

# RE-THINKING INDIVIDUALISATION: MĀORI LAND DEVELOPMENT POLICY AND THE LAW IN THE AGE OF NGATA (1920–1940)

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## ABSTRACT

*This article focuses on Sir Āpirana Ngata as Minister of Native Affairs and his programme for Māori land development, which was underpinned by legislation enacted in 1929. The legislation is considered fully, as is the development programme itself. The thesis of the article is that the development programme was of pivotal significance, historically and legally, and that it needs to be understood in the wider context of law and policy relating to Māori land. The land development programme was a massive and risky investment in Māori land development, and was a reversal of policies which concentrated on the acquisition of Māori land by the state and its transfer to individual purchasers. It is suggested that Ngata's success in bringing about this change was a remarkable achievement, but the land development policy was undercut by a failure to manage the programme effectively. This led to Ngata's resignation. Following his resignation, the state's administration of Māori land development changed direction, to the detriment of Ngata's wider programme of economic and cultural revitalisation. Furthermore, the programme was flawed by a failure to develop coherent policy as to whether developed land was to be held by Māori farmers or by collective bodies. Also significant was the emergence of a social-democratic and economic nationalist Labour government after 1935, which was animated by a quite different vision from that of Ngata.*

## I. INTRODUCTION

This article is intended as an overview of the development of Māori land policy from 1909–1953 (that is, the period in between the two pivotal

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statutes: the Native Land Act 1909 and the Māori Affairs Act 1953.<sup>1</sup> Those two statutes were restatements (and, to some degree, codifications) of the complex statutory framework relating to Māori land tenure – a statutory framework which had been in a state of dynamic evolution and repeated remodelling since the enactment of the first Native Lands Acts of 1862 and 1863.<sup>2</sup> The principal focus of this paper is on Sir Āpirana Ngata and his Māori land development policies and on the legislation which provided for the schemes, which was first enacted in 1929 and was later consolidated into the core Māori land statutes. To understand the significance of Ngata's policies and the legislation that was enacted to implement them it is necessary to comment briefly on the state of the Māori rural economy in the first decades of the 20th century.

The Māori rural economy, from the cessation of the wars in 1872 up to 1929 and the advent of Ngata's land development schemes, has not yet been adequately investigated by economic historians, but it is possible to hazard a few generalisations. Even where Māori retained substantial areas of land, as in the East Coast, Hawke's Bay, and in the central North Island, they were hampered everywhere by a lack of access to development credit. Poverty, squalid housing and poor health were widespread.<sup>3</sup> Māori remained vulnerable to epidemic diseases, including measles, influenza, whooping cough, pneumonia and typhoid, and were very severely affected by the influenza epidemic of 1918–1919. The New Zealand government also badly mismanaged the epidemic crisis in Samoa, with dire results. As well as being vulnerable to epidemics, the Māori population was affected by high levels of chronic illness, especially tuberculosis, which was a terrible scourge blighting thousands of lives and families.<sup>4</sup>

It was not that all Māori people were poor and ill, or that their circumstances were the same throughout the country. Certainly there were a number of

- 1 There was also the Native Land Act 1931, which was a consolidating statute, enacted when Ngata was Native Minister, which brought together in a single enactment the provisions of the 1909 Act and the law relating to Māori land development as set out in the Native Land Amendment and Native Land Claims Adjustment Act 1929. The 1931 Act was an enormously bulky statute which consolidated together the Native Land Act 1909 and Ngata's 1929 legislation into a single enactment. It remained in force until the enactment of the Māori Affairs Act 1931.
- 2 On this originating legislation and its effects see RP Boast *The Native Land Court 1862–1887: A Historical Study, Cases and Commentary* (Thomson Reuters, Wellington, 2013).
- 3 On Māori health, see Raeburn Lange *May the People Live: A History of Maori Health Development 1900–1920* (Auckland University Press, Auckland, 1999). This is an important study, which paints a dire picture of Māori health and wellbeing as at circa 1900, but which also emphasises improvement in Māori health as result of the efforts of the government, Māori leaders such as Maui Pomare and of religious organisations.
- 4 Some of these themes are pursued in Richard Boast *Buying the Land, Selling the Land: Governments and Maori Land in the North Island 1865–1921* (Victoria University Press, Wellington, 2008). This book draws on research for the Waitangi Tribunal process prepared by the present author, Brian Murton (University of Hawai'i) and others.

successful, even well-to-do Māori farmers and landowners, who owned large properties, sent their children to boarding schools, travelled abroad, and who mixed on reasonably equal terms with national politicians and local elites (examples are Sir James Carroll, Āpirana Ngata himself, Sir Maui Pomare, Airini Donnelly, Wi Pere, and Kurupō Tāreha). Māori society was not innocent of class distinctions.<sup>5</sup> Nor were Māori in all parts of the country in exactly the same circumstances: there was a degree of regional variation. Although more work is needed on the subject, it appears to be the case that Māori people were much worse off – in the sense of being poorer and having fewer options to escape poverty – in the confiscated zones of Taranaki and the Waikato than was the case in the East Coast and Hawke’s Bay.<sup>6</sup> The tribes of the confiscated areas lacked a landed base, although this may not have been the only reason for higher levels of poverty, underemployment and mortality. Māori from other parts of the country who visited the Waikato were shocked by the conditions there, and it is possible that the situation was even worse in Taranaki.<sup>7</sup> Although it is hard to be certain, the smaller and more localised Tauranga and eastern Bay of Plenty confiscations seem to have had less dire effects on later generations than was the case in Taranaki and the Waikato.<sup>8</sup> Conditions in the Urewera region, partially affected by confiscation, were generally appalling, perhaps the worst in the country. Here floods and crop failures were literally a matter of life and death, as is abundantly demonstrated by numerous requests for aid sent to the government by the chiefs of Tūhoe, Ngāti Whare, and Ngāti Manawa in the 1890s, and there is a wealth of evidence that documents the wretched poverty of Urewera Māori, a poverty

5 There is amazingly little literature on class differences within Māori society, either today or in the 19th century.

6 On the legal history of the land confiscations of the 1860s, see RP Boast “‘An Expensive Mistake’: Law, Courts, and Confiscation on the New Zealand Colonial Frontier” in RP Boast and R Hill (eds) *Raupatu: The Confiscation of Māori Land* (Victoria University Press, Wellington 2009) 145–168.

7 On conditions in the Waikato, see Michael King *Te Puea* (Hodder and Stoughton, Auckland, 1977) 28–34; on Taranaki, see John Hutton *Aspects of the Social History of Maori in Taranaki, 1880–1960: Overview Report* (Research report commissioned by the Crown Forestry Rental Trust, Wai 143 [Taranaki Inquiry], 1993) Doc M38. Both King and Hutton present a grim picture of Māori health, mortality and general well-being in these areas in the period from 1880–1930. Much more work needs to be done on the Waikato.

