THE MAORI LAND COURT IN NEW ZEALAND: AN HISTORICAL OVERVIEW

Bryan D. Gilling
Faculty of Law
Victoria University of Wellington
Wellington, New Zealand

Abstract/Resume

Various pieces of legislation concerned with title to Maori land in New Zealand have helped to shape race relations in the country. Changes to laws over recent decades, along with the creation of a permanent Commission of Inquiry into the Treaty of Waitangi, have helped to improve matters. The author reviews the history of Maori/non-Maori land relations since 1865.

Divers articles de législation relative aux titres aux terres maories en Nouvelle-Zélande ont aidé les rapports entre les races à prendre forme dans le pays. Des changements des lois pendant ces dernières décades, aussi bien que la création d'une commission d'enquête permanente sur le traité de Waitangi ont aidé â améliorer le situation. L'auteur réexamine l'histoire des rapports des terres maoris/non-maoris depuis 1865.

One of the most influential, though least studied, institutions affecting the course of race relations in New Zealand has been the Maori Land Court (called the Native Land Court until the mid-20th century). The Court was created in 1865 and has operated continuously, though in changing roles, since that time. For many years the most direct manifestation of the British legal system amongst much of the Maori population, it has been the subject of sustained condemnation by historians as the central instrument of colonial oppression, depriving Maori of their lands peacefully and with a minimum of inconvenient fuss. A leading Maori scholar, Professor Sir Hugh Kawharu (1977:15), has called the Court "a veritable engine of destruction for any tribe's tenure of land, anywhere" while in 1980 a Royal Commission of Inquiry hoped that it could be done away with in the near future. The latest major legislation in the field, though, *Te Ture Whenua Maori/Maori Land Act 1992*, has retained a central place for the Court in the management of Maori land.

From the time the British Crown assumed nominal control of New Zealand in February 1840, land could be purchased from Maori by the Crown alone. The Treaty of Waitangi provided the Crown with "the exclusive right of pre-emption over such lands as the proprietors thereof may be disposed to alienate"; such lands would then be onsold to arriving settlers. Intended to guarantee Maori some protection from land sharks (and to raise revenue for the fledgling Government), that provision soon revealed the Crown as the biggest predator of all. Government land purchase agents sometimes conducted honorable deals, paying fair prices and dealing with all of the tribal members involved. But, coming under political pressure from a financially-stretched Treasury and social pressure from settlers who wished for more land ever faster, they frequently did not. In cases of dispute, the Crown itself was often caught in the invidious position of being both accused and judge. Government agents controlled by the Native Minister were accused of conducting shady purchases, while the officers of the Native Department, guardians of the Maori and of race relations, worked for the same Minister. The offices of Chief Land Purchase Commissioner and Native Secretary eventually came together in the same person, Donald McLean.

Pressure continued to mount in *Pakeha* (i.e., White, European) society for Government to divorce itself from the land purchase business and to allow direct private purchase. Maori, too, could see possibilities for improvement in the purchase prices they received for lands. There had been numerous examples of the Government buying at low prices, offering the prospect of added value to adjacent lands with the arrival of European settlers as additional inducement, and then selling the land soon after for many times the purchase price. One well-known, although extreme, example was the 3,000-acre area which became the centre of Auckland City. Bought from local Maori in 1840 for cash and goods worth £34 and promises of future prosperity, within nine months a mere 44 acres had

been resold for £24,275, the profit being put towards the amenities associated with establishing Auckland as the country's then capital city. In 1850 the Crown bought another 700 acres in suburban Auckland for a much more substantial £5,000, but still one-third of it was sold immediately for £32,000 and the whole block eventually realised £100,000 (Waitangi Tribunal, 1987:21).

The pressure against Crown pre-emption finally became overwhelming in 1862 after nearly two years of open warfare between Maori and Imperial troops. The *Native Land Act* was then passed which created a new Native Land Court to "promote the peaceful settlement of the Colony and the advancement and civilization of the Natives." This was to be achieved by determining their rights to the land, not just according to Maori custom, but "assimilated as nearly as possible to the ownership of land according to British law." Traditionally, Maori "owned" land tribally, even those Chiefs recognised as spokespeople and guardians possessing few personal rights to alienate land. British law required individualization of land title, the determination of how much each person could claim as their own personal property. Like other personal property this individual interest could then be sold and alienated permanently. In composition, the Court was to be largely "Native" with an ordinary European magistrate to preside.

