



National Certificate of Educational Achievement  
TAUMATA MĀTAURANGA Ā-MOTU KUA TAEA

## **Exemplar for Internal Assessment Resource**

### **History Level 3**

#### **Resource title: Different opinions**

This exemplar supports assessment against:

**Achievement Standard 91437**

**Analyse different perspectives of a contested event of  
significance to New Zealanders**

Student and grade boundary specific exemplar

The material has been gathered from student material specific to an A or B assessment resource.

Date version published by  
Ministry of Education

December 2012  
To support internal assessment from 2013

The teacher chose the context, Treaty of Waitangi

[...] in the student evidence indicates where sections of the original evidence have been omitted.

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|    | Grade Boundary: Low Excellence  |
| 1. | <p>For Excellence students have to comprehensively analyse different perspectives of a contested event of significance to New Zealanders. This involves making judgements, as an historian, on the historical validity of different perspectives of the contested event, drawing conclusions that go beyond the immediately obvious, and demonstrating thorough engagement with the evidence.</p> <p>This student communicates examples of all Excellence indicators: perspective identified (1–4), explanation for the perspective (1a–4a), writing from an historian’s perspective about the validity of the perspective and engagement with the evidence (5), demonstrating engagement with the evidence (6) and reaching conclusions (7).</p> <p>The use of quotations from sources and the accompanying discussion in each case to support an argument is clear evidence of an historian’s thinking and of engagement with the evidence, two of the main Excellence indicators.</p> <p>In each instance of the Excellence indicators, slightly greater depth of evidence, examples and discussion would have helped obtain a more secure Excellence judgement.</p> |

## Perspectives on the Treaty of Waitangi

On the 6th of February 1840, arguably the most important document in New Zealand's history was first signed. The Treaty of Waitangi outlined the new policies for land sales between the Maori and European, the extent of the Queen's sovereignty over New Zealand and the rights of Maori under the rule of the British Crown. After initially being unwilling to act on the issue of land sales in New Zealand, the British government eventually decided that some sort of agreement was necessary particularly with the Tory, a New Zealand Company ship full of potential settlers, on its way to New Zealand, and also a potential French threat as they looked to expand their empire in the Pacific. Lieutenant-Governor William Hobson was instructed to gain the 'free and intelligent consent of the natives' to claim sovereignty over New Zealand...

One of the people most integral to the Treaty's conception was the missionary and printer William Colenso. He was very much of the opinion that the Treaty was confusing to the Maori... Colenso was concerned about whether the Maori would understand what they were actually signing; 1 showing that he felt it was a confusing document. The fact that he questions his superior in the form of Governor William Hobson shows how strongly he felt about this. One of the most important points from this source is that Colenso writes that he has 'spoken to some chiefs concerning it, who had no idea whatever as to the purport of the treaty.' This shows that Colenso's objection came directly from speaking to the chiefs about the treaty, and he felt that 'they ought to know somewhat of it to constitute its legality'. As a missionary, Colenso had dealt with the Maori for many years, and had a generally good understanding of how they understood and learned. According to Colenso's account, Hobson effectively removes any blame for confusion from himself, saying that 'it is no fault of mine' if the Maori don't understand, and that he had done everything he could to get the Maori to understand, including having Henry Williams read it to them in their own language. Through his writing Colenso presents Hobson in a relatively negative view, as he portrays Hobson as being unwilling to compromise and with little compassion to the situation of the Maori... 1a

Joseph Somes, the governor of the New Zealand Company (who were beginning to bring settlers to New Zealand as the Treaty was signed... believed that the Treaty was confusing to the Maori, because it was designed for 'amusing and pacifying savages', perhaps suggesting it veiled the true intent of the British in order to keep the Maori people happy and feeling satisfied with their end of the deal. He doubts the legality of the treaty, similarly to Colenso, because the Treaty was made between 'naked savages' (also implying the Maori did not understand what they were signing because the word savages indicates uneducated and uncivilized people, perhaps showing that they did not understand the higher level legal principles contained in the treaty) and 'a consul invested with no plenipotentiary powers', meaning that the treaty should never be treated by lawyers as a legal document because it wasn't made as a legal contract and it was never ratified by the Crown.... 2, 2a, 6, 8

Our Nation's Story, a New Zealand textbook from the 1940's, also presents an interesting perspective on the Treaty of Waitangi... Our Nation's Story believes that the Treaty was completely understood by the Maori and completely fair. The use of the statement 'all he asked' implies that the Europeans wanted very little in exchange for priceless commodities such as protection and the rights of British subjects, and that the Maori people got a very good deal out of the Treaty. The statement 'the Maoris remained the real owners of the country' could be considered untrue, as one of the principles of the treaty was that the Maori would cede sovereignty to Britain, so the Queen would effectively own the country. The Maori owned the land, but the British Crown owned the rights and ruling power over the land. There is no mention whatsoever of the Treaty being possibly confusing in any way to the Maori, indicating that this source felt that the intentions of the Treaty were perfectly clear to both sides and the Maori knew exactly what they were agreeing to. The source also writes that it was 'the fairest Treaty ever made between Europeans and a native race', clearly showing that the source felt that there were no problems with the treaty and that it was entirely fair to the Maori, in fact it mentions that 'in many ways it was fairer to brown man than to white', implying that the Maori gained more out of the treaty than the Europeans, therefore showing the very positive perspective of the treaty this source holds... 3, 3a, 5, 3a

As a modern historian, Ranginui Walker has the benefit of more sources and analysis available, allowing him to present a slightly more balanced perspective of the Treaty. However, it is clear that he believes the Treaty of Waitangi was majorly confusing and misleading particularly in terms of the translation. In Ka Whawhai Tonu Matou (p90-97), he particularly examines two major translation issues: 'kawanatanga' and 'tino rangitiratanga'. Considering the views of another modern historian, Ruth Ross, Walker blames a large proportion of the confusion over sovereignty (as explained in the introduction) on the translation of sovereignty into 'kawanatanga', which the Maori understood to mean something closer to 'governance' - that they would remain in control with protection from Britain. Both Ross and Walker appear to agree that 'mana' would have been a better translation, as that was what was used in the 1835 Declaration of Independence. Walker shows his perspective and suspicion when he agrees with Ruth Ross, who writes 'was the Williams translation political rather than meaningful?' This shows that he considers it possible 4, 4a, 4a

that the real meaning of sovereignty was purposefully concealed so the Maori would not realise what they were giving up in terms of rights to power. This is confirmed by his statement that "Williams was not a disinterested party. He and other missionaries had a vested interest in ensuring that the Treaty was signed because of their substantial landholdings." The use of the words 'vested interest' implies that Walker believes it is possible that the missionaries purposefully made the Treaty confusing so that they could protect their land ownership, and manipulate it so that they could get what they wanted... Walker's use of language such as 'undermining' and 'arrogance' shows his negative perspective towards the British and the Treaty itself demonstrating that he clearly thinks the treaty and in particular the mistranslations, whether intentional or not contributed greatly to the confusion...