8 On Tauranga Māori in the period under study, see Evelyn Stokes *A History of Tauranga County* (Dunmore Press, Palmerston North, 1980) 304–326. Tauranga Māori were not well-off by any means, any more than they were elsewhere, but it appears from Stokes’ exemplary regional history that a range of economic options did exist in this area, including supplying milk to dairy factories, gum-digging, cutting flax, bush-felling and sheep farming. Māori had retained some of their lands in this area, and the Bay of Plenty is a mixed farming, rather than dairying, zone. Poor housing and poor health were none the less widespread in Tauranga.

that persisted well into the 1940s.<sup>9</sup> In the nearby Rotorua region, by contrast, Māori benefited to some extent from the tourist industry: they could charge visitors for access to thermal areas on Māori land (although the government was doing its best to prise these out of Māori ownership where it could), work as guides, run hotels and guesthouses, or create works of art for sale to tourists or hotel-keepers.<sup>10</sup> Partly for this reason, Māori carving, exemplified by key figures such as Tene Waitere (1854–1931) and Anaha Te Rahui, continued as a living and flourishing tradition around Rotorua at a time when it was beginning to decline (or even disappear entirely in other parts of this country, to some extent for religious reasons) and, for this reason, carvers and other artists from Rotorua were to play an important role in Ngata's programme of cultural and artistic revival, a pivotal counterpart to his efforts to promote Māori economic development and the improvement of Māori land tenures. On the other hand, the extent to which Māori were able to benefit from

- 9 On the dire socio-economic circumstances of Urewera Māori after 1896, see Judith Binney *Encircled Lands: Te Urewera 1820–1921* (Bridget Williams Books, Wellington, 2009) at 433–451; Webster *Rua and the Māori Millennium* (Price Milburn for Victoria University Press, Wellington, 1979), especially at 123–154; and Waitangi Tribunal *Te Urewera Report* (Wai 894, 2015) Part VI, at ch 23. According to the Tribunal, “[i]n the 1890s and the early twentieth century, Māori in Te Urewera experienced terrible living conditions and severe crises including famine, recurrent food shortages, and frequent epidemics” (at 423). Many Urewera people were malnourished, enhancing their vulnerability to epidemic and chronic illness. I can vividly remember hearing the evidence of Kaa Kathleen Williams in 2004 describing how she and her family lived in a cave at Panoaiho near Murupara in the 1940s (KK Williams “Brief of Evidence” (Wai 894, 14 March 2004) Doc C16; see also Waitangi Tribunal, *Te Urewera Report* (Wai 894, 2015) Part VI, ch 23, at 439). In reconstructing poverty in Te Urewera at this time, the Tribunal relied extensively on a massive report by Professor Brian Murton, Professor of Geography at the University of Hawai‘i: Brian Murton *The Crown and the People of Te Urewera, 1860–c 2000: The Economic and Social Experience of a People* Research report commissioned by the Crown Forestry Rental Trust, 2004 (Wai 894, 2004) [Urewera Inquiry] Doc H12. Murton’s report demonstrates in great detail and with impressive methodological rigour the social and economic circumstances of Urewera Māori people from the New Zealand wars to the present.
- 10 On Māori and tourism at Rotorua, see Cybele Locke *Maori and Tourism (Taupo-Rotorua) 1840–1970* Report commissioned by the Crown Forestry Rental Trust (Wai 12000, 2004) [Central North Island Inquiry] Doc A69; and Vincent O’Malley and David Armstrong *The Beating Heart: A political and socio-economic history of Te Arawa* (Huia, Wellington, 2008) 181–238 (the authors argue that Te Arawa’s efforts to benefit from tourism were undermined by government policies and landlessness). On the effects of tourism on Te Arawa, see Ngahuaia Te Awkotuku “The Socio-Cultural Impact of Tourism on the Te Arawa People of Rotorua, New Zealand” (PhD Thesis, University of Waikato, 1991). On Māori art and its Māori and European patrons at Rotorua, see Roger Neich’s wonderful *Carved Histories: Rotorua Ngati Tarawhai Woodcarving* (Auckland University Press, Auckland, 2001), a book which covers far more ground than its title suggests. See also Mauriora Kingi, Rawiri Taonui, Deirdre Brown, James Schuster and Nicholas Thomas in Wulf Köpke and Bernd Schmelz (eds) *House Rauru: Masterpiece of the Māori* (Museum für Völkerkunde, Hamburg, 2012). On Tene Waitere and his legacy see Nicholas Thomas (ed) *Te Waitere, Maori carving, colonial history* (Otago University Press, Dunedin, 2009).

the tourism industry at Rotorua should not be exaggerated, as not all of the Arawa tribes were able to benefit from tourism to any significant extent, and the government was itself involved in active efforts to control and regulate the industry. Also important were differences in regional rural economies. The East Coast and Poverty Bay offered better opportunities for seasonal work (shearing, in particular) than the dairying regions of Taranaki and the Waikato, as the latter districts were dominated by struggling Pākehā family farmers who could not afford to pay farm labourers. These areas also happened to be the confiscated zones. Māori were to some degree able to participate in sheep farming in other regions, but the complex dairy industry, with its high start-up costs and elaborate linkages was very difficult for Māori to penetrate. The inability of Māori to benefit from New Zealand's first dairying boom (roughly 1895-1920) is in my view a pivotal component of Māori economic history, shown by Āpirana Ngata's efforts to facilitate Māori participation in the industry after 1929.

These qualifications as to regional variations aside, it seems that most Māori people in most parts of the country made a living by working as rural labourers, rather than by farming and developing their own lands. Māori worked on the land of other people, clearing bush, building fences and ditches and drains, or they did seasonal work, harvesting crops or shearing. This kind of work, which generated a certain amount of cash, was supplemented by resource gathering in the forests, fishing, (whether in coastal waters, or in rivers and lakes), growing crops on Māori-owned land (sometimes for sale) and delivering milk on a small scale to dairy factories in some districts. Also important in some areas was gum-digging, important to Māori people in Tauranga, Coromandel, and especially Northland. The gum-digging industry was an important one, with its own complex ethnic politics, and allowed Māori to obtain cash without having to invest in anything more expensive than a gum-spear and shovel.<sup>11</sup> Ngata, for his part, who was something of a Puritan, was wary of the supposedly disorderly and unregulated lives Māori led on the gum fields, this being a fairly standard attitude of the day.<sup>12</sup>

11 See generally Senka Božić-Vrbančić *Tarara: Croats and Maori in New Zealand: memory, belonging, identity* (Otago University Press, Dunedin, 2008). This book is a social history of Māori-Croatian interaction on the Northland gum fields (Tarara is the Māori word that was used to refer to Croatians and Dalmatians ) A significant number of Croatian villagers moved to New Zealand after 1870 and worked alongside Māori in the gum fields of Northland; the Croatian diggers were usually referred to in New Zealand as "Austrians" and were at the receiving end of a considerable amount of ethnic prejudice. Relations with the Māori community were, however, reasonably positive, and there was a certain amount of intermarriage. When the great Ninety-Mile Beach case was argued in the High Court and in the Court of Appeal, the Northland Māori plaintiffs and appellants were represented by a Kaitaia solicitor of Croatian descent, a Mr Dragicevic. Like everything else in New Zealand, the gum industry gave rise to numerous investigations, commissions of inquiry, parliamentary debates, and legislation (such as the Gum Industry Act 1898).

12 On Ngata's views on Māori participation in the kauri gum industry, see Božić-Vrbančić (above n 11) at 50.

Whether small-scale dairy farming was actually a better way to live than digging kauri gum, as Ngata assumed, is perhaps open to debate.

