

# A SIMPLE GUIDE TO THE PRINCIPLES OF THE TREATY OF WAITANGI BILL

(also known as the Treaty Principles Bill)

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[www.treatypeople.org](http://www.treatypeople.org)

# About Te Tiriti o Waitangi

## What is Te Tiriti o Waitangi?

Te Tiriti o Waitangi is a treaty that was first signed at Waitangi in 1840.

A treaty is an agreement by independent nations.

Te Tiriti is a treaty between representatives of the British Crown and many Māori nations called hapū in 1840.

It was written in the Māori language and its name is Te Tiriti o Waitangi.

Hapū nations had already declared their independence and sovereignty to the world in 1835.

They did not give away their independence or sovereignty in Te Tiriti o Waitangi.

## What was agreed in Te Tiriti o Waitangi?

Here are the main points of Te Tiriti, with some of the key words in Māori.

- The leaders (rangatira) who signed Te Tiriti o Waitangi agreed for non-Māori to come and settle here and to have a governor representing their interests (kawanatanga).
- Te Tiriti acknowledges the authority Māori have to govern themselves as independent nations (rangatiratanga).  
Te Tiriti guarantees Māori keep control over their lands and all that is precious (taonga).
- Te Tiriti allows for non-Māori to have land to live on, in areas that Māori agreed.
- The British also offered Māori equal rights with the people of England.

## **The agreements in Te Tiriti have been broken many times.**

The British had another copy of the 'treaty' written in English. It was not the same. Their English text said that Māori gave their sovereignty to Britain. Māori did not agree to this.

The British formed a settler government.

The agreements in Te Tiriti o Waitangi were broken thousands of times by the settler government throughout our history.

- The government took Māori land and gave it to settlers.
- The government made decisions in the interests of settlers.
- The government tried to take away Māori language and make everyone speak only English.
- Māori children were taken from their families.

Strong Māori movements fought against all these things. Māori fought for Te Tiriti to be honoured.

## **Te Tiriti o Waitangi is important for everyone today**

Te Tiriti o Waitangi is important for everyone living in Aotearoa.

For non-Māori New Zealanders, Te Tiriti is the original agreement allowing us or our ancestors to come and settle here. Te Tiriti gives us a place to belong and connects us to Aotearoa.

Māori rights did not come from Te Tiriti. Māori already had rights as first peoples. Māori were many independent nations with their own authority, laws and social systems long before Te Tiriti.

Te Tiriti guarantees Māori will keep their rights.

Te Tiriti o Waitangi is for everyone and we all have a place to belong. We are still working towards honouring Te Tiriti o Waitangi today.

# About Treaty Principles

## Where did Treaty Principles come from?

In the 1960s and 70s there were strong Māori protests to fight for their land, language and sovereignty. The government was forced to respond.

In 1975, a law was passed to create the Waitangi Tribunal. It was the first of many laws to mention “the Principles of the Treaty of Waitangi”.

Over the years, the Tribunal and the Courts have worked carefully to explain what the Treaty Principles are and what they mean.

The Principles explain how the government should relate to Māori.

Here are some of the names of the principles: Partnership, Active protection, Redress, Mutual benefit, Options, Equity.

## Are Treaty Principles the same as Te Tiriti?

No, they are not the same. If we were fully honouring Te Tiriti, we would honour the words of the original agreement.

Principles are a way to recognise some elements of Te Tiriti (and of the English ‘treaty’) in New Zealand law, without recognising Māori sovereignty and independence.

## What do Treaty Principles do? Are they helpful?

The Treaty Principles we have now are not perfect. They are not the same as recognising Te Tiriti itself, but they are taking us *closer* to honouring Te Tiriti.

Principles were needed so that the Government would try to honour its obligations under Te Tiriti o Waitangi.

Māori have been able to use the Principles over the last 50 years to improve things for their people in many areas:

- to support Māori language and education
- to return some areas of land
- for Māori be part of decisions about their own lands, waterways and ancestral places.

Sometimes, Māori have been able to use Treaty Principles to protect the environment. This is good for all of us.

Treaty Principles do not take anything away from non-Maori.

# About the Treaty Principles Bill

## What is a Bill?

A 'Bill' is a proposed new law that has been introduced to Parliament, but has not yet been agreed.

## What is the Treaty Principles Bill?

The Treaty Principles Bill was introduced by the ACT Party on 7 November 2024. The full name of the Bill is *Principles of the Treaty of Waitangi Bill*.

The purpose of the Bill is to change the meaning of the Treaty Principles in law.

