

(Sorrenson, M. P. K., 1986)

APPENDIX B

1861

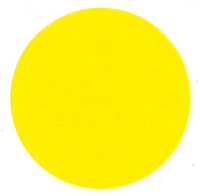
1861	1907	1961
1872	1924	1962
1876	1937	1974
1889	1938	1975
1892	1940	
1894	1951	
1900	1956	

**A HISTORY OF MAORI  
REPRESENTATION IN PARLIAMENT**

by

M. P. K. Sorrenson  
University of Auckland

3rd



with a new source of inspiration and a new political language for negotiations with the pakeha.

So long as Maori had merely to contend with a few resident missionaries, pakeha traders, or whalers, there was no great external threat to their authority in New Zealand. But in the 1830s the situation began to change quite dramatically. As European trade and settlement increased, so the British authorities in Sydney and London became concerned with lawlessness of British subjects in New Zealand. Hitherto the British had disclaimed authority in New Zealand. Though James Cook had proclaimed British sovereignty over the country in 1770, no action was taken to make that claim effective. Indeed 3 British statutes relating to New South Wales and Tasmania in 1817, 1823 and 1828 had specifically described New Zealand as "not within His Majesty's dominions".<sup>1</sup> But although the British recognised Maori sovereignty over New Zealand, they became increasingly aware of the need to protect Maori from the excesses of British subjects in the country. Thus James Busby was appointed British Resident in New Zealand in 1833. Stationed at Waitangi in the Bay of Islands, Busby had no force at his command and therefore no effective authority over pakeha or Maori. He was often ridiculed or humiliated by chiefs. Yet some of his actions had a rather more enduring significance than has usually been admitted. In 1834 Busby persuaded 25 chiefs at Waitangi to adopt a national flag, so that New Zealand-made ships could be registered for the trans-Tasman trade. That flag was used by later assemblies of Maori leaders as a symbol of a continuing Maori identity.<sup>2</sup> In 1835 Busby embarked on a more ambitious piece of diplomacy. He again assembled northern chiefs at Waitangi, this time to combat an alleged threat that the self-styled Baron de Thierry was about to establish a personal kingdom in New Zealand, and persuaded 35 of them to sign a "Declaration of Independence". They asked for British protection. Later several chiefs from the south added their signatures to the document. Busby saw the assembly as the first stage in the creation of a Maori Parliament, modelled on that at Westminster. This too was to have a continuing significance in Maori political history: several later Maori parliamentary assemblies were regarded as direct successors to Busby's pioneer assembly.<sup>3</sup> But for the British Government it was to have a more immediate consequence. Since Britain recognized the "Declaration of Independence"—yet another acceptance of Maori sovereignty—she was soon to find it necessary to treat with the chiefs of the United tribes and others for the transfer of that sovereignty. Thus the Treaty of Waitangi was conceived.

In the last years of the 1830s British intervention in New Zealand had become unavoidable. There was an influx of British settlers and speculators from across the Tasman, some of whom claimed to have purchased large areas of land from the Maori. There were rumours of

<sup>1</sup>P. Adams, *Fatal Necessity: British Intervention in New Zealand, 1830-1847*, Auckland, 1977, pp.52-3.  
<sup>2</sup>C. J. Orange, *The Treaty of Waitangi: a study of its making, interpretation and role in New Zealand history*, PhD thesis, University of Auckland, 1984, pp.77-83.  
<sup>3</sup>*Ibid.*, pp.83-94.

French colonisation and intervention in New Zealand, though these were much exaggerated. Above all, there were the activities of E.G. Wakefield and his New Zealand Association (later the New Zealand Company) which finally forced the hand of the British Government. Wakefield proposed to establish colonies of British settlers in New Zealand and in May 1839 despatched a land-buying expedition, led by his brother William. For some time the Government had been considering a recommendation from Captain William Hobson for a limited form of intervention: the annexation of certain settled ports as "trading factories" to be controlled by a British consul. But with the despatch of the Wakefield expedition, Hobson's proposals were expanded and Hobson was sent to New Zealand to negotiate with Maori for the cession of the "whole or any parts" of the country. He soon found that it was indeed necessary to negotiate for the whole of the country.



(Sorenson, 1986)

McLean, much to the chagrin of the Ministry. In the later 1850s McLean and his assistants found it increasingly difficult to purchase Maori land, particularly in Taranaki and Waikato where Maori were co-ordinating their resistance to land sales. In Waikato they created a pan-tribal anti-land selling league with the selection of a Maori King in 1858. The settlers, resentful of the slowness of the Government to purchase Maori land, campaigned for the abolition of pre-emption. In 1859 the General Assembly passed a Native Territorial Rights Bill which abolished Crown pre-emption and allowed settlers to purchase land directly from individual Maori.<sup>16</sup> It was disallowed by the British Government as an infringement of the Treaty of Waitangi; but it was an earnest of things to come, once the settlers had got responsibility for Maori affairs.