So, Māori got by, more or less, some individuals did reasonably well and to some degree the Māori governing elite remained in place, but as a whole the Māori population was vulnerable to economic cycles and lived in difficult circumstances. Māori were afflicted, not only with poverty and lack of access to development credit, but also with debilitating legal problems. Māori often had to invest their energies and lost a great deal of time and money in attempting to unravel complicated legal and tenurial problems arising from the complex thicket of the law relating to Māori land tenure, something that Pākehā farmers did not have to worry about. The legal problems were particularly acute in Taranaki, as a result of the confused interrelationship between statutory Māori land law and the statutes relating to the West Coast Settlement Reserve blocks, the latter being a curse peculiar to Taranaki and which resulted from endless statutory tinkering arising from the political imperative to respond to the demands of Pākehā lessees. Māori landowners were at constant risk of having their land titles destabilised by the activities of government land purchase officers and by the government's standard practice of issuing proclamations forbidding the alienation (for which, read leasing and mortgaging) of blocks the government wanted to buy.<sup>13</sup>

Ngata wanted to lift Māori out of what he saw as a threatening rural poverty trap by turning them into modern farmers. Ngata's worries about Māori rural poverty, a poverty which might develop into an unbreakable cycle of debt, land loss, unemployment and endless chronic illness and vulnerability to epidemics, were not at all exaggerated. His fears were well-founded, and he had seen the evidence with his own eyes. The Department of Agriculture did little to assist Māori farmers, while the Native Department saw its main functions as running the Native Land Court and purchasing Māori land for the state. County Councils, largely run by Pākehā farmers, were not interested in helping Māori farmers, but instead constantly harassed the government to take action about Māori inability, or unwillingness, to pay rates. The situation for the Māori people around 1920 was, indeed, dire.

To Ngata, farming, meaning modernised mechanised farming, was the answer. Ngata did not want Māori to create an autonomous economy of their own, but rather to participate in the national export economy. In so doing he had to counter a great deal of prejudice and misinformation. The earlier conviction that Māori were dying out and thus had too much land had been partially supplanted by the claim that Māori were poor land managers in any case.<sup>14</sup> By 1929 it was clear that Māori were no longer dying out, but they were still vulnerable to criticism as being supposedly unworthy holders of the remaining lands in Māori possession.

13 Boast, above n 4, at 324–327. This book is a detailed study of the government's system of Māori land-purchasing after the enactment of the Native Lands Acts.

14 Jane Stafford and Mark Williams *Maoriland: New Zealand Literature 1872–1914* (Victoria University Press, Wellington, 2006) at 244.

*A. Sir Āpirana Turupa Ngata: Background and Policies*

It is not possible to do justice to Ngata's long and complex career in this article, and there are in any case a number of studies available, most of which, however, are limited in the sense that they portray him as a Māori, rather than as a national, politician.<sup>15</sup> While (obviously) Ngata was Māori and primarily focused on Māori issues, he was also a prominent member of the Liberal party, a colleague of Sir Robert Stout, and well-informed on current political and economic questions. He was a leading member of the United government when it took office under Ward in 1928, and did not contribute to the formation of Māori policy only. Ngata's ideas were, I believe, strongly influenced by the ideological currents of the day concerning the fields of anthropology, economics, and the role of the state. He had much in common with the intellectual wing of the Liberal party, and especially with prominent Liberal politicians of an earlier generation, notably John Ballance, Sir Robert Stout and Jock McKenzie. But he was also well-versed in more contemporary trends, especially in anthropology. Although not an anthropologist, Ngata's knowledge of anthropology was far from superficial. Sir Peter Buck (Te Rangihīroa), director of the Bishop Museum in Honolulu, professor at Yale, was a close friend. Ngata was also close to Ivan Sutherland, psychologist and anthropologist at Canterbury University College.<sup>16</sup>

Ngata was an intellectual, a lawyer, a Liberal, a moderniser, and, while conservative in some ways (especially in the fields of culture and the arts, at least so it has been said), was radical in others (economic development, notably). Born in 1874, Ngata was from Ngāti Porou, an iwi that had managed to retain much of their tribal estates and who were determined to develop and administer their own lands. His father, Paratene Ngata (1849–1924), was an important Ngāti Porou leader and Native Land Court Assessor (in fact he was the Assessor in the *Robe Potae* case of 1886, in which his colleague on the bench was Judge Mair, arguably the most important case the Native Land Court ever heard). Paratene Ngata was staunchly “Mihinere” (Anglican), who attended the CMS missionary William Williams' school at Waerenga-a-Hika at Turanga (now Gisborne) and discouraged other religious

15 The leading biography is Ranginui Walker *He Tipua: The Life and Times of Sir Āpirana Ngata* (Viking, Auckland, 2001). Also important is MPK Sorrenson's introduction to Sorrenson (ed) vol 1 of *Na To Hoa Aroha: From Your Dear Friend: The correspondence between Sir Āpirana Ngata and Sir Peter Buck* (Auckland University Press, Auckland, 1986) 9–40. Some aspects of Ngata's career merit further exploration, however, including his time at Canterbury University College, the years that he spent practising law, and his interests in Pacific Island affairs. There is a very interesting chapter on Ngata and on his poetry-writing in English in Stafford and Williams, above n 14, at 256–267.

16 On Sutherland, see Oliver Sutherland *Paikea: The Life of ILC Sutherland* (Canterbury University Press, Christchurch, 2013).

groups, such as the Mormons, from proselytising in the Waiapu.<sup>17</sup> The Ngāti Porou core homeland in the Waiapu Valley was a culturally rich and vibrant space with its own traditions of high artistic achievement in carving and architecture.<sup>18</sup> Āpirana Ngata always remained solidly rooted in Ngāti Porou, and (as Keith Sorrenson puts it) his “political career, like his career at Te Aute and University, was always firmly based on tribal support”.<sup>19</sup> That Ngata drew his inspiration and support from his Ngāti Porou homeland is undoubted, but one can sometimes wonder, however, whether the standard picture of rock-solid support from Ngāti Porou for everything Ngata did or said is perhaps a little over-drawn. Ngāti Porou had their own politics. Certainly, when it came to cases in the Native Land Court the hapu of Ngāti Porou could sometimes be as factionalised and contentious over land matters as anywhere else, at least from time to time. Today the Waiapu region, the Ngāti Porou homeland, feels somewhat remote and isolated, a region of sheep stations, plantation forests, spectacular mountain scenery, and small coastal resorts. But that was not its reputation in Ngata’s day. It was seen within the Māori world as a progressive and modernising district, very up to date and successful in terms of land retention and farm management. It can be said that Ngata sought to promote both economic development and cultural and artistic vitality, and his Ngāti Porou roots showed that this combination was achievable. The Waiapu region was a strongly Anglican zone, where church-building had flourished,<sup>20</sup> and Ngata was always a committed Anglican and played an important role in the process of establishing a Māori Anglican bishopric in New Zealand. “Raised in a strongly Anglican household”, as Ngarino Ellis puts it, “Ngata was well aware of the importance of faith and its immediate history in the Waiapu Valley”.<sup>21</sup> He was lately closely involved in the renovation and redecoration of St Mary’s Church at Tikitiki in the 1920s, a project which brought together Ngata’s Anglicanism and his commitment to reinvigorating Māori art, working with the prominent East Coast carver Hone Ngatoto.<sup>22</sup>

Ideally Ngata should be placed in a Pacific context: were there other indigenous Pacific leaders like him, people who sought to combine cultural revival with economic advancement? This is a subject for further research. One like-minded contemporary Polynesian leader was the native Hawaiian

17 On Paratene Ngata, see Steven Oliver “Ngata, Paratene (1849–1924), Ngati Porou leader, storekeeper, soldier, assessor” in WH Oliver (ed) *Dictionary of New Zealand Biography* (Allen & Unwin, Wellington, 1990) vol 1, at 310–311. Oliver gives Paratene Ngata’s principal descent lines within Ngāti Porou as Te Whānau-a-Te-Ao, Ngāti Rangi, and Te Whānau-a-Karuai, and adds the important detail that Paratene grew up in the household of the prominent Ngāti Porou military leader Ropata Wahawaha (at 110).