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Each of these people holds their own perspective for very different reasons. William Colenso was a missionary who had worked very closely with Maori since 1834, when he travelled here as a member of the Church Missionary Society. This supports his view that the treaty was confusing because he knew about how the Maori understood European customs and languages from working with them for six years, particularly from educating them about the Bible. He knew that it was likely that they did not understand the principles and higher level ideas in the treaty, as he believed "the Natives are quite children in their ideas". Another reason he was of the view that it was confusing was because he had spoken to chiefs after the initial reading of the treaty that 'had no idea whatever as to the purport of the treaty'. Because Colenso was present at the signing his viewpoint is very useful because it shows exactly what his point of view was at the time. The book that the extract is from was written by Colenso himself, which detracts slightly from the authenticity because it is probable that Colenso would have written about the events in a way that portrays himself in a more positive light, and Hobson possibly in a more negative way than what actually happened...

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Ranginui Walker also presents an interesting view of the Treaty. His book Ka Whawhai Tonu Matou was written in 1990, one hundred and fifty years after the signing of the Treaty. Walker clearly takes the view that the treaty was confusing and that the Maori did not understand what they were signing so his perspective is very much negative. Writing one hundred and fifty years later gives Walker the benefit of years of conflict and perspectives to discuss. Walker's perspective that the mistranslations in the treaty created great confusion for the Maori is probably also influenced by his heritage and ancestry. Walker is a member of the Te Whakatohea tribe (located around the Bay of Plenty on the East Coast of the North Island). Because of this heritage and upbringing Walker is more likely to believe that the treaty was unfair and confusing because it directly affected him and his family, in terms of lost land and possessions. In this way, Walker's writing is biased because it is inclined towards the argument that the Treaty was unfair, but it is still very useful to historians because it shows how the Treaty continues to affect people well into the 20th and 21st centuries, with people like Ranginui Walker continuing to campaign for the grievances their tribes suffered at the hands of the Crown in the 1800s.

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Each of the perspectives carries its own merit, but the one that I support most is that of Ranginui Walker in Ka Whawhai Tonu Matou. Although it is biased because of Walker's heritage and position as member of the Te Whakatohea tribe who are claiming with the Waitangi Tribunal, I believe that it is the most carefully considered. I believe that it is most convincing because it includes the most evidence to support the argument. Most of the sources are in agreement that the treaty was confusing in one way or another; even FitzRoy as governor conceded that the Maori did not understand the treaty in the exact same way as the Europeans. Because most of the sources agree that the Treaty was confusing and the Maori had limited understanding of it, I find Ranginui Walker's argument most convincing because he goes most in depth into analysing why it was confusing and what could have been done to rectify this. The fact that Walker was writing one hundred and fifty years after the signing in a way reduces the source's reliability because it is not a primary source so evidence could have changed over time. For these reasons, I believe that Ranginui Walker's perspective is the most convincing and the one I believe most in, and that the Treaty of Waitangi was indeed confusing to the Maori and that they had very little understanding of what consequences signing the Treaty would have for them, short term and into New Zealand's future as a British colony.

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|    | Grade Boundary: High Merit   |
| 2. | <p>For Merit students have to analyse, in depth, different perspectives of a contested event of significance to New Zealanders. This involves evaluating, as an historian, the validity of different perspectives of the contested event. Evaluating includes appraising and presenting an opinion based on the relative merits of the perspectives.</p> <p>This student provides some evidence for each Excellence indicator, but without the depth needed to reach the Excellence standard. Perspectives are clearly identified (1-5), but explanations for the perspectives (1a–5a) are brief, despite being relevant.</p> <p>The discussion of the validity of the perspectives (6) would be more convincing had more specific detail from the sources been used to support each point of view. Conclusions are drawn at the end, but are not really substantiated to the level required for Excellence.</p> <p>The occasional use of quotations to support points of view demonstrates some engagement with the evidence (an Excellence indicator), but more use of such evidence would have helped to raise the standard towards Excellence level.</p> |

## Perspectives on the Treaty of Waitangi

*"The Treaty of Waitangi is a confusing document that the Maori did not understand when they signed it"*

The Treaty of Waitangi (*Te Tiriti o Waitangi*), first signed on 6 February 1840, is widely regarded as New Zealand's founding document. However, the Treaty itself is very much a subject of debate today due a number of reasons including the significant mistranslations between the English and Maori text - in essence there was no consensus on what exactly was agreed to between the Pakeha and the Maori...

One perspective is that of the website <http://nzhistory.net.nz>, a modern day, neutral perspective of the Treaty. This website offers a general overview on the Treaty and its signing, as well as maintaining neutrality through carefully explaining the discrepancies between the Maori version and the English version of the Treaty. For example 'The Treaty in Maori was deemed to convey the meaning of the English version, but there are important differences. Most significantly, the word 'sovereignty' was translated as 'kawanatanga' (governance). Some Maori believed they were giving up government over their lands but retaining the right to manage their own affairs'.

Another example of the neutral viewpoint held in the source is 'Hobson and others stressed the Treaty's benefits, while playing down the effects of British sovereignty on rangatiratanga (chiefly authority). Reassured that their status would be strengthened, many chiefs supported the agreement'. This quotation states how the British presented the Treaty to Maori and how Maori may not have understood fully what they were signing. While this may demonstrate a negative view on whether or not the Maori fully understood what they were signing, as a whole this text does not use hyperbole, nor does it appear biased towards one side in particular.