Although access to Maori land was the prime object of settler politicians, it was not their sole concern. They also wanted to extend law and order into Maori districts—to bring Maori, as well as their lands, under British law as rapidly as possible. There was never any support in the General Assembly for applying s.71 of the constitution. Grey had made a start towards extending British law to Maori districts by appointing several Resident Magistrates. In the later 1850s the Stafford Ministry pressed Browne to expand this system and he appointed F.D. Fenton a travelling magistrate to Waikato. Fenton made two circuits into Waikato in 1857 and 1858. He merely stirred up Maori opposition, provoking the Kingites into finally proclaiming Potatau Te Wherowhero as their King. On McLean's advice, Browne withdrew Fenton. The Ministers claimed that, because Browne had failed to govern the Maori, they were erecting their own Government. It was all part of the guerrilla war that the politicians were waging for control of Maori affairs. In 1858 Browne gave them some ground by allowing one of the Ministers, C.W. Richmond, to be designated Minister for Native Affairs, but Browne himself retained final responsibility. It was an unsatisfactory compromise and was not resolved until, on Colonial Office instructions, responsibility for Maori affairs was transferred to the local Ministry in 1861.<sup>17</sup> But by then war had broken out over the Governor's bungling of the Waitara purchase in Taranaki.

<sup>16</sup> M.P.K. Sorenson, "The Maori King Movement, 1858-1885", in Robert Chapman and Keith Sinclair (eds.), *Studies of a Small Democracy*, Auckland, 1963, pp.38-39.  
<sup>17</sup> *Ibid.*, pp.33-4.



Legislative Council.<sup>47</sup> Thereafter there were usually 2 Maori representatives in the Council until its abolition in 1950.

In 1876 Tataroa introduced a Bill providing for an increase in Maori representation in the House to 7 members, but the Bill was not passed.<sup>48</sup> In the same year H.M. Rangitakaiwaho and 394 others of the Ngatikahungunu tribe petitioned Parliament asking for Maori representation to be "in the same proportion as the representation is of the European race by European members" and for the Maori electorates to be based on tribal boundaries—a plea that was still being reiterated 110 years later.<sup>49</sup>

Sometimes rival European factions recruited Maori with the necessary property qualifications to vote in tightly contested European electorates. The fact that such Maori were exercising a double vote led to some pakeha criticism.<sup>50</sup> In 1879 most of the Maori votes on the European rolls were eliminated when their householder franchise was abolished. Now Maori could only vote in European electorates if they had a £50 freehold or were ratepayers, whereas the same act gave Europeans the adult male franchise. But there was no move to abolish the Maori seats lest the resulting flood of Maori voters onto the European rolls put too many North Island seats in jeopardy. According to Jackson and Wood, "any actual move towards amalgamation...aroused fears as great in the 1870s and 1880s as in the 1850s".<sup>51</sup> The 1867 Act was to remain in force for 5 years; but in 1872 it was extended for another 5 years; and in 1876 it was extended indefinitely. In time, it was assumed, miscegenation and the steady decline in Maori population, along with the rapid increase in the European population, would mean that it would no longer be dangerous to amalgamate Maori and pakeha representation. But, so far as Maori were concerned, their special representation came to be seen as their only guarantee that they would be represented at all.

Although the evidence is scanty—neither the government publications nor the newspapers published the full results in Maori elections prior to 1890, let alone reported electoral proceedings—it seems that Maori were gradually participating more fully in the electoral process. One indication of this is the steady increase in the number of polling places established for each election, no doubt at the insistence of Maori communities. For the 1875 election 13 polling places were established for Northern Maori, 21 for Western, 18 for Eastern and 14 for Southern Maori.<sup>52</sup> By 1887 the numbers had risen to 35 for Northern, 86 for Western, 61 for Eastern and 25 for Southern Maori.<sup>53</sup> Usually a local schoolhouse or courthouse was used, but quite often a chief's house or a runanga house was chosen. Moreover polling booths were now

<sup>47</sup>NZPD, Vol. 10, 1871, pp.471-76; see also Appendix 5.

<sup>48</sup>Ibid., Vol. 22, 1876, p.230.

<sup>49</sup>AJHR, 1876 J-6, pp.1-2; for recent pleas see, for instance, the submissions of the Maori workshop on representation in Parliament at the Turangawaewae conference, 10-13 May 1985, to the Royal Commission on the Electoral System.

<sup>50</sup>Jackson and Wood, p.389.

<sup>51</sup>p. 388.

<sup>52</sup>The New Zealand Gazette, 1875, p.799.