18 See generally, Ngarino Ellis *A Whakapapa of Tradition: 100 Years of Ngāti Porou Carving, 1830–1930* (Auckland University Press, Auckland, 2016).

19 Sorrenson, “Introduction”, above n 15, at 21.

20 Ellis, above n 18.

21 At 238.

22 At 238–9.



leader Prince Jonah Kūhiō Kalanianaʻole Piʻkoi, who, as PV Kirch puts it, “thought that if lands were made available to the Hawaiians, they would leave the urban ghettos of Oʻahu and return to a wholesome lifestyle”.<sup>23</sup> In ways which seem similar to the Public Trustee’s management of Māori reserved lands in Taranaki, many sections of the Hawaiian Home Lands had been leased to *haole* (Pākehā) ranchers and sugar planters. Control over the Hawaiian Home Lands, which originated from a Congressional enactment, the Hawaiian Homes Commission Act 1920, has long been a vexed issue in Hawaiian politics and the source of a considerable volume of case law.<sup>24</sup> Prince Jonah Kūhiō tried to have at least some Home Lands areas made available to indigenous Hawaiians to farm themselves and attempted to move them away from difficult circumstances in Honolulu. There may well be other counterparts to Ngata in French Polynesia and other parts of the Pacific.

Ngata, as noted, went to Te Aute College, the prominent Anglican Māori boys’ college, when he was nine. He received an excellent formal education at the time of the headmastership of John Thornton, formerly a CMS missionary in India, who believed strongly that Māori boys should have the opportunity to attend university and enter the professions. Te Aute must have confirmed and strengthened Ngata’s Anglican orientation. The school, writes Sorrenson, had a “powerful and enduring influence” on Ngata, as well as on his lifelong friend and colleague, Sir Peter Buck (Te Rangihīroa).<sup>25</sup> Te Aute College was a favourite target of Liberal politicians such as Seddon, who liked to accuse the school of wasting its time teaching Māori boys Latin when they needed technical and manual training (which the government made little effort to provide itself); Thornton countered that it was essential that at least some Māori boys should be encouraged to attend university and enter the professions (Latin was needed in order to matriculate). These attacks on Te Aute by Seddon and other politicians should be seen as an aspect of something of a doctrinaire anticlerical antipathy to Church-endowed schools within New Zealand Liberalism. Some politicians and many local settlers also pressed for the dis-endowment of the Te Aute estate and for the land to be made available for private purchase by local settlers. The Te Aute estate was well-managed by Samuel Williams, another member of the great Williams missionary dynasty, although whether Āpirana received further training in

23 Patrick Vinton Kirch *Unearthing the Polynesian Past: Explorations and Adventures of an Island Archaeologist* (University of Hawai‘i Press, Honolulu, 2015) at 259.

24 See Paul Nāhoa Locas, Alan T Murakami and Avis Kuuipoleialoha Poai “Hawaiian Homes Commission Act” in Melody Kapilialoha MacKenzie, Susan K Serrano and D Kapua āla Sproat (eds) *Native Hawaiian Law: A Treatise* (Kamehamehameha Publishing, Honolulu, 2015) at 176–262. The principal legal problem seems to be that of challenges by private sector interests under the equal protection clause of the United States Constitution to attempts by the Hawaiian Home Lands Commission to set aside lands for the benefit of indigenous Hawaiian people.

25 Sorrenson, above n 15, at 13. Under Thornton, Te Aute “was developed as the seminary of a Maori elite”.

modern farming and land management at Te Aute is not clear, but seems likely. Āpirana went to Canterbury University College in Christchurch, where he became the first Māori to gain a degree at a New Zealand university (a BA in political science in 1893); he afterwards went on to obtain an LLB and an MA. Canterbury University College in Ngata's student days was dominated by the imposing presence of John Macmillan Brown, whose extensive range of interests and enthusiasms included Polynesian ethnography.<sup>26</sup> Ngata was an outstanding student at Canterbury, at the time probably New Zealand's leading academic institution – Ernest Rutherford was a contemporary of Ngata. After graduation, Ngata practised law for some years. He appeared in a number of cases in Gisborne, a storm centre of complexity and drama over Māori land matters that had few equals in the country, and indeed appeared on occasion for Ngāti Porou in the Validation Court.<sup>27</sup> He became a member of parliament in 1905 and a junior Minister in association with Carroll in the last years of the Liberal government. He served on the Stout-Ngata Commission along with Sir Robert Stout, the two of them touring all over the country from 1907–1908; they both played an important role in the construction of the Native Land Act 1909. This work gave Ngata a very thorough understanding of Māori land matters all over the country.

The Liberals lost power in 1912 and Ngata was in opposition for many years. He attacked Herries' Native Land Amendment Bill in 1913, and regarded Herries' policies of abolition of special legislative protection for Māori as self-serving and premature.<sup>28</sup> Ngata played a prominent role in the Māori war effort in the First World War, an issue on which Māori opinion was divided. His close friend and colleague, Peter Buck (Te Rangihīroa), joined the New Zealand army as a Medical Officer and had a distinguished war career; Ngata concentrated on the home front, both of them firm believers in the importance of Māori participation in the struggle. Ngata supported the Reform Government's Native Land Amendment Bill of 1917, designed to make Māori land available for settlement by Māori veterans.<sup>29</sup>

After the war, Ngata played an important role as counsel representing the owners in the vast and complex Urewera consolidation scheme in the early 1920s, and did his best to protect the interests of the owners in this whole calamitous affair.<sup>30</sup> (Ngata's relations with Tūhoe more generally have been the subject of a degree of recent criticism by Professor Judith Binney.) Thanks to his friendship with the like-minded Reform politician Gordon Coates, who

26 On Macmillan Brown, see Cherry Hankin "Brown, John Macmillan 1845–1935, University professor and Administrator" in Claudia Orange (ed) *Dictionary of New Zealand Biography* (Allen & Unwin, Wellington, 1993) vol 2, at 57–59 (Hankin describes him as "perhaps the outstanding university teacher in New Zealand before 1900" (at 58)).

27 Walker, above n 15, at 79. According to Sorrenson, Ngata was articulated to the Auckland-based firm of Devore and Cooper: Sorrenson, above n 15, at 18.