A second perspective on the signing of the Treaty is that found in a textbook from the 1940s entitled 'Our Nation's Story'. It is an overwhelmingly positive view of the Treaty and praises many aspects of it. For example 'To this day it remained the fairest Treaty ever made between Europeans and a native race; indeed, in many ways it was much fairer to brown man than to white', and 'At first some of the chiefs did not wish to sign the Treaty, but one of them, Tamati Waka Nene, made a splendid speech in which he told the Maoris that he was sure the Queen wished only to be their friend'.

These quotations show clear signs of bias and they suggest that the Maori were getting a fair deal in signing the Treaty. It has some words that are exaggerated, such as 'fairest' and this source does not offer the views of those who did not want to sign the Treaty.

Another perspective on the Treaty is that of the modern Maori historian Ranganui Walker, in his book 'Ka Whawhai Tonu Matou'. He held a staunch anti-Treaty view and believes that the Maori did not understand what they were signing. For example he states 'The first draft was translated by Henry Williams while Hobson spent more time revising the document. The outcome of these combined efforts was four English versions and a translation into Maori which matched none of them. The English version from which the translation was made has yet to be found'. There are some elements of humour in his perspective and his overall view is disapproving of the British, in that the copies of the Treaty were different between the languages. He expands on this further in the book: 'The word kawanatanga did not convey to the Maori a precise definition of sovereignty. Had the word mana been used, no Maori would have any doubt about what was being ceded'. He believes that the Treaty is confusing and that the Maori did not understand what it meant when they signed it and continues to offer what he believes the Maori version should have said when translated from the English version. He finishes by stating 'But even greater deceptions lay ahead over the next 150 years'. This statement infers that he believes that the Treaty deceived the Maori and that they would continue to be deceived by the British in the years after the Treaty's signing.

More different perspectives on the Treaty are offered in *The Treaty of Waitangi Companion*, edited by O'Malley, Stirling and Penetito, including both historical and modern perspectives as well as from different ethnicities. The first of these is one from a January 1841 journal, in which the Maori Chief Nopera Panakareao revises his famous statement from the Kaitia signing ceremony. 'Noble [Nopera Panakareao] and all the chiefs are much dissatisfied with the Govrs [sic] proceedings; he says he thought the shadow of the land only would go to the Queen and the substance remain with them, but now he fears the substance of it will go to them and the shadow only be their portion'. This statement is in reference to his earlier quote: 'Only the shadow of the land passes to the Queen. The substance stays with us, the Maori people'. It is immediately obvious how his views had changed from being pro-Treaty to anti-Treaty since the signing of it and this change in views demonstrates how the Treaty may have been confusing to Maori.

The second source in the book comes from the British Secretary of State for the Colonies, Lord Stanley, in a letter addressed to the Officer Administering the Government in June 1845. 'I repudiate with the utmost possible earnestness, the doctrine maintained by some 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. In the name of the Queen I utterly deny that any treaty entered into and ratified by Her Majesty's command, was or could have been in a spirit thus disingenuous, or for a purpose thus unworthy. You will honourably and scrupulously fulfill the conditions of the Treaty of Waitangi.'

In this source, Lord Stanley believes that the Treaty was not designed to deceive the Maori - 'a mere blind to amuse and deceive ignorant savages', nor could it have been unworthy as it has been 'ratified by Her Majesty's command'. He believes that the Maori understood what they were signing and that the British had to 'honourably and scrupulously fulfill the conditions of the Treaty of Waitangi'.

The third source in this book is from the Governor of the New Zealand Company, which was settling parts of New Zealand. The Company was trying to establish large colonies in New Zealand and were pressuring the British government to introduce some form of government. In a letter from the Company's Governor Joseph Somes to Lord Stanley in January 1843, he stated 'We have always had very serious doubts whether the Treaty of Waitangi, made with naked savages by a Consul invested with no plenipotentiary powers, without ratification by the Crown, could be treated by lawyers as anything but a praiseworthy device for amusing and pacifying savages for the moment.'

5a

Somes (and the Company) did not believe that the Treaty would have any substantial effect on the Maori except in the short term.

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These many perspectives share both similarities and differences, between the different time periods and ethnicities. For example the positive views are predominantly from Europeans (1940s Textbook, Lord Stanley), whereas the negative views are predominantly Maori (Ranganui Walker, Nopera Panakareao). This is because, according to the English version of the text, the Maori were ceding more power (among other rights) to the British, whereas the Maori version suggested that much more power was retained by the Maori chiefs. The feeling that the Maori were worse off today is both mentioned historically by Nopera Panakareao around the signing of the Treaty and by modern day historians such as Ranganui Walker.

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Their main arguments are that the Maori did not fully understand what the British were wanting from them..

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However, not all of the negative views were from Maori people. The view presented by Somes of the New Zealand Company was negative towards the Treaty, and he viewed it as only a temporary fix. This view may have been held by other Europeans who were not satisfied with the Treaty, including those that were living in colonies established by the Company.

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The positive views, held predominantly by Europeans, state that the Treaty was very fair toward the natives of New Zealand when compared to treaties made by the British with other native races and that the Crown would not have signed a Treaty that was deemed to be unworthy or disingenuous (insincere).

The views held between the time of the signing and the modern day have not changed much. In fact the Treaty is still widely debated today due to the confusing nature of the document. The historical views of whether or not the Treaty was fair are still argued by different sides today. However, regardless of the fairness of the document, both sides tend to agree that it was a confusing document, due to the mistranslations between the English and the Maori version as stated on <http://nzhistory.net.nz>. The Treaty in Maori was deemed to convey the meaning of the English version, but there are important differences'.

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The perspective that I support is the neutral view presented by <http://nzhistory.net.nz> and Robert Fitzroy.

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This is because across almost all of the perspectives from different ages and ethnicities, the general view was that the Treaty was a confusing document and that the Maori may not have fully understood what they were signing. I did not agree with the negative view presented by Ranganui Walker. Walker stated that he thought that some of the mistranslation was on purpose, as the translator (Henry Williams) may have known that the Maori chiefs may not have signed the Treaty had the translation been accurate. I do not believe this, as according to a number of sources (including Walker's) the Treaty was written and translated in a few days and the translator Williams believed that the Maori should be protected from fraudulent dealings by the Europeans and his understanding of Maori was limited. In essence, I believe that the confusion caused by the Treaty was due to the short time period in which the Treaty was drafted, written and translated. To me, this source presents the most convincing view on the signing of the Treaty of Waitangi due to the lack of emotive words (which often indicate bias) and how evidence from both sides of the debate is presented. It also talks about the effects of the Treaty, how it is viewed today in society and parliament, it acknowledges the confusing nature of the document and also where the confusion may have occurred.