Little happened under the new legislation; a few hearings were held in the far North by one Resident Magistrate. In 1865, though, a second *Native Land Act* was enacted, displaying a far more overt motivation, to "provide for the ascertainment of the persons who according to such [Maori proprietary] customs are the owners" and then "to encourage the extinction of such [customary] modes of ownership into titles derived from the Crown." After five years of warfare, this would have the effect of conforming all aspects of Maori life to the recognised British jurisprudential theory that all ownership was derived from the Crown's ultimate authority. Many settlers thought, too, that the most substantial block to Maori "advancement and civilization" was their communal lifestyle, which hindered individual initiative and prevented development of their "waste" land. One leading politician declared the intention of the statute to be "the detribalization of the Maoris - to destroy, if it were possible, the principle of communism which ran through the whole of their institutions, upon which their social system was based, and which stood as a barrier in the way of all attempts to amalgamate the Maori race into our social and political system."[1] This process would also increase general prosperity by giving each individual Maori incentive to develop their own identifiable property, a pastime which would take their minds off warfare. Then, too, of course, the "surplus" land could be sold for profit and would be available for European settlement.

The new Native Land Court was soon in full operation. Several specialist European Judges were appointed - mostly men experienced as

land purchase officers, or in other aspects of race relations - along with a number of Maori Assessors. This post of Assessor was no longer as the foundation of the Court, but merely as adviser to the Judge on matters of Maori custom, carried over from those who played a similar role on the Resident Magistrates' courts. Usually, but not always, these would be Chiefs, although they could be other men of standing, and they should have been disinterested with regard to the claims being heard. The *Act* provided that each *Pakeha* Judge should be assisted by two Maori Assessors who had to concur in the judgment. In practice, though, there were virtually never two used and the Judges often worked alone. It is difficult to know what influence the Assessors wielded for good or ill as frequently they played no overt role in proceedings, or acted only as *de facto* interpreters. Occasionally they took an active role in cross examination of witnesses, but there is little indication of their effectiveness in guiding judicial decision-making.

The Chief Judge, Francis Dart Fenton, had drafted much of the legislation and supported its aims fully. Fenton noted that the Court had indeed achieved the object of opening up lands for Europeans. In his 1867 report he saw the process proceeding apace:

> most of the blocks hitherto certified have been brought into the Court for the purpose of enabling sales or leases to be made to Europeans, in order to raise money for the purpose of completely individualizing other blocks or some of the blocks already passed.[2]

Fenton created procedural rules for the Court which deliberately facilitated the individualization process. The *1865 Act* had provided for certificates of title for blocks of less than 5,000 acres to be issued to ten persons only. Fenton, against the wishes of the Native Minister, interpreted this to mean that all titles, for blocks of any size, should be issued in ten names only. This ten-owner rule immediately became the source of all manner of difficulties for Maori since at law those ten were not trustees for the tribe, but absolute owners. While some used this position responsibly, many others succumbed to the temptation to get rich personally, which dispossessed the bulk of other tribal members. Furthermore, the transition from an amorphous communal ownership to ownership by defined individuals exposed those individuals to every sort of entrapment by unscrupulous purchasers. Leagues were formed between interpreters, lawyers, traders, storekeepers and capitalists to entice Maori into extravagant levels of debt. Once this was achieved, the threat of Supreme Court action for indebtedness then coerced those individuals into selling at a convenient price.

Costs in the Court process weighed heavily upon Maori, too. They were obliged to pay fixed fees for the hearing, the provision of a title certificate, and then the issue of a Crown Grant. There was a £1 fee for

giving evidence, even as an objector, not a claimant. Two shillings more were charged for a witness to be sworn in to give that testimony. Five shillings were charged for each Court order, even in succession cases where the deceased would usually have interests in a number of blocks each requiring an individual order. £1 was charged for each partition order. Interpreters were charged at set rates. Then there were the costs of solicitors. Travel to the Court's venues and accommodation once there were burdensome upon both claimants and those tribes who, living locally, felt culturally obliged to provide hospitality. These venues were mostly in European centres, very seldom within daily reach of rural Maori. A little relief was provided by a limited amount of Native Department provision of basic rations in some cases.