<sup>53</sup>Ibid., pp. 1032-33.

established in some of the most remote settlements in the North Island, an indication that participation in elections was no longer confined to the Kupapa or loyalists. For the 1886 by-election for Western Maori 5 polling places were established in the King Country. In the event the King party tribes split their votes, with Ngatimaniapoto supporting the Ngatiraukawa candidate, Hoani Taipua, and the King and his Waikato tribes supporting Major Wiremu Te Wheoro, a former Kupapa who had also previously held the seat. Taipua polled a total of 1,158 votes to Te Wheoro's 516, a result that gave the government agent some smug satisfaction as "showing how small now is Tawhiao's following within the Western Maori electoral district".<sup>54</sup> By 1887 polling places were established at Ruatahuna, Fort Galatea and Lake Waikaremoana on the fringes of the Urewera country.<sup>55</sup> Three years later a polling place was established at Hetaraka Te Whakaunua's house at Maungapohatu, in the heart of the Urewera, and the hapless Deputy Returning Officer, J.T. Large, was sent off on a 15-day trek from Lake Waikaremoana to record the votes. But he found on arrival that Te Whakaunua and his people had gone off to Whakatane and that those who remained "expressed indignation at a polling place being established under their sacred mountain". He was told to count the trees for votes but eventually persuaded a few of the men to cast their votes. And, despite getting lost and injured, he concluded that it was all worthwhile: "it has undoubtedly the effect of maintaining friendly relations between the government and this isolated tribe".<sup>56</sup> With this effort it could be said that all of the Maori tribes, if not all of their eligible voters, had been brought into the electoral process.

Although there is insufficient electoral data to present a full analysis of Maori voting behaviour in this period, there seems little doubt that tribal considerations were uppermost in the selection and support for candidates. They were sufficient, according to Ward, to "render invalid an analysis of Maori elections according to the normal criteria of psephology".<sup>57</sup> There were enough rivalries to ensure that elections never went uncontested, with Government being put to considerable expense and bother to collect what was often a mere handful of votes from remote polling places. Election to Parliament had become a matter of considerable personal and tribal mana.

But in Parliament the Maori voice was often ineffectual on matters of vital importance to them. Their members invariably opposed the Native Land Acts that were designed to facilitate settler purchase of Maori land; but their protests were ignored.<sup>58</sup> Although all 4 Maori members sat on the Native Affairs Committee, set up in 1872 to handle the flood of Maori petitions that poured into the House, they were invariably outvoted on large issues—like the return of the confiscated lands—but

<sup>54</sup>G.T. Wilkinson to T.W. Lewis, 19 May 1887, AJHR, 1887 Vol. II, G-1, p.5.

<sup>55</sup>*ibid.*, 1887, p.1033.

<sup>56</sup>Enclosure in G. Preece to T.W. Lewis, 16 December 1890, MA 23/15, National Archives.

<sup>57</sup>p.344.

<sup>58</sup>M.P.K. Sorrenson, *The purchase of Maori lands, 1865-1892*, MA thesis, Auckland University College, 1955, p.229.



sometimes won favourable decisions on lesser matters. According to Ward, the committee "was one institution which helped...to prevent the Maori from quite despairing of the parliamentary system".<sup>59</sup> Yet for the Maori members, despair and despondency must have been common for much of the time. Unable to speak English and therefore unable to follow the normal cut and thrust of parliamentary debates, and very often ignored or ridiculed when they did speak on important Maori matters, the Maori members were little more than a token representation that enabled the pakeha members to salve their consciences while also relieving the Maori of much of their remaining land and autonomy.

Since Maori members were largely powerless in Parliament, it seemed to many Maori that they would better protect their interests by remaining outside the European system. Indeed some Maori groups had remained outside the system for some time after the last shots in the New Zealand wars. After the battle of Orakau the Maori King and his Waikato supporters had taken refuge south of the confiscation line along the Puniu river in Ngatimaniapoto territory, henceforth known as the King Country. Here, for more than 20 years, Tawhiao resisted all Government overtures for the opening of the King Country to land sales and the law, and the approaching Main Trunk railway, always insisting on a complete return of the confiscated Waikato lands. As was the case before the war, the Kingites were trying to preserve local autonomy. In 1884 Tawhiao came out of the King Country and led a Maori delegation to England to present a petition to the Queen asking her to "grant a government to your Maori subjects...that they may have power to make laws regarding their own lands, and race, lest they perish by the ills which have come upon them".<sup>60</sup> Once more the Kingites were hoping that s.71 of the Constitution Act would be applied to them. The British had long been sympathetic to this plea—Newcastle, as Secretary of State for the Colonies, had recommended it to the New Zealand Government in 1861, but that plea could be ignored since Newcastle had also agreed to the transfer of responsibility for Maori affairs. In 1884 Tawhiao and his deputation were politely referred back to the Government in Wellington, and that Government had no intention of applying s.71 to the King Country or any other Maori district. In any case by 1884 the due processes of law—more especially the operations of the Native Land Court—were effectively eroding the King's independence. By that time, the leading Ngatimaniapoto chiefs, anxious not to let Tawhiao and his Waikato followers establish a title by occupation to land in the King Country, had agreed to allow the Native Land Court to adjudicate the external boundaries. They were duly rewarded when the court in the Rohepotae judgement of 1888 upheld their titles. In 1885 Ngatimaniapoto allowed the Main Trunk railway to enter the King Country—thus ceremonially opening it to European enterprise—and Tawhiao and his Waikato supporters withdrew, thereafter to follow a peripatetic existence, moving from one reserve to

<sup>59</sup>p.271

<sup>60</sup>Quoted by John A. Williams, *Politics of the New Zealand Maori*, Seattle, 1969, p.43.