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|    | Grade Boundary: Low Merit  |
| 3. | <p>For Merit students have to analyse, in depth, different perspectives of a contested event of significance to New Zealanders. This involves evaluating, as an historian, the validity of different perspectives of the contested event. Evaluating includes appraising and presenting an opinion based on the relative merits of the perspectives.</p> <p>Perspectives are communicated (1–4), but the point of view in each case is not always immediately apparent and the explanations for perspectives (1a–4a) tend to be quite simple summaries of reasons for each person’s view.</p> <p>The student has also covered a smaller range of perspectives than Students 1 and 2. The student clearly understood the necessity to discuss the validity of views as an historian (5), but the opinions about validity tend to lack historical evidence or depth of discussion to support them, though reasonable points have been raised.</p> <p>The last two opinions do not really discuss the validity of the views discussed, as the Achievement Standard expects, though the student’s own views on the Treaty indicate some understanding of the issues that have been raised. An attempt to demonstrate engagement with the evidence is made through some quoting of sources.</p> <p>Closer engagement with the evidence throughout could have provided the extra depth that would have allowed this student to reach a more secure Merit.</p> <p>Understanding is clear enough, but greater depth of evidence would have helped to make the account more convincing for a more secure Merit.</p> |



## PERSPECTIVES ON THE TREATY OF WAITANGI

The Treaty of Waitangi is New Zealand's founding document. The Treaty has resulted in years of conflict and wrong doing towards the Māori of New Zealand and is still very much a subject of dispute in New Zealand today...

Many historians have written about the event and the circumstances surrounding the signing of the Treaty of Waitangi. Although they try to create a neutral perspective their personal background and beliefs influence their perception of the Treaty.

Ranginui Walker is a Māori historian who writes about Māori history in New Zealand. He studied at St Peter's Māori College in Auckland before moving to Auckland Teacher's Training College then Auckland University. He later became the Professor and Head of Māori Studies at the University of Auckland. Ranginui Walker was also a member of the Whakatohea tribe of Opotiki in the Bay of Plenty. In 2003, he became a member of the Waitangi Tribunal and remains in this position today.

Walker writes about the Treaty of Waitangi in his book *Ka Whaiwhai Tonu Matou* pages 90-97. In this source it reveals that **he has a bias view on the Treaty** resulting in a negative perspective of the Treaty. This source excerpt is shown from an observation and is a modern day source. This source shows that the Treaty of Waitangi was a confusing document that the Māori did not understand when they signed it. Firstly, **Walker talks about the four English versions of the Treaty that were created but which did not match the Māori translation of the Treaty. The copy of the Treaty that the Māori translation was written from has never been found. This shows that the Treaty is a confusing document - if you do not have matching copies then no one is able to reasonably discern which Treaty is morally and truthfully correct meaning. Therefore, no one copy of the Treaty could be used for verification. This makes the Treaty a very confusing document for the Māori as they did not understand English properly and would not have been able to know whether it was correct or not.**

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1a

Secondly, Walker also talks about the articles of the Treaty in the English and Māori version not matching by only one or two sentences. In article one it says that "the purpose of the Treaty...succession of chiefly sovereignty over New Zealand to the Queen of England". This was made clear in the English version of the Treaty but not in the Māori version as it was obscured by Henry Williams' translation. The English version states "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..." which in the Māori version when translated back into English states "...cede absolutely to the Queen of England forever the complete governance of their lands"...

1a

The "*Our Nations Story*", a New Zealand textbook from the 1940's, pages 20-23 gives **a very different perspective to the one Ranginui Walker provides us.** The textbook was written as a compilation of the history of the British in New Zealand. It was written to meet the guidelines of the history standards at the time of publication. It is a past source which was written from a British/English point of view making their perspective different to that of others.

2

"Tamati Waka Nene made a splendid speech in which he told the Māoris that he was sure the Queen wished only to be their friend..." This shows that Tamati Waka Nene was told the Treaty would be good for the Māori and that the British only wanted to be friends with the Māori and that nothing bad would happen to them if they signed the Treaty. Before Nene made his speech, some of the chiefs would not sign the Treaty. Nene's speech would have most likely been the turning point which convinced them that it would be of benefit to them if they did sign.

2a

This source says that "You will understand how important the Treaty of Waitangi was in the story of New Zealand. By it, our country became a British colony; and by it the Māoris remained the real owners of the country." This tells us that the Treaty was like the beginnings of our country being a part of the rest of the world by having laws and some sort of justice system. It was though that by becoming a colony the Māori were still the real owners of the country only they were now protected by the Queen of England. This source praises the Treaty for taming New Zealand and that it plays a very important part in New Zealand's story. It shows that the Treaty was good for New Zealand as the Māori were still owners although the ruler of their country had changed.

2a

"...it remains the fairest Treaty ever made between Europeans and a native race; indeed in many ways, it was much fairer to brown man than to white..." To me this shows that the Treaty was to benefit the Māori more than the Pakeha that had come to New Zealand. It says that the Treaty was one of the fairest ever made between Europeans and a native race; this may be true for the Pakeha, but in the eyes of the Māori, this is not true. This shows that **the authors thought the Treaty was fair and that the Māori were of an understanding that the ideas were fair and honest. This adds to the positive**

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perspective given in this source of the Treaty of Waitangi. The authors of the compilation think that the Treaty was that fairest ever and they think that it was good for the Māori and it favoured them over the Pakeha.

William Colenso wrote a book about the Treaty of Waitangi titled '*The Authentic and Genuine History of the Signing of the Treaty of Waitangi*' published by the Government printer in 1890... "If the natives do not know the content of this treaty it is no fault of mine... Mr Colenso: 'True... but the natives are quite children in their ideas.'" Colenso's conversation with the Governor shows us that he could see that the Māori were not able to comprehend the ideas given to them in the Treaty. He saw that their civilization was quite childish and that they had a lesser knowledge of rules and regulations. The Māori were not as developed in the sense of modernisation compared to the Europeans. They lived a very easy life by living off the land by hunting and gathering, whereas the Europeans had created ways to help them live like stoves and guns and other man made goods. This shows us that William Colenso saw that the Māori were not able to fully understand the Treaty presented to them. This reveals Colenso's negative perspective on the Treaty of Waitangi as he tried to tell the Governor that they could not understand the Treaty and that it was confusing to their "childish" mind...

