

THE LONG DARK CLOUD OF RACIAL INEQUALITY AND HISTORIOGRAPHICAL OMISSIONS

The New Zealand Native Land Court

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Abstract

This article argues that William Pember Reeves's history of New Zealand, *The Long White Cloud: Ao Tea Roa*, published in 1898, played a pivotal role in establishing and promulgating the national ideology proclaiming New Zealand to be a model of social equality, by failing to mention how the resources of the nation were transferred from its indigenous population into colonist control. This ideology denied knowledge of the racist policies of successive New Zealand governments which deprived Māori of their lands and resources and sponsored inequality, primarily through legislation implemented by the Native Land Court.

Keywords

Native Land Court, William Pember Reeves, historiography, social Darwinism

The Native Land Court

The Native Land Court was the main governmental instrument which facilitated the legal transfer of land from Māori to colonist. Yet its central role in facilitating the development of colonial society, at the expense of the indigenous

population, has often been ignored, trivialised or misunderstood. William Pember Reeves's history of New Zealand, *The Long White Cloud: Ao Tea Roa*, was published in the last decade of the 19th century and became an example for several generations of historians to come. They followed his lead in failing to acknowledge or

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understand the devastating effects of the Native Land Court system on Māori in any depth.¹ It was only in 1975, with the advent of the Waitangi Tribunal (Te Roopu Whakamana i Te Tiriti o Waitangi), that the true extent of anti-indigenous government policy and legislation began to be revealed.

The Native Land Court was a unique system. For several years after annexation, the colonial administration tried to control land sales between Māori and Pākehā by imposing Crown pre-emption, which gave the Crown the sole right to buy Māori land—a condition of Article 2 of the Treaty of Waitangi. But Crown pre-emption was unpopular and a new scheme of land exchange had to be formulated that reflected the economic and political aspirations of the colony. Previously, the process of gaining indigenous lands had been relatively simple. During the 17th, 18th and early 19th centuries, native peoples in other British colonies (Canada, Australia and the United States in particular), were massacred, died of introduced diseases or were forcibly moved onto reserves. However, a more humanitarian outlook towards non-Europeans had developed amongst influential politicians, administrators and church leaders; leading to the abolition of slavery within the British Empire in 1833. (Moon, 2002, pp. 29–42; Ward, 1999, pp. 9–10). Thus an innovative system of land exchange was developed in New Zealand, partially in consideration of imperial benevolence.

The purpose of the Native Land Court was to give communally owned Māori land a recognisable legal title which conformed to English law. This was a difficult process because the concept of land ownership did not exist in Māori tradition. Hapū, not individuals, jointly held the rights to use the resources of the land and waters. Nevertheless, in an attempt to mix oil and water, Pākehā legal minds strained to

construct a framework within which property laws conforming to English laws could be written for New Zealand (Boast, 2008, p. 93). When their work was completed, the new legislation was passed by Parliament, and the first Native Land Court began operations in 1865.²

Although the Native Land Court was supposed to run according to the basic principles that bound the rest of the legal system, in practice, rules and regulations were often relaxed or ignored (Gilling, 1994, pp. 120–122). Parliament made and changed laws governing Māori land every year, and judges repeatedly made decisions according to their own personal whims (Ward, 1995, pp. 96–98). The Court quickly became vulnerable to corruption involving both Māori and Pākehā, private citizens and those acting as Crown agents.

The main role of the Native Land Court was to provide individual title to collectively held Māori land enabling Māori land to be sold to Pākehā.³ Each year, more immigrants arrived and more land passed from Māori to Pākehā ownership. Individual and fragmented land ownership undermined and corroded the hapū and whānau traditions which formed the basis of the Māori economic world and traditional society began to disintegrate.

The Native land laws formulated the legal basis on which land claims could be made through the Native Land Court. These laws were created from European interpretations of Māori customary rights to land tenure: “take kite, take tupuna, take tuku and take raupatu”. But no reason (take) was considered legitimate, unless it could be proved that the “discovery; occupation by ancestors, conferment of gift, or conquest” had been followed by continuous

1 Under The Māori Purposes Act of 1947, Māori were no longer legally designated as Natives, and the Native Land Court became the Māori Land Court.

