



Te Kawa a MāuiFaculty of Humanities and Social Sciences

MAOR 216

Te Tiriti o Waitangi The Treaty of Waitangi

Course Reference Number (CRN): 447 Course Value: 20 points Trimester 2 2013

1 IMPORTANT DATES

Trimester dates 15 July to 17 November
Teaching dates 15 July to 18 October

Mid-trimester break 26 August to 8 September

Last assessment item due 18 October

Only in the case of individual extensions will the commitments for MAOR 216 extend into the end-of-trimester Study Week or the examination/assessment

period.

Study period 21 – 25 October

Examination/assessment period 25 October to 16 November

Withdrawal dates Refer to www.victoria.ac.nz/home/

admisenrol/payments/withdrawalsrefunds

Aegrotats The provisions for aegrotat passes apply

to assessment that falls within the last three weeks of teaching or the final examination period. During this period, if you cannot complete an assignment or sit a test or examination, and if it is not possible to make alternative arrangements for assessment with the course coordinator, refer to the link for Aegrotats under 'Other Important

Information' in section 19 below.

2 CLASS TIMES AND LOCATIONS

Lectures

Monday 2:10pm-3:00pm HULT119 (Hunter Building)

Wednesday 2:10pm-3:00pm HULT119 (Hunter Building)

Friday 2:10pm-3:00pm HULT119 (Hunter Building)

Tutorial

Monday 10:00-10:50am MY404 (Murphy Building)

Wednesday 3:10-4:00pm MY301 (Murphy Building)

Wednesday 4:10-5:00pm MY107 (Murphy Building)

Tutorial sessions are 50 minutes long and are held once a week for 10 weeks. Tutorials provide an opportunity for small group discussion and debate on the concepts and issues raised in lectures. You must attend at least 7 out of 10 tutorials to meet mandatory course requirements.

Tutorials start in Week 2. You can sign up for tutorials via Blackboard – just click on the 'Tutorials' link.

You must select your preferred tutorial by 4:00pm on Wednesday, 17 July. Confirmed tutorial groups will be posted on the Blackboard by 10:00am on Friday, 19 July.

3 NAMES AND CONTACT DETAILS

Course Coordinator

Dr Arama Rata Room 208, 50 Kelburn Parade

Telephone 463 6818

Email arama.rata@vuw.ac.nz

Office Hour Monday 3:00pm-4:00pm or by appointment

Course Tutor

Philip Best Room 106, 50 Kelburn Parade

Telephone: 463 6611

Email: philip.best@vuw.ac.nz

Office Hour By appointment

4 COMMUNICATION OF ADDITIONAL INFORMATION

All notices, grades and course information will be posted on Blackboard and the noticeboard at 48 Kelburn Parade.

MAOR 216 has a Blackboard site. You should check this site regularly, i.e. at least twice a week.

All notices and course information, including information relating to assessments, will be made available on Blackboard.

5 PRESCRIPTION

The course examines the background, signing, and interpretations of Te Tiriti o Waitangi, allowing students to come to an understanding of how the history of the Treaty relates to contemporary Māori issues, and the implications of the Treaty on relations between tangata whenua and non-tangata whenua people in Aotearoa now and in the future.

6 COURSE CONTENT

6.1 Themes

The course is divided into four main parts:

- Part 1: Contextualising the Treaty
- Part 2: Breaches and Māori responses
- Part 3: Settlement processes, and
- Part 4: Post-settlement.

6.2 Lecture Schedule

The following schedule is a **guide only** to the lectures for this course. You will be informed of any alterations to the schedule.