another within the confiscated block. Although territorial autonomy was no longer possible for the King movement, it still attempted to maintain political autonomy while also participating in the election of members for Western Maori. In the last years of his life Tawhiao continued to resist Government offers of a pension and a seat in the Legislative Council; and he continued to issue proclamations warning Europeans that they too were subject to "the laws of the Government of the kingdom of Aotearoa".<sup>61</sup>

Though the King's independent stand earned him much Maori sympathy, if little practical support, there were other centres of independency. The Urewera, home of Te Kooti's Ringatu supporters, also remained beyond the pale of pakeha law, though Te Kooti himself lived in the King Country until he was pardoned in 1883. There was yet another centre of independency: that of the prophet Te Whiti who organised passive resistance to the European occupation of the Taranaki confiscated lands from his settlement at Parihaka. For a while in the late 1870s and early 1880s Te Whiti commanded more support than the Maori King. He caused a succession of pakeha politicians to over-react. Passive resisters were arrested and imprisoned in droves. *Habeas corpus* was suspended. Then in 1881 the Native Minister, John Bryce, led 1500 heavily armed militia on Parihaka and Te Whiti, along with his chief lieutenant, Tohu Kakahi, were arrested, and held without trial for 15 months in the South Island. It was a heavy-handed demonstration of the pakeha determination to bring all Maori within the reach of the law.

But even within those Maori districts ostensibly under the law there remained some degree of autonomy. Maori communities, particularly at the level of hapu and whanau, remained very much to themselves, guided, for most domestic matters, by acknowledged chiefs and local runanga (committees). Maori matters continued to be regulated by tribal law and custom, though this was considerably modified by Christian codes. It was only when they had to deal with local pakeha, whether settlers or officials, that Maori had to abide by pakeha law. There was also a huge amount of intra-tribal activity, perhaps most conspicuously the annual hui held by the King movement and by Te Whiti, but also in other tribal districts. These gatherings were intensely political: though tribal rivalries and animosities remained, Kingites rubbed shoulders with Kupapa, and policies were thrashed out to combat the insistent pakeha demand for land, the operations of the Native Land Court, and legislation emanating from Wellington. There was an important attempt to institutionalise these proceedings when the Ngatiwhatua chief, Paora Tuhaere, a man with an impeccable loyalist record, tried to reconvene the Kohimarama conference in 1869. Ten years later he summoned a Maori Parliament at Orakei. The movement gathered force in the 1880s with a series of hui culminating with a meeting at Waitangi in 1889 at which a Maori Union of Waitangi was formed.<sup>62</sup> Significantly, this

<sup>61</sup>Quoted by Williams, p.45.

<sup>62</sup>ibid., p.50.

and education—belated recognition of the long-standing Maori demand for local government by tribal runanga. It was also a shrewdly conceived means of cutting Maori support for a larger form of autonomy, then being powerfully advocated by the Kotahitanga or Maori Parliament movement. In 1900 Carroll passed another important piece of legislation, the Maori Lands Administration Act, which established Maori-controlled land boards to develop Maori land and lease any surplus. The act had the signal effect of halting alienation of Maori land—only 6,773 acres of land had been leased to Europeans by 1905. There was a hue and cry from the press and Parliament, and Carroll was forced to amend the act, placing the land boards under European control and giving them power compulsorily to lease Maori land. Then in 1907 the Stout-Ngata Commission was appointed to determine how much land should be retained for Maori use and how much could be made available for European settlement. The Commission examined some 3,000,000 acres of Maori land, and recommended that some 600,000 acres be made available for European settlement, mainly by leasehold. Threatened by a seepage of back-blocks farmer support to the rising Reform Party, Carroll and the Liberals were having to meet the incessant European demand for Maori land in the North Island.

Although Carroll was personally opposed to separate Maori representation in Parliament,<sup>66</sup> he was party to several legislative changes that helped to perpetuate that system. In 1893 the Liberal Government extended the franchise to women, including Maori women who voted for the Maori seats. At the same time the Liberals ended the dual Maori vote whereby Maori registered on the European rolls by virtue of property qualifications could also vote in a European constituency. When property qualifications were abolished in 1896, it was laid down that Maori could vote only in Maori electorates. Only half-castes, hitherto required to vote for the Maori seats, were now given a choice. Thus the electoral systems were segregated and any hope of a single amalgamated system, originally envisaged when the 1852 Constitution Act came into force, was left to the piecemeal process of miscegenation. The 4 Maori seats were more firmly established than ever.

Ironically, Carroll was to ensure that those seats were more effectively occupied than ever before—by bringing his "young colts",<sup>67</sup> the gifted men of the Young Maori party, into Parliament. The first was Apirana Ngata, who defeated Wi Pere for Eastern Maori in 1905. Born at Waiomatatini in 1874, educated at the local Native school, Te Aute College in Hawke's Bay, and Canterbury and Auckland University Colleges, where he took degrees in Arts and Law, Ngata was the most gifted Maori of his generation. He was destined to become one of the great parliamentarians of this century. He held Eastern Maori for 38 years, in that time becoming "Father" of the House. In 1909, following the sudden death of Hone Heke, Carroll managed to facilitate the

<sup>66</sup>NZPD, Vol. 134, 1905, p. 37.