2 The Native Land Court was ready to proceed in 1862 as a temporary court, but the Land Wars delayed its introduction. It became permanent in 1865.

3 “It can be seen that the outright sale of millions of acres of Maori land was a feature of *every* decade from the Land Court’s inception until the 1920s, with the well known exception of ... Carroll’s ‘taihoa’ (wait a while) policy and the Maori Land Settlement Act 1900 ...” (Ward, 1999, p. 61).

occupation or use of the land—“ahi kā”. By 1890, the Native Land Court had been functioning for 25 years and had jurisdiction in every district throughout the North and South Islands. By 1890, “only ten million acres remained in Maori ownership, seven million acres of which was alienated by 1930” (Ward, 1999, p. 149). These figures confirm the success of the Native Land Court system and the descent of tangata whenua into economic marginalisation.

In 1901, an article appeared in “The British Empire Review” describing the state of race relations in New Zealand. According to the writer Walter Buller, “Māori enjoyed full civil rights and still held 5,000,000 acres of the best of the nation’s land, therefore demonstrating a model of racial accord as an example to the whole world” and “The Pakeha public has generally believed this view unquestioningly” (Ward, 1999, p. 308). Buller’s statement demonstrates that by the turn of the century, the myth of racial equality was established as an important ideological platform for New Zealand’s emerging historiography and nationhood, which in part, survives to this day.

If historiography is “an adventure in the history of ideas, the study of how a subject has been written about, how trends and interests in research have changed, how public events, world affairs, and so simple a matter as the opening of an archive shapes the way in which writers explore the past” (McHugh, 2001, p. 189) then New Zealand historiography has reached an important crossroad. This occurrence is the direct result of two Acts of Parliament—the Treaty of Waitangi Act (1975), which established the Waitangi Tribunal to act as a commission of inquiry into alleged, contemporary Crown breaches of the Treaty of Waitangi (1840); and the Treaty of Waitangi Amendment Act (1985), which extended the commission’s jurisdiction to investigate historical claims from 1840 onwards. The Treaty of Waitangi Acts began a process that unbolted a door to reveal a new dimension of a past time, which up until this then was hidden from

general view. The retrieval of the alternative account of New Zealand’s colonial past has forced a reconsideration of the old narrative and a reappraisal of its production. The emergence of a new national perspective has been all the more difficult as its propulsion into being was instigated by Māori and not by the diligence of Pākehā historians or academics in their traditional role as midwives to historical narrative. In this sense, it is a breech birth.

Until the advent of the Waitangi Tribunal, this transpiration was merely alluded to or ignored by generations of New Zealand historians, thus relegating it to hidden corners of the national psyche. In this way, the producers of historical narratives colluded in manufacturing and perpetuating the late-Victorian fiction that New Zealand was a model of racial relations.

Pember Reeves’s prototype history

New Zealand-born William Pember Reeves (1857–1932) held ministerial portfolios in two Liberal governments under John Ballance and Richard Seddon during the 1890s. He is most known for his support for female suffrage, pensions for the elderly, trade unions and industrial law reform. He served as Agent-General in London (the equivalent of today’s High Commissioner), from 1896 to 1908. Pember Reeves remained in England where he was associated with the Fabian movement publications (King, 2003a, pp. 267–268).

In 1898, *The Long White Cloud: Ao Tea Roa* was published and became the first, foremost-accredited national history of New Zealand.⁴

4 The first attempt at a national biography, bearing no pretensions as to objectivity, was published in 1856 by A. S. Thomson and was called *The Story of New Zealand: Past & Present—Savage and Civilized* (London, 1859). George Rusden published his *History of New Zealand* in several volumes in 1883. Rusden criticised the Native Land Court, particularly in relation to its judgement on Te Atiawa lands in Taranaki. However, his work was widely condemned and largely ignored. A revised edition of *The Long White Cloud: Ao Tea Roa* appeared in 1899 and a third in 1924.