Week	Day	Date	Lecture	Lecture Topic
			Part 1: Co	ontextualising the Treaty
1	М	15 Jul	1	Course overview
	W	17 Jul	2	Framing the Treaty
	F	19Jul	3	Māori social structures
2	М	22 Jul	4	British colonialism and treaty making
	W	24 Jul	5	Early colonial encounters
	F	26 Jul	6	The Declaration of Independence
3	М	29 Jul	7	The New Zealand Company
	W	31 Jul	8	The signing of the Treaty of Waitangi
	F	2 Aug	9	Visit to Archives New Zealand
		Pa	art 2: Brea	ches and Māori responses
4	М	5 Aug	10	The New Zealand Constitution Act
	W	7 Aug	11	Kīngitanga
	F	9 Aug	12	The New Zealand Wars
5	М	12 Aug	13	Raupatu
	W	14 Aug	14	Continued violations
	F	16 Aug	15	Māori responses to the State
				·
6	М	19 Aug	16	Rising public awareness, and the Tribunal
	W	21 Aug	17	Summary lecture
	F	23 Aug	18	Test 1
	• • • • • • • • • • • • • • • • • • • •	Mid-T	rimester E	Break: 26 August-8 September
			Part 3:	Settlement processes
7	М	9 Sep	19	Truth and reconciliation processes
	W	11 Sep	20	The Waitangi Tribunal
	F	13 Sep	21	The Office of Treaty Settlements
				·
8	М	16 Sep	22	UNDRIP and the Treaty
	W	18 Sep	23	Case study
	F	20 Sep	24	Case study
9	М	23 Sep	25	Case study
	W	25 Sep	26	Case study

Week	Day	Date	Lecture	Lecture Topic
	F	27 Sep	27	Case study
			Part	4: Post-settlement
10	M	30 Sep	28	The Treaty in policy
	W	2 Oct	29	Organisational structure case studies
	F	4 Oct	30	Māori economic development
11	M	7 Oct	31	Māori and the media
	W	9 Oct	32	Post-settlement
	F	11 Oct	33	Māori-Crown relations
12	M	14 Oct	34	Inter group relations
12				Inter-group relations
	W	16 Oct	35	Summary lecture
	F	18 Oct	36	Test 2

6.3 **Tutorial Schedule**

The following schedule is a **guide only** to the tutorials for this course. You will be informed of any alterations to the schedule. Readings are in the Course reader or on Blackboard.

Week	Tutorial	Tutorial Topic	Preparation
1		No tutorial this week	Sign-up for tutorial. Reading: Jackson, Moana, 1991. 'Māori Law, Pākehā Law and the Treaty of Waitangi'.
2	1	Māori constitutional arrangements	 Reading: Petrie, Hazel, 2006. 'Chiefly Leadership and Pre-Contact Trade'. Owens, J.M.R, 1992. 'New Zealand Before Annexation'.
3	2	Declaration of Independence, essay writing	Reading: • Henare, Manuka (Compiler). He Whakaputanga o Te Rangatiratanga o Nu Tireni. • Henare, Manuka, 1995. Celebrating Te Whakaputanga o Te Rangatiratanga, 1835.
4	3	Treaty meanings and principles	 Reading: Ross, Ruth, 1972. 'The Treaty on the Ground'. Moon, P. and P. Biggs, 2004. 'Is Not the Land Already Gone?'.
5	4	Kīngitanga	Reading: Sorenson, M.P.K., 1983. 'The Māori King Movement, 1858-1885'. Walker, Ranginui, 1990. 'Ngā Pou o te lwi'.
6	5	Test preparation, constitutional foundations	 Reading: Moon, Paul, 2002. 'Usurping Māori Sovereignty 1840-1842'. Sorrenson, M.P.K., 1986. 'A

Week	Tutorial	Tutorial Topic	Preparation
			History of Māori Representation in Parliament'.
7	6	Violations	 Reading: Williams, David, 1999. 'Treaty Jurisprudence: A Perspective on History'. Hill, Richard, 2004. 'Rangatiratanga Initiatives and Crown Containment Towards Mid-Century'.
8	7	Resistance	 Reading: Walker, Ranginui, 1984. 'The Genesis of Māori Activism'. Harris, Aroha, 2004. 'The Rise and Rise of Māori Political Consciousness'.
9	8	The Tribunal, revised essay	Reading: Orange, Claudia, 2004. 'The Treaty of Waitangi Act 1975'.
10	9	Settlement process	Reading: See Blackboard for required readings.
11	10	Test preparation	 Reading: Keenan, Danny, 2004. 'The Treaty is Always Speaking?'. Durie, E.T.J., 1991. 'The Treaty in Māori History'.
12		No tutorial this week	

7 COURSE LEARNING OBJECTIVES (CLOs)

Te Tiriti o Waitangi is one of New Zealand's most important documents. The text, the context and the aftermath of Te Tiriti being signed are all subject to continuing scrutiny and controversy.