<sup>67</sup>A.T. Ngata to P.H. Buck, 29 June 1931, Ramsden MS Papers 196/312, Alexander Turnbull Library.



only 108 votes. He soon went off to the war—as Medical Officer to the Maori Pioneer Battalion—and never again returned to politics.

Pomare, by contrast, remained in Parliament from his election to Western Maori in 1911 until his death in 1930. His assimilationist views and support for Reform gave him a rapid entry into Massey's Cabinet, if not to high office. He was appointed as Member of the Executive Council Representing the Native Race in 1912, but not to the portfolio of Native Affairs which was handed first to W.H. Herries and then to Gordon Coates. However Pomare did become Minister for the Cook Islands in 1916, Minister of Health in 1923, and Minister of Internal Affairs in 1928. Pomare's "desertion" of his Young Maori party colleagues earned him their bitter enmity. Their differences were sharply revealed in the debate over the Native Land Amendment Bill—designed to facilitate European freeholding of leases of Maori land—in 1913. Ngata and Buck attacked the Bill with Buck saying that "under the cloak of enabling the Maori to individualize his land...the Government is only taking a step in denuding him of his land".<sup>73</sup> But Pomare replied that individualisation of titles was "one of the chief essentials to the solution of the Native land problem...Communism has been the death-trap of the Native race". Ngata interjected that this was just "pakeha clap-trap". But Pomare continued: "No amount of communism will save any race...If the Maori tomorrow were dispossessed of all his land, and began to go on his own initiative and commenced to work, he would be a better citizen than continuing to be a spoon-fed Native...the only way to salvation of the Maori is by individual effort....I say there should be one law for the Pakeha and for the Maori....We have one King, one country and we should have one law".<sup>74</sup> And so the interchange proceeded with what one historian has called "some of the bitterest remarks ever made by one Maori to another on the floor of the House of Representatives".<sup>75</sup>

But in later years there was some reconciliation between Pomare and Ngata. They worked together to recruit Maori volunteers during the war. After the war, when Pomare had more mana in Cabinet and the sympathetic Coates was Minister for Native Affairs, Pomare and Ngata persuaded the Government to investigate a number of long-standing Maori land grievances, including the confiscations carried out during the wars of the 1860s. A Royal Commission recommended compensation. It was Pomare's finest achievement. Just before his death Pomare persuaded his Taranaki people to accept an annual payment of £5,000 and Ngata, now Minister for Native Affairs, persuaded his Cabinet to approve. As Ngata explained, "My honour was involved in the Parliamentary affirmation of the settlement...but the financial situation was most difficult and [Prime Minister] Forbes on the eve of departure for London. A fortnight before the arrival of [Pomare's] ashes I wrapped my resignation round the kaupapa [proposal] and handed both to Forbes. At 5 p.m. of the day he left...the settlement received his formal

<sup>73</sup>NZPD, Vol.167, 1913, p.412.

<sup>74</sup>Ibid., pp.407-8, 412.

<sup>75</sup>McClellan, p.36.



he did not attempt to abolish the seats when he came to power. Nor did the Liberals when they returned to office as the United Party in 1928, though they could scarcely do so with Ngata number 3 in Cabinet.

The success of the Young Maori party leaders in Parliament also meant the gradual demise of autonomous, extra-parliamentary Maori political movements. The most notable of these was the Kotahitanga movement which at its height at the end of the nineteenth century claimed, with some exaggeration, to have the support of 37,000 Maori.<sup>98</sup> The ideal of Kotahitanga, or Maori unity with autonomy, had a long but tenuous history. It began with Busby's confederation of northern chiefs, continued through the King movement, the Kohimarama conference of 1860, took more tangible form with Paora Tuhaere's Parliament at Orakei in 1879, and culminated in the formation of a "Maori Union of Waitangi" in 1899. Over the next 2 years, hui at Waiomatatini, Omaha and Wanganui supported the proposal. In 1891 the Arawa people petitioned the Queen for a separate Maori Parliament, "as your Majesty has already concluded with us the glorious bond of union in the Treaty of Waitangi".<sup>99</sup> The petition was bound to fail since the Queen would not intervene in New Zealand politics; it was necessary for the Maori leaders to take their project to the New Zealand Parliament in Wellington. Meeting at Waitangi in April 1892, they agreed to form a Maori Parliament. This was to be composed of a lower house of 96 elected members, and an upper house of 50 members, chosen by the lower house. It was thus similar to the European Parliament in Wellington, although the electoral districts were based on tribal boundaries. The Maori Parliament held its first session at Waipatu in Hawke's Bay later in the year. It continued to meet annually in different Maori settlements for the next 11 years.

The Maori Parliament had a very considerable measure of support, more particularly from the loyalist or Kupapa tribes, the very people who had long been involved in electing members for the 4 Maori seats. But it failed to gain the adherence of Te Whiti's followers at Parihaka or the King movement. In 1894 the Kingites decided to set up their own Parliament, or Kauhanganui, at Maungakawa near Cambridge. However it soon became evident that the pakeha Parliament in Wellington would brook no rival. Although that Government did not interfere with meetings of either the Kingite Kauhanganui or the Kotahitanga Parliament, any attempt by the Maori Parliaments to exercise authority which resulted in a breach of the law was suppressed. Thus when Kerei Kaihau, a follower of the Maori King, decided to destroy survey pegs for a government road in Waikato—because "he recognised no laws but King Tawhiao's"<sup>100</sup>—he and his followers were promptly arrested and jailed at Mt Eden.

