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# Introduction

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On

Arrivals





# First European Arrivals

In December 1642, two Dutch East India Company ships led by Abel Tasman anchored in Taitapu, now called Golden Bay. The crew did not come onshore, but this short visit led a Dutch map maker to name the territory in Latin as Nova Zeelandia. In English this became

It was more than a century before the next European visitors. In October 1769, the , captained by James Cook, landed at T ranganui-a-Kiwa (Poverty Bay).

Just two months later, the French vessel , captained by Jean-François-Marie de Surville, reached Tokerau (Doubtless Bay).

During these early encounters, “ the puzzlement and perplexity experienced by both sides proved frustrating and sometimes fatal” (Salmond 1991, p. 431).

By the end of the 18<sup>th</sup> century, expeditions from Australia were harvesting seals and Europeans were arriving to settle.

By 1830, the number of Europeans living in the country was over 300 and growing. By the end of the decade, the European population would pass 2,000.



, on New Zealand's 50 cent coin.  
Source: [Reserve Bank of New Zealand](https://www.reservebank.org.nz/).

# Declaration of Independence, 1835

In 1831, 13 northern Māori chiefs sent a petition to the King of England, King William IV. Among

# Te Tiriti o Waitangi, 1840



# Colonisation

# Systematic Colonisation

A key reason for the British Crown to promote the Tiriti o Waitangi to rangatira was the move by Edward Gibbon Wakefield and supporters to form the with the purpose of organising systematic colonisation.

An advance party of New Zealand Company representatives arrived on the in August 1839. The first ship to arrive with settlers was the . It landed on 22 January 1840, two weeks before the



# Conquest by Contract

Following the Tiriti o Waitangi, the first large-scale transfers of whenua were in the South Island, where the Ng i Tahu population was quickly surpassed by settlers.

"Our people expected that our Treaty partner would proceed in the spirit of the Treaty to protect and support our Rangatiratanga over our property rights, but instead, these rights were removed."

– Rakihiia Tau,  
Cited in Waitangi Tribunal (1991, p. xvii)

Between 1844 and 1864, [ten transactions](#) between the Crown and Ng i Tahu rangatira resulted in being purchased by the Crown.

[Kemp's Deed](#) in 1848 was the largest transaction. It involved 13.5 million acres in Canterbury.

Each purchase included agreement about lands reserved from the sale and promises on how Ng i Tahu would share benefits from the European settlement.

Again and again, the Crown failed to honour these agreements and promises.

Thus, Ng i Tahu were denied the promised resources to participate equally in the new world being created, despite decades of protests beginning in 1849.

Stuart Banner (2000) calls this





# Settler Government

In 1852, the UK Parliament passed the [New Zealand Constitution Act](#). This created self-government in the colony of New Zealand, involving six Provincial Councils and a central government.

The Act set rules for who could vote. Voters were to be male, aged 21 years or older, and owners or leasees of property worth more than minimum values set out in the Act. The property test meant most Māori could not vote, producing a settler government.

The New Zealand Constitution Act did not mention Te Tiriti directly, but there were echoes. Indeed, the very idea that the British Crown had authority to design institutions of government in the distant colony drew on Article 1.

Further, the Act allowed only the Crown to purchase land from Māori and it forbade restrictions on Māori that were not required of Europeans. These clauses were consistent with provisions in Articles 2 and 3 of Te Tiriti.

Section 71 of the Act permitted the creation of districts where Māori laws, customs and usages would have been observed. This power was never used.

Crucially, the Act ignored the Article 2 promise made to Māori – the full, exclusive and undisturbed possession of their Lands and Estates, Forests, Fisheries and other properties which they may collectively or individually possess – expressed in Te Tiriti as

# K ngitanga

Many historians describe the New Zealand Constitution Act as “ the point at which relations between M ori and P keh really began to turn sour” (O’Malley 2016, p. 61).

M ori continued to assert tino rangatiratanga in the face of the new settler government. This included focusing on local hui, or assemblies, where M ori communities could promote self-government and coordinate resistance to the rising hostility of settlers.

Following the passing of the New Zealand Constitution Act in 1852, Tamehana Te Rauparaha and Matene Te Whiwhi travelled in the central North Island, calling for the selection of a king to bind M ori together and to oppose land sales.

A large gathering at Manawapou in South Taranaki agreed in 1854 to cease selling land to Europeans. In 1856, a gathering at P kawa on the western shore of Lake Taup added further impetus to the movement.

After further discussions and some dissent about the name of the position, P tatau accepted the title of King at a hui in June 1858. A second ceremony at Ng ruaw hia, on 2 May 1859, confirmed his appointment.

P tatau died the following year. His son, P tatau Te Wherowhero, was appointed king on 5 July 1860, again at Ng ruaw hia, just four months after imperial troops had marched on Waitara in Taranaki.