In this course, students will consider the many ways in which the Treaty is, or has been, framed and the consequences that such different perspectives have had, since 1840, for Māori and non-Māori in New Zealand.

Students who pass the course should be able to:

- understand the historical and contemporary significance of both the Declaration of Independence and the Treaty of Waitangi to Māori and non-Māori
- 2 understand the events that have led to the Treaty settlements of today
- understand the historical and contemporary Treaty relationship between Māori and the Crown
- discuss the Crown Treaty principles and their continuing impact upon Māori public policy today
- 5 understand the historical origins of contemporary Treaty debate, and
- 6 demonstrate critical reading and writing skills.

8 TEACHING FORMAT

Students will attend a 50 minute lecture, three times per week, along with a 50 minute tutorial once per week.

Lectures will involve a presentation from the Course Coordinator or guest lecturers, with time for questions. Tutorials provide space for students to discuss the readings and issues for each section of the course. Students are expected to have read all readings in preparation for tutorials and to have formulated questions to discuss with other students and the Tutor.

9 WORKLOAD

The standard Faculty workload for a 20 point course applies, i.e. 200 hours in total, spread over the teaching weeks and the mid-trimester break, i.e. about 14 hours per week (inclusive of 3 lectures and a 1-hour tutorial).

Each week, the remaining 10 hours should be spent on:

- reading the material scheduled for tutorials (1-2 hours)
- revising material from lectures (1-3 hours), and
- background reading including reading for assignments (3-4 hours), and preparing for the two in-class tests and writing of assignments (2-6 hours).

The division of time between reading for assignments and writing assignments will clearly vary from week to week.

10 MANDATORY COURSE REQUIREMENTS

In addition to achieving an overall pass mark of 50%, students must:

- attend at least 7 out of the 10 tutorials
- submit the essay, the critique, and the revised essay, and
- sit both in-class tests.

11 ASSESSMENT

11.1 Assessment Tasks

Internal course work will account for 100% of the total assessment for this course. This is made up of a visit to Archives New Zealand which will include a short test (5%), two in-class tests (each worth 25%), and an assignment (worth 45%) which is broken into 3 parts: essay, critique, and revised essay.

11.2 Assessment Schedule

Archives Test 5% In-class, 2 August

In-class Test 1 25% In-class, 23 August

Assignment Comprising 45% in total

Part 1: Essay	(15%)	Due: 5:00pm, 13 September
Part 2: Critique	(10%)	Due: 5:00pm, 20 September
Part 3: Revised Essay	(20%)	Due: 5:00pm, 4 October
In-class Test 2	25%	In-class, 18 October

11.3 Objectives of Assessment Tasks and Outline of Marking Criteria

The archives test will assess students' understanding of contextual issues at the time of the signing of the Treaty of Waitangi, and the content of the versions of the Treaty of Waitangi (refer to Course Learning Objectives 1 and 2, in section 7 above). The in-class tests will assess students' understanding of all content covered in lectures (refer to Course Learning Objectives 1, 2, 3, 4, and 5, in section 7 above). Finally, the assignment will enable students to demonstrate critical reading and writing skills (refer to Course Learning Objective 6, in section 7 above). The assignment is broken into three parts to provide increased opportunities for students to gain feedback on their work, which students can then integrate into subsequent parts of the assignment. The assignment will also enable students to draw on their understanding of various key themes presented in the course, which will depend on the topic selected by students (see Course Learning Objective 1-5, in section 7 above).

11.4 Archives Test 5%

Students will visit Archives New Zealand, to view the Treaty of Waitangi documents. During your visit to Archives, you will complete a short 10 minute test on what you saw and learned at the Archives, for example: when the Declaration and Treaty were signed, where the Treaty was signed, who by, how many people, what happened to it after signing, the number of copies, etc.

11.5 **Assignment**

Comprising 45% in total

This assignment has three parts. For Part 1, you will write a 2,000 word essay. For Part 2, your allocated partner and you will critique each other's work. For Part 3, you will revise your assignment based on the critique you have received and the marking by the Course Coordinator.