Pember Reeves's history was written as New Zealand was emerging from a subordinate position to a new status as a dominion and not a colony of the British Empire.⁵ His historical narrative, therefore, was crucial in forging a new, distinctive national identity. This distinct original identity not only validated and lauded the emergence of a new nation, but also justified New Zealand's attitudes towards Māori. Pember Reeves firmly positioned Māori as mere bystanders in the account of the development of the modern state. His historical narrative provided New Zealand's Pākehā population with an ideology necessary to rationalise the practices that ensured Māori would remain second-class citizens in their own land.

Michel-Rolph Trouillot states that:

the production of historical narratives involves the uneven contribution of competing groups and individuals who have unequal access to the means for such production. The forces ... are less visible than gunfire, class property or political crusades. I want to argue they are no less powerful." (Trouillot, 1995, p. xvii)

The powerless position of the Māori in the historical narrative was the product of colonialism, which in turn evolved from the 19th century European form of Western imperialism. A feature of this brand of imperialism was the production of national biographies that promoted populist, nationalistic ideologies. As Nordholt explains:

National histories were born in the 19th century when the formation of the nation-state required persuasive narratives, which transformed subjects of the state into new citizens, incorporated them into the new nation, and convinced them that they shared a common

future. In "Seeing Like a State", James Scott (1998) has shown how state institutions have attempted to reduce complex realities, into simplified ideas and clearly arranged categories in order to control society. Although he does not explicitly refer to it, one can infer that national historiography is pre-eminently an activity that streamlines the complex and multidimensional narratives about the past. Such state simplifications cause a great deal of local knowledge to be lost. It erases competing histories and lots of (semi) autonomous narratives, in favour of a new centralised meta-narrative of the nation-state. (2004, p. 01)

The Long White Cloud: Ao Tea Roa remains a significant work as New Zealand's first historical, centralised meta-narrative. Additionally, it so successfully modelled the erasure of indigenous narratives that it has taken almost a century to retrieve them. Reeves reduced the complex reality of a state judicial system which robbed Māori of economic independence to one allusion in a single sentence. The single allusion to the Native Land Court system in the 1924 revised version of *The Long White Cloud: Ao Tea Roa* is included in the following sentence:

In 1920 legislative provision was made for the appointment of a "Native Trustee" to administer native reserves and undertake the functions in regard to natives formally vested in the Public Trustee, and a Judge of the Native Land Court has been appointed the first Native Trustee. (p. 64)

The first edition (1898) contains no mention of the Native Land Court. Such denial or trivialisation of colonial practices precludes contemporary society from realising the link between past imperialistic attitudes and practices that survive in various forms today.

⁵ Dominion status was conferred in 1907, which meant little change in a constitutional sense as Britain still retained control of foreign policy. However, in a psychological sense, it bestowed equality upon former colonies and signalled their progression into modern nationhood.

Pember Reeves and the deceptive “colonial image of self”

While Pember Reeves’s political beliefs were based on late 19th century socialist philosophy and a hatred of the British class system, his attitudes towards Māori exhibit the deep-seated racism prevalent at the time. This is not surprising and would be of little importance, except that many of his views of Māori helped to craft New Zealand historiography. Such attitudes from a colonial past remain embedded in contemporary New Zealand society, because imperialist thought “lingers where it has always been in a kind of general cultural sphere as well as in specific political, ideological, economic and social practices” (Said, 1994, p. 9).

Pember Reeves believed in the rigid vertical categorisation of races as expounded by social Darwinists.⁶ Accordingly, Māori (as Polynesians) were a rung higher on the evolutionary ladder than “darker and inferior Melanesians of the west”, and higher still in comparison to “repulsive” Mongolians and “contemptible” Negroes (Pember Reeves & Wray, 1924, p. 47).⁷ Although Māori were noted as without the “cringing manner of the Oriental”; both races shared a general predisposition towards “deceitfulness” (p. 59). Although these depictions are all repulsive, the ranking and comparison of races was a vital feature of European imperialist ideology. Ranking also provided New Zealand’s colonial society with an acceptable explanation as to why Māori continued to exist as a substantial population on a substantial quantity of land, in complete contrast to the situation in neighbouring Australia.

