

Memory of the World Nomination Form

Section 1: Summary

Provide a brief summary describing the documentary heritage, how it meets the criteria for the New Zealand Memory of the World Register, and the main arguments in support of its nomination. It is important to summarise the essential information so that a number of people can quickly understand it. Please keep your summary to no more than 1 page.

The Māori Land Court minute books, 1862 – 1900, are a record of the hearings and evidence given to establish the Native Land Court titles across NZ. They record tribal history, whakapapa (genealogy) and evidence of iwi/hapu (tribes and subtribes) use and occupation of land.

“The minute books are a unique archival source for the indigenous Māori people of New Zealand. They are a repository of the oral tribal histories and whakapapa (genealogy) of most of New Zealand’s Māori tribes, recorded at hearings in the nineteenth and twentieth centuries by Native (later Māori) Land Court clerks. Without this unique source, much tribal history and traditional knowledge would have been lost.

The minute books are key sources for the writing of history, the hearing of modern Treaty of Waitangi claims, and for tribal knowledge holders. Because many of the titles created by the Native (Māori) Land Court still exist, and are still administered by the Court under Te Ture Whenua Māori (the Māori Land Act) 1993, the minute books remain an important part of New Zealand’s current legal system. But as repositories of tribal history and knowledge, they also contribute to the survival of Māori culture today..” (Waitangi Tribunal Member, and former Chief Historian, Grant Phillipson).

The early Māori Land Court minute books now reside at Archives New Zealand. Copies of the minute books have been produced in a variety of formats for public use. The Māori Land Court has created electronic copies of the minute books within its database, the ‘Māori Land Information System’ (MLIS), which is available for the public to use, at Māori Land Court registries. This inscription refers to the original paper copies held at Archives New Zealand, on behalf of the Māori Land Court.

Section 2: Nominator Details

This section is for information about the source of the nomination and the authority under which it is made.

A copy of the Programme's privacy policy appears on the Programme's [website](#).

2.1 Name of nominator (person or organisation)

Full name of the person(s) or organisation(s) making the nomination.

Te Kooti Whenua Māori | Māori Land Court (Julie Tangaere, Director)

2.2 Relationship to the nominated documentary heritage

This should be an explanation of the nominator's relationship to the documentary heritage. For example, the nominator may be a responsible officer of the library or archive which owns the documentary heritage in question; or he/she may be a private individual with a research interest in the heritage.

The Māori Land Court minute books were generated in the Native Land Court (which became the Māori Land Court).

2.3 Contact person

This should provide the name of the person who is responsible for the nomination process.

Rachel Kerr, Librarian, Māori Land Court

2.5 Declaration of Authority

I have the authority to nominate this item to the NZ Register: Agree

Section 3: Identity and description of the documentary heritage

3.1 Title of the documentary heritage item or collection

This should be the complete name of the documentary heritage as it is usually known. This should include dates if they are usually part of the name.

Māori Land Court Minute Books, 1862 – 1900

3.2 Description of the documentary heritage

This should include a full description of what is included in the documentary heritage, the scope of the documentary heritage and its size.

Title and descriptive information is provided in the attached list.

Minute Books from 1862-1900 comprise 704 bound volumes, plus 82 fragile and/or large documents including plans and whakapapa (genealogy charts).

The quantity of the material is c.40 linear metres.

3.3 Catalogue, registration or bibliographic details

This should include any bibliographic, registration, inventory, classification and/or call numbers that uniquely identify the documentary heritage.

Archives New Zealand maintains archival descriptions of holdings online, which can be viewed at www.archway.archives

Each document is described and has a unique identifier, as detailed in the attached list.

3.4 Visual documentation

Where available and appropriate, any photographs or videos of the documentary heritage should be supplied.

3.5 History/provenance

This should be a summary of its provenance (for example, how and when was the material acquired and integrated into the holdings of the institution).

The minutes of Māori Land Court hearings were recorded by judges and Court staff as they travelled around the country. The Minute Books were maintained by the Native Land Court, and then the Māori Land Court.

Copying projects in 1990 and 1997 saw minute books from all Courts sent to Archives New Zealand for copying. The original books remained in storage at Archives, and a copy was returned to the Court.

More recent Minute Books continue to be maintained by the Māori Land Court Offices, but all extant 1862-1900 Books are housed by Archives New Zealand.

3.6 Bibliography

This should be, where possible, a list of 3-6 published sources that have been produced using (i.e. drawing heavily on) the documentary heritage to attest to the item/collection's significance.