11.5.1 Part 1: Essay (15%) Due: 5:00pm, Friday, 13 September

Write a 2,000 word essay addressing ONE of the following issues, using references (your bibliography should be 20 to 30 items) and your own ideas and analysis. See the back of this course outline for the marking sheet.

- What is the place of the Treaty of Waitangi in New Zealand's constitution, now and in the future?
- 2 Are Māori seats appropriate in 21st Century Aotearoa?
- How have legislations violated the Treaty of Waitangi, giving specific examples?
- 4 How have Māori responded to violations of the Treaty of Waitangi?

- How are breaches of the Treaty settled between Māori and the Crown, and what are some of the issues and possible solutions?
- Analyse the structure of a specific organisation, commenting on whether that organisation could be said to comply with Treaty of Waitangi obligations.

11.5.2 Part 2: Critique (10%) Due: 5:00pm, Friday, 20 September

You will be allocated a partner and you will critique each other's work. Before starting this exercise ensure you read Writing a Critique on Blackboard. You are required to write a critique (approximately 500 words) describing and commenting on the following:

- What is the main point, or points, in your partner's work?
- What arguments are used to support the main points? Are the arguments logical?
- What evidence is provided to support the arguments are there sufficient?
- What are the underlying assumptions or biases (if any)?
- Is it easy to read, well organised and clear? If not, identify specific areas that require clarification
- What opposing views are considered and are they refuted or rebutted (if appropriate)?
- Do you have any particularly strong reactions to any of the words, phrases, sentences, arguments or other sentiments?
- Make not of any particular spelling, grammatical, formatting, or other errors observed.

See the back of this course outline for the marking sheet.

11.5.3 Part 3: Revised Essay (20%) Due: 5:00pm, Friday, 4 October

After reading your partner's critique and the Course Coordinator's marking of your assignment, re-write the assignment taking into account the comments and suggestions that have been made.

You will write a covering letter addressed to the course co-ordinator. The letter clearly details the changes and improvements you have made and where you have made them.

When handing in the final assignment ensure you have attached your first (marked) part and a copy of the critique you received.

See the back of this course outline for the marking sheet.

11.6 In-class Test 1 25%

On Friday, 23 August there will be a 40 minute in-class test. This test is worth 25% of the final grade for this course.

11.7 In-class Test 2 25%

On Friday, 18 October there will be a 40 minute in-class test. This test is worth 25% of the final grade for this course.

12 SUBMISSION AND RETURN OF WORK

12.1 **Submission of Course Work**

All work for this course MUST be posted in the Assignment Box, Māori Studies Office, 50 Kelburn Parade. All assignments are registered in the Māori Studies Office. DO NOT hand work to the Course Coordinator or leave assignments under the Coordinator's door. Please keep a copy of your work.

Your written work must adhere to the Te Kawa a Māui conventions for essay writing contained in the *Academic Writing Guide, 2011 edition* or *Te Ara Poutama*. These guidelines include information about the requirements for the cover sheet (an electronic version is available on Blackboard and hard copies are available by the assignment box), the formatting of assignments, the presentation of the bibliography, and advice on the avoidance of plagiarism. **Assignments for MAOR 216 are required to use the Journal of the Polynesian Society (JPS) referencing system.**

12.2 Return of Work

Where possible, marked work will be returned to students in class. If a student is absent, or if work is returned in non-teaching periods, students will be notified of its availability via Blackboard, and it can be collected from the office at 50 Kelburn Parade.

13 PENALTIES

13.1 Missed Tests

If you miss a test through circumstances beyond your control, you must contact the Course Coordinator (beforehand if possible, or as soon as possible afterwards). In such cases, alternative arrangements will be made, and there will be no penalties.

If you miss a test inadvertently, you should contact the Course Coordinator immediately. Possible remedies and any penalties will be considered on a case by case basis.

13.2 Late Submission

Work submitted late without a previously negotiated extension will be penalised by 5% for each day, including each weekend day. Where students have not informed the Course Coordinator, more severe penalties may be imposed. Any work submitted more than a week after the due date without a previously-negotiated extension will receive a mark of zero. Such lengthy extensions will not be readily granted.

