

# Treaty timeline

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MCH, 2014h  
Nation Dates  
FINAL

## 1953 Maori Affairs Act

The Maori Affairs Act 1953 forced unproductive Māori land into use. Anyone who could show the Maori Land Court that a piece of good land was not being used could apply to have it vested in trustees. This act, which allowed some flexibility in land management (such as under trusts), remained the governing legislation for Māori land for 40 years.

In 1953 a reigning monarch, Queen Elizabeth II, visited Waitangi for the first time.

## 1962 New Zealand Maori Council created

The New Zealand Maori Council was created by the Maori Welfare Act 1962. Since its establishment it has made submissions to government on many matters affecting Māori, particularly issues relating to the Treaty of Waitangi.

The Council became the National government's main source of advice on Māori policy. It was criticised by some for being dominated by conservative Māori leaders. As the four Māori MPs were in the Labour opposition, the government did not see them as a source of impartial advice. The act also replaced tribal committees with committees representing broader Māori groups and areas, as the government wanted to deal with Māori as a whole rather than individual tribes.

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## 1967 Maori Affairs Amendment Act

The Maori Affairs Amendment Act 1967 introduced compulsory conversion of Māori freehold land with four or fewer owners into general land. It increased the powers of the Maori Trustee to compulsorily acquire and sell so-called uneconomic interests in Māori land. Māori worried that the law would result in further alienation of what land remained. A member of the Maori Council called this the 'last land-grab'. There were strong protests, including street demonstrations. The law was modified in 1974, and drafting of a new act began.

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## 1968 New Māori publications

In 1968 two Māori publications appeared that helped raise awareness about the Treaty of Waitangi: *Te Hōkioi* and *MOOHR*, the newsletter of the Maori Organisation on Human Rights.

## 1970 Nga Tamatoa formed

The activist group Nga Tamatoa (The Young Warriors) was formed in 1970. This gave a new and radical edge to Māori protest in its calls for the Treaty of Waitangi to be ratified. It used many ways to raise awareness of matters vital to Māori, including nationwide petitions to have the Māori language taught in schools and submissions on government policy. In 1971 Nga Tamatoa disrupted the Waitangi Day ceremony, and the following year it staged a walkout.

## 1974 Waitangi Day

Waitangi Day had been a holiday since 1963 for Northland only (replacing the Auckland provincial anniversary holiday). In 1974 it became a national holiday, and Queen Elizabeth II attended her first Waitangi Day ceremony.

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## 1975 Land march



Thousands of Maori and supporters marched on Parliament on 13 October 1975 to publicise the continued loss of Māori land. Whina Cooper led the march (hīkoi) that set off from Te Hāpua in the Far North on 14 September. The marchers' demand was that 'Not one more acre of Maori land' should be alienated. The hīkoi raised public and official awareness of Māori concerns.

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1975 Waitangi Tribunal established

The Treaty of Waitangi Act established the Waitangi Tribunal as an ongoing commission of inquiry to hear Māori grievances against the Crown concerning breaches of the Treaty. The legislation limited the scope of inquiry to grievances occurring after 1975, and it empowered the Tribunal to make findings of fact and recommendations only, not binding determinations.

1977 Bastion Point occupation

Protesters occupied Bastion Point (Takaparawhā) in Auckland in January 1977 after the government announced a housing development on former Ngāti Whātua reserve land. The land had been gradually reduced in size by compulsory acquisition, leaving the Ngāti Whātua ki Ōrākei tribal group holding less than 1 ha. Police evicted the occupiers after 506 days. Following a Waitangi Tribunal inquiry and recommendations, much of the land was returned to or vested with Ngāti Whātua.

There were also protests from 1978 about the use of Maori land at Raglan (Whāingaroa) for a golf course. The land was originally taken during the Second World War for a military airfield. It was not needed for this purpose, but instead of being returned to its former owners, part of the land was turned into a golf course in 1969. The land was eventually returned to Tainui Awhiro people.

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1980 Māori political party formed

Matiu Rata, a former Labour Cabinet minister, established the Mana Motuhake party in 1980. This advocated, among other things, Māori autonomy.

1985 Crown allows claims back to 1840

From 1985 the Waitangi Tribunal was empowered to investigate Treaty claims dating back to 1840. The tribunal also gained the ability to commission research and appoint legal counsel for claimants. Māori have since lodged many new claims against the Crown, and a number of major reports have been released.