- Michael Belgrave, *Historical Frictions: Maori Claims and Reinvented Histories* (Auckland: Auckland University press, 2005)
- David V Williams, *'Te Kooti Whenua': The Native Land Court, 1864–1909* (Wellington: Huia Publishers, 1999)
- Anita Miles, *Te Urewera*, Waitangi Tribunal Rangahaua Whanui Series (Wellington: Waitangi Tribunal, 1999) (cites some minute books -- presumably NLC ones -- in the bibliography)
- Alan Ward, *National Overview*, 3 vols, Waitangi Tribunal Rangahaua Whanui Series (Wellington: GP Publications, 1999)
- Waitangi Tribunal, *The Ngai Tahu Report 1991*, 3 vols (Wellington: Brooker and Friend Ltd, 1991)
- Waitangi Tribunal, *Te Ika Whenua Rivers Report*, 3 vols (Wellington: Legislation Direct, 1998)

3.7 Names of up to three independent experts

The committee requires testimony from up to three independent people or organisations who can give an informed opinion about the significance and provenance of the documentary heritage. Nominators should obtain the written permission of the named experts prior to completing the nomination form and are required to declare that they have this permission by completing this section of the nomination form.

Please provide up to half a page from each expert in support of your submission. In addition, please list their names, qualifications and full contact details so that the Nominations Subcommittee can contact them if required.

A copy of the Programme's privacy policy appears on the Programme's [website](#).

Expert One

Name	Dr James Mitchell
Qualification(s)	Senior Research Analyst, Waitangi Tribunal
Paragraph in support	'The Native Land Court was created in 1862 with the goal of converting Maori customary title to land into titles derived from the colonial state. Maori customary interests in land derived from a complex mix of genealogical descent, conquest, gifting and other cultural practices. One consequence of the Court process was that over the succeeding decades, the Court recorded hundreds of volumes of detailed evidence presented to it by Maori about their history in New Zealand dating from the arrival of the Maori from Eastern Polynesia many generations before this date. Maoridom is an oral culture and the records of the Native Land Court provide a valuable resource alongside surviving oral traditions. They are arguably the most important written source of traditional Maori history.'

Expert Two

Name	Dr Grant Phillipson
Qualification(s)	Waitangi Tribunal member (former Chief Historian, Waitangi Tribunal) http://www.waitangi-tribunal.govt.nz/about/wtmemb/phillipson.asp
Paragraph in support	'The Maori Land Court minute books are a unique archival source for the indigenous Maori people of New Zealand. They are a repository of the oral tribal histories and whakapapa (genealogy) of most of New Zealand's Maori tribes, recorded at hearings in the nineteenth and twentieth centuries by Native (later Maori) Land Court clerks. Without this unique source, much tribal history and traditional knowledge would have been lost. The minute books are key sources for the writing of

	<p>history, the hearing of modern Treaty of Waitangi claims, and for tribal knowledge holders. Because many of the titles created by the Native (Maori) Land Court still exist, and are still administered by the Court under Te Ture Whenua Maori (the Maori Land Act) 1993, the minute books remain an important part of New Zealand's current legal system. But as repositories of tribal history and knowledge, they also contribute to the survival of Maori culture today. The minute books do have some flaws and weaknesses as historical sources, but without them New Zealand's cultural heritage would be much the poorer.'</p>
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Expert Three

Name	Raukurawaihoea Waitai
Qualification(s)	Masters Te Reo Maori Studies; Indigenous Researcher
Paragraph in support	<p>The minute books of the Native Land Court (and later the Maori Land Court) are the most comprehensive collection of publically available information in New Zealand regarding Maori history prior and up to the late 1800's. Evidence collected from tribal repositories of knowledge, though primarily focused on the proving of entitlement and presented within parameters set by the Court, are not only of value in regards to the history of this country, but more so perhaps because it is for many Maori the avenue for re-claiming one's identity. Of particular interest to many are the genealogies, recounts of significant events, sacred places and old settlement names. Further to this, the minute books are now being used by tribal researchers to support the fields of education, tribal development and environmental management. For instance the plethora of references to waterways and resources once available provide a valuable measure as to optimum states of well-being that we may all aspire to recreate.</p> <p>The minute books are a treasure that contribute on so many levels. They provide a glimpse into the past and a way of life that no longer exists.</p>

Section 4: Legal Information

4.1 Owner (name and contact details)

This should be the name and full contact details of the owner or owners, whether an institution or an individual.

Te Kooti Whenua | Maori Land Court
Level 17 Fujitsu Towers,
141 The Terrace,
Wellington
SX 11203
Ph: 04 914 3000

4.2 Custodian (name and contact details if different from the owner)

This should be the name and full contact details of the custodian, whether an institution or an individual. Sometimes the custodian of the documentary heritage may not be the same as the owner. It is essential to establish both before a nomination can be added to the Register.

Archives New Zealand (attention Julie Black)

4.3 Legal status

This should state whether the documentary heritage is owned privately, or by a public institution, or by a commercial corporation. Details of legal and administrative powers for the preservation of the documentary heritage should be the name of the Act, or other instrument of administrative power, that gives the owner and/or the custodian the legal power to preserve the documentary heritage.

The collection is managed by Archives New Zealand under the Public Records Act 2005.