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3a

Keith Sinclair was a New Zealand historian. He was born and raised in Auckland, New Zealand. He studied at Auckland University College; he was awarded a PhD and became a Professor of History at the University in 1963. In Sinclair's book "*A History of New Zealand*", pages 70-73 he talks about the circumstances of the signing of the Treaty of Waitangi. This book was published in 1959 and was one of the first books Sinclair wrote. "What those who signed or those who refused may have understood the Treaty; it is difficult to say... One chief interpreted the Treaty as meaning that 'the shadow of the land goes to Queen Victoria, but the substance remains with us.'" This shows that Sinclair knows that the ownership of New Zealand goes to the Queen of England but the land still belongs to the Māori. Each chief had a different perspective on the Treaty; Sinclair says that those who refused to sign the Treaty may have understood it and its contents while those who signed were not fully aware of what it meant. This shows that Sinclair holds a neutral perspective on the Treaty of Waitangi and that he has no strong feelings to be for or against the Treaty. He states that some Māori may have understood while others did not.

4a

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Sinclair also talks about the Treaty not fully pleasing anyone in the end although at the time it did. "The Treaty of Waitangi was intended to lay a basis for a just society in which two races, far apart in civilization, could live together in amity... At the time, however, though almost everyone concerned received some satisfaction, it pleased no one entirely." This shows us that the Treaty was created so that the two races could live together peacefully but this did not end up happening. As a result of the Treaty, the British Government felt they had taken on too much responsibility. Sinclair shows us that the Treaty was not able to please everyone.

4a

I support Ranginui Walker's negative perspective on the Treaty of Waitangi. I think it is the most convincing perspective as he has knowledge of the event and he feels that the Treaty is a confusing document that the Māori did not understand when they signed it. I think that the British made a terrible mistake when writing the Treaty. Not one of the English versions matches the Māori version of the Treaty, although the copy that the Māori version was translated from has never been found. This is a large problem because if you do not have matching copies of the Treaty then no one is able discern which Treaty is correct.

5

I feel that by the wording of the Treaty of Waitangi, the Māori were wrongfully tricked into signing something in exchange for trade. The words rangatiratanga and kawangatanga were used incorrectly and if they had been used properly, the Māori may have understood the messages that the Treaty were trying to convey for New Zealand.

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I have a positive perspective on the Treaty of Waitangi Tribunal as I believe this government established body is doing it's utmost to right the wrongs of the Treaty. However, I believe that there should be a time limitation on claims to the Tribunal. This would enable it to finally settle all retrospective claims and enable New Zealand and all New Zealanders to move on in a fully integrated society into the future.

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|    | Grade Boundary: High Achieved  |
| 4. | <p>To Achieve students have to analyse different perspectives of a contested event of significance to New Zealanders. This involves explaining, as an historian, different perspectives of the contested event.</p> <p>The student has covered the basics for Achievement well (1–3 identify perspectives, 1a–3a provide explanations for perspectives), and there are also some features that are Merit and Excellence indicators (drawing a conclusion, some evaluation of the validity of evidence (4) and some engagement with the sources to support points being made).</p> <p>This student covered only three perspectives, which would probably be the minimum that might be expected at this level for this context.</p> <p>The level of discussion of the validity of the perspectives comes close to allowing a Merit judgement, especially as points are supported with quotations in several instances. There is also an attempt to reach a final conclusion (5), though that discussion is quite limited in the range of matters raised in support of the conclusion.</p> <p>The discussion of the validity of each perspective that was presented helps to place the evidence very close to Merit. Further discussion of one or two more perspectives in the same depth (e.g. at 3 &amp; 4) could also have helped to obtain a Merit judgement.</p> |

## The Treaty of Waitangi

### Preamble

The Treaty of Waitangi is regarded as perhaps the most important document in New Zealand's short history. Regardless of people's perspectives on it, of which there are many, it is still the document that effectively "founded" New Zealand.

The Treaty was a result of several things, chiefly the ever increasing conflict between the European settlers and the Maori inhabitants. These conflicts started as soon as the settlers had arrived, beginning with the Sealers, Whalers and Traders that came to New Zealand in what began the "contact" period. With these settlers came various diseases and eventually, what was proven to be most devastating for the Maori population, muskets. Once the Maori had attained these weapons they began to exact long-standing revenge on each other, beginning what has become known as the "Musket Wars". Estimates suggest that in this period approximately 30,000-40,000 Maori were killed by other Maori...

Most problems that have arisen out of the Treaty have been over the issue of ownership of land. The English version of the Treaty claimed that the Crown had complete governorship over the Maori land and possessions. However, in the Maori translation the word "Kawanatanga" is used, meaning to the Maori that British rule would be a mere formality and that they would act more as a shadow over the Iwi.

### Article the First

The first perspective to analyse is that of Ranginui Walker, a contemporary historian of Maori descent. He agrees very much with the sentiment that **the Treaty was a confusing document, that the Maori did not understand when they signed it.** He makes several statements in his book "Ko Whawhai Tanu Matou" that lead one to believe he holds these perceptions. In his book he reiterates what writer Ruth Ross stated, agreeing that:

**"The outcome of these combined efforts [drafting and translating the Treaty] was four English versions and a translation into Maori which matched none of them."**

He then goes on to state that the meaning of the Treaty was "obscured" because of Henry Williams' translation, saying that:

**"The word kawanatanga did not convey to the Maori a precise definition of sovereignty. Had the word mana been used, no Maori would have any doubt what was being ceded."**

Later on he also talks about how the forest and fisheries referenced in the English version are only vaguely implied in the Maori version. He then notes:

**"...this omission is an indication of the lack of precision in the drafting and translation of the Treaty"**

The remarks aforementioned show clearly the Ranganui Walker believes strongly that the Treaty was misleading. In his endorsement of earlier remarks made by historian Ruth Ross as well as his own writings he firmly believes that the Maori were wronged in this Treaty.