But far beyond those expenses were the costs of having their lands surveyed, it being necessary to have a survey plan of a block produced in the Court before a hearing could proceed. On open, productive country such costs would be relatively low, but in difficult terrain, on land which would return little through sale or production, survey costs were high, sometimes higher than the market value of the land. Having land as their only saleable asset, Maori were frequently obliged to dispose of large areas of it simply to pay the surveyors. They took out mortgages, sold cheaply for a quick sale, or gave promissory notes which exposed them to Supreme Court action. With payment uncertain, surveyors charged higher initial fees, and if they won a Supreme Court judgment the land would either be awarded to them or would be seized and auctioned to raise ready cash, usually fetching far below its real value. The *1873 Native Land Act* provided that land could be taken for payment in lieu of money while acknowledging in another section that many Maori could not meet the survey costs. If the survey was not conducted up to standard the plan could be refused by the Court, preventing an award of title. In addition, without payment of the survey fees, the plans and therefore the title were still not certified, further disadvantaging Maori who had already faced substantial court costs, but still had no means of recouping them.

In 1871, a Parliamentary Inquiry reported one example where a Maori had commissioned a survey in expectation of a deal with a European purchaser. The deal had fallen through and the surveyor sued him successfully in the Supreme Court, being awarded £560 with related costs raising the bill to £1,000. The Maori raised £400 on mortgage and gave as security for the balance a town commercial property earning £87 annual rent. This property was seized and auctioned for only £35, so that he had to sell his remaining assets to meet the debt. The Commissioner recommended the auction sale be cancelled, and commented "No wonder the Natives are dissatisfied with English law."

All of the costs mentioned were unavoidable for Maori because of another of Fenton's onerous Court rules. Any Maori, regardless of rank or right, could lodge a claim. Then all who had an interest in the block were

required to go through the full rigmarole of surveying and Court appearance as no evidence was admitted which was not actually presented in the courtroom. Technically, a judge could not even take his personal knowledge into account. Those who were not present to protect their interests were simply disinherited. This problem was compounded for many years by the Court conducting hearings only in European centres, frequently located substantial distances from both the land under consideration and those who laid claim to it. Apart from the costs of initial attendance this dispossessed those who had not been informed of an impending hearing, or who had not been given adequate notice, who had to attend a Court sitting simultaneously elsewhere, or who could not attend for any other reason. Many requests for rehearings were lodged by those thus affected, and from some whose first inkling their land had been before the Court came when new owners arrived on site and ordered them off.

Even the seemingly innocuous issuing by the Court of succession orders for Maori dying intestate caused a further disruption of Maori culture. This recording of Maori genealogy was required in the *1865 Act* so as to clarify subsequent rights to the newly individualized property. In *Pakeha* New Zealand practice, all children received an equal share of an estate, but Maori ranked entitlement according to social standing, sex and place of residence. Consequently, when orders were made the heirs' relative entitlements were rearranged from what they would otherwise have been, with resultant social readjustment. The lowliest child was placed on an equal footing with the highest-born Chief, thus undermining the leaders' status and influence.

Not only did the Court generate its own procedural rules, but also it developed its own guiding principles for determining ownership. A general principle, laid down in the *1865 Act,* was that "Maori proprietary customs" were to be the measure of ownership. Consequently, four *take,* or rights, were recognised by the Court. The first was the right of discovery in the distant past. The second, closely related, was by right of descent from former owners. The third was by gift, provided that the gift was clearly made and openly acknowledged by both parties. The fourth was the right of conquest. In an early and seminal judgment, Chief Judge Fenton declared unequivocally, "before the establishment of the British Government in 1840 the great rule which governed Maori rights to land was force..." (Fenton, 1879:9). All of these *take* had to be supported by occupation, a claim made by those absent for more than three generations seldom succeeding.

Another key principle the Court developed for its guidance was that title would be regarded as stabilized in 1840, when British law nominally came into effect. No conquest thereafter would be recognized. Today, a number of tribes who were conquered in the "Musket Wars" of the 1820s and 1830s are challenging the equity of such a rule as it also meant that they could not regain what was taken prior to 1840. They believe

themselves dispossessed under *Pakeha* law over and above the original losses suffered in battle and its aftermath.

