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‘Metiria Stanton Turei, Nicola R. Wheen, and Janine Haywood (Editors), Te Tiriti o Waitangi Relationships: People, Politics and Law’

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Metiria Stanton Turei, Nicola R. Wheen, and Janine Haywood (Editors), *Te Tiriti o Waitangi Relationships: People, Politics and Law* (Bridget Williams Books, 2024), 280pp. Paperback. NZ\$49.99. ISBN: 978-1-9910-3391-8.

This edited collection is incredibly thought-provoking and very timely considering that at the time of writing this review the current right-wing coalition government in Aotearoa New Zealand is continuing to pursue its Treaty of Waitangi Principles Bill, which will undermine the place of Te Tiriti o Waitangi in the nation. The bill has so many far-reaching consequences, that again at the time of writing, a large hīkoi (protest march) is due to be held by Māori in Aotearoa New Zealand to express their strong opposition to it, the likes of which have not been seen since the famous Māori Land March of 1975. Turei et al. make the fundamental point right at the start of their book that they do not just see Te Tiriti o Waitangi as simply the Māori translation of the English text of the Treaty of Waitangi. Instead there are some extremely important distinctions between the two, most prominently that 'Māori did not cede sovereignty and are guaranteed the ongoing exercise of tino rangatiratanga' in the former, which the latter suggests they did. Due to the limitations of space I will focus on three substantial chapters in the collection in this review.

'Propagating the Myth that Māori Ceded Sovereignty' by Tim McCreanor et al. explores the myriad ways in which the New Zealand state has advanced the myth that Māori ceded sovereignty in Te Tiriti o Waitangi. They comprehensively survey the ways in which this has been since 1840. Of particular interest was establishment of the principles of the Treaty of Waitangi in the 2000s. These principles attempted to reinforce the Pakeha interpretation of Te Tiriti o Waitangi, namely that Māori had indeed ceded sovereignty to the British Crown in 1840. Furthermore, the chapter also highlights the controversial display Te Papa (the National Museum of Aotearoa New Zealand) has on the Treaty of Waitangi where it gives central place to the English version of the Treaty, relegating Te Tiriti o Waitangi to the margins. I have actually seen this display at the museum personally when I lived in Wellington, Aotearoa New Zealand some years ago now and vividly recall thinking that there was intention behind the positioning of the different texts of the treaty: giving prominence to one and marginalising the other.

Carwyn Jones et al.'s 'Ihumatao and te Tiriti: Striving for Just Relationships' explores the case of Ihumātao in Māngere, Auckland, Aotearoa New Zealand in terms of Māori attempts to seek restitution for breaches of Te Tiriti o Waitangi at the Treaty of Waitangi Tribunal. They highlight that the case of Ihumātao illustrates a long-running tension in the Treaty of Waitangi Tribunal process in regard to the restitution of land that was illegally taken from Māori by the Crown (in this case local Iwi and Hapu were forcibly made to relocate to the Waikato) but is now designated as private land. The Treaty of Waitangi Tribunal was initially set up to deal with contemporary and then subsequently historical breaches of Te Tiriti o Waitangi by the Crown. What should be done about private land in a similar situation was more complicated, with the 'solution' that was come up with of indicating on the land deed that the land in question is subject to a Treaty of Waitangi Tribunal land claim and could be taken back by the Crown as a part of that process. However, as the authors of the chapter emphasise this stop-gap fudge is not satisfactory for anyone concerned. The chapter also reaffirms the importance of the issue, not just in Ihumatao but across Aotearoa New Zealand, as the

illegal confiscation of Māori land by the Crown had devastating consequences, both culturally and economically to Iwi and Hapu at the time, but there have also been significant long-term economic effects on those Iwi and Hapu to the current day.

I was especially looking forward to reading 'The United Nations Declaration on the Rights of Indigenous Peoples and te Tiriti Relationships' by Claire Charters et al. as I wrote my recent LLM International Law dissertation on the extent to which Australia, Canada, and Aotearoa New Zealand have implemented UNDRIP and drew on the excellent work of all the authors of this chapter in that. Charters et al. make the very important point that UNDRIP is to this day the most important international instrument for the advancement of Indigenous rights in the world. The fact that Aotearoa New Zealand took three years to ratify it after at first voting against at in the United Nations General Assembly in 2007 demonstrates that it was not without teeth. However, Charters et al. do acknowledge that in formal legal terms UNDRIP is an example of 'soft law', i.e. states that have ratified it are not subject to its provisions as they would be under a treaty. But it still has an important impact. The chapter outlines the different forms this has taken in Aotearoa New Zealand, namely in the legal sphere. Specifically in the New Zealand Supreme Court, which has drawn on UNDRIP in its judgments in several cases; and even more widely in cases that have appeared before the Treaty of Waitangi Tribunal. Both of these demonstrate that UNDRIP very much compliments Te Tiriti o Waitangi, especially in terms of the acknowledgment of the right to self-determination of Indigenous groups and the requirement to secure the full and prior informed consent of those groups when it comes to extraction of resources on their lands etc. And perhaps most significantly UNDRIP also highlights the importance of settler-colonial states honouring the treaties that they have previously made with Indigenous groups, which Te Tiriti o Waitangi is a prominent example of.

I really enjoyed reading this very engaging book. I do not often call on all the people of a country to read a particular book that I have reviewed, but this truly is one that I do, especially at the current time. The greatest strength of the book in my opinion is that it cuts through so much misinformation and long-enduring myths to get to the heart of the matter. Māori did not cede sovereignty in 1840 and are indeed guaranteed the ongoing exercise of tino rangatiratanga. The sooner the New Zealand state acknowledges this historical truth and begins to treat Māori as equal partners in Aotearoa New Zealand, the better off the country will be, and it will also offer a much brighter future, for both Māori and Pakeha.

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