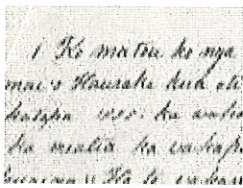


# Declaration of Independence - background to the Treaty

## The Declaration of Independence



The 1835 Declaration of Independence

The Wakaputanga o te Rangatiratanga o Nu Tirene (the Declaration of Independence of New Zealand) was signed in 1835. It has 52 signatures of Maori chiefs. **Maori have seen the declaration as British recognition of an independent Maori nation.** They have also used it as the foundation for their assertion of autonomous rights or mana motuhake. The declaration is on display in the Constitution Room at Archives New Zealand in Wellington.

### Background to the declaration

British Resident James Busby took a key role in the making of the declaration. In October 1835 he learned of the activities of eccentric Frenchman Charles de Thierry who claimed that he would set up a 'sovereign and independent state' in the Hokianga. De Thierry had a colourful history. Earlier he had tried to persuade the Dutch to make him viceroy of New Zealand, and he had appointed himself king of Nuka Hiva in the Marquesas.

Local rangatira were worried, and they had been for some time. George IV in 1820, and 13 petitioned King William IV in 1831 for powers. Busby seems to have used de Thierry's plans as an opportunity to set up a settled form of government among Maori means to make the country a dependency of the British Empire.

As at date of publication Nov 2012 (Archive)

### Signing the declaration

The declaration is a short handwritten document of four articles. It states that all sovereign power and authority in the land ('Ko te Kingitanga ko te mana i te w[h]enua') resided with the chiefs 'in their collective capacity', expressed as the United Tribes of New Zealand. It also states that the chiefs would meet annually at Waitangi to make laws. In return for the 'friendship and protection' that Maori were to give British subjects in New Zealand, the chiefs invited King William IV 'to continue to be the parent (matua) of their infant state and its protector from all attempts upon its independence'.

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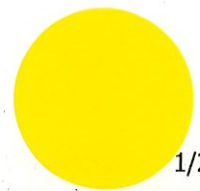
Thirty-four northern chiefs signed the declaration on 28 October 1835. Busby sent it to the King, and it was formally acknowledged by the Crown in 1836. Signings continued until 22 July 1839. By then, 52 names were on the declaration, including that of the Waikato Tainui ariki, Te Wherowhero.

It is likely that Busby and the chiefs had different objectives with the declaration. Busby saw it as a step towards making New Zealand a British possession. The chiefs saw it as a guarantee of their independence, a strengthening of their relationship with the British and a promise of protection. One Maori scholar has suggested that 'matua' means the experience of the father and the inexperience of Maori in this area of government rather than the paternalistic meaning of father.

### The effect of the declaration

The declaration seems to have had very little practical effect at the time. Even before they left the meeting where they signed the declaration, the chiefs told Busby not to expect any chief to subordinate his mana to that of the United Tribes. There is no evidence that the confederation of chiefs was ever solid, except at the time of the signing of the Treaty of Waitangi in February 1840.

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MCH, 2009b

Local law enforcement, such as it was, was more in the hands of the Kororareka Association, a group of local settlers that worked with Busby, and some of the local chiefs. No functioning New Zealand-wide government came into existence as a result of the declaration. Effective sovereignty lay not with the United Tribes but with the chiefs of individual iwi and hāpu.

The declaration was printed and published in 1836 and 1837 but some historians suggest it was never taken seriously until, in 1840, it proved to be an impediment to the annexation of New Zealand. A purpose of the Treaty of Waitangi was to revoke the declaration to permit the transmission of sovereignty to Queen Victoria. That is why the chiefs (or their successors) who had signed the declaration were called up first to sign the Treaty.

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