

1881

Waitangi Tribunal 1996

# The Taranaki Report - 1 Tuatahi

As at date of publication  
Archive

## CHAPTER 8

### PARIHAKA

Though the lions rage still I am for peace . . . Though I be killed I yet shall live; though dead, I shall live in peace which will be the accomplishment of my aim. The future is mine, and little children, when asked hereafter as to the author of peace, shall say 'Te Whiti', and I will bless them.

Te Whiti o Rongomai, 1881

#### 8.1 ISSUES AND EVENTS

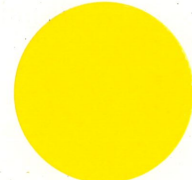
Parihaka is symbolic of autonomy - of the right of indigenous peoples to maintain their society on their own terms and to develop, from mutual respect, a peaceful relationship and partnership with the Government. That, in our view, is the autonomy and relationship that Te Whiti of Parihaka sought to achieve. Autonomy, under his direction, was synonymous with prosperity and peace.

Autonomy was guaranteed in the Maori text of the Treaty of Waitangi. It is also plain that no Maori would have agreed to the Treaty had Maori autonomy been taken away or Maori status reduced. Nor could anything less have been expected in return for the gift of settlement than that autonomy and partnership were agreed.

At all relevant times, the New Zealand Constitution Act 1852 envisaged districts where Maori authority would prevail. More significant than the provision itself was that the colonial government did not use it. Once the Treaty was signed, concepts of autonomy and partnership disappeared at the colonial frontier, and the colonial government contemplated no other option than that of domination and control.

We have made some study of overseas circumstances, and while it is far from complete, by reference to the history and development of Canada, Australia, and the United States of America, it appears that aboriginal autonomy was more thoroughly suppressed in New Zealand than in those comparable countries. Parihaka provides an illustration of this. Although the destruction of similar Maori enclaves occurred elsewhere in New Zealand, as the *Orakei Report* shows, the events at Parihaka provide a graphic account of the Government's antagonism to any show of independence. The result, which might have no parallel in world colonisation, is that not one acre exists where land is held and matters are managed entirely on Maori terms. In New Zealand, aboriginal autonomy remains suppressed. While it is promoted by certain organs of the United Nations and is, in varying shapes and degrees, applied and practised in Canada, the United States of America, and Australia, in New Zealand it has not been seriously addressed.

3rd



The classic Maori position consistently presumed that a partnership of Maori and Pakeha autonomies was required. No serious student of the philosophy of Wiremu Kingi, the Kingitanga, Te Whiti of Parihaka, or numerous other Maori leaders could fail to be struck by the singular Maori position that aboriginal autonomy was not a basis for war but the foundation for peace. Peace, in this world view, requires punctilious recognition of the status of other peoples and dialogue, based on mutual respect, that workable partnerships might be achieved.

In our opinion, that was one of the messages of Te Whiti o Rongomai and Tohu Kakahi. Much the same was to be sought by Mahatma Gandhi in India and, later still, by Martin Luther King junior in the United States of America. It is probably no accident that each of these leaders taught of divine law. Effectively, they were jurists promoting higher constitutional norms.

If evidence of a right is found in the consequences of its denial, Parihaka establishes that the autonomy of peoples must swell in the human breast as a fundamental need. Those who have suffered the repression of social intercourse by an alien power will know how pernicious foreign domination can be - those who have not can only hope to understand. The Government took from Parihaka not only land but the basic ingredients of society: the right to choose one's leaders and to enjoy freedoms of speech and association. A vibrant and productive Maori community was destroyed and total State control of all matters Maori, with full power over the Maori social order, was sought. Indeed, the rights of chiefs were confiscated and vested in petty officials and, in the result, such land as was not directly taken from Maori was, for the most part, leased to Europeans on perpetually renewable terms. It would have caused less anguish for future generations of Maori had the land been given away.

It is not our function to write the history of Parihaka, but because we are required to distil those matters relevant to the claim, we must maintain some overview of events. We see the position broadly as follows.

After the war had ended, the Government had, to all intents and purposes, abandoned the confiscation in central Taranaki for the whole of the district that had Parihaka at its heart, from the Hangatahua River to the Waingongoro River. No European had settled one acre in that entire area.