28 Walker, above n 15, at 18–34.

29 Sorrenson, above n 15, at 28.

30 On Ngata's role in the Urewera consolidation, see Walker, above n 15, at 196–198.

replaced Herries as Native Minister in 1921, Ngata's influence began to grow significantly in the 1920s. He worked with Coates on a number of important initiatives, including the establishment of the Board of Māori Ethnological Research in 1923 and the Māori Purposes Funds Board in 1924. In May 1927, Ngata was knighted.<sup>31</sup> Following the general election of 1928 and the startling United Party victory, Ngata became Native Minister in 1929. He was a nationally prominent figure and probably the most able and effective politician in an inept, if not feeble, government which was to prove hopelessly incapable of dealing with the economic crisis of 1929–1933.<sup>32</sup> Ngata held the position of Native Minister until his resignation in fraught circumstances in 1934 following the report of the Commission on Native Affairs. In 1935, the Reform-Liberal coalition government was defeated by the Labour Party and Ngata spent the rest of his political career on the Opposition benches as National Party MP for Eastern Māori.

31 Walker, above n 15, at 229.

32 The United Party was formed out of the remains of the old Liberal party in 1927. During the election campaign, Ward, the party leader, made an apparently unscripted promise to borrow £70 million over one year to jump-start the staggering national economy. When the results came in it emerged that United had won 27 seats (plus four independent Liberals), Reform (led by Coates) 29, and Labour 19. Labour supported Ward on a no-confidence motion in the House and Ward became Prime Minister. The return of Ward to power and the political eclipse of Coates and Reform astonished the nation. Historians do not seem to be very interested in the United Party and the Ward Government and not much is written about this phase of New Zealand political history: the fullest narrative is in Michael Bassett *Sir Joseph Ward: A Political Biography* (Auckland University Press, Auckland, 1993) at 271–287. According to Bassett, “[t]he United Party sprang from nowhere, flashed across the horizon, and was to fall like a spent meteor” (at 271). (Incidentally Ngata did not become Attorney-General as Ranginui Walker believes, although perhaps he may have assisted with legal issues as one of the lawyers in Cabinet – see Walker, above n 15, at 233.) Eighteen months after taking office, Ward died and was replaced as Prime Minister by George Forbes, memorably described by WH Oliver as “a South Island farmer of dogged sincerity and limited imagination”: Oliver *Story of New Zealand* (Faber and Faber, London, 1960) at 178. The task of managing the great crisis of the Depression was beyond him. The United and Reform parties formed a coalition in 1931, and it was this coalition which formed the next government with Forbes as Prime Minister and Coates as second in command. Ngata remained as Native Minister until his resignation in 1934, at which point the Native Affairs portfolio was taken over by Forbes, the Coalition Prime Minister, who was Native Minister from 1 November 1934 to 6 December 1935. In 1934, New Zealand belatedly took control of its own monetary policy with the establishment of the Reserve Bank (before then monetary policy had basically been set in Britain, and banknotes were printed by private banks.) The coalition (running for office as the “National coalition”) was defeated by Labour at the general election of 1935 and, in 1936, the remnants of the Reform and United Parties, notwithstanding the doubts of some ardent Liberals, who continued to struggle to differentiate themselves from ordinary colonial conservatism, merged to form the National Party. Liberal distinctiveness disappeared into ordinary conservatism, as happened to Liberal parties in many countries. Ngata had already resigned as Native Minister in 1934, succeeded as Native Minister by Forbes, and after 1935 was in opposition as the National MP for Eastern Māori facing the Labour ministers of Native Affairs (MJ Savage, Frank Langstone, Rex Mason and Peter Fraser).

Ngata was essentially a Victorian, a product of the 19th century living well into the 20th, a believer in hard work, effort, thrift, and living a healthful, moral and Christian life. He had much in common with the Liberal party leaders of the 1890s, especially their beliefs that cities were corrupting and that the best place to live was in the countryside, working in the fresh air, contributing to New Zealand's export industries, and at a safe distance from taverns, racecourses, billiard parlours and dancehalls. Ngata was reasonably literate in economics, and knew an enormous amount about New Zealand's primary industries and about the social and economic circumstances of the Māori people. As Ashley Gould has written, Ngata "was very well informed about the nature and state of land settlement generally and was able to connect the position of Māori to the general economic plight of the country and plug for meaningful assistance to Māori farmers".<sup>33</sup> He must have been very persuasive, given that he managed to sell his great land development project both to his political colleagues, who can be mostly described as political conservatives, and to an understandably wary Māori public.

In an important article, Graham Butterworth has argued that Ngata had five main policies that he pursued between 1921 and 1934.<sup>34</sup> These were, first, settling outstanding historic Māori land issues ("ancient grievances", Ngata called them, examples being the Waikato and Taranaki confiscations, the Ngāi Tahu purchases and the Rotorua lakes question); secondly, a cultural

33 Ashley Gould *Māori Land Development Schemes: Generic Overview c1920–1993* (Report commissioned by the Crown Forestry Rental Trust, Wai 1200 [Central North Island Inquiry] Doc A67, 2004), at 42.

34 GV Butterworth "A rural Maori renaissance? Maori society and politics 1920 to 1950" (1972) 81 *Journal of the Polynesian Society* 160. Butterworth's article is an important reminder that Ngata did not pursue the programme for which he is best-known, the land development schemes after 1929, in isolation: the schemes were a part of a much bigger project of economic and cultural revitalisation (and of laying historical ghosts to rest). Butterworth believes also, and in my opinion correctly, that the "turn of the tide" for Māori did not occur in the period from 1890–1914 but, rather, after 1920: at 161–162. Butterworth's main argument is that the "renaissance" of Māori health and well-being often associated with the "Young Maori Party" and the Liberals actually took place after 1929 and is attributable to the development scheme era. Personally, I am dubious whether a "rural Maori renaissance" has happened at any time in the 20th century. In the period from 1950–1975, during the apogee of the expanded Māori Affairs Department, many Māori people benefited from the expansion of work opportunities in the New Zealand Forest Service and the forestry sector generally. This era of optimism and prosperity was in turn brought to an end in the 1980s with the destruction of the New Zealand Forest Service, the Ministry of Works and the old Māori Affairs Department by neoliberal ideologues, turning formerly thriving forestry towns like Murupara into economic and social disaster zones.

programme of reviving and preserving Māori poetry, art and music;<sup>35</sup> thirdly, advancing the work of the Anglican Church;<sup>36</sup> fourthly, educational programmes of a number of kinds; and fifthly, the promotion of Māori land development. It is the last of these which is the most important for the purposes of this article.

These policies were all ideologically connected. It can be said that Ngata's ideas were a mixture of Liberal rural utopianism, or "Arcadianism"<sup>37</sup>, combined with Māori nationalism, trends in contemporary anthropology and a belief in economic modernisation. He believed that Māori could have it both ways: it was possible for Māori to modernise economically but to continue to be themselves culturally. Ngarino Ellis, in a new book on art and architecture in Ngata's Ngāti Porou homeland, has insightfully noted that:<sup>38</sup>

