



Te Puni Kōkiri
MINISTRY OF MĀORI DEVELOPMENT

History of Māori land

Find out about key events throughout history that have shaped the current state of Māori land.



Māori arrival in Aotearoa

Māori arrived in Aotearoa in waves of waka during the 1300s, landing in various parts of the country. Many iwi can be traced back to the landing area of their waka.

Before the arrival of European settlers, Māori had collective kaitiakitanga for the whenua in their territory. No one person had ownership rights – everyone worked together to make the most of the whenua while ensuring its protection and sustainability for the future.

In some cases different hapū or whānau used the same piece of whenua for different things, for example one group using it for fishing and another for growing food.



The same piece of **whenua** was used for different things, for example **fishing** and another for **growing food**.

Pākehā arrival

The first European to arrive in New Zealand was the Dutch explorer Abel Tasman in 1642, followed by Captain James Cook in 1769.

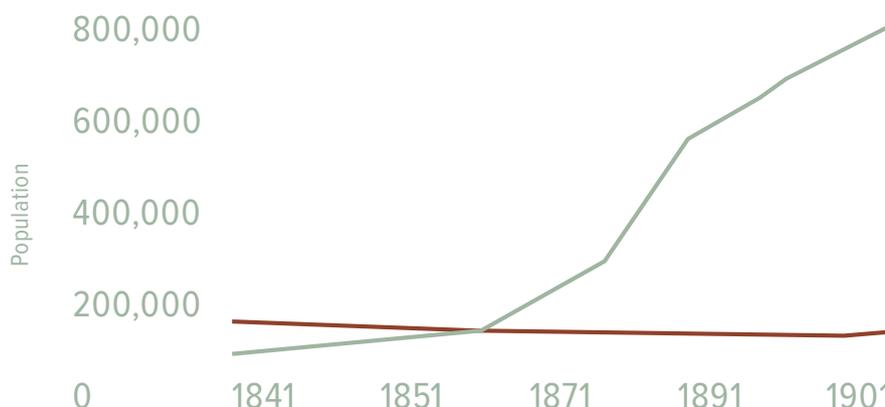
After Cook's visit, European whalers and sealers started visiting regularly and Europeans began to settle in Aotearoa from the early 1800s. Settler numbers were low to start with, but began to grow after the Treaty of Waitangi was signed in 1840. By the 1860s there were more Pākehā in New Zealand than Māori.

Māori and European population numbers, 1838–1901

Many Pākehā arrived with the hope of owning and farming their own land – their desire and expectation of land ownership quickly made land a central issue.

Because Māori had collective responsibility for land, the European concept of outright ownership caused confusion and conflict.

Māori and European population numbers, 1838–1901:



Source: *NZhistory.govt.nz*

Te Tiriti o Waitangi

The Treaty of Waitangi, signed in 1840 by the British Crown and many Māori chiefs, was meant to be a partnership between Māori and the Crown. But different understandings of the Treaty terms by both Māori and the Crown, and subsequent breaches of those terms, caused conflict.

One of the outcomes of the Treaty was that only the Crown could buy Māori land. This was known as 'pre-emption'. The Crown used pre-emption to buy two-thirds of the entire land area of New Zealand from Māori – including most of the South Island. Much of this land was sold on, granted, or leased to settlers. Many of these sales were later disputed.

Land sales and confiscations

Before the Treaty was signed, Māori still held most of the land in New Zealand. But between 1840 and 1900, Māori were alienated from most of the whenua. By 1870 almost the entire South Island had been taken by the Crown, and by the early 1900s most of the North Island had too.



By 1920, around 8% of New Zealand land remained in Māori ownership. The main causes of the loss of the whenua were:

Native Land Court Acts 1862 and 1865

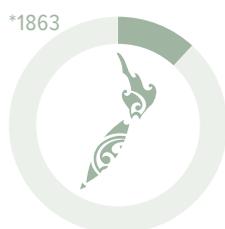
These Acts established the Native Land Court, set up to make it possible to give certificates of title to Māori for their land. This then made it easier for a block of land to be sold.

The court could name a maximum of 10 “owners”, no matter how big the block of land was. This cut out all other members of an iwi or hapū associated with the land, and impacted the collective connection to whenua.

Raupatu — confiscation of Māori land

In reaction to the Kingitanga movement, the Crown began to confiscate more Māori land. Under the New Zealand Settlements Act 1863, the Crown could confiscate the land of any iwi ‘engaged in rebellion’ against the government.