A movement for Maori peace and development had been established at Parihaka well before the war's end. Under the inspiration of Te Whiti and Tohu, this movement had grown to pre-eminence. It had flourished in a Maori environment, where development could be effected on Maori terms. From there, the leadership of the central district was to become vested in the Parihaka prophets, and they were also to become pre-eminent for Taranaki as a whole. Their word was law for former rebels and loyals alike, and Parihaka became a haven for all dispossessed and a shrine for all hapu. For nearly a decade after the wars, this peaceful situation obtained and Parihaka's reputation for discipline, faith, organisation, and development grew daily.

In 1878, however, nine years after the war, the Government brought this situation to an end. It began the survey of the central Taranaki district, with a view to enforcing European settlement there. The purpose, in our view, no matter how it may have been disguised, was no more than to repay the war and settlement loans by the sale of land,

without the need to pay Maori one further pound. The Government's action, however, did not solicit from Maori the response that such provocation might reasonably have compelled. After an invitation to discuss the matter with Te Whiti had been declined, Maori took no other steps than to peacefully remove the surveyors south of the Waingongoro River. In seeking negotiations, Te Whiti and Tohu were assuming that Maori were not subordinates in the country but partners and were entitled to respect. In ensuring a peaceful response, the prophets were introducing their passive resistance philosophy.

The united leadership of Te Whiti and Tohu may well have caused some upset at the time, for previously governments had capitalised on Maori divisions to keep control. Without the ability to compromise the Maori leadership in this case, a political game was played whereby the Government sought or claimed contact with Te Whiti without talking with him and without formally acknowledging his status as a leader or agreeing to discuss the justice of his case. In response to the Government's refusal to treat with Te Whiti as an equal and its assumption that Maori would settle for limited relief, the prophets launched an army of ploughmen to plough settler land throughout Taranaki. The first intake was a distinguished and disciplined corp of ploughmen, the most notable of the 'loyal and rebel chiefs', who submitted to the inevitable arrests. As arrests were made, more ploughmen appeared, until several hundred swelled the country's gaols. The Government's response - to remove all usual legal formalities for arrests and trials and to legislate for imprisonment at will - merely emphasised how remote that regime had become from the promises made at Waitangi in the Queen's name and how fragile the rule of law was in New Zealand at the time.

The popular belief that Maori were arming had constrained precipitate Government action until the best of the Taranaki fighting men were in prison. It was only thereafter that central Taranaki was re-entered by the Government. By then, a new Native Minister was at the helm. John Bryce was a Taranaki war veteran, who, in our assessment, had clearly retained his relish of warfare and who saw the exercise of power as the solution to problems. On his own admission, he had always desired a march on Parihaka in order to destroy it. It may be noted that the office of Native Minister was crucial at the time. Bryce replaced John Sheehan, who had at least sought to discuss matters with Te Whiti, and was in turn replaced by William Rolleston, who was probably more concerned than anyone with establishing dialogue.

With 600 of the Armed Constabulary, the Native Minister built a road to Parihaka and initiated such further provocative actions as might goad a warlike response and justify his army's retaliation. Instead, the only battle the Minister could create was with an 'army' of pacifist fencers. Without prior discussion with Te Whiti, the constabulary pulled down cultivation fences to allow for roadways, but as they were pulled down, Maori repaired them. The fences were necessary to restrain wandering cattle and the constabulary's horses, which would otherwise ruin the crops. It was claimed that the troops in fact destroyed crops and also that they looted property, but at least it is clear that Maori responded entirely without aggression.

When the constabulary arrested the Maori fencers, they quietly submitted to apprehension and others took their place. Although the authority of the Armed Constabulary to effect arrests was uncertain, 216 fencers were taken into custody. The constabulary's authority was never put to the test, however, because no fencer was

tried. Instead, they were shipped to gaols in the South Island to be confined at the Governor's pleasure without a court hearing.

The fencing problem was resolved when Maori erected slip-rails across the roads to allow passage but prevent stock trespass. The Minister's provocation had failed to achieve its ostensible purpose. If he had hoped for an invasion while the fighting men were in prison, he was unable to pursue such a course at that time.