Some feeble steps were taken by the Legislature to repair the damage being done by the Court's procedures. In 1867 all owners had to be listed in the Court's register, but as this was not on the actual certificate of title the requirement was both meaningless and frequently ignored. In 1870 the *Native Lands Frauds Prevention Act* established a number of Commissioners whose task was to check the purchase transactions. In theory this should have reined in the Court, as well as preventing shady deals, but in practice the Commissioners only asked the Court's Chief Clerk if the Maori involved were entitled to the land claimed, before checking from other sources the validity of the sale, based on whether it had been paid in real money or in goods, spirits or arms. Occasionally purchases were declined, but frequently indolent officials, based in the main centres, without firsthand knowledge, passed the vast majority of transactions with only the most cursory of investigations. A new *Native Lands Act* in 1873 reversed the ten-owner rule by insisting upon a memorial of ownership upon which all owners' names were recorded. The *1886 Native Equitable Owners Act* also insisted that the ten named on early certificates were thenceforward to be regarded as tribal trustees, not absolute owners.

The inclusion of all owners in a block's title did not, though, stop the alienation process, it merely slowed it down. Both private purchasers and the Government agents soon developed a system of approaching the individual owners and buying their personal share for a few pounds. Although the individuals would each own only a tiny fraction of a block, over a period of time the purchasers could amass enough shares to go to the Court and apply for a partition order, separating out their total interest. The non-sellers would then either capitulate also, or frequently be left with an uneconomically small and fragmented area with which they could do nothing. Even when such a partition was not applied for directly, the prior payment of these "deposits" made sure of the direction in which the sellers would lean subsequent to the Court's order. Recently, the Waitangi Tribunal has condemned the payment of these *tamana* as "an established pressure tactic, an unfair practice designed to purchase land as quickly and cheaply as possible, and incompatible with the Crown's fiduciary duty under the Treaty [of Waitangi]. Tamana was a sprat to catch the mackerel" (Waitangi Tribunal, 1992:60).

This ensuing fragmentation led to another problem, the stifling of commercial development of land. Any one of the owners had equal rights of occupation with anyone else, if one developed and cultivated land the others had a claim on the produce and proceeds. One Commission of Inquiry saw this as creating a new state: "...the lazy, the careless, and the prodigal not only wasted their own substance, but fed upon the labours of

their more industrious kinsmen."[4] The fragmentation of Maori land ownership was not, however, wholly negative in Maori eyes. Multiplication of owners on a title may have hindered economic development, it may have still allowed the isolation and buying out or coercion of individuals' interests, but it did slow down the alienation process dramatically. The sheer difficulty of discovering owners identities and locations and their natural increase in numbers as time passed has provided a brake, if not a complete barrier, to the 19th-century slide into total disinheritance.

The legislators did recognise in principle that Maori needed sufficient land upon which to sustain themselves. The *1866 Native Land Act* required Land Court judges to take into account the present and future needs of Maori. The *1873 Native Lands Act* required the local District Officer to ensure that 50 acres per head were reserved for all Maori in that locality, but by the *1894 Native Land Court Act* this had been weakened to the Governor merely being satisfied that "the owners have sufficient other land left for their maintenance." The practice, however, departed greatly even from such a minimal protective principle. Crown purchase agents, not to mention the swarms of private purchasers and their professional purchasing agents, sought agreements to buy the maximum amount of land available with few qualms about such legislation. The Native Land Court seldom made "inalienable" Reserves, even after 1873, and for those few established it required only an Order-in-Council from the Governor to overthrow that status whenever the owners wished to sell or the Government or influential Europeans wished to buy.

For those Reserves that remained, the Pakeha Native Reserves Commissioners to whom they were entrusted - not the Maori owners - generally let the lands out on long-term, low-rent leases to settlers. The owners seldom saw much of even the scant proceeds thus realized. To the present day, much commercially valuable urban land is still leased permanently to the Government at "peppercorn" rentals, then subleased to others for many times the rent paid the Maori owners.[5] The enduring goal of successive Governments was to assimilate Maori into *Pakeha* society as rapidly as possible, and separate and non-assimilable estates hindered that aim. In 1886, the Native Office reassured restive colonists that

> It is not meant to restrict permanently the alienation of any native land, but only to retard the alienation of some small portion till the Maori race have taken their ultimate position in the colony, and can be relied on to provide for themselves as the European does" (quoted in Waitangi Tribunal, 1987:39).

This was stated in supposed defense of a law providing Reserves to be "inalienable...unless with the consent of the Governor."