It is important to begin work on assignments well in advance of the due date, and to discuss any difficulties you may experience with your tutor or the Course Coordinator as soon as they arise. Extensions for internal

assessments will be granted only when there are extenuating circumstances, such as illness or bereavement. Pressure of work for other courses or from work outside the University is not regarded as an extenuating circumstance. To be considered for an extension, you MUST contact the Course Coordinator before the due date, or in the event of an emergency, as soon as possible.

13.3 Plagiarism

There is a range of penalties for plagiarism, depending on the severity of the case. Further information can be found by following the link for Academic Integrity and Plagiarism under Other Important Information below. There is also information about avoiding plagiarism in the *Academic Writing Guide*.

13.4 Attendance Requirements

It is a mandatory course requirement that students attend at least 7 out of the 10 tutorials.

14 SET TEXTS

14.1 Course Reader

Students are required to purchase the MAOR 216 Course Reader available from vicbooks:

Te Kawa a Māui, 2013. MAOR 216 Te Tiriti o Waitangi: The Treaty of Waitangi. Wellington: Victoria University.

This text should be brought to all tutorials.

14.2 Academic Writing Guide

Students will be required to make their written work conform to the standards for referencing set out in *Te Ara Poutama* – the new Te Kawa a Māui writing guide. You can download a copy of this writing guide from the MAOR 216 Blackboard site.

14.3 Blackboard

Notices, and course materials will be posted on Blackboard. You will be expected to familiarise yourself with Blackboard, and check this site regularly (i.e. at least twice a week).

15 RECOMMENDED READING

Please note that you are not expected to purchase these books for the course.

Belich, James (1988). The New Zealand Wars. Auckland: Penguin Books.

Colenso, W. (1890). *The Authentic and Genuine History of the Signing of the Treaty of Waitangi*. Reprinted 1980. Wellington: Government Print.

Harris, Aroha (2004). *Hikoi: Forty Years of Māori Protest*. Wellington: Huia Publishers.

- Jackson, M. (1987, 1988). *The Māori and the Criminal Justice System*. Study Series 18, Part 1, February, & Part 2, November. Christchurch: Centre for Pacific Studies, University of Canterbury and Institute of Pacific Studies, University of the South Pacific.
- Kawharu, I H (edit) (1989). Waitangi: Māori and Pākehā Perspectives on the Treaty of Waitangi. Auckland: Oxford University Press.
- Mikaere, Ani. (2004). "Are we all New Zealanders Now?" Bruce Jesson Memorial Lecture. http://www.brucejesson.com/lecture2004.htm
- Mulholland, Malcolm and Tawhai, Veronica (2010). Weeping Waters: The Treaty of Waitangi and Constitutional Change. Wellington: Huia Press.
- O'Malley, Vincent, Stirling, Bruce and Penetito, Wally (2010). *The Treaty of Waitangi Companion*. Auckland: Auckland University Press.
- Orange, C. (1987). *The Treaty of Waitangi*. Wellington: Allen & Unwin Port Nicholson Press with assistance from the Historical Publications Branch Department of Internal Affairs.
- O'Regan, T. (1989). Partnership Dialogue. A Māori Consultation Process. He Korero Rangapu. Wellington: State Services Commission.
- Petrie, Hazel (2006). Chiefs of Industry: Māori tribal enterprise in early colonial New Zealand. Auckland: Auckland University Press.
- Ross, R. M (1972). Te Tiriti o Waitangi: texts and translations. In NZJH, 6 (2), pp 129–157.
- Royal Commission on Social Policy (1988). *The Treaty of Waitangi: Directions for Social Policy*. "Te Tiriti o Waitangi: Te Kaupapa Mo Nga Ahuatanga a Iwi. The April Report. Report of the Royal Commission on Social Policy, Vol. II Future Directions, pp 25–151.
- Sorrenson, M P Keith (1987). "Towards a Radical Reinterpretation of New Zealand History: The Role of the Waitangi Tribunal." In *NZJH*, 11 (1), pp 173–188.
- Williams, David V. (1999). *Te Kooti Tango Whenua: The Native Land Court* 1864 1909. Wellington: Huia Publishers.