There was a further constraint in that, as a result of the ploughmen's arrests, the West Coast Commission had been appointed to inquire into alleged promises of land that were said not to have been kept. It was difficult for the Minister to take direct action while the inquiry was continuing. Predictably, and though he was barely informed of the record, the Minister had argued that the commission was unnecessary. He thought there could be some justifiable complaints 'of one kind or another' on the west coast but 'probably no grievances to speak of on the Waimate plains'. Despite his protestations, however, the West Coast Commission had been formed.

The commission, comprised of politicians in support of confiscation, went much beyond looking at the many broken promises that it found to exist. It became distracted by its obvious desire to open the remaining Maori lands for settlement. The commission acknowledged takoha was wrong and that confiscated land in the centre had been effectively abandoned, but it was satisfied that Maori would agree to the settlement of the area if adequate reserves were made. This was a remarkable conclusion considering that the leading Maori were not spoken to, even though the opportunity was there. It was also remarkable that the commission could assume the Maori leadership's mind or, alternatively, could presume to know what was best for Maori without talking to them and without considering that the Crown's right to the land may in fact have gone.

At least the commission acknowledged that, after some 16 years, the numerous promises of reserves had never been fulfilled. It observed that broken promises, unfulfilled Compensation Court decisions, and fraud had justified Maori protests. It recommended that there be no further surveys and sales without the prior delineation of expansive Maori reserves and added that 'filling our gaols with prisoners, not for crimes but for political offences in which there is no sign of criminal intent' had done nothing to advance the peace. The report should have been enough to have stopped even an old soldier in his tracks, but it did not.

In light of the report, as well as considerable criticism from England, the retention of the prisoners could no longer be sustained. The Native Minister arranged for their release, albeit unwillingly it seems, but he still endeavoured to profit from the

#### Map 14: The confiscation abandonment

situation. When the first batch of prisoners was released, the Native Minister sought to impose conditions on their freedom, including the acceptance of reserves.

The Native Minister then resumed the survey and sale of lands in central Taranaki. His actions were so provocative that, in our view, he was also endeavouring to recreate hostilities. More particularly, he proposed the survey and sale of the coastal

aspects of the Parihaka block, though those lands were known to be the most fertile part of the block, where Maori had cultivated crops for centuries. This operation was undertaken even though the West Coast Commission had proposed a moratorium on surveys until reserves had been made and even though Parliament had recognised the propriety of that position by reconstituting the commission to ensure that result. Further, the commission had specifically mentioned the need for Parihaka reserves to be made before any action was taken, and the Native Minister's predecessor in office, John Sheehan, had deposed to the commission that, from the hills to the sea, the whole of the Parihaka block should be reserved for the peaceful pursuits of Maori. With that opinion from such a high authority, Maori had good grounds to think they would keep the entire block.

Without any consultation or discussion, however, the Native Minister gave notice that the whole of the coastal portion, Te Whiti's most arable area, was to be surveyed and sold. In the Native Minister's words, the survey would be done 'under Te Whiti's nose' and 'English homesteads would be established at the very doors of his house'.

The spring planting on the coastal land was complete when the surveyors entered, along with the Armed Constabulary, to break the fences and expose the crops once more. Their purpose in doing this was not to make a road but to lay out the whole area for settlers. The Maori food supply was now threatened, and they again reacted by re-erecting the fences. No arrests were made this time because they were not required: in the Minister's mind, as the commission reported, Maori had obstructed the survey, and on that basis Parihaka could now be invaded.

There remained, however, one impediment to that course - the possibility of intervention from London. The British Parliament had inquired about the suspension of the ordinary course of law in New Zealand and rumours that Maori prisoners had been mistreated. The Native Minister had replied evasively, attributing all fault to the fanatical support for Te Whiti and the unwholesome effect of the latter's 'evil eye', but the British Government was unconvinced and had sent a new Governor to review matters and report. Governor Gordon was more sympathetic to the indigenes.