As befitted their loyalist status, the supporters of the Kotahitanga Parliament had a more law-abiding approach. They sought recognition

<sup>98</sup>Williams, p.60.

<sup>99</sup>Quoted by Williams, p.51. Significantly, Arawa had not signed the Treaty.

<sup>100</sup>Quoted by Williams, p.46.

widows' pensions.<sup>117</sup> With the passage of the Social Security Act in 1938 Maori were eligible for the child benefit on the same basis as Europeans. But Labour was slow to act on long-standing Maori land grievances; for instance the Waikato and Ngaitahu compensation claims, in abeyance since Commissions of Inquiry in the 1920s, were not finally resolved until the late 1940s. And Tirikatene's frequently reiterated demand for ratification of the Treaty of Waitangi was ignored. Altogether Labour's record in Maori affairs prior to the war was decidedly uneven; as Claudia Orange put it, the Government "just muddled along".<sup>118</sup> There was little leadership from the top with the portfolio of Native Affairs nominally in the hands of the ailing Savage but most of the responsibility devolving to the insensitive Acting Minister, F. Langstone, who formally took over the post on Savage's death in 1940. Moreover the Ratana movement became divided with the death of T.W. Ratana in 1939 when the presidency of the Church was conferred on his son, Tokouru, but leadership of the movement in Parliament remained for the time being with Tirikatene. The Ratana members "seem to have remained peripheral to policy decisions on Maori matters".<sup>119</sup> Nevertheless the Ratana/Labour alliance remained firm since Labour's social welfare and economic policies were bringing many benefits to Maori—as well as to pakeha.

The outbreak of war in Europe and later the Pacific was to divert attention from domestic concerns. A Maori Battalion was recruited and sent overseas in May 1940. At home a Maori War Effort Organisation was formed under the chairmanship of Paikea who had been appointed to the Executive Council as Representative of the Native Race.<sup>120</sup> The Organisation was primarily concerned with recruitment and support for the Maori Battalion, but it also began planning for rehabilitation of returned servicemen after the war.<sup>121</sup> The Organisation worked through a network of tribal committees, was outside the control of the Native Department, and soon began to develop larger ambitions; indeed some of those involved saw it as a way of reviving that long-unachieved will-o'-the-wisp, Maori autonomy. Paikea once described it as fulfilling a recommendation made by Sir George Grey 80 years before that Maori could best be governed through their tribal leaders.<sup>122</sup> But the Organisation did not survive the war, although the tribal committees were kept in existence under the Maori Social and Economic Advancement Act of 1945. As Love puts it, "the government effectively destroyed the incentive and initiative of a large measure of self-determination which had been the motivating factor behind the Tribal Committees during the time of the Maori War Effort Organisation".<sup>123</sup> But, much to the dismay of the Maori members, the committees were no

<sup>117</sup>C.J.Orange, *A Kind of Equality: Labour and the Maori People*, M.A. thesis, University of Auckland, 1977, pp.63-4, 105-110.

<sup>118</sup>*Ibid.*, p.116.

<sup>119</sup>*Ibid.*, p.118.

<sup>120</sup>On Paikea's death in 1943, Tirikatene took over both responsibilities.

<sup>121</sup>Orange, p.135.

<sup>122</sup>Quoted by Love, p.361.

<sup>123</sup>*Ibid.*, p.400.



longer part of an independent structure; they were made responsible to a newly constituted welfare section of the Native Department.<sup>124</sup> Later, however, two important Maori organisations grew out of the remains of the War Effort Organisation: first the Maori Women's Welfare League, formed in 1951, and then the New Zealand Maori Council, a male-dominated confederation of tribal committees, formed in 1962. But neither of these gender-oriented organisations possessed great independence; they could attend to purely Maori social and cultural matters within their particular spheres, but otherwise their powers were only advisory.

The 1946 election was a close-fought contest. There was some dissatisfaction with the Ratana/Labour members and in the Northern and Eastern electorates there were unsuccessful attempts to field other candidates bearing the Labour banner. The National Party, under the vigorous leadership of S.G. Holland, ran Ngata again in Eastern Maori and made much use of officers from the Maori Battalion, including J.C. Henare, son of the former member, who stood for Northern Maori. But in a high poll in which more than 85% of Maori adults cast their vote,<sup>125</sup> the 4 Ratana/Labour candidates came home with increased majorities—and with 63.9% of the total valid votes.<sup>126</sup> In Eastern Maori, where 2521 more votes were recorded than in 1943, there were allegations of plural voting, but they were not sustained.<sup>127</sup> Since the Maori election was held a day before the general election, Fraser was able to capitalise on Labour's victory in the Maori seats. But when the general election was held, Labour and National won 38 seats each and Labour clung to office by virtue of the Maori seats.