4.4 Accessibility

This should be a description of how the documentary heritage may be accessed. All access procedures and restrictions should be clearly stated on the nomination form. There are three levels of access:

- access to verify the significance, integrity and security of the material. This is the minimum condition for listing
- access for reproduction, which is strongly encouraged
- public access in physical, digital, or other form

- access to verify the significance, integrity and security of the material, at Archives New Zealand
- public access to facsimile copies at Archives New Zealand, and access to paper copies

and electronic versions at the Māori Land Court

4.5 Copyright Status

This should state whether the documentary heritage is subject to copyright. For items that are copyright, details should be provided on the relevant copyright legislation and copyright owner(s). Any other factors affecting the legal status of the documentary heritage should be noted. For example, is any institution required by law to preserve the documentary heritage in this nomination?

Under s27(1)(g) of the Copyright Act judgments of any court are not subject to copyright.

Section 5: Stakeholders

There should be consultation with all relevant stakeholders before submitting the nomination

5.1 Owner

The owner(s) of the documentary heritage has been consulted: **Yes**

5.2 Custodian

The custodian(s) of the documentary heritage has been consulted: **Yes**

5.3 Independent experts

Consultation with independent experts strengthens the nomination. Consultation may be about any of the criteria required to support a nomination to the New Zealand Register.

Independent experts have been consulted: **No**

Section 6: Care and Preservation

6.1 Risk Assessment

Identify any risks to the survival of the nominated documentary heritage.

There is no immediate threat to the documents.		
Risk	Mitigation	Level of risk
Gradual damage to paper through poor storage	Documents are individually packaged, stored in secure, controlled conditions, and are kept away from light	Low
Damage to fragile documents through poor handling	Access to original documents is restricted with the result there is minimal handling. Reproductions are made available for researchers	Low
Loss of documents through insect or rodent infestation	Stored in controlled area with routine pest control and inspection.	Low
Loss of documents through theft.	Stored in a secure area with limited access to authorised staff.	Low
Loss or damage through disaster, fire, etc.	Repository facility meets building and fire codes. Fire suppression systems are in place and maintained. Being located in Wellington means some earthquake risk.	Low

6.2 Preservation Plan

A preservation and access management plan is required for selection to the New Zealand Register. Ideally a component of a total management plan for the custodial institution concerned, it may nonetheless be specific to the material if such a comprehensive plan does not exist.

Although permanent accessibility may involve the creation of copies of the documentary heritage (through microfilming or digitising, for example) the protection and unaltered retention of the original should take precedence, for as long as it is reasonably practicable to do so.

The documents have been copied so the originals are not issued to researchers.

Preservation treatment of the documents occurred before copying.

Stored in acid-free material, in secure repository, with appropriate environmental conditions.

6.3 Policies

Summarised information should be provided on the relevant policy, strategy and procedures for the following:

- preservation
- access
- description

Access arrangements are determined by agreement between the creating Agency (Māori Land Court) and Archives New Zealand. Restriction statements are included with the descriptive details on Archway.

Descriptive Standards used by Archives New Zealand are detailed in the internal document *GAIMS II Descriptive Standards*.

6.4 Storage

Provide information on:

- storage temperature, humidity control, light, air pollutants etc.
- physical security including custodial arrangements
- disaster preparedness

The minute books are individually boxed using acid-free board and are shelved within repository of Archives New Zealand's Wellington Office.

The Repository maintains a storage environment of 18 Degrees Celsius (range 16 -20 degrees) and Relative Humidity of 50% (range 45%-55%RH). Airconditioning plant includes air filtration and low fresh refresh rate.

Physical access to the Repository is controlled by a security card system, and is limited to authorised staff and contractors.

Archives New Zealand maintains a Disaster Response Plan and a Building Maintenance and pest management programme to minimize risk of disaster.

6.5 Content migration or reformatting

Provide an overview of any content migration that has taken place, or is planned, and how the reformatted documentary heritage may be accessed.

There have been 4 copying programmes relating to the minute books.

1. Microfilming was undertaken by the Mormon Church in the late 1960s, with the permission of the Department of Māori Affairs. The microfilm copies are held by numerous institutions, including Archives New Zealand, and are made available to researchers.
2. In 1990 a photocopying project was undertaken by Archives New Zealand (National Archives) in agreement with the Court and the Department of Māori Affairs. Paper copies are housed at Archives New Zealand and made available to researchers
3. Digitisation of minute books began in 1997. The copy is not made available to researchers electronically, but the digital copy is used to produce hard copy books that are made available to other institutions. The digitisation project was not completed due to financial constraints.
4. In 2004 The Māori Land Court converted existing digital copies to another format and completed digitisation of books in their custody. The digital copies of the minute books are maintained within its database, the 'Māori Land Information System' (MLIS), which is available for the public to use, at Māori Land Court registries.

Section 7: Other Information

Please submit any additional relevant information e.g. that which demonstrates the cultural significance or impact of the documentary heritage. If uploading additional documents, please label them clearly, and note the file names below.

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