The Native Land Court's work has not merely had financial and property aspects to it, but has also played a key role in changing Maori society. The original desire of the colonial legislators to undermine Maori

communal lifestyle and tribal ownership structures was indeed achieved, in large measure due to the effects of the Court's work. With the traditional social structures went such institutions as the *rangatira,* tribal Chiefs. As individual Chiefs received independent title to land, their power and influence waned correspondingly. While not entirely dissipated, that influence was minimized and had to take new forms. Apart from such "incidental" effects, the Court has on occasion also been directly given additional social functions. In 1901, for example, all adoptions by Maori had to be registered in the Court. This arose from the claims made by descendants to their adoptive ancestors' lands. Already used to dealing extensively with genealogical intricacies, the Land Court Judges were regarded as the officials best qualified to cope with this issue.

The ceaseless proliferation of laws relating to Maori land continued unabated, with most years producing up to half a dozen statutes and often more, in addition to Bills which were not enacted. In 1909 the vast, sprawling mass of Maori land legislation was consolidated in one major *Act.* Another great tidying-up took place in 1931 and a third was the *Maori Affairs Act of 1953* (including a change of the Court's title from Native to Maori Land Court), but still between and after these three landmarks endless tinkering continued to multiply the contents of the legislative minefield through which anyone in the discipline had to wend their way. How lay Maori were to cope seems seldom to have concerned the lawyers and legislators. Even one of the Court's later judges complained that the legislation was "distinguished for its intricacy as much [as] for the difficulties it caused in its administration" (Smith, 1948:170). Little succeeded in quelling Maori grievances, the depth of dissatisfaction being indicated by the flood of petitions to Parliament seeking redress, usually for problems originating with the Court's procedures or judgments. Between 1880 and 1890 alone, there were over 1,000 such petitions.

From the late 19th century, the Native Land Court became an institution focussed almost entirely upon things Maori and separated from the legal and social mainstream. Its judgments have never been reported and its record keeping was often little better than haphazard. As the size and importance of the blocks passing through it diminished and the land held under Maori customary tenure vanished, it became almost entirely engaged in partition and subdivision of what remained in Maori hands under the new freehold title and with the succession of an increasing number of owners' descendants to that land. Some Judges were concerned with assisting Maori economic progress, notably one, Judge F. Acheson, who used his position to attempt to consolidate and reform Maori landholdings in the far North of the country.

In recent years, the most important step taken to redress Maori grievances over land (and other issues) has been the creation of the Waitangi Tribunal, a permanent Commission of Inquiry into matters relating to alleged breaches of the Treaty of Waitangi. Initially restricted to

hearing only matters arising since its creation in 1975, in 1984 its powers were expanded to consider any claim arising since the signing of the Treaty in 1840. It has received several hundred claims, mostly over land issues (many of which include the past decisions of the Native Land Court) but also covering fishing and other issues of cultural importance to Maori. The Tribunal has some disadvantages - the process grinds slow and small, it may deal only with state-owned resources rather than private property, and it has only the power to recommend - but it has achieved a significant standing in both Maori and *Pakeha* communities and has released a number of major reports, with significant recommendations for redress. Some of these recommendations have been used as the basis for a new round of direct negotiation between Crown and claimants, usually a faster and cheaper process and preferred by politicians.

In 1993, the *Te Ture Whenua Maori* [Maori Land Law] *Act* was passed, the first major piece of legislation affecting Maori land in forty years. Its central ethos was stated to be the retention of Maori land and it included several provisions to ensure that. A total ban has been placed on the alienation of Maori customary land and the process for alienation of Maori freehold land has been made more stringent. The Maori Land Court's role has been reinforced and extended. The position of Assessor has effectively been upgraded in a new provision that in cases where there is dispute about Maori custom or rights of Maori representation the Chief Judge is required to appoint two or more lay members additional to the Judge who are full members of the Court. In such cases the majority vote is the decision of the Court, regardless of the Judge's vote; on other matters the Judge must be included in the majority or has the casting vote. New kinds of family and tribal trusts have been created as legal entities entitled to administer Maori land. The Court, too, has now been set up as the body which shall determine Maori representation on all kinds of public bodies. This has a sharp edge to it presently as an often acrimonious debate is taking place over who should be the Maori representatives on an important Commission to oversee the allocation and management of fishing resources.