- 35 In the domain of Māori literature, Ngata was instrumental in collecting and editing Māori waiata. After Ngata's death the editing and collecting work was continued by Pei Te Hurinui Jones. The resulting great collection, known as *Ngā Mōteatea* ("The Songs"), was published by the Polynesian Society in four volumes from 1958–1990, and has now been republished in a sumptuous new edition by Auckland University Press (vol 1 2004, vol 2 2005, vol 3 2006, and vol 4 2007). On Ngata and Māori music, see Mervyn McLean *Maori Music* (Auckland University Press, Auckland, 1996) at 337–341. In the field of art, Ngata's influence was deep and profound, especially with respect to the Rotorua School of Māori Arts and Crafts established by legislation in 1926 and which began operating in 1927 at Ohinemutu. Some modern scholars see the revival of Māori carving and housebuilding stimulated by Ngata as very conservative and even reactionary; others have a more positive assessment. On Ngata and Māori art, see Roger Neich *Painted Histories* (Auckland University Press, Auckland, 1993, 117–119: while appreciative of Ngata's efforts, Neich points out that "unlike Te Kooti, who boldly encouraged new directions in all the arts of the meeting house, Ngata looked back to traditional examples for his models"; moreover "this strategy effectively spelt the end to figurative painting as an ongoing art" (at 118)). Adrienne Kaeppler believes that the "bicultural aesthetic" demonstrated by the famous painted house, Rongopai at Waituhi, "would soon be rejected in favour of the re-emergence of carving in a more standardised form derived from the Te Arawa carvers at Rotorua: Adrienne Kaeppler *The Pacific Arts of Polynesia and Micronesia* (Oxford University Press, Oxford, 2008) at 67, indicating that Neich's view has become the standard interpretation in Pacific art history. See also, however, Rangihira Panoho *Māori Art: History, Architecture, Landscape and Theory* (Bateman, Auckland, 2015) at 138–172, a notably illuminating discussion. To separate "traditional" and contemporary" Māori art and architecture (as well as characterising Ngata as a "traditionalist" is itself problematic: see Ellis, above n 18. Moreover, as Ellis points out, more was at stake than "conservatism" or "modernism" in the visual arts and architecture: "[t]he association of figurative painting with Ringatū and specifically Te Kooti was well known to Ngata, whose uncle and mentor Major Rapata Wahawaha had led a number of campaigns to seek out Te Kooti" (at 90). Moreover, critics of Ngata's conservatism in the field of culture and the arts do not always grasp that in this field Ngata was an innovator in many respects.
- 36 Ngata was a committed Anglican, who worked hard at persuading the Church to appoint a Māori bishop (which was not done until 1928).
- 37 On "Arcadianism" as a political ideology in New Zealand, see Miles Fairburn *The Ideal Society and its Enemies: The Foundations of Modern New Zealand Society* (Auckland University Press, Auckland, 1989).
- 38 Ellis, above n 18, at 3.

Ngata emphasised the continuing importance of carving as a marker of identity, and acted as both artist and patron, vacillating between the two roles – much as he did between tradition and modernity.

Ngata disliked Māori political or religious separatism, and had little time for community religious leaders, such as Rua Kenana of Tūhoe or TW Rātana, who were also forward-looking modernisers, but in ways that were very different from Ngata. Nonetheless, in Ngata's view, Māori should remain separate in a sense: they should stay in their tribal homelands and work their own lands. This was the key to the twin goals of modernisation and cultural autonomy. To Ngata it was axiomatic that Māori people should stay in the countryside and that they should not under any circumstances migrate to the cities. Here Ngata's goals and Anglo-New Zealand liberalism coincided. Rural utopianism was a hallmark of New Zealand Liberalism. Liberals like Ballance and McKenzie had thought the countryside was good for everybody; Ngata agreed and thought that it was especially good for Māori. To Liberal beliefs that cities were morally corrupting and unhealthy and that a progressive society should be built around rural close settlement was added Ngata's assumption that only in the countryside could Māori retain their cultural autonomy, or their "individuality" as he often put it. To move away from home would put Māoritanga at risk. (As things have turned out, Ngata's fears appear to have been misplaced.<sup>39</sup>) GV Butterworth has written that "land development for Ngata – like the Rātana Church and the Kingitanga for their supporters – had overtones of a doctrine of faith rather than a wholly rational policy".<sup>40</sup> I would not put it that way, and cannot subscribe to any suggestion that those committed to the Rātana movement, the Kingitanga, or to Ngata's land development and cultural reinvigoration programme were wholly driven by faith rather than rational analysis. Ngata believed that Māori could and should become successful farmers in a farming country and at the same time retain their culture and artistic traditions. All of his policies were directed at these great ends.

Ngata knew moreover that developing land for farming required not only hard work and determination but above all access to development finance, access that Māori people generally did not have. He was intensely aware that the financial assistance available from the state to encourage Europeans to become successful farmers under such legislation as the Advances to Settlers Act 1894 was not on the whole available to Māori. Ngata's greatest achievement, and perhaps also his most tragic failure, was the land development programme set up after he became Native Minister in 1929, and which is discussed in detail below.

39 See Richard S Hill *Maori and the State: Crown-Maori Relations in New Zealand/Aotearoa, 1950–2000* (Victoria University Press, Wellington, 2009) at 2.

40 Butterworth, above n 34, at 171.

### *B. Collectivism and Individualism*

By 1909, the problems posed by crowded titles were beginning to be understood and the minds of many were exercised by the issue of what to do about it. There were two main options on offer by this time, incorporation and consolidation. The two are quite dissimilar. Consolidation simply means swapping undivided interests around in order to “consolidate” individual or family blocks. It is not a solution which challenges individualisation as such. Ngata saw consolidation as useful, provided it generated family farms. “Consolidation”, wrote Ngata in 1931, “is the most comprehensive method of *approximating the goal of individual or, at least, compact family ownership.*”<sup>41</sup> Consolidation was not a goal in itself, but a means to an end, and the end, for Ngata, was always that of encouraging Māori to become farmers. Land development grew out of consolidation and was always linked to it, as the desired end of a consolidation scheme was typically the creation of a number of “improved” farming units, preferably dairy farms if soil, climate and topography allowed. Consolidations merely offered an interim solution: a generation or two later, the exercise would have to be repeated.

Incorporation, however, was a more interesting and innovative kind of solution to the crowded title problem. Incorporations are collectivist. They give legal form to a community of owners. As idealised by Ngata, incorporations worked by turning land blocks into a kind of community project: the community worked the land under the eye of a salaried manager, drew salaries, remained at home and earned profits according to the value of their shareholdings. They were a much more modern and contemporary kind of solution, consolidations being more conservative.

By 1900 or thereabouts, individualisation had become discredited all over the world, or at least new ideas about land and tenures were in the ascendant. This was no less true of New Zealand, as can be seen from a close examination of the reports prepared by Sir Robert Stout and the young Āpirana Ngata during their joint commission of inquiry into Māori lands and land tenure from 1907–1908. (It is very puzzling why these often lengthy and detailed reports have attracted so little attention from historians, given their rich possibilities for coming to terms with the shifting ideologies of the time.) In December 1907, the commissioners were on Ngata’s home terrain in the Waiapu region, where they attended various meetings and discussions at Ngata’s family home at Waiomatatini. Ngata played a significant role in the proceedings. Following further meetings in January 1908, Stout and Ngata crafted at Rotorua a really remarkable report which illustrates perfectly the

41 Āpirana Ngata “Native Land Development: Statement by the Hon Sir Apirana T Ngata, Native Minister” [1931] I-II AJHR G10, at ii, cited in Terrance John Hearn *Land titles, land development, and returned soldier settlement in Te Rohe Pōtae* (Research report commissioned by the Crown Forestry Rental Trust, Wai 898 [Rohe Potae Inquiry], 2009, Doc A69) at 23 (emphasis added).

ideological underpinnings of the land development project.<sup>42</sup> It is hard to know whether it was Ngata or Stout who was the principal author, and in a sense it does not really matter: Ngata and Stout thought along similar lines.