The Maori members had a golden opportunity to extract the maximum advantage. Unwilling to hand over the portfolio of Native Affairs to one of the Maori members, Peter Fraser reluctantly took it on himself—and became the most successful pakeha holder of the office since Coates. Tirikatene was eventually given a minor portfolio: Minister in Charge of the Government Printing Works and Stationery Supplies. But he had little influence in Government since Fraser could not "swallow him".<sup>128</sup> The other Maori members were even less influential. Matiu Ratana, who had succeeded his brother in a 1945 by-election, was not fluent in English; and neither Omana in Eastern Maori nor T.P. Paikea, who had succeeded his father in Northern Maori, was at all forceful.<sup>129</sup> So the initiative remained with Fraser, a shrewd and astute politician, and his Ministerial Secretary, M.R. (Mick) Jones. It was he who persuaded Fraser to have the term "Native" replaced by "Maori" in all official documents and communications. Commissions were set up to examine outstanding land grievances in Taranaki, Northland and elsewhere. Fraser personally settled the Waikato, Whakatohea and Ngaitahu

<sup>124</sup>*ibid.*, p.396.

<sup>125</sup>A.J. McCracken, *Maori Voting and Non-Voting: 1928 to 1969*, M.A. thesis, University of Auckland, 1971, pp.235-7.

<sup>126</sup>See Chapman Annex, Graph 1.

<sup>127</sup>Love, pp.407-8.

<sup>128</sup>Ngata to Ramsden, 12 October 1947, quoted by Orange, p.167.

<sup>129</sup>*ibid.*



lacklustre performances in the House, continued to increase their majorities.<sup>136</sup>

Though National was philosophically inclined towards assimilation, it did nothing to abolish the Maori seats. Just before his death in 1950, Ngata told Corbett that "the Maoris themselves will demand the abolition in the course of a few years".<sup>137</sup> But Maori leaders made no such demand. National, unwilling to eliminate the Maori voice from Parliament, continued to hope that it would win back at least one of the Maori seats. In the meantime, it was content to tinker with the existing system. Thus in 1950 and 1951 legislation was passed to schedule Maori elections on the same day and same hours as the general election; and in 1954 there were changes to the electoral boundaries, mainly to increase the Southern Maori electorate by bringing it into the southern North Island. There was some concern over the state of the Maori rolls, but Corbett adamantly refused requests from the Electoral Office to use Maori Welfare Officers to recruit Maori voters. In September 1954 he told the Minister of Justice, J.R. Marshall, that "it would be unwise to have officers of my department engaged in matters related to the enrolment on the Electoral Roll....It was previously reported to me that when Welfare Officers were engaged in this work that their enthusiasm went further than the business of enrolling electors and took the form of political propoganda [sic]".<sup>138</sup> Evidently Corbett regarded the Welfare Officers as recruiting agents for the Labour Party. To get round the problem Maori enrolment was made compulsory in 1956, in line with European enrolment which had been compulsory since 1927. But now a new problem arose because the old rolls were destroyed and all Maori voters were required to re-enrol. Though the Electoral Office sent out re-enrolment cards to all Maori on the previous roll, only about half replied within 2 months and the Office once more requested the aid of the Welfare Officers, only to be turned down again by Corbett.<sup>139</sup>

In the longer term, Corbett was looking for a way of eliminating the Maori seats. He told Marshall in July 1957 that "the time has arrived when consideration should be given to amendments being made to the Electoral Act whereby Maori electors are given the option of enrolling on European Rolls if they so desire". He claimed that there was a feeling among Maori "that their interests could be best served by local European members of Parliament, and that the time has arrived when the Maori electorates should be abolished". But "rather than place the responsibility on the Government to arbitrarily abolish the electorates, it would be better for the Maori people themselves to decide the issue by going on the European Rolls if they so desire and if the numbers on the Maori Electoral Rolls fall below a fixed minimum, then the time will have arrived for doing away with the electorates".<sup>140</sup> But the Government did

<sup>136</sup>See Chapman Annex, Graphs 1 & 7.

<sup>137</sup>Quoted in Corbett to J.R. Marshall, 29 July 1957, EL 19/15/3.

<sup>138</sup>Corbett to Marshall, 7 September 1954, EL 19/15/3.

<sup>139</sup>L. Irwin to Corbett, 13 June 1957, and Corbett to Marshall, 26 June 1957, EL 19/15/3.

<sup>140</sup>Corbett to Marshall, 29 July 1957, EL 19/15/3.

Maoris within New Zealand society in a broad context, although they do not seem to realise that the ratification does not or cannot bestow on individual Maoris what they want from life".<sup>160</sup> Rata's comments here are a useful demonstration of the role of Maori MPs in Maori community affairs at this time. They tended to follow and even to moderate the demands coming from Maori organisations. But they had also to lend their weight to the growing cultural renaissance and more particularly the revival of Maori language that Nga Tamatoa had called for. It was no longer sufficient for Maori members to be competent in English; they had to embody and promote Maoritanga in their constituencies.