The Native/Maori Land Court has thus been and remains one of the central institutions in New Zealand's race relations. It has reflected the attitudes of *Pakeha* New Zealanders towards Maori and their land, frequently - although not always - attitudes of minimally-restrained acquisitiveness. Most Judges of the Court until recent times have shared those aims of the ultimate absorption of Maori land into the common estate. More broadly, because of the directly social functions alluded to above, and especially the impact upon Maori people of the stripping away of their land, the Court has played a central role in the formation of the country as it now is. The Court, especially through key members such as Chief Judge Fenton, has not only reflected but helped to forge the broad lines of race relations policy. Even its seemingly petty procedural rules

have had major, often negative, implications for Maori people and their retention of land ownership. Positively, it represents an attitude that Maori, as the country's Indigenous inhabitants, have always had rights over land and that those rights should be respected and dealt with seriously and by due process, unlike the Australian application of the *terra nullius* doctrine. Although that process has often gone seriously awry in the past, yet the very existence of that framework and its institutional focus now provides a means of attempting to remedy the defects in the present.

Notes

1. New Zealand Parliamentary Debates 9 (1870), p. 361.

2. Appendices to the Journals of the House of Representatives [AJHR] (1867) A10, p.4.

3. AJHR (1871) A2a, p.6.

4. AJHR (1891) G1, p. xi.

5. Many of the Reserves thus dealt with were also remnants from agreements predating the Native and Court era. A full report on their status is AJHR (1975) H3.

References (including recommended readings)

Ballara, Angela
1982 The Pursuit of Mana? A Re-evaluation of the Process of Land Alienation by Maoris, 1840-1890. *Journal of the Polynesian Society* 91(4):519-541.

Binney, Judith
1990 The Native Land Court and the Maori Communities, 1865-1890, pp.143-164 in Judith Binney, Judith Bassett and Erik Olssen (Editors): *The People and the Land. Te Tangata me Te Whenua. An Illustrated History of New Zealand 1820-1920.* Wellington: Allen and Unwin.

Fenton, F.D.
1879 *Important Judgements Delivered in the Compensatin Court and the Native Land Court 1866-1879.* Auckland: Native Land Court.

Kawharu, I.H.
1977 *Maori Land Tenure:: Studies of a Changing Institution.* Oxford: Clarendon Press.

1989 (Editor): *Waitangi: Maori and Pakeha Perspectives of the Treaty of Waitangi.* Auckland: Oxford University Press.

McHugh, Paul
1991 *The Maori Magna Carta: New Zealand Law and the Treaty of Waitangi.* Auckland: Oxford University Press.

Oliver, W. H.
1991 *Claims to the Waitangi Tribunal.* Wellington: Waitangi Tribunal Division/Daphne Brasell Associates Press.

Orange, Claudia
1987 *The Treaty of Waitangi.* Wellington: Allen and Unwin/Port Nicholson Press.

Parsonson, Ann
1992 The Challenge to Mana Maori, pp. 167-198 in Geoffrey W. Rice (Editor): *The Oxford History of New Zealand.* (Second edition.) Auckland: Oxford University Press.

1980 The Expansion of a Competitive Society: A Study in Nineteenth Century Maori Social History. *New Zealand Journal of History* 14 (1):45-60.

Sinclair, Keith
1991 *Kinds of Peace: Maori People after the Wars, 1870-85.* Auckland: Auckland University Press.

Sorrenson, M.P.K.
1976 Colonial Rule and Local Response: Maori Responses to European Domination in New Zealand since 1860. *Journal of Imperial and Commonwealth History* 4(2):127-137.

1975 How to "Civilize" Savages: Some "Answers" from Nineteenth Century New Zealand. *New Zealand Journal of History* 9(2):97-110.

1965 The Politics of Land, pp. 21-45 in J.G.A. Pocock (Editor): *The Maori and New Zealand Politics.* Auckland and Hamilton: Paul.

1956 Land Purchase Methods and Their Effect on Maori Population, 1865- 1901. *Journal of the Polynesian Society* 14(3):183-199.

Smith, Norman
1960 *Maori Land Law*. Wellington: A.H. & A.W. Reed.

1948 *The Maori People and Us* Wellington: Maori Purposes Fund Board/A. H. & A.W. Reed.

Temm, Paul
1990 *The Waitangi Tribunal: The Conscience of the Nation.* Auckland: Random Century.

Waitangi Tribunal
1987 Orakei Report: Report of the Waitangi Tribunal (Wai-9). Wellington: Waitangi Tribunal.

1992 *Te Roroa Report.* Wellington: Waitangi Tribunal.

Walker, Ranginui
1990 *Ka Whawhai Tonu Matou. Struggle without End.* Auckland: Penguin Books.

Ward, Alan.
1974 *A Show of Justice: Racial "Amalgamation" in Nineteenth Century New Zealand.* Auckland: Auckland University Press/ Oxford University Press.