This is very much the view of many contemporary Maori. They have the benefit of hindsight, so they can subsequently see the disruption and damage caused because of the various 'misleading' elements of the Treaty. Walker now has the ability to see that as a direct consequence of the ambiguity and apparent mistranslation of the Treaty the problems that this has caused, mainly through the land that the British would subsequently purchase off the Maori.

It is quite possible that Walker is likely to be critical of the Treaty overall simply because of the breaches of the Treaty that the British crown was to commit over the next 30 years. Because he is a contemporary historian, it is likely that he knows all of the breaches the Crown was to commit henceforth judging the Crown as to be intentionally deceiving at all times, as he suggests in the aforementioned book Henry Williams is with his translation. This overbearing sense of animosity towards the Crown might have caused bias in his summation of the 'facts'. It is also important to note that Ranganui Walker's tribe, "Te Whakatohea" has made land claims against the Crown for the confiscations during the New Zealand Wars, so he has a predisposed disenfranchisement with the Crown.

### Article the Second

The second perspective that has to be examined is that of a New Zealand primary school textbook, ironically named "Our Nations Story". This textbook was written in the 1940s and was aimed at those who were in their last year at primary school. In it we see a story about the Treaty that has been seldom seen since the signing, **one that sees it as a reasonable and fair Treaty.** We also see it severely understate the consequences that the Maori were going to have because of the Treaty, stating:

**"Captain Hobson, they [missionaries] said, had not come to take away New Zealand from the Maoris. All he asked was that the Maori acknowledge the Queen of England as their ruler. If they would do this, the Queen would leave them in possession of their lands, and would protect them against their foes."**

Even if this was exactly what the Maori were told, it is still factually inaccurate as to the impact that signing the Treaty with regards to Maori governance was grossly understated, leading one to believe that the Maori didn't actually fully understand what they were signing. This textbook also summarises the effects of the Treaty, weighing up the advantages with the disadvantages and believes:

"To this day it remains the fairest Treaty ever made between Europeans and a native race; indeed, in many ways, it was much fairer to brown man than to white."

This statement clearly shows that the writer of the textbook believes that the Treaty was more than a fair one, so the Maori must have known about the benefits when they signed it, showing their comprehension of the document. Although the textbook was written over 70 years in the past, we must still consider it to be a modern perspective. The time period this was set in is crucial to understanding why this textbook was written with the stance it had.

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This textbook was written in the 1940s, during which time we were using a mainly British education system. This meant that most of the material was written from a British point of view, with opinions expressed and facts presented being those that would most likely concern the British, as there was very little New Zealand information they could include. Consequently, the writers most likely didn't want to implicate the British and the mistakes that they had made

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#### Article the Third

The third perspective is taken from the 'perspective of William Colenso, taken from his book "The Authentic and Genuine Signing of the Treaty of Waitangi". Colenso was a missionary, but more importantly he was the first man to set up a printing press in New Zealand and henceforth printed the original copies of the Treaty of Waitangi. His book, "The Authentic & Genuine History of the signing of the Treaty of Waitangi", is perhaps the most famous book of all about the Treaty. One conversation that he writes about in his book is particularly pertinent. He describes a conversation he had with James Busby on the 51h of February:

"[In response to Busby's determinedness to sign the treaty] I think they ought to know somewhat of it to constitute its legality... I have spoken to some chiefs concerning it, who had no idea whatever as to the purpose of this Treaty"

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This extract alone suggests that Colenso was of the opinion that the Treaty was one that the Maori chiefs didn't understand when they were signing it. He is trying to convince Busby to better explain the meaning behind the Treaty to the Maori, in doing so legitimising the Treaty, because he has heard from the Maori that many don't understand the purpose of the Treaty. Eventually, Busby rejects that claim and the Maori chiefs who were unsure were largely persuaded by Tama Waka Nene to sign.

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This perspective is largely held because of Colenso's position at the time. Colenso was a missionary, so he was in regular contact with the Maori. He even was the man who did most of the recording and the translating during the debate stage of the Treaty's signing. This means that he most likely has a close relationship with many of the Maori chiefs that were at Waitangi to sign, as missionaries often were involved in the lives of most of the Maori at this time, attempting to get them to follow their religion. This means that the Colenso had the best interests of the Maori at heart. It is most likely, given the nature of the relationship between himself and the chiefs, that he wanted to see them coexist as equals. Because of this, he would have wanted to make sure that the Maori knew what they were signing away when they signed the Treaty.

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#### Conclusion

As there is with such an important, yet controversial, document such as the Treaty of Waitangi, several clear perspectives emerge on the matter. Many commentators, such as Ranganui Walker, are very much supportive of the statement that the Treaty was confusing, and the Maori did not know what they were signing. But we also see the other side of the spectrum, in which we get a textbook written with a pro-governmental bias such as "Our Nation's Story" which believes that the Treaty was simple and fair, and perhaps even benefitted the Maori more than the Europeans.

Despite this, I am of the belief that Ranganui Walker's perspective is the most valid. This view is the one most commonly held by those who can look at the Treaty signing and the subsequent events in hindsight. Walker backs up his views with several key pieces of evidence. The first, which I find especially pertinent, is that the translation of the word meaning sovereignty to "kawanatanga", which loosely translates to governance, meaning that the Maori were giving away more to the British than what they thought. I believe that this is convincing because it shows a clear-cut error on the behalf of Henry Williams, which then meant that many chiefs actually had no idea what they were giving away, something that they did not fully understand.