16 USEFUL WEBSITES

Māori news and links www.maorinews.com/karere

Indigenous Peoples and the Law www.kennett.co.nz/law/indigenous/

Treaty Issues www.treatyofwaitangi.govt.nz

Office of Treaty Settlements www.ots.govt.nz

Waitangi Tribunal www.waitangi-tribunal.govt.nz

17 CLASS REPRESENTATIVE

A class representative will be elected at the start of the course. Their contact details will be made available to the class through Blackboard (under Communications>Contacts), and will also be available to VUWSA. The class

representative will liaise between the students and the Course Coordinator as necessary. You may wish to record their contact details here:

Class Rep 2013:

18 STUDENT FEEDBACK

The following changes have been made to the course since the last time it was offered:

- there is no noho marae
- the former archives assignment has been replaced by an archives test, and
- the two in-class tests are now worth 25% each, as opposed to 20% each previously.

Student feedback on University courses may be found at www.cad.vuw.ac.nz/feedback/feedback_display.php

19 OTHER IMPORTANT INFORMATION

The information above is specific to this course. There is other important information that students must familiarise themselves with, including:

Academic integrity and plagiarism:

www.victoria.ac.nz/home/study/plagiarism

Aegrotats:

www.victoria.ac.nz/home/study/exams-and-assessments/aegrotat

Academic progress:

www.victoria.ac.nz/home/study/academic-progress (including restrictions and non-engagement)

Dates and deadlines:

www.victoria.ac.nz/home/study/dates

• FHSS Student and Academic Services Office:

www.victoria.ac.nz/fhss/student-admin

Grades:

www.victoria.ac.nz/home/study/exams-and-assessments/grades

Resolving academic issues:

www.victoria.ac.nz/home/about/avcacademic/publications2#grievances

Special passes:

www.victoria.ac.nz/home/about/avcacademic/publications2#specialpass

Statutes and policies:

www.victoria.ac.nz/home/about/policy (including the Student Conduct Statute)

• Student support:

www.victoria.ac.nz/home/viclife/studentservice

Students with disabilities:

www.victoria.ac.nz/st_services/disability

• Student charter:

www.victoria.ac.nz/home/viclife/student-charter

• Student contract:

www.victoria.ac.nz/home/admisenrol/enrol/studentcontract

Turnitin:

www.cad.vuw.ac.nz/wiki/index.php/Turnitin

• University structure:

www.victoria.ac.nz/home/about

VUWSA:

www.vuwsa.org.nz

MAOR 216 Assignment Part 1: Essay Marking Sheet

WOITING CTVI E/CTDIIGTUDE	40	
WRITING STYLE/STRUCTURE	10	
Well written, includes an introduction and		
conclusion, develops ideas logically.		
Presentation, structure and systematic		
referencing.		
RESEARCH	10	
Evidence of wide research, range of sources		
consulted with depth and coverage.		
consulted with depth and coverage.		
UNDERSTANDING AND ANALYSIS	15	
Demonstrates an understanding of relevant ideas		
regarding topic. Essential points, logic of		
argument, points of view and use of theories.		
argument, points of view and use of theories.		
ORIGINALITY AND INSIGHT	10	
Ability to integrate your ideas and perceptions		
into your essay.		
TOTAL	45	
RECORDED MARK	15%	
RECORDED WARK	13%	
COMMENTS		

MAOR 216 Assignment Part 2: Critique Marking Sheet

MAOR 216 Assignment Part 3: Revised Essay Marking Sheet

WRITING STYLE/STRUCTURE	10	
Improvements in the following:		
- well written – includes an introduction and		
conclusion, develops ideas logically - presentation, structure and systematic		
referencing.		
COVER LETTER	10	
Clearly outlines changes to the text and new		
research as a result of critique and marking.		
CRITIQUE AND MARKING	30	
Evidence that feedback received has been acted		
on and used to write an improved essay, for		
example:		
understanding arguments and evidence		
- critical insight.		
LEARNING	10	
Evidence that learning has been achieved	_	
between Part 1 and Part 2 of the assignment.		
TOTAL	60	
RECORDED MARK	20%	
COMMENTS		
COMMENTO		