The 19th century colonisation of Australia and the near annihilation of its indigenous peoples was made easier because of size. The enormous expanse of land, the small, scattered populations and dissimilar languages dissipated Aboriginal unity and made them easy prey to devastation. But the New Zealand experience was completely different as the relatively homogenous nature of culture, language and the smaller area of territory allowed Māori to demonstrate their political cohesion and mount military campaigns in the face of colonial aggression. By the late 1860s, it became obvious that total military defeat of Māori was impossible without the addition of significant numbers of imperial forces and materials which were not forthcoming. However, Belich (1986, p. 323) suggests that not only were the colonists convinced of British military prowess, but they were also convinced that an inferior people such as Māori did not possess the intelligence to provide an effective opposition. Therefore, the colonist mind could not conceive or admit that Māori military accomplishments had produced this situation.

In addition, “a basic axiom of nineteenth century racial thought asserted that Europeans in contact with lesser races would inevitably exterminate, absorb, or, at the very least, subordinate them” (Belich, 1986, p. 323). But, by the end of the 19th century, Māori had not succumbed to disease or colonial induced depression in the numbers anticipated, nor had Māori been satisfactorily militarily suppressed. Therefore, the inability of the colonial and imperial forces to effectively defeat Māori had to be reinterpreted and the continued existence of Māori explained in the national ideology.

Thus the national historiography proclaimed that British and colonial forces had won all wars of the 1860s and 1870s and the continued existence of Māori autonomy (most obviously in the King Country), was due not to Māori military capability and persistence, but instead to colonial goodwill. The policies, supposedly demonstrating colonial goodwill, were largely

6 Darwin’s classification and theories on the evolution of all species became the standard pseudo-scientific justification for racial discrimination against non-Europeans in the latter half of the 19th century (Adams et al., 2000, pp. 86–87). A major feature of this ideology that manifested itself in late 19th century New Zealand was the belief that Māori were a “dying race” (Walker, 2004, p. 186).

7 Australian Aborigines, as “very near to wild beasts” occupied the lowest position in Pember Reeves’s hierarchy (Pember Reeves & Wray, 1924, p. 62).

a result of “the McLean system”, whereby the Native Department’s powers were revised and extended to promote “resolute and decisive intervention between Māori and settler, and a willingness to absorb criticism from both sides that such interventions drew” (Ward, 1995, p. 237).

Pember Reeves believed that many of the problems that had contributed to the outbreak of the Land Wars were solved by the new Native Minister Donald Mclean, “who, from the beginning of 1869 to the end of 1876, took almost entire direction of the native policy” (Pember Reeves & Wray, 1924, p. 225). Accordingly, much of the new policy consisted of “showing respect to the chiefs, and tact and good-humour with the people” (p. 225). The colonists’ change in attitude was necessary to elicit cooperation, rather than provoke armed conflict. This was not because Māori were formidable military opponents, but because they ranked high on the evolutionary pyramid, and as such, were capable of being absorbed and civilised into the nation state.

While the colonial depiction of Māori as ultimately tameable served to allay fears of prospective settlers and support missionary policies, the same portrayal of Māori also served a different purpose. Subordination by force had proved ineffective, and the colonists had no choice but to support the assimilationist policies advocated by some missionaries, state officials and settlers. Historians like Pember Reeves eventually incorporated the new interpretation into the persuasive national narrative. Generations of New Zealanders were taught that assimilation (or amalgamation) had always been the goal of colonial society and government and was proof that New Zealanders possessed the exceptional attribute of racial tolerance.

Pember Reeves believed that the most vivid proof of the supposition that Māori were a superior breed of native came in the form of perceived skin colour. “They [Māori] are of the same race as the courteous, handsome people who inhabit the South Sea Islands from Hawaii

to Rarotonga, and who, in Fiji, mingle their blood with the darker and inferior Melanesians of the west” (Pember Reeves & Wray, 1924, p. 47). In addition, Pember Reeves portrayed Māori as brave warriors and skilled craftsmen. The first depiction reinforced the pretence that British military superiority had remained unchallenged, by bestowing the usual epithet on a worthy, but defeated foe. The second demonstrated the concept that Māori possessed characteristics that rendered them capable of being civilised. This crypto-racist image of traditional Māori lingered for decades. The most popular encyclopaedia set of the 1960s, sold widely to New Zealand households, carried a photograph of a traditionally garbed Māori women standing under a carved gateway with the caption: “The Maoris are aristocrats among the native races. ... Valiant soldiers and skilled craftsmen, they have responded to education, yet have preserved their own character, as this photo indicates” (Finch, 1956, p. 264).