Parihaka prepared to welcome the new Governor and a 'new and commodious house' was built to receive him. His aide-de-camp visited Parihaka and reported positively on the extensive cultivations and the contented and friendly disposition of the people. Most importantly, the aide was able to scotch the irresponsible media accounts that Parihaka was arming and fortifying. He reported that there were no fortifications or military preparations. The aide urged negotiation, not force - a course which the Native Minister described as 'perfectly preposterous'.

It happened, however, that the 'British problem' was resolved by the Governor's temporary absence in Fiji. Initially, the Government had been anxious to restore its good name in Britain. It declined the Native Minister's proposals for a march on Parihaka, blamed the Minister for attempting to engage the Government in hostilities, and brought about that Minister's resignation (though he was later reinstated). The Governor none the less completed a report and an embarrassed Government suppressed its presentation in London for more than a year. When the Governor then indicated that he would not sign further proclamations extending the Confiscated Lands Inquiry and Maori Prisoners' Trials Act 1879 for prisoners to be held without

trial, the Government was bound to do something. It did; it expedited the release of the remaining prisoners.

In mid-September 1881, however, the Governor left for Fiji. The then chief justice, whose description of Maori as 'savages' and 'barbarians' informs his disposition, became administrator of the Government in the Governor's absence. Almost immediately the Governor had departed, the strength of the west coast Armed Constabulary was increased and £84,000 was voted for 'contingent defence'.

With this obvious preparation for war, there was unease at the Parihaka half-yearly meeting on 17 September. The press attended, and some reporters worked up a scare that Te Whiti's address, given in Maori, had menacing portent. There were even rumours that he was about to invade and burn New Plymouth. These reports were groundless and William Rolleston, the Native Minister at the time, visited the area and confirmed their lack of substance. As the Governor's aide had done, he also reported a total absence of any warlike preparations, noting that the people were 'thoroughly pacific and good tempered' and 'engrossed in agriculture'.

That should have been an end to the matter, but a mood for attack was in the air. Rumours of war and misrepresentations of Te Whiti's intentions continued to be made in the press. No one failed to notice that the prisoners and Titokowaru were again at large. It was further observed that Maori were tending crops on land now sold, that thousands could be expected to gather again for the next monthly meeting at Parihaka, and that trouble would certainly follow.

That was the imaginary scare when it was learnt that the Governor was returning from Fiji earlier than expected. The Government, considering that decisive action was called for, presumably thought it would progress matters if the action were taken before the Governor could intervene. Events followed rapidly. At 8 pm on 19 October, the chief justice, as administrator, issued a proclamation calling upon Te Whiti to submit to such reserves as had been proposed and for the others to disperse or suffer unspecified consequences. At the same time, Bryce, the former Native Minister, was sworn back into office. At 10.30 pm, about an hour after the Executive Council meeting ended, the *Emerald*, conveying the Governor from Fiji, dropped anchor in Wellington Harbour. Next morning, the Governor assembled the Ministers, but one was missing. The Native Minister had left at 4 am to assemble an armed march on Parihaka, as had long been his dream. He had decided to deliver the proclamation at the point of a bayonet and to take punitive action without waiting for a response. The Governor could not recall the decision; by a special arrangement, the proclamation had been published on the same evening it was made in a *Gazette Extraordinary*. In any event, in the Governor's view the Ministers were 'supported in their "vigorous" action by nine tenths of the white population of the colony', and he was obliged to comply with the advice of his Ministers or resign.

The proclamation of the chief justice, as administrator of the Government, berated the people for making themselves poor by their useless expenditure on feasts; for neglecting the cultivation of their own land (though one could not tell whether they legally owned one acre); for listening to the sound of Te Whiti's voice, which had unsettled their minds; for assuming a 'threatening attitude'; and the like. It then exhorted them to leave Parihaka and required that they accept the reserves given and

the Queen's law or suffer 'the great evil which must fall on them', whatever that might have meant. There was nothing to indicate that Parihaka was about to be destroyed, or to authorise the destruction that was in fact to occur.

The province assumed the character of a country on the edge of war. Within a week, a call had been made to former soldiers and volunteers throughout the North and South Islands to assemble at Taranaki. When over 1000 answered the call to join the Armed Constabulary already there, it became obvious there was a desire to settle with Maori once and for all.