# Raupatu

The growing settler demand for  
whenua could not be met from

# Native Land Court

Dame Claudia Orange writes, "In the years after the wars, the most serious attack on the vitality of Māori life came from the Native Land Court" (Orange 2004, p. 80).

# Integration Policies

Māori initiatives at the turn of the century sought to draw on settler knowledge to advance Māori

In 1987, the New Zealand Planning Council published a report on . It summarised events dispossessing Māori land, showing the amount of land still in Māori title at key dates.

The amount had almost halved by the time of the New Zealand Constitution Act 1852. Eight years later, it was less than a third. In

# Intergenerationa



Tino Rangatiratanga



# The Waitangi Tribunal

When Hon Matiu Rata (Minister of  
Māori Affairs) in November 1974

# The *Lands* Case 1987

In 1987, the Government proposed to pass about 10 million hectares of land owned by the Crown to enterprises established under the State-Owned Enterprises Act 1986.

# Exchange and Reciprocity

In the 1987 case, Justice

# Shared Power and Authority

The Waitangi Tribunal paid further attention to the events of 1840 in its [Te Paparahi o Te Raki](#) Inquiry. It heard evidence from claimants



# Water Rights

The dispossession of whenua was a crucial loss of property rights, but other rights also need attention.

The Courts and Waitangi Tribunal, for example, have insisted the Crown must recognise Māori ownership rights to , leading to legislation such as the [Treaty of Waitangi \(Fisheries Claims\) Settlement Act 1992](#).

Ngā i Tahu have also asserted resources being commercialised.

" The right of the Crown to allow regional governments to issue consents for a resource [water] that was neie3eedi neie3eedi neie3eed0









# The Principle of Equity

Article 3 in the Treaty of Waitangi imparts to Māori all the rights and privileges of British subjects.

The Principle of Equity recognises that Article 3 guarantees Māori freedom from discrimination and obliges the Crown to positively promote equity.

The Waitangi Tribunal has received evidence over time and across the country that there exists an inequity of health outcomes between Māori and non-Māori, contrary to Article 3.

“In this way, the principle of equity is closely linked to the principle of active protection. Alongside the active protection of tino rangatiratanga is the Crown’s obligation, when exercising its kōwhiri, to protect actively the rights and interests of Māori as citizens. At its core, the principle of equity broadly guarantees freedom from discrimination, whether this discrimination is conscious or unconscious. Like active protection, for the Crown to satisfy its obligations under equity, it must not only reasonably ensure Māori do not suffer inequity but also actively inform itself of the occurrence of inequity.”

– Waitangi Tribunal (2023, p. 34)

# Further Treaty Principles

Further Treaty principles have been relevant in different contexts. Three are listed here.

rise to a duty of redress. This was a significant consideration in the

Although the case found no absolute duty to consult, it did affirm that the Crown must ensure decisions are informed with regard to their impact on Māori. This is a key aspect of acting in good faith.

It is a general legal principle of partnerships that past wrongs give

# M tauranga

# Budget Secrecy

# Te Tai hanga

Te Tai hanga is the reo Māori name for the Treasury. It was announced by the Secretary to the Treasury in March 2019 at an event re-awakening the organisation's wharenuī, Ngā Mokopuna a Tāne.

The Secretary's [speech](#)





# Economic Reforms, 1984 – 1994

To illustrate the importance of the Crown's annual budget, consider New Zealand's economic reforms between 1984 and 1994.

In July 1984, a new government was elected with a mandate to change the previous Government's approach to economic policy. The Budget was delayed that year until 8 November, to give the Minister time to prepare the comprehensive programme of economic reforms that came to be known as

Another change of government in 1990 provided a mandate for further reform. The 1991 Budget announced significant cuts in social security benefits.

Together, these reforms created new economic opportunities, but also saw many New Zealanders left behind, as this quote from MBIE indicates.

" The consequences of these reforms were mixed. The economic slide of New Zealand was halted, but some of New Zealand's intractable social problems, with inter-generational poverty and rural dislocation, can be traced back to this time. Those who were able to adjust and take advantage of the resultant new opportunities prospered, while those who could not were often left behind."

– MBIE (2019, p. 8)



# The Budget Strategy

The first step in the [Budget Process](#) develops an overall strategy. This is published in the

# Budget Decisions

Once the Strategy is approved, the next step is for Cabinet to decide on the contents of the Budget.

# Reasons for Budget Secrecy

The long-standing convention of budget secrecy is supported by at least four considerations.

The Crown's annual budget involves decisions about public spending and revenue that have political consequences. Secrecy may help the Budget Ministers make responsible decisions by isolating them from the immediate demands of their colleagues and the general public.