The colonial construct of racial ranking which led to policies of assimilation remained as a template for future generations to compare and congratulate themselves on the “humane” treatment of Māori, in contrast to the appalling atrocities committed on others in imperial territories. Many New Zealanders (Pākehā and non-Pākehā) are unaware of the true historical narrative (because it was omitted), and have been imbued with a sense that the colonisation of their country was a relatively peaceful and harmonious affair and an example of the distinctiveness of the New Zealand national character. This particular distortion of the colonial past is necessary in the persuasive historical narrative, not only to justify colonialist practices in the forging of the national identity, but as a hegemonic device to convince surviving indigenous peoples that they are better off than others.

Pember Reeves’s history consolidated the firm categorisation of Māori history as mere folklore—“a mixture of myth and legend”. However, he devoted chapters two and three to

an explanation of pre-contact society, which he described as a culture that had barely changed from the time of migration from Eastern Polynesia to the arrival of the European—a stagnant world, locked in a stone-age way of life. It was important to emphasise the static image of Māori society to vindicate the policies of colonial and settler administrations. National meta-narratives (in the Western tradition) tell the story of the birth of a nation, but also chart the development towards political pluralism and most importantly, its economic growth and progress.

By defining several centuries of adaptation and survival as stationary and backward, Victorian scholarship firmly established the perception in the national psyche that Māori had no contribution to make to the progress of the nation, and were in fact, a national liability—in particular by remaining as owners of unproductive land. This “lingering legacy of imperialism” is still manifest as national attention continues to focus on Māori crime rates, unemployment, educational achievement and health statistics.

But Pember Reeves’s most enduring legacy was that he began the historiographical process of erasing the work of the Native Land Court from the historic record and distorting the true economic position of Māori. In his 1924 revised edition, Pember Reeves thundered that “the tribes still own a certain amount of land in common, but the great bulk of it, is leased to the white man and the natives receive very large sums in rent yearly. They could be rich farmers if they cared to master the science of farming” (Pember Reeves & Wray, 1924, p. 62).

Described by Michael King (2003a, p. 268) as the first “intelligent analytical history” of the country, Pember Reeves’s work formed a firm foundation for following generations of historians to emulate by omitting any serious explanation on how Māori had become economically deprived in the first place, wildly inflating the amount of resources Māori still maintained, and then blaming Māori for lacking resolve and failing to become successful in

a capitalist society.⁸ Pember Reeves’s history faithfully mapped the progress of New Zealand in a chronological journey that emphasised the nation’s steady economic and political growth. What he failed to include is that the same development was a result of the deliberate economic deprivation of Māori. The first “analytical and intelligent history” did not mention that “over all, the period of 1865 to 1899 saw the transference of most of the land and the control of the North Island from Maori to Pakeha hands, and the principal instrument of transfer was the Native Land Court, just as the legislation of 1862 and 1865 had intended” (Ward, 1997, p. 248).

Pember Reeves’s racist attitudes were not only the result of social Darwinism, but also reflected changes in British imperial ideology.

The tenor of much British policy towards the Empire prior to the 1870s was that, apart perhaps from India, colonies were embarrassing backwaters ... [and] colonies settled by Europeans, like the Canadian provinces, New Zealand and the Australian colonies, were gradually given local self-government. Under Disraeli, and especially subsequent to Disraeli, a fundamental shift occurred in perceptions of the Empire in the British consciousness. The Empire was now officially an empire and it came to be seen as the primary vehicle of British power and influence in the world, its boundaries to be extended as far as possible. Britain’s “civilising mission” to go hand-in-hand with its economic hegemony in these lands. (Rubinstein, 1998, pp. 175–176)

8 Pember Reeves continued on the theme that Māori were to blame for their situation, writing (in 1924) “thirty years ago it was the custom to speak of the Maori as a dying race. They did not seem to realise that they might be healthy men and women if they would accept the teachings of sanitary science... a gradual broadening ray of hope for them has, however been glimpsed” (Pember Reeves & Wray, 1924, pp. 67–68).