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|    | Grade Boundary: Low Achieved  |
| 5. | <p>To Achieve students have to analyse different perspectives of a contested event of significance to New Zealanders. This involves explaining, as an historian, different perspectives of the contested event.</p> <p>The student's evidence is largely an identification of and explanation for three perspectives on the Treaty (1–3 are the perspectives, 1a–3a are the explanations). That is the extent of the expectations for Achievement.</p> <p>An attempt is made to comment as an historian on the Treaty events and meanings or on the significance of the events that are discussed (4), but the student appears to misunderstand the need (for Merit and Excellence) to comment on the validity of each particular perspective. The overall conclusions (5) need reference to more specific historical detail to support the opinions in order to help to raise the final judgement of Low Achievement.</p> <p>A clearer Achievement judgement may have been possible if more perspectives of the Treaty been considered and/or if explanations for each perspective included the student's own discussion of the validity of a perspective, rather than a comment on its significance. This student's evidence has not been edited.</p> |



## The Treaty of Waitangi: Our 'Founding' Document

The Treaty of Waitangi is New Zealand's founding document, signed on 6<sup>th</sup> February 1840 at Waitangi in the Bay of Islands. The Treaty was made to establish law and order in the far flung antipodes of the world. Early settlers believed that with no provincial government and the fact that New Zealand was as far away from England as possible, that they could make their own rules in a way that was damaging the humanitarian rights of Maori. These settlers often traded alcohol, muskets and blankets to Maori in return for land, while encouraging them in tribal warfare. There was also a growing interest of the South Island to become a French colony, supported by the French King Louis Philippe I. To make sure all of New Zealand was under British rule, they had to create a document that would legally bind both the North and South Islands to the British Crown, with the approval of Maori. The man in charge of securing New Zealand as a British Crown interest was Lieutenant-Governor William Hobson. The Treaty was prepared in a mere 3 days from first draft to final copy, and was translated into Maori in one night by missionary William Williams (who first translated the Holy Bible into Maori) and his son, Edward. Around 500 Maori had converged on Waitangi on the 4<sup>th</sup> and 5<sup>th</sup> February and discussed the Treaty for a day and a night, before it was signed on 6<sup>th</sup> February 1840. There are some people however, who see the Treaty in different light than its original purpose.

Our Nation's Story is a 1940's school textbook that holds a positive view on the events surrounding the Treaty of Waitangi. The extract I have read has made me think that the author was probably an educated, white immigrant due to referring to Britain as 'she' and does point out anything the British may have done wrong to the Maori within the Treaty itself. Firstly, this extract states "To this day it remains the fairest Treaty ever made between Europeans and a native race; indeed, in many ways, it was much fairer to brown man than to white". I have a few problems about this passage regarding the Treaty. Yes, it was quite fair to Maori, but that was only because of the sign of a changing time in humanity when we were slowly beginning to realise the value of all lives. I believe if say Australia or Brazil or even the United States was colonised at the time surrounding the Treaty signing then the same basic humanitarian rights would be given. From my own knowledge, the British had made up new words in the Maori language such as kawanatanga (governance) being used. This article makes no mention to the discrepancies in translation of English to Maori. This is clearly painting a halo above the British who created the Treaty and would not of given school children of the 1940's a full, unbiased education of the Treaty.

1

1a

The Wikipedia article on the Treaty of Waitangi's meaning and interpretation holds a negative view on the Treaty I believe. In the second paragraph of the article the author has no issues saying right off the bat that the English and Maori versions differ, which has continued for many years to undermine the effect of the Treaty. It lists three critical differences in English-Maori translation – Kawanatanga (governance), which was ceded to the Queen in the first article; rangatiratanga (chieftainship) instead of the word mana, which is retained by the chiefs in the second; and taonga (property or valued possessions). Very few Maori had an understanding of either sovereignty or governorship. This makes me believe if the Maori truly understood the Treaty and what it meant. The article lists Ruth Ross, a notable scholar and expert on the Treaty of Waitangi, as saying that mana would have been a better translation for sovereignty. Mana is an intangible presence of authority and prestige in Maori culture, and if this word was used instead of kawanatanga then the Maori would never have signed the document as giving up their prestige and authority to a woman from afar flung land would be absurd. The translation issues continue to cause frustration even today for policy makers of New Zealand. With the word properties being translated into taonga which means treasures or precious things. Different cultural understandings have caused such disputes such as the foreshore and seabed controversy, less than 10 years ago. The article continues on to talk about how the pre-emption clause (second article) is not well translated and that Lieutenant-Governor William Hobson didn't even understand the concept of pre-emption. If the man charged with creating a balanced Treaty didn't understand an entire clause, then what hope could he hold for Maori to understand? The oral nature of Maori society meant Maori present at the signing placed greater value on what Hobson himself said instead of what was actually written, so he could have spun the words a little bit to swing the Maori into his favour. Nopera Panakareao is noted for saying "the shadow of the land is to the Queen, but the substance remains to us". This is what he and many of the other Maori at the Treaty signing had believed from the Maori version of the Treaty. However, one British official is noted for later saying that "the Maori will discover that the British had had acquired something more than the shadow". This makes me believe the British were willing to spin the truth a little bit to persuade Maori to sign, which is unfair as two separate cultures had their own interpretation of what the Treaty was implying.

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A neutral view on the Treaty of Waitangi is held by the NZ History Online website. I believe that it is a neutral view as it shows perspectives from both Maori and English at the time. It tells how Hobson and others "stressed the Treaty's benefits while playing down the effects of British sovereignty on rangatiratanga (chiefly authority). From this, I believe that if the truth of how the Maori would lose their rangatiratanga were to be bought into the open for Maori to understand, then they might not have agreed to it. The article continues to

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say how the English version "guaranteed 'undisturbed possession' of all their 'properties' but the Maori version guaranteed 'tino rangatiratanga' (full authority) over 'taonga' (treasures, which may be intangible)". From this, I believe that the Maori and English were confused a bit about the meaning of the Treaty, both cultures would have thought the other had the exact same document, when in actual fact it didn't. The article states how different understandings have been subject to debate for a long time, especially since the 1970's when Maori demanded through protesting on Parliament and occupying land that the terms of the Treaty be honoured. Different meanings have made it difficult to honour the Treaty, while not having any ill effects on the general population (e.g - foreshore and seabed). One of the main reasons I believe that NZ History Online holds a neutral view on the Treaty is because it puts it into modern context, how it is not common to refer to the 'intention, spirit or principles of the Treaty'. The Treaty in today's society isn't part of New Zealand domestic law except for where the basic principles apply in Acts of Parliament. Also mentioned is the Waitangi Tribunal was commissioned in 1975 to investigate and settle alleged breaches of the Treaty by the Crown. To date, more than 2,000 claims have been lodged, with many major settlements reached. To talk about the relevance to modern New Zealand is why this article holds a neutral view on the Treaty of Waitangi - it shows the bad and the good about the Treaty throughout New Zealand's history, not just the events that happened at the signing.