Altogether 1.3 million hectares of Māori land was confiscated, including most of the lower Waikato, Taranaki and the Bay of Plenty.



1.3M

hectares of Māori land was confiscated, including most of the lower Waikato.

An example of raupatu by the Crown was seen in Parihaka in 1881. The settlement at Parihaka symbolised peaceful resistance to raupatu. Crown troops arrested the leaders of the community, destroyed the village and took the land for the Crown.

Rates

The Native Lands Rating Act 1882 introduced rates on Māori land – much higher rates than on similar European-owned land. These rates could be difficult to pay – not just because they were high, but because it was difficult for those living on the whenua to collect rates from those living elsewhere. When rates were not paid, the land could be seized by local bodies.

NZ Wars

The New Zealand Wars were ongoing between the 1840s and 1860s. They began in response to breaches of Te Tiriti o Waitangi and land disputes.

During and after the wars large areas of Māori land in the North Island were confiscated by the government. The New Zealand Settlements Act 1863 allowed the Crown to confiscate the land of any iwi who were 'engaged in rebellion' against the government.

Urban migration

Urban migration after World War II saw many Māori move away from the whenua to cities to find work. Māori who moved to the cities were expected to adopt a Pākehā way of life.



Before World War II around 90% of Māori lived on or near their whenua. These days, with not enough jobs to support Māori near their papakāinga, more than 80% of Māori live in cities.

The effects of having so many Māori living away from the whenua and living a more Pākehā way of life have been:

- disconnection from the whenua and the role of kaitiaki
- difficulty for remaining ahi kā to manage the whenua
- difficulty connecting with whānau who live away from the whenua.

Waitangi Tribunal established

The Waitangi Tribunal was set up in 1975, the same year as the hīkoi from the far north to Wellington protesting land losses.

The tribunal was set up to provide a legal process to hear and settle Māori claims of breaches of the Treaty of Waitangi.

The tribunal has helped iwi, hapū and whānau sort through historical grievances with the Crown and settled many issues, including land claims.

Many iwi and hapū are now looking for ways to develop the whenua to enable more whānau to return and re-engage with their papakāinga.

Laws affecting Māori land

- Native Land Act 1862 and 1865 – Native Land Court established – introduction of individual land titles to replace customary communal titles.
- New Zealand Settlements Act 1863 – stated that the land of any tribe ‘engaged in rebellion’ against the government could be confiscated.
- Native Lands Rating Act 1882 – introduced rates on Māori land and allowed for land to be seized if rates were not paid.
- Public Works Act 1864 – Māori land could be taken for government projects such as roads.
- Native Land Act 1909 – prevented the Crown from buying Māori land unless a meeting of all owners had agreed to accept the offer.
- 1920 – Native Trustee Act – established Native Trustee and Native Trustee Office. Aimed to help Māori better manage remaining land.
- 1935 – Te Kooti Whenua Māori established.
- 1947 – Department of Māori Affairs established.

- 1953 — Māori Affairs Act — instructed the trustee to convert uneconomic shares in multiply-owned lands (shares valued at less than £25) for sale to other owners or the government.
- 1967 — amendment to Māori Purposes Act meant that if there were fewer than 4 owners of a piece of Māori land, it could be converted to general land.
- 1975 — Waitangi Tribunal established.
- 1985 — Treaty of Waitangi Amendment Act — enabled the Tribunal to investigate claims dating back to 1840, when the Treaty was signed.
- 1993 — Te Ture Whenua Māori Act — for the first time, the importance of the relationship of land to Māori and the need to promote land retention was acknowledged in law.

1862

Native Land Act 1862 and 1865 — Native Land Court established — introduction of individual land titles to replace customary communal titles.

1863

New Zealand Settlements Act 1863 — stated that the land of any tribe 'engaged in rebellion' against the government could be confiscated.

1882

Native Lands Rating Act 1882 — introduced rates on Māori land and allowed for land to be seized if rates were not paid.

1864

Public Works Act 1864 — Māori land could be taken for government projects such as roads.

1909

Native Land Act 1909 — prevented the Crown from buying Māori land unless a meeting of all owners had agreed to accept the offer.

1920

1920 — Native Trustee Act — established Native Trustee and Native Trustee Office. Aimed to help Māori better manage remaining land.

1935

1935 — Te Kooti Whenua Māori established.