The context of the discussion was Māori incorporations. They were, wrote Stout and Ngata, very suitable organisations for Māori, “a communal people”.<sup>43</sup> The report, however, goes as far to suggest that Māori land incorporations could be a useful model for *Europeans* and could indeed offer possibilities for more cohesive and culturally richer rural settlement (possibly Stout’s influence is detectable here, but this cannot be assumed). Instead of Māori being urged to adopt European individualism, Europeans are being invited by Stout and Ngata to think seriously about Māori collectivism. Also noticeable is a sense that New Zealand might be blazing a trail for other countries to follow in an era of “social experiments”, even to the extent of harmonising the interests of “capital” and “labour” (wishful thinking, no doubt). There could be no more appropriate illustration of the collectivist impulses analysed in the preceding chapter:<sup>44</sup>

This system of incorporation is new to our Dominion, and has not, so far as we know, been adopted in any part of the world dealing with farming pursuits. It is a union of capital and labour, for the labour on the incorporated blocks is almost wholly supplied by the landowners or their relatives. In these days, when so many social experiments are being tried, this system merits consideration and careful watching.

There was no reason why the benefits of this new kind of rural social organisation – so it was perceived – should be confined to Māori.<sup>45</sup>

There is nothing we know of that could hinder it being adopted by Europeans. If ten, twenty, or thirty families of colonists were to obtain a block of land either by purchase or on *perpetual lease*, and to manage it as the Maoris manage these incorporated blocks, perhaps

42 *Interim Reports of Native Land Commission on Native Lands in the Waiapu County* [1908] AJHR G-I.

43 At 3.

44 Above n 42.

45 Above n 42 (emphasis added). This report was written at a time when the leasehold-freehold debate was pivotal in New Zealand politics. According to Professor Hamer, Stout “opposed the sale of land by the state” and was “a strong advocate of state leasing, and frequently advocated taxing the unearned increment”: see David Hamer “Stout, Robert 1844–1930 Lawyer, politician, premier, chief justice, university chancellor” in Claudia Orange (ed) *Dictionary of New Zealand Biography* (Allen and Unwin, Wellington, 1993) vol 2 484–487, at 485. This probably indicates that Stout was the principal author of this passage in the report. I am unsure where Ngata stood on the leasehold-freehold debate.



a higher village life might be led and true altruistic communities formed. For under this system labour is paid at the current rates, and the holder of what may be called the “stock” or “capital” gets the profits; but, as the holders of the “stock” are also the workers, they reap not only the reward, but the profit of their labour. Further, the settlers would not live apart on separate farms, but their houses would be close to each other, and thus there would be a better social life than in many country districts.

Living in the country had its drawbacks, or it did for persons of European descent. Country life in New Zealand might be virtuous, but it could also be boring and culturally-deprived:

The drawback to country life is often the want of a village or town life, the absence of social intercourse, and the lack of art, music, and literature that are common to most towns. How is country life to be made more popular?

Something like the Māori incorporation could help perhaps, and prove more durable than other kinds of rural Utopian experiments that had been tried and failed in the United States and other countries, the commissioners thought. It is impossible to imagine a high Victorian liberal like Fenton writing something like this.

Ngata was not really a “conservative”, although he has often been seen as one, but certainly his view of things came to look conservative compared to the social democrats of the Labour Party and their Māori allies linked to the Rātana movement. Ngata’s fundamental differences with the Labour party’s approach to Māori policy has been well characterised by Barry Gustafson:<sup>46</sup>

Ngata did not doubt Savage’s sincerity, but he believed that Labour’s emphasis on two races within one people, economic equality, educational opportunity, and consultation through committees and conferences would make it more difficult to maintain the uniqueness and independence of the Maori people and was cutting across tribal divisions, traditional hierarchical leaderships, and the marae and runanga house methods of consultation.

46 Barry Gustafson *From the Cradle to the Grave: a biography of Michael Joseph Savage* (Reed Methuen, Auckland, 1986) at 190.

What was at issue were different styles of collectivism, one through the Labour party, the trade unions, and “committees and conferences”, the other through the existing collectivities of the Māori world. Ngata worked through the latter, which was his own world.

## II. MĀORI LAND DEVELOPMENT AFTER 1929

### *A. Introduction*

“Land development” in this article has a particular meaning. I understand it to mean essentially what Ashley Gould defined it to mean in his report prepared for the Waitangi Tribunal’s Central North Island Inquiry in 2004.<sup>47</sup>

Maori “Land development” as generally discussed in this report means the provision of state funds and expertise for the task of converting idle, unoccupied, or under-producing Maori owned land into pasture for the purpose of primarily operating what were in the New Zealand context conventional single operator dairy farms.

Gould captures here all of the main components of the concept. At issue are land development schemes (a) supported by state funding and expertise (b) relating to land in Māori ownership (c) that were focused on converting land into pasture and, in particular, for a particular type of farming activity, namely *single operator dairy farms*. The schemes date from legislation enacted in 1929 and were the brainchild of Sir Āpirana Ngata.

First and foremost the development schemes were an extension of New Zealand’s grasslands revolution into Māori land.<sup>48</sup> The schemes were an instalment in the history of Māori land, but they also mark a new phase in the history of New Zealand farming, by this time firmly connected to the export of a restricted range of primary products to Britain. Ngata in no way wished to challenge this political and economic framework, merely to integrate Māori into it while at the same time preserving Māori cultural autonomy. The schemes can also be seen as an extension of the old colonial dream of “close settlement” as updated and revitalised by the Liberal government of 1891–1912, but now extended by Ngata – himself a Liberal – to Māori people and Māori land. The emphasis Gould places on dairy farming may

47 Ashley Gould *Māori Land Development Schemes: Generic Overview Circa 1920–1993* (Report commissioned by the Crown Forestry Rental Trust, Wai 1200, 2004, Doc A67) at 11.

48 On the grasslands revolution, see generally, Tom Brooking and Vaughan Wood “The grasslands revolution reconsidered” in Eric Pawson and Tom Brooking (eds) *Making a New Land: Environmental Histories of New Zealand* (Otago University Press, Dunedin, 2013) 193–208.

seem surprising, and in fact not all the development schemes ended up as dairy-farming projects, but certainly dairying was an important aspect of the programme as a whole. Dairying meant higher returns, as well as regular returns, and was essentially the only option if the goal was to keep as many people in the countryside as possible. Dairying meant closer settlement, and closer settlement meant dairying. It also required higher capital investment and, if not all Māori could become dairy farmers, the amount of investment from the state needed to convert Māori land into dairy units would create many employment opportunities for Māori rural people. Pastoralism created far fewer economic linkages than dairying, the latter requiring an elaborate infrastructure of dairy factories, roads and rural services. Dairying was a modernising project in a way that sheep farming was not. Moreover, sheep farming was subject to many vicissitudes of its own and was vulnerable to price fluctuations for wool and frozen meat, natural disasters such as floods and inclement winters and the ever-present risk of animal diseases such as scab and footrot – as has been shown by Robert Peden's remarkable new book on the history of sheep farming in the South Island.<sup>49</sup>

The advance of the farming frontier in the official mind had typically meant acquiring land from Māori by the state and selling it to Pākehā farmers, not in encouraging Māori to farm their own lands. For decades there had been a general belief that the Māori population had been declining and that the amount of land remaining in Māori possession was virtually limitless. It was not until around 1920 that these beliefs finally evaporated with the sudden realisation that the Māori population was expanding rapidly and that the amount of land remaining in Māori possession had contracted to such an extent that it seemed there was a real possibility that not enough remained for the Māori people to live on. If Māori could not become farmers but did not move to the cities, a grim future as a landless rural people awaited them, getting by as shearers, shepherds and farm labourers, as in fact they had been mainly doing in any case. Although Māori were a rural people, many Pākehā, and all too many officials, believed that they could never be successful farmers, despite obvious evidence to the contrary in some parts of the country. This was a prejudice that Māori leaders such as Buck and Ngata had to combat somehow. Neither, however, believed that it was desirable for Māori to move to the cities, and if Māori were to progress and acquire a reasonable standard of living, they therefore had to become successful farmers working on their own land. One of the most important policy initiatives in the period covered by this book was the emergence of land development schemes, designed to assist Māori families to do precisely that.