The radicals also became involved in the campaign against sporting contacts with South Africa which raged unabated from 1960, and divided Maori as much as it divided pakeha. Inevitably the Maori members of Parliament and the political parties were dragged into these controversies. Tirikatene had opposed the visit of the All Blacks to South Africa without Maori; Rata was one of the first to say that it was no better for Maori to go to South Africa as "honorary whites", as happened in 1970.<sup>161</sup> The National Governments under Holyoake and Marshall were content to "build bridges" with South Africa, once Maori could be included; Labour, pressed by radical and trade union groups, was forced to oppose any further sporting contacts.

In 1972 a reinvigorated Labour Party, led by Norman Kirk, had a landslide victory with a majority of 23 seats. Labour's Maori members again came home with increased majorities and accumulated 82.4% of the valid votes in the 4 constituencies, compared with a mere 12.8% for National.<sup>162</sup> Kirk, having failed to persuade, then told the Rugby Union not to proceed with the planned Springbok tour of New Zealand for the winter of 1973. The following summer Christchurch triumphantly hosted the Commonwealth games, attended by athletes from black African Commonwealth nations. Later in the year Tanzania's president, Julius Nyerere, made a state visit to New Zealand. Kirk was a dominant figure at the Montreal Commonwealth conference.

He also quickly developed considerable empathy with Maori and made Waitangi Day a national holiday—the closest a Labour Government came to the long-espoused Ratana demand for the ratification of the Treaty—taking full advantage of the Waitangi ceremonies to bring the races together. This third Labour government gave its Maori members a full part in Cabinet. Rata and Whetu Tirikatene-Sullivan were elected to Cabinet, and Rata was given Maori Affairs, the first Maori to hold the portfolio since Ngata. There was also an important electoral change, already foreshadowed by Kirk in 1967. In the Maori Affairs Amendment Act of 1974 the definition of a Maori had been broadened to include any person descended from a Maori, and in the 1975 Electoral Amendment Act Maori as so defined were given the option of registering on the Maori or the General roll. Hitherto this option

<sup>160</sup>Rata to Mira Szaszy, 7 November 1968, Rata Papers, 2/23, National Archives.

<sup>161</sup>Tom Newnham, *Apartheid Is Not A Game*, Auckland, 1975, p.36.

<sup>162</sup>Chapman Annex, Graph 1.



Now the record of a one-term Labour Government came into play. Great expectations were disappointed particularly by the Prime Minister being both Minister of Maori Affairs and a supporter of the Rugby Tour of South Africa despite the "No Maoris, No Tour" movement. There were other factors which I examined in *New Zealand Politics in Action*<sup>2</sup>, but suffice it to say that they all produced a strong reaction which appears as the loss of 4.9 points. That and a minor decline of 2.3 in Independency made possible the simultaneous rise of both opposition parties, National gaining 4.0 points and Social Credit 3.2.

For Social Credit H.T. Reedy continued to gain (+6.3) in the East, W. Clarke succeeded T. Maihi in the North and rose (+7.3), while Southern crept up (+1.2) and Western descended (-2.7) when H. Tuwhangai replaced Colonel Awatere (Graphs 4, 5, 2, 3 respectively). Only Pei Jones was a notable candidate for National and all the others were new since the last election, yet just the same they went up in percentage terms in 1960. The lesson of 1960 was that a strong tide carries candidates up or down almost regardless of quality or mana. The same lesson appeared to have been taught in 1954 but then was partially contradicted in 1957. Now 1963 was to reinforce the 1957 demonstration of the importance on occasion of the Maori candidate's heritage, reputation, achievements and tribal and confederal connections.

Meantime National was back in power and the Rt. Hon. Keith Holyoake calmly disposed of a similar but smaller foreign exchange crisis than the one Nordmeyer had dealt with by taking the opposite tack. The Prime Minister had his Minister of Finance borrow and wait for export prices to rise—as they did. His Government was rewarded by the General electorate with a fall in support of only 0.8 points in the "No Change Election". The Hon. E.B. Corbett had retired in 1957 and this time Keith Holyoake chose the third-ranking man in his Cabinet, Josiah Ralph Hanan, to be Minister of Maori Affairs as well as Attorney-General, Minister of Justice and Minister of Island Territories. A lawyer from Invercargill, Hanan claimed no experience or expertise on Maori Affairs but he had strong opinions about equality before the law in all matters and a growing suspicion of institutions like the Maori seats which might recognise and actively express cultural differences.

Above all Ralph Hanan was a contrast to Ernest Corbett in being a widely influential and indefatigable legislator. By 1961 the Maori Education Foundation was established because education was the key to integration as set forth in the Hunn Report which, ironically, was a deferred and interpretative summation of much data-gathering under Walter Nash's regime. From 1961 separate registration of Maori births and deaths was abolished and Maori became eligible for jury service. The following year came the New Zealand Maori Council which federated the district and tribal committees, thus producing an alternative leadership system at the centre with which the Government could have more sympathy than with the 4 Labour Maori MPs. From this

<sup>2</sup>R.M. Chapman, W.K. Jackson A.V. Mitchell, *New Zealand Politics in Action. The 1960 General Election*, London, 1962, pp. 71-2, 283-4.