1947

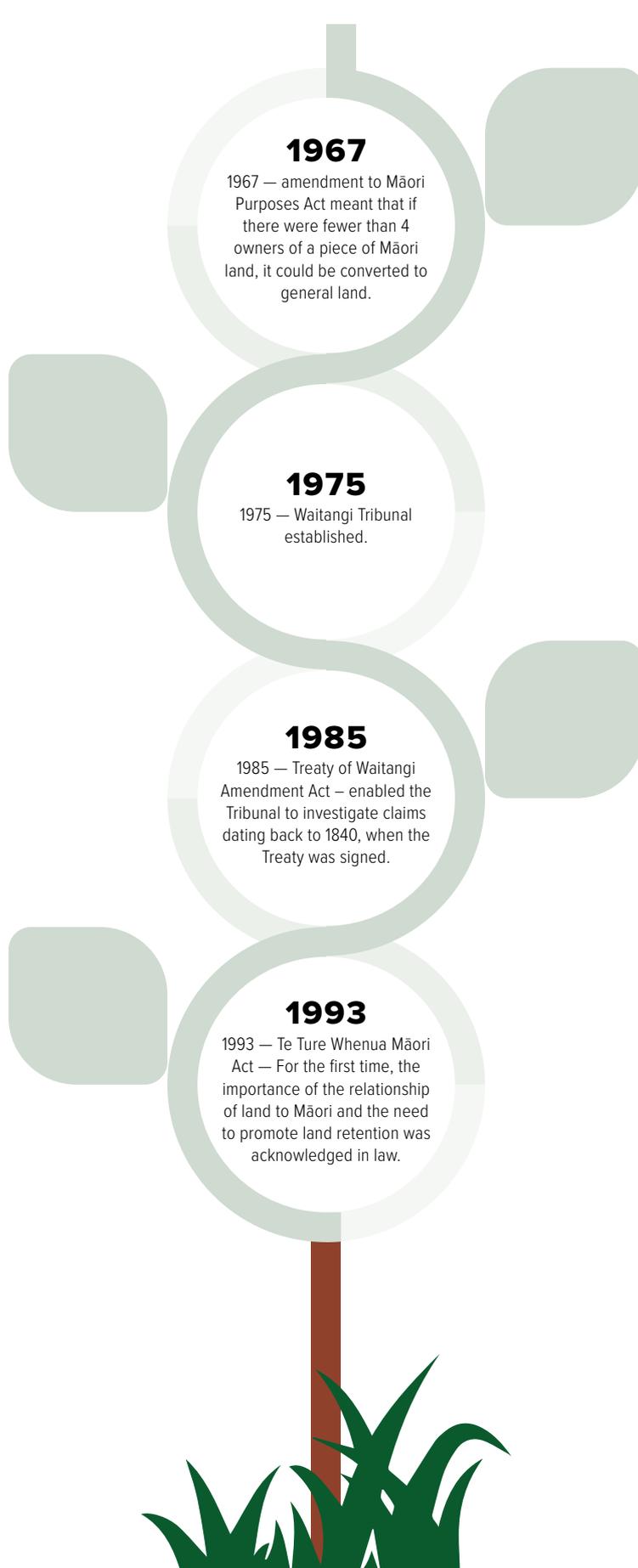
1947 — Department of Māori Affairs established.

1953

1953 — Maori Affairs Act — instructed the trustee to convert uneconomic shares in multiply-owned lands (shares valued at less than £25) for sale to other owners or the government.

1967

1967 — amendment to Māori Purposes Act meant that if there were fewer than 4 owners of a piece of Māori land, it could be converted to general land.



1967

1967 — amendment to Māori Purposes Act meant that if there were fewer than 4 owners of a piece of Māori land, it could be converted to general land.

1975

1975 — Waitangi Tribunal established.

1985

1985 — Treaty of Waitangi Amendment Act — enabled the Tribunal to investigate claims dating back to 1840, when the Treaty was signed.

1993

1993 — Te Ture Whenua Māori Act — For the first time, the importance of the relationship of land to Māori and the need to promote land retention was acknowledged in law.

Resources

Find iwi by map at:

www.tkm.govt.nz

Iwi contact details can be found at:

www.tuhono.net

For more information about:

- Native Land Court,
- raupatu – confiscation
- Read more about the Native \ Lands Rating Act 1882
- New Zealand Wars
- Māori urban migration
- Te ture – Māori and legislation
- Learn more about Te Tiriti o Waitangi

www.teara.govt.nz

For more information about the Invasion of pacifist settlement at Parihaka visit:

www.nzhistory.govt.nz