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All the people who wrote their perspectives on the Treaty are later commentators on the event; however, NZ History Online and the Wikipedia article are both much more modern than the article by Our Nation's Story. I believe that the latter was written from the perspective of a white male in New Zealand who was probably a respectable community member. The way he would have grown up would have been to sugar-coat the Treaty and leave out the nasty parts of history. To me, this doesn't seem like a valid and balanced perspective unlike the modern perspectives which show the good, the bad and the ugly sides of the Treaty and were most likely written by people who wanted to show the Treaty for what it is for, and let people make their own judgments on it. Personally, the Wikipedia article leaves me more educated on both sides than the NZ History Online article as there is more information about the Treaty and what happened.

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Although I appreciate the information given by the Wikipedia article more than I do the NZ History Online article, the latter gives me more of a modern meaning to the Treaty. As hard as it is to decide which perspective is more convincing, I would choose the Wikipedia article as there is more information surrounding discrepancies within the Treaty of Waitangi

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|    | Grade Boundary: High Not Achieved   |
| 6. | <p>To Achieve students have to analyse different perspectives of a contested event of significance to New Zealanders. This involves explaining, as an historian, different perspectives of the contested event.</p> <p>The student has provided two perspectives with explanations (1, 1a, 2, 2a) which show reasonable understanding, and a third perspective (3) that is not explained.</p> <p>The concluding section (4) is the student's own perception of the Treaty, rather than discussion of the validity of the three perspectives that were identified (as Merit and Excellence require). For Achievement more than two perspectives could have been identified and explained for this context and at this achievement level. That would help to steer the evidence towards Merit's 'in-depth' requirement.</p> <p>Additionally, explanations should make more in-depth reference to the facts and opinions stated in each source that is being discussed and more specific reference to the historical situation should be made.</p> <p>This student's evidence has not been edited.</p> |

## The Treaty of Waitangi

On the 6th of February, the Treaty of Waitangi was signed between European men and Maori chiefs. The document was an argument that the Maori acknowledge the queen as their ruler, and the British would give the Maori the right to rule their own country and keep their customs, also getting protection from the British. When the French were seen as a country that wanted New Zealand for their own benefits. The British had to act fast in making New Zealand rule under the queen, so the Treaty of Waitangi was created, but the document had so/ne errors in it and had started turmoil, about wither the Maori were taken advantage of, or if the British had good intentions of the Maori at heart. The text of the treaty was written in English by William Hobson and then was translated into Maori by Henry Williams, where most of the arguments had come from the translation of the treaty. In over a few days the treaty was created and signed by over 500 chiefs, but many of the people now are wondering wither the Maori chiefs knew what they were signing, most were given gifts if signed so it seemed that bribery was one of the main reasons why the chiefs signed. However because of the intentions of protecting the Maori, the Treaty was seen as a great opportunity for some by allowing more trades and a better life style. Although some chiefs did not sign, Hobson announced that the whole of New Zealand was under the rule of the crown; therefore taking back what the treaty was offering the Maori- a choice. The issue over the Treaty is still being debated in this day in age and may have different opinions of whether this Treaty was a good thing for Maori or whether they were taken advantage of for the benefits of the British.

The sources of Ranginui Walker and Wikipedia show the negative view of the Treaty in how the British used dirty tactics to get signatures by the Maori chiefs. These sources seem to think that the British were in the wrong for taking advantage of the Maori. 1

A statement by Ranginui says that "each chief who signed the Treaty was given two blankets and some tobacco", which gives evidence that the methods used by the British, were to try and bribe the Maori chiefs to sign the document, and in return would receive European goods, telling us that not all the chiefs knew what they were signing, and clearly stating a negative view on the fairness of the Treaty. Also in the Wikipedia source it states that "the English and Maori version differ", and continues to say that "the most critical difference revolves around the interpretation of three Maori words: Kawanatanga (governorship)... rangatiratanga (chieftainship) ... and taonga (property or valued possessions)", telling people of the bad translation used by the British, indicating another way the British jeopardised the Treaty in order to get the chiefs to sign. After all this, Hobson announces New Zealand to be under the rule of the crown even though not all the chiefs agreed or even got the chance to sign the treaty. 1a

Both of these sources referred to the English version of the treaty and the differences it had to the Maori document that was translated wrongly, and both show the deliberate and great efforts made by the British to get New Zealand to rule under the queen.

The sources for Our Nations Story and Keith Sinclair both have high opinions for the Treaty being created. In the New Zealand's textbook- Our Nations Story, the author expresses that Britain didn't want New Zealand in the first place, but the missionaries were determined to make New Zealand a better and safer country, but in order to do that there must be some sort of government. For Keith Sinclair he proposes that the British had the best interests for the Maori, and that "The Treaty of Waitangi was intended to lay a basis for a just society in which two races, far apart in civilization, could live together in amity." Both sources also express the need for the Treaty to be signed because "affairs in New Zealand were so bad that our country might fall an easy prey to the French ... the British government was forced to act fast". The threat to the British when hearing of the French arrival, who were looking to settle in New Zealand, made the British think it was in the best interest for the Maori people that they be under the British government, so no outsiders could take advantage of them and buy land. Also letting the French have New Zealand would have been a bad move for the British, military wise, because New Zealand would of been under the French rule and therefore giving them more resources to soldiers and military ground. 2  
2a

My perspective that I support with would be the one by W. Colenso: The Authentic &

Genuine History of the signing of the Treaty of Waitangi, because he gives an actual perspective of the time the Treaty was signed, and truly wishes that the Maori come out better off after the Treaty had been signed by them, and this is shown by him when he questioned whether the "natives understand the articles of the treaty which they are... to sign?". It gives a clear indication of the events that happened at the time and gives us an honest recollection of what happened at the signing, so we decide if the European were taking advantage or actually trying to protect the Maori.

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Whether Hobson had good intentions for the Maori by creating the Treaty, he did it in a way that wasn't fair, taking the rights of the Maori to decide whether to sign the document, by bribing and mistranslating the treaty to insure the Maori chiefs signed. The reason why the Treaty was created so fast, was to insure that New Zealand was under British governorship so no other foreign country could take advantage, and when The British heard the French were looking for some more land in New Zealand, they had to act fast. The main issue with the Treaty was the translation to Maori, which wasn't done in the right way and therefore has started many wars that could have been prevented. In conclusion I feel the Treaty was created for the right intentions but where taken advantage of and it misled the Maori.

4