On 5 November 1881, a military force of 1589 invaded and occupied the unprotected Parihaka. The Native Minister in person was at the head, mounted on a white charger, with sabre and full military uniform.

An information blackout imposed on the Government's actions was indicative of a disturbed conscience. The publication of even the cryptic official reports to the Government was suppressed for over two years. Those reports eventually revealed, however, that Parihaka had been taken without resistance; that it was 'completely broken up'; that about 1500 men, women, and children had been arrested; and that six were imprisoned, including Te Whiti and Tohu, who were held on charges of sedition. Titokowaru, who had recently returned from prison with the ploughmen, was imprisoned again for failing to procure sureties to keep the peace.

Images of a fuller picture escaped later to the public arena; images of assaults; rape; looting; pillage; theft; the destruction of homes; the burning of crops; the forced relocation of 1556 persons without money, food, or shelter; the introduction of passes for Maori to facilitate the military's control of movements in the area; and the suspension of trials and other legal safeguards when it appeared that lawful convictions might not be achieved.

Parihaka provides a damning indictment of a government so freed of constitutional constraints as to be able to ignore with impunity the rule of law, make war on its own people, and turn its back on the principles on which the government of the country had been agreed.

For decades, the shameful history lay largely buried in obscurity. Young Maori were schooled to believe that those of their forebears whose images they should have carved with pride were simply rebels, savages, or fanatics. The Government's criminality was hidden.

New Zealanders were not to know that forced removals, pass laws, and other suspensions of civil liberties, so often criticised of governments elsewhere, had been applied here. We were not to know, when paying tribute to Gandhi and King, that their policies and practices had first been enunciated by Maori.

The invasion of Parihaka was not the end of the matter. The process for the domination of Maori, which had begun with the war made on them and been furthered by altering the tenure of their land, was still incomplete.

The West Coast Commission was continued, in amended form, to oversee the provision of Maori reserves. Not content with having ensured that some 80 percent of the land had passed to settlers, the commission was then to vest the greater part of the Maori reserves not in Maori but in Government officials to control, that even these might then be settled by Europeans. The Public Trustee was directed to hold the reserves not only for the benefit of Maori but also for European settlement. By regular changes to the law, the settlers' interests were continually advanced, to the detriment of Maori, until most of the reserves had been leased by the trustee on perpetually renewable terms. Many were then to be sold, again through Government policy and not by the voluntary action of Maori.

In the result, although it was regularly claimed that lands had been returned to Maori, most did not return to their possession or control. Taranaki Maori obtained, at best, the right to receive a rent, and then at a rate fixed not by them but for them. Effectively, they had not land but an annuity and, owing to the new tenure of individual entitlements, not one penny passed as of right to a common hapu pool. As the individuals grew in number, fragmented, and dispersed for a living, the money, fragmenting in proportion to their growth, followed after them. There was nothing for the marae. Even the income accruing to the shares of missing owners did not pass back to the hapu. Maori land was made meaningless as a tribal asset, and as a tribal asset, it is largely meaningless to this day.

Aspects of those events more relevant to the claim are now considered.

## **8.2 PAST HISTORY AND CURRENT PERSPECTIVES**

First, it has to be made clear that the Parihaka invasion is not something that can be set aside as a distant event. Few things so capture the identity of Taranaki Maori today as the mountain above and Parihaka at its side. Both meant 'home' for hapu of former years and both are at the bosom of Taranaki culture now.

The destruction of Parihaka in fact wrought the miracle that Tohu and Te Whiti had sought to achieve. From the ashes came the spirit that kept generations of Maori on the land and, from the spirit, their prophecy was maintained. Te Whiti and Tohu live in the people's hearts and minds. Those who set out to destroy them, if their names can be found at all, are recorded on archival shelves.

The story of Parihaka is regularly retold. Each building from the reconstruction period is tended with loving care, each cornice a reminder of what happened before. Striking photographs of the old village and invading army are still maintained in the hall on the hill.

A section of Parihaka prior to the invasion. Photograph courtesy of the Alexander Turnbull Library (G1071).

The Armed Constabulary assembled at Rahotu, 1881. Photograph courtesy of the Alexander Turnbull Library (F316131/2).