The Budget may include policy changes that 'shift the market'. Requiring secrecy until Budget Day helps the Government to ensure the markets have all the information needed to assess the total Budget package.

There must be no suggestion that a person involved in the Budget has leaked a decision to anyone who can benefit from that advance notice.

Some argue it is disrespectful to reveal Budget details to the public before presenting them to Parliament, since it is Parliament who must pass the Appropriations Bill for the Budget to be accepted.

# Budget Secrecy and Mātauranga Māori

Budget secrecy means decisions are made without accessing the

# Resourcing Tino Rangatiratanga

Article 2 of Te Tiriti guarantees to Māori or “the unqualified exercise of their chieftainship over their lands, villages and all their treasures”.

Exercising tino rangatiratanga requires economic resources. In the language of economists, it is a [public good](#). The Crown, however, claims the exclusive right to tax, which therefore restricts the ability of Māori to fund the exercise of tino rangatiratanga themselves (Scobie et al., 2023).

“We suggest that constitutional transformation needs to take economic transformation seriously if it is to be just and equitable. The increasing demands on Māori to consult, engage and lead are spreading thin resources thinner and as all aspects of the public, private and third sectors start to take their Te Tiriti obligations



Conclusion

# Summary

Māori first settled in these islands during the 13<sup>th</sup> century. Europeans first set foot onshore in 1769.

A key historical moment was the signing of te Tiriti o Waitangi in 1840. Under Article 2, the Crown guarantees that Māori will exercise tino rangatiratanga over Māori lands and other prized assets.

The New Zealand Constitution Act 1852 ignored this Tiriti guarantee. Colonisation dispossessed Māori of land and attacked rangatiratanga.

Since the Treaty of Waitangi Act 1975, the Crown recognises it has a duty to honour the principles of the Treaty, enforced by the Courts. This paper highlights:

- Exchange and reciprocity
- Partnership
- Protection
- Participation
- Options
- Equity
- Informed decisions
- Redress
- Mutual benefits

Following the lead of others, this paper has recognised three spheres of influence in the Tiriti partnership:

- Rangatiratanga sphere
- Kāwanatanga sphere
- Relational sphere

Every year, the Government prepares the Crown's Budget under conditions of strict Budget secrecy. This practice raises issues for all three spheres of influence.

# Issues

The next phase of this project will focus on six issues.

How does the Budget process impact on the Article 2 guarantee that Māori will exercise tino rangatiratanga?

Can the Budget process contribute to resourcing tino rangatiratanga, recognising that the exercise of rangatiratanga is an economic public good?

How does the Budget process reflect the Crown's solemn commitment to respect principles of the Treaty?

Should the principles of responsible fiscal management listed in section 26G of the Public Finance Act 1989 refer to principles of the Treaty?

Given Budget secrecy, how does the Budget process leverage opportunities for collaboration with Māori for mutual benefit?

Given Budget secrecy, how does the Budget process respectfully access mātauranga Māori, including mātauranga on environmental kaitiakitanga?

# Invitation to Participate

The authors welcome comments on this Issues Paper. We invite individuals and organisations to share with us mātauranga and knowledge, as we explore options for future pathways.

The person collating responses in the first instance is Paul Dalziel. He will respond to emails sent to the following address:

[Paul.Dalziel@wellbeingeconomics.nz](mailto:Paul.Dalziel@wellbeingeconomics.nz)

# Glossary

# Te Reo words used in this paper (1)

The English translations draw on definitions in the Te Ake Māori Dictionary available [here](#).

: Kinship group, clan, subtribe.

: Health, vigour.

: A braided river.

: Step, march, journey.

: Gathering, meeting, assembly.

: Places of residence.

: Guardianship, stewardship, trusteeship.

: Topic, policy, matter for discussion, plan, theme.

: Marae protocol – customs of the marae and wharenuī.

: Government, dominion, rule, authority.

: Chieftainship, right to exercise authority, chiefly autonomy.

: Garden, cultivation, food-gathering place.

# Te Reo words used in this paper (2)

: Prestige, authority, control, power, influence, status, spiritual power, charisma.

: Territorial rights, power from the land, authority over land or territory, jurisdiction over land or territory - power associated with possession and occupation of tribal land.

: hospitality, kindness, generosity, support – the process of showing respect, generosity and care for others.

: The open area in front of the wharenuī.

: Knowledge, wisdom, understanding, skill.

: The grandchildren of Tane, name of the wharenuī at the Treasury.

: New Zealander of European descent.

: Chief (male or female).

: Chieftainship, right to exercise authority, chiefly autonomy.

: Confiscation, especially of land taken by force.

: Language; Te Reo refers to the Māori language.

: Sir.

# Te Reo words used in this paper (3)

: District, area, territory, vicinity, region.

: Local people, hosts, indigenous people.



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