Although Disraeli's governments seized comparatively few new territories in comparison to other administrations, it was during his final terms as one of the most influential statesman in the world (1874–1880) that economic domination, at the cost of the impoverishment of indigenous cultures, became an open and acceptable condition of British colonisation (Rubinstein, 1998, p. 174). The acceptance of economic hegemony as a natural by-product of revised imperialism had an enormous impact on Victorian historiography. In 1931 the phrase known as the Whig interpretation of history was coined by the Oxford historian Butterfield. As Collingwood, one of the leading Oxford philosopher-historians of the mid-20th century writes:

In the later nineteenth century the idea of progress became almost an article of faith. This conception was a piece of sheer metaphysics derived from evolutionary naturalism and foisted upon history by the temper of the age. It had its roots no doubt in the eighteenth-century conception of history as the progress of the human race in and towards rationality; but in the nineteenth, theoretical reason had come to mean the mastery of nature ... (1994, p. 144)

The influence of this ideology can be seen clearly in Pember Reeves's work, which follows the pattern of Whiggish historiography. It rationalised Pember Reeves failure to chronicle the true history of the Native Land Court and Māori land loss as a necessary precursor to progress, the success of which only confirmed the inferiority of the people so dispossessed. The full blossoming of the revised ideology occurred at a time when New Zealand had experienced years of practical autonomy. But political independence did not mean any displacement of notions of cultural superiority; instead it enhanced them, for the following decades saw the biggest loss of Māori land since the Crown acquisition of the South Island (Ward, 1997, p. 248).

The evolution of New Zealand historiography as a slightly adjusted duplication of the British variety survived until the 1950s. However, despite the reappraisal of New Zealand as more than a British clone (Sinclair, 1959, pp. 295–296), historians of the time did little to investigate and elucidate how the nation had developed as a result of the legal dispossession of its indigenous population from their economic base, and during the 1950s onwards Māori land continued to be alienated. Historians remarked on the post World War Two influx of Māori from the countryside to urban centres, but did not equate the movement with the continued loss of land and continuing economic deprivation.

Historians persisted in disregarding the story of the judicial theft of Māori land until Keith Sorrenson's master's thesis appeared in 1955. For the first time, "The Purchase of Maori Lands, 1865–1892" documented the implementation and effects of successive legislation conducted through the Native Land Court. Sorrenson's work received wider exposure with the publication in the *Journal of the Polynesian Society* of "Land Purchase Methods and their Effect on Maori Population, 1865–1901" a year later. After this, other academics alluded to the excesses of the Native Land Court, lamented the deprivation suffered by Māori, but still did not study in any depth how this had occurred or to describe in any detail how this affected individual hapū, iwi or whānau. The radical legislative changes from 1900 onwards, which again culminated in massive land alienation, were either ignored by historians or misinterpreted as a positive shift in government attitude.

Sinclair, in *A History of New Zealand* (1959), devoted a mere two pages to his analysis of the Native Land Court. Sinclair acknowledged that the Court's role was to "... quietly separate [Māori] from their lands" and that "the land laws, which Parliament passed by the score, became a legal jungle within which Maoris lost themselves and were preyed on by its natural denizens, the land speculators or their agents

and shyster lawyers” (1959, pp. 143–145).⁹ However, Sinclair’s sympathetic but cursory examination of Māori dispossession became entirely superficial as he argued that the excesses of the Native Land Court system were due to the greedy tactics of individual Pākehā (shopkeepers, lawyers, grog sellers, agents). In this way, the collusion of government land purchasers, bureaucracy and the judicial system—employees and representatives of the State—were again ignored. Furthermore, Sinclair (echoing Pember Reeves) persisted in implicating Māori as allies in their own demise, writing that by the close of the 19th century:

Many Maoris lived on liquor and credit. But the Europeans cannot be blamed entirely for this. The Maoris seemed to have given up hope. They acted like the despairing remnants of a dying race, selling their lands at reckless speed as though they wished to dispose of their assets while they could still enjoy the proceeds. (1959, pp. 144–145)

William Oliver’s national history, published a year later, described in more detail the disastrous effects of land sales and the Native Land Court, and clearly placed blame on governments for promoting its excesses:

Too much historical indignation should not be lavished upon the operations of the Land Court and the sly ticks and blandishments of the land traders. ... The coming of the settler with axe, fire and farm brought the separation of the Maori and his land and so corroded the fabric of the tribe. The role of government in this situation should have been neither obstruction nor abdication, but rather control and regulation. No government could have obstructed the course of settlement, but no government need have abdicated quite so readily as did New Zealand administrations

from the 1860s to the end of the century. (1960, pp. 249–253)

Nevertheless, historians continued to support the Whiggish ideal of the inevitability and just progress of nation and neatly relegated continued injustice to Māori to a regretted past. Oliver conveniently blamed 19th century politicians for racist Native land legislation, thereby bypassing the inconvenient fact that contemporary Māori land laws ensured the fragmentation and continued loss of land. Indeed, Oliver displayed an astonishing unawareness of the purpose and operation of the deeply discriminatory policies of the 1900s that instigated Māori Land Councils (later redesignated as Land Boards) writing:

This rapid and thorough extension of settlement caused both Maori and European to have second thoughts. A powerful feeling against further land alienation grew up. Parliament established Maori Land Councils to guard against the speedy dissipation of the proceeds of sale and to put the brake on further sales. (1960, p. 257)

Although for the first time historians criticised the colonial and post-colonial system that had robbed Māori of their natural resources, they maintained the pretence that discriminatory Māori land law practices had ceased and the deeply embedded imperial ideologies of race in New Zealand society, which allowed it all to happen, continued to be ignored in the national historical record.¹⁰ Thus, post World War Two historians ensured that the ideology expounding the notion that “New Zealand was a nation of equals” could be critiqued, but remained intact. In his 1960 history, Oliver

⁹ Sinclair wrote Pember Reeves’s biography and dedicated his 1959 history to him.

¹⁰ It seems that Sinclair never revised his opinion as to the relevance and impact of the Native Land Court system. In *Kinds of Peace: Maori People After the Wars 1870–85* (1991), Sinclair devotes only three paragraphs to an explanation of this unique and devastating judicial process, commenting “the system led to widespread injustice” (pp. 37–38).

questioned the absolute notion of equality and acknowledged that forms of social discrimination continued, but he still supported the late 19th century ideology that New Zealand was unique, writing:

The country is proud of her reputation for racial harmony, a little more proud than she has a right to be. Neither Maori or part-Maori suffers any legal or political discrimination; this absence of legal disabilities based on colour or upon imprecise concepts of race is by no means common in the English-speaking world. (1960, p. 247)

In 2003, King's biography of Te Paea still contained some of the misinformation disseminated by historians in the 1950s and '60s, despite the publication of research from the Waitangi Tribunal that had begun to appear from the late 1970s onwards (King, 2003b). Although Te Paea was from Waikato, her father Tahuna Herangi was from Ngāti Maniapoto. It may have been the intention of King's informants to concentrate on Te Paea's Ngāti Mahuta-Waikato descent and the Waikato raupatu, but the loss of Te Paea's Maniapoto birthright through the machinations of the Native Land Court does not rate a mention. Instead, in a rare reference to the Court, King rehashes the myth that it was individuals, (in this case educated Māori), who corrupted the Court and swindled Māori of their land.

In late 19th and early 20th century New Zealand, there were no serious military or political crusades to obliterate or physically subjugate Māori, as Māori en masse no longer threatened the nation-state. In addition, the production of a national history at this time (1898) was a vital device whereby the birth, growth and success of the fledgling state could be moulded and centralised to assist the forging of a new national destiny as "in 1907, the country ceased to call itself a colony and became a dominion, implying the beginnings of a sense of independent identity" (King, 2003a, p. 279).