The Bill creates three new Treaty Principles to replace the principles that have been carefully developed over the past 50 years.

The effect of the Bill will be to remove the legal recognition of most of the rights guaranteed to Māori by Te Tiriti o Waitangi.

This Bill includes a referendum before it will become law.

(A referendum is where everyone can vote on an important issue).

## What are the new Treaty Principles in the Bill?

The Treaty Principles Bill proposes new principles which are very different from what was agreed in Te Tiriti.

The new Principles in the Bill aim to

- Make government powers greater than what Te Tiriti agreed.
- Stop the sovereign and independent status of Māori nations.
- Make Māori rights dependent on the government agreeing to pass laws.
- Remove protections for Māori rights. Add in equal rights for everyone.

## Why not include equal rights for everyone?

Because this is a Bill about Te Tiriti o Waitangi – so it should be true to what Te Tiriti o Waitangi actually says.

We already have laws to give equal rights to all New Zealand citizens. We are all protected by these laws.

Unfortunately, the actions of the Crown throughout history show that Māori rights need to be actively protected in law. This is the same for other groups as well.

Acknowledging Māori rights doesn't take anything away from other groups.

It is not honest and not honourable to use the idea of 'equal rights' to take away the legal protections of a group.

## What are the problems with the Treaty Principles Bill?

The Bill will change the important status of our founding document, Te Tiriti o Waitangi. Te Tiriti o Waitangi is too important to change.

Te Tiriti is an agreement *with* Māori nations. A treaty cannot be changed by just one party to the agreement.

The new principles proposed in the Bill are not true to what was agreed in Te Tiriti o Waitangi.

The people campaigning to pass the Bill are sharing false information about the meaning of Te Tiriti o Waitangi.

This makes some people feel more confident to voice racism against Māori publicly.

Te Tiriti o Waitangi is important to a huge number of Māori and non-Māori.

The Bill is wasting a lot of time, energy and money to create more problems and conflict.

"We need leaders who guide us... ready to solve the right problems, not make new ones." (Action Station [Party Pack](#), p12)

# Why is this important for me

## Why is Te Tiriti important for me & my community?

This is a good question to discuss together!

What is your relationship to Te Tiriti o Waitangi? What is important to you? To your friends and family? To your community?

Living in a country that is safe, peaceful? Keeping your language and traditions? Having a clean environment? A place for us all to belong?

Honouring Te Tiriti supports all of these things. The Treaty Principles Bill does not.

## We want to honour Te Tiriti because we care

Why?

- We want to respect Māori as the first people (tangata whenua) of Aotearoa. This is their land
- Te Tiriti allows us to come and live in this country.
- Māori have shared their country with us, we want to stand together with them.
- We want to live in a country that is fair and respects all people.
- If the government does not respect the first peoples of this land, how can we trust they will respect other communities?

## How can we help?

Right now, in December 2024, the most helpful thing we can do is to let the government know we oppose the Treaty Principles Bill.

We can do this by writing a submission online, and by helping our friends and family members make submissions.

Every submission will be counted.

Together we can make a difference!

# Making a submission on the Treaty Principles Bill

## What are submissions?

There are many steps for a Bill to become a new law. (See this helpful picture of the steps for a bill to become a law, from Koekoeaa on [Instagram](#), [Facebook](#).)

One step is for the government to ask for submissions from the public.

Submissions are read by a small group within Parliament called a Select Committee.

In a submission, people write down if they are for or against a proposed law. They can also give a recommendation to reject or change a law.

Submissions can be entered on a form on the [Government website](#).

## Who can make a submission?

Anyone can write a submission against the Treaty Principles Bill. You do not need to be a NZ Citizen or Resident. Adults and children can write submissions.

You can write a submission for yourself, and for an organisation you belong to.

You can help your children or family members make their own submissions.

You have the right to participate and make your views heard.

## OK, I want to make a submission on the Treaty Principles Bill. How do I do it?

You can make submissions on the NZ Government website.

[Click here to start](#)

Submissions in New Zealand are public. Your name and what you write in your submission will be published online.

Your personal details will not be made public (phone, email, address)



# What should I write in my submission?

1. **Introduce yourself** - Who you are and why this issue is important to you.
2. **What you think about the Treaty Principles Bill** - be very clear "I oppose this Bill because..."

(Earlier we included some [problems with the bill](#), and reasons [why this is important](#)). Use respectful language. Write from the heart!

3. **Recommendation:** Do not pass this Bill.

Remember, your name and submission will be published online, together with all the other submissions.

It is OK to write a short submission. Every submission will be counted.

**Submissions close on 7 January 2025.**