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1986 Treaty principles in legislation

The State-Owned Enterprises Act was a key piece of legislation to incorporate a reference to the Treaty of Waitangi. Since then, more than 40 statutes have referred to the principles of the Treaty in relation to the purpose of the legislation. From this, the courts have been able to determine whether the principles are being appropriately applied. This has given the Treaty far-reaching recognition in national and local government.

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1987 History of the Treaty of Waitangi

A major new book about the Treaty of Waitangi was published: *The Treaty of Waitangi*, written by historian Claudia Orange. This signalled the beginning of a major wave of studies on the Treaty and its role in New Zealand.

1987 Landmark court case

A landmark Court of Appeal case (*Maori Council v Attorney-General*) established that the Crown must pay heed to previous Māori ownership when disposing of surplus Crown assets such as land. This followed the break-up of old land-holding departments and the establishment of new state-owned



enterprises under the 1986 State-Owned Enterprises Act. This act declared that the Crown could do nothing 'that is inconsistent with the principles of the Treaty of Waitangi'. The court set out a number of principles it saw encapsulated in or derived from the Treaty.

#### 1988 Direct negotiation

The Crown came to permit direct negotiations that bypassed the Waitangi Tribunal. In 1988 the Treaty of Waitangi Policy Unit was formed within the Department of Justice. Its role was to advise on policy and assist in negotiations and litigation involving Māori claims through the courts and to the Waitangi Tribunal. The Office of Treaty Settlements was formed from this unit in 1995. It negotiates with Māori claimants to determine redress for past breaches of the Treaty of Waitangi. Such breaches need to be proven, but not necessarily through a Waitangi Tribunal hearing.

#### 1990 Sesquicentenary

In 1990 New Zealand marked the 150th anniversary of the signing of the Treaty of Waitangi. Public focus and awareness was on issues surrounding ownership and control of Maori resources as well as partnership between the tangata whenua (Māori) and tangata tiriti (Pākehā, the people of the Treaty). Official representation at Waitangi on 6 February (Waitangi Day) returned after a two-year absence because of rising Māori protest.

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#### 1992 Treaty settlements signed

Major Treaty settlements with Māori claimants were reached from 1992. In that year a settlement on commercial fisheries was signed, vesting \$170 million with the Waitangi Fisheries Commission to enable it to buy 50% of Sealord Products Ltd, a large Nelson-based fishing company. The allocation of the fishery resource and proceeds caused much disagreement among Māori, particularly between coastal and inland tribes, and traditional iwi and newer urban authorities. The issue was eventually resolved by the Māori Fisheries Act 2004. Major settlements were also signed with Tainui (1995) and Ngāi Tahu (1998), each of an estimated total value of \$170 million.

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#### 1993 Te Ture Whenua Maori Act

Te Ture Whenua Maori Act was passed in 1993 after a great deal of discussion, led largely by the New Zealand Maori Council. The act makes it difficult to purchase Māori land, and it seeks to overcome the problems of fragmentation of titles among multiple owners by providing for various kinds of trusts for managing the land.

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#### 1995 Treaty protests

There were several major protests about land and the Treaty of Waitangi from the mid-1990s. Protests included occupation of Wanganui's Moutoa Gardens (twice) and the Takahue school in Northland (leading to its destruction by fire). Symbolic acts included attacking Victorian statuary, the America's Cup and the lone pine on One Tree Hill and removing a Colin McCahon painting (subsequently returned) from the Lake Waikaremoana Visitor Centre. Rising protests at Waitangi Day celebrations led the government to move the official observance to Government House in Wellington. Many protests occurred in response to the government's proposal to limit the monetary value of Treaty settlements to \$1 billion over 10 years, the so-called fiscal envelope. A series of hui (meetings) graphically illustrated the breadth and depth of Māori rejection of such a limitation before the extent of claims was fully known. As a result, much of the policy package, especially the fiscal cap, was dropped.

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#### 2004 Foreshore and Seabed Act

The Foreshore and Seabed Act was passed in November 2004. It vested ownership of the foreshore and seabed in the Crown and guaranteed public access. Its passage was contentious. Many Māori argued that the legislation ignored their customary rights and breached the Treaty of Waitangi. A hīkoi of about 15,000 people marched on Parliament in May 2004 to protest against the legislation. The Māori Party was established in July 2004 in direct response to the pending legislation.



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