hapū o Nu Tirani me ērā Rangatira atu ēnei ture ka kōrerotia nei.

Ko te Tuatahi

Ko ngā Rangatira o te wakaminenga me ngā Rangatira katoa hoki kī hai i uru ki taua wakaminenga ka tuku rawa atu ki te Kuini o Ingarani ake tonu atu - te Kāwanatanga katoa ō rātou wenua.

Ko te Tuarua

Ko te Kuini o Ingarani ka wakarite ka wakaae ki ngā Rangatira ki ngā hapū - ki ngā tāngata katoa o Nu Tirani te tino rangatiratanga o ō rātou wenua ō rātou kāinga me ō rātou taonga katoa. Otiia ko ngā Rangatira o te wakaminenga me ngā Rangatira katoa atu ka tuku ki te Kuini te hokonga o era wāhi wenua e pai ai te tangata nōna te Wenua - ki te ritenga o te utu e wakaritea ai e rātou ko te kai hoko e meatia nei e te Kuini hei kai hoko mōna.

Ko te Tuatoru

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 ana mea ki ngā tāngata o Ingarani.

(signed) W. Hobson
Consul & Lieutenant Governor

Nā ko mātou ko ngā Rangatira o te Wakaminenga o ngā hapū o Nu Tirani ka huihui nei ki Waitangi ko mātou hoki ko ngā Rangatira o Nu Tirani ka kite nei i te ritenga o ēnei kupu, ka tangohia ka wakaaetia katoatia e mātou, koia ka tohungia ai ō mātou ingoa ō mātou tohu.

Ka meatia tenei ki Waitangi i te ono o ngā rā o Pēpueri i te tau kotahi mano, e waru rau e wā te kau o tō tātou Ariki.

An English translation of the Māori text

The following is a modern English translation of the Māori text of the Treaty as interpreted by Professor Sir Hugh Kawharu.¹ The translation is an “attempt at a reconstruction of the literal translation” and was accepted by the Court of Appeal for the purposes of the important *Lands* case (1987), and by the parties to the case, the Crown and the New Zealand Māori Council. It is recorded and discussed in the judgment,² and is also discussed by Professor Kawharu in his contribution as editor to: *Waitangi: Māori and Pākehā Perspectives on the Treaty of Waitangi* (1989),³ a collection of papers on the Treaty.

Translation by Professor Sir Hugh Kawharu

Victoria, the Queen of England, in her concern to protect the chiefs and subtribes of New Zealand and in her desire to preserve their chieftainship and their lands to them and to maintain peace and good order considers it just to appoint an administrator one who will negotiate with the people of New Zealand to the end that their chiefs will agree to the Queen’s Government being established over all parts of this land and (adjoining) islands and also because there are many of her subjects already living on this land and others yet to come.

So the Queen desires to establish a government so that no evil will come to Māori and European living in a state of lawlessness.

So the Queen has appointed me, William Hobson a Captain in the Royal Navy to be Governor for all parts of New Zealand (both those) shortly to be received by the Queen and (those) to be received hereafter and presents to the chiefs of the Confederation chiefs of the subtribes of New Zealand and other chiefs these laws set out here.

The First

The Chiefs of the Confederation and all the chiefs who have not joined that Confederation give absolutely to the Queen of England for ever the complete government over their land.

The Second

The Queen of England agrees to protect the chiefs, the subtribes and all the people of New Zealand in the unqualified exercise of their chieftainship over their lands, villages and all their treasures. But on the other hand the Chiefs of the Confederation and all the Chiefs will sell the land to the Queen at a price agreed to by the person owning it and by the person buying it (the latter being) appointed by the Queen as her purchase agent.

The Third

For this agreed arrangement therefore concerning the Government of the Queen, the Queen of England will protect all the ordinary people of New Zealand and will give them the same rights and duties of citizenship as the people of England.

(signed) W. Hobson
Consul & Lieutenant Governor

So we, the Chiefs of the Confederation and of the subtribes of New Zealand meeting here at Waitangi having seen the shape of these words which we accept and agree to record our names and our marks thus.

Was done at Waitangi on the sixth of February in the year of our Lord 1840.