The new identity was shaped and fixed by historians like Pember Reeves who proclaimed that New Zealand had survived and prospered as a result of the hard work, tenacity and visionary ideals of colonists.

The work of the Native Land Court, in collusion with the highest legislative and judicial powers of the land, was not falsified in New Zealand's historical narrative, but was instead undisclosed—a process of silence by elimination. Pember Reeves, as a member of Seddon's Liberal government cabinet, was a leading figure of an administration that oversaw the transfer of 2.7 million acres of Māori land in a period of less than 10 years (Brooking, 1992, pp. 78–79). Yet, as the compiler of the nation's first comprehensive biography, he concealed from the public gaze that the prosperity of the proudly egalitarian country was founded on the dispossession of its original inhabitants. And until the 1950s, historians faithfully followed the course that Pember Reeves had charted.

Contemporary attitudes

The great muteness in New Zealand's historiographical record and all such silences "are produced by unequal control over historical production" (Trouillot, 1995, p. 52). Pākehā scholars have dominated the field of New Zealand academic history and until the last few decades, Māori had little input into the production of the historical narrative. Yet the emergence through the Waitangi Tribunal of a counter analysis of the appropriation of almost the entire Māori resource base has been criticised by some influential Pākehā academics as being less authentic than the history produced by their predecessors. But Trouillot asserts that historians "grossly underestimate the size, relevance and the complexity of the overlapping sites where history is produced, notably outside academia" (1995, pp. 19–20). Therefore, by denigrating Māori non-archival sources of evidence in the Waitangi Tribunal proceedings,

historians risk being blinded to the value of Māori epistemology (as Pember Reeves was), and thus continue the relegation of the Māori narrative to the sidelines.

Belgrave's 2005 publication acknowledges that "unlike New Zealand historians, Maori have been arguing about land and customary rights before commissions of inquiry right back to the 1840s. New Zealand historiography has tended to ignore this, concentrating instead on first contact, missionaries, warfare, and prophetic and political movements" (2005, p. 16). Belgrave has identified the major flaw in New Zealand historiography, the exclusion of the narrative on Māori land loss, but he continues to trivialise its importance by calling it a "tendency to ignore" and he fails to adequately acknowledge that the enormous gap in New Zealand's historiography had to be hastily filled by the commissioning of research by the Waitangi Tribunal and Crown Forestry Rental Trust.¹¹ The Rangahaua Whānui series was needed to provide a general overview to inform

research because the history of Māori land loss was almost totally missing from the historical record. This and numerous Waitangi Tribunal Reports addressing the arguments of iwi claimants in relation to the Native Land Court have been vital in helping to fill the "silence" that is a result of a century of omissions. The individual works of Pākehā scholars, in particular that of Gilling (1994), Williams (1999) and Boast (2008), have also been essential in analysing and understanding the operations of the Native Land Court and its impact on Māori.

Pember Reeves's interpretation of New Zealand's colonial past, his attitude towards Māori and his silence on the alienation of Māori land, aided the perpetuation of the inherent racist ideology on which the colony was founded and flourished. In this way, the ignorance of most New Zealanders as to how Māori ended up and remain at the bottom levels of the economic ladder was established and fuels the manifestations of cultural imperialism which survive to this day.

11 The Rangahaua Whānui project was initiated in 1993 by the Waitangi Tribunal. Historians (predominantly Pākehā) were commissioned to research specific areas, particularly in regard to legislation, and analyse their effects on Māori. Much of the research has concentrated on archival material with little emphasis on traditional oral accounts from Māori. However, the Rangahaua Whānui project has been essential in providing a framework for claims, and by 2000, Judge Edward Durie optimistically reported "the Tribunal has done the basic research for ... every historic claim in the country, and we hoped that that would be seen as a sufficient basis on which claims could then be negotiated" (Hamer, 2004, pp. 8–9). The Crown Forest Rental Trust reports have also provided a historical perspective on Māori land loss and injustice that was formally bypassed by professional historians.

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