Local bodies, typically the mouthpieces of Pākehā rural settlers, were much exercised about another matter – the growth of arrears of rates on Māori land. Māori owners often did not, or could not, pay rates, which

49 Robert Peden *Making Sheep Country: Mt Peel Station and the Transformation of the Tussock Grasslands* (Auckland University Press, Auckland, 2011).

would mean that local bodies would secure charging orders against Māori land blocks in the Native Land Court.<sup>50</sup> Local authorities expended much energy in trying to turn “the Native rating problem” into a major political issue.<sup>51</sup> Local authorities sometimes argued that the Crown should pay unpaid rates on Māori land, or at least the difference between rates levied and what the Councils had been able to collect. The government was unsurprisingly unenthusiastic. Local authorities also strongly favoured the alienation of Māori land to settlers (who could be relied on to pay rates), or failing that that it should be transferred to the Māori Land Boards. Usually Māori owners did not pay because they had no money, the problem being compounded by crowded titles, but there was also a feeling amongst many in the Māori community that councils made little effort to provide adequate services for rural Māori communities. Māori also argued that it was unfair that rates should be levied on unproductive land and, in response to local body complaints about noxious weeds and pests on Māori land, pointed out that it was not Māori who had imported gorse, blackberry and rabbits into the country. Councils persistently harassed the government to provide extra mechanisms of enforcement, but the government was hesitant. Māori for their part regarded any attempt to take land in recompense for unpaid rates as confiscatory. Ngata, well aware of the complexities of the issue, had to invest a great deal of effort in negotiating compromise agreements between councils and owners. The rates problem was another reason why Ngata felt that Māori land development was essential. Moreover (as Ashley Gould has put it):<sup>52</sup>

For Ngata the ability of Māori land owners or communities to meet their rating obligations was one of the tools he used to convert a sceptical press and public to the benefits of Māori land development.

Development of Māori land to allow Māori to benefit from economic modernisation was of course not a new notion and Māori, sometimes with Pākehā support, had long attempted to do so. Māori had participated in farming for export since the beginning of the colony’s history, if not before. Māori were engaged in the sheep-farming industry to a certain degree, mainly in Hawke’s Bay and the East Coast north of Gisborne, where some Māori individuals and corporate bodies ran sheep. (Many other Māori worked in the industry as shearers). A case could be made that confiscation of Māori land in the 1860s was intended not only to seize an opportunity to take Māori-owned land but also to eliminate Māori as economic competitors.

50 Hearn, above n 41, at 27–39. Charging orders could be obtained under the Native Land Rating Act 1924, which prohibited any further dealings with the land until the rates had been paid, “adding”, as Hearn rightly notes, “further to the difficulties with which Maori land owners were compelled to deal”.

51 At 27.

52 Gould, above n 47, at 33.

Certainly the confiscation of the farming heartland of the Waikato tribes around Te Awamutu and Rangiaowhia had the effect of wiping out a Māori-led agricultural revolution, resulting in a decline in agricultural productivity for some years (until, that is, the tenurial chaos caused by the botched confiscation project had been resolved and the land transferred to European control). There are likely to be direct correlations between confiscation and Māori rural poverty in the Waikato and in Taranaki. Māori difficulties in becoming established as successful farmers did not arise from a lack of Māori skills – they, and their Polynesian forebears, had been horticulturists for millennia – but because of the tenurial confusions and the resultant direct and opportunity costs imposed on them by the colonial state. This meant that Māori efforts to become successful farmers were linked to efforts to seek a way out of the Māori land system and, especially, from private and government incremental share-buying and partition, which meant that no land titles were ever stable. The East Coast Trust project, as developed by Wi Pere and WL Rees had as one of its prime goals the advancement and development of Māori land, as did Keepa Te Rangihiwini's trust project of the 1880s. (The East Coast project foundered because of inept management, massive debt, lack of government support and a certain amount of sheer bad luck).

A lack of investment credit was another problem for Māori. Solving this problem was the main objective of the East Coast Trust scheme, but it seems to have generated only debt rather than capital. Wi Pere had laboured to convince the Rees-Carroll commission of 1891 of the need for investment credit for Māori land development. He was listened to politely, but nothing resulted, primarily because the commission's report was focused on other issues: title validation and close settlement. It was only Carroll, in his dissenting report, who gave much attention to the issue and who lamented the complete failure of legislation and policy to encourage Māori to become "thoroughly useful settlers". The Māori Land Settlement Act of 1900 at least aspired to develop Māori rural land for Māori benefit, and this was also one of the objectives of the establishment of the Māori Trustee by the Reform Government in 1920. The emergence of Māori incorporations, and the elaborate provisions relating to them in the 1909 Act, provided a vehicle for the incorporation of owners, thus creating a means by which land blocks could be managed as modern farms. In the late 1920s, Gordon Coates, who worked closely with Ngata, had made significant efforts to assist Māori farmers, including making some important legislative changes.<sup>53</sup> But what was different about Ngata's plan was its scale and the role played by the state and herein lies one of the project's many contradictions. Ngata wanted Māori to preserve their culture and autonomy, but at the same time his great project tied Māori more

53 Notably s 8 of the Native Land Amendment Act 1926, allowing Māori Land Boards to lend money to Māori farmers secured by a charge on the land (as opposed to a registrable mortgage). On Coates and Māori land development see Gould, above n 47, at 44–46.

closely to the government, as well as to New Zealand's capitalist export-based agrarian economy.

The land development schemes are a complex subject, and were by no means an unqualified success story. A somewhat neglected topic until recently,<sup>54</sup> there has been an outpouring of new research on the development scheme era for the Waitangi Tribunal's regional inquiries.<sup>55</sup> It can be conceded at once that the schemes were undoubtedly well-meant, and it must be recognised that they became an important and long-standing public project into which the state poured considerable resources. The overall record in terms of the success and viability of the schemes themselves is however mixed, with some spectacular successes and failures, probably with most schemes somewhere in between. Each scheme has its own involved history, as the new research is making clear, and the schemes generated so much documentation that studying and analysing them is a challenging exercise.<sup>56</sup>

There is much more to the subject, however, than mere complexity. The schemes reflected a particular ideology, and a Liberal ruralist-utopian ideology at that. In fact, the perception that not enough land, or at least not enough suitable land, was left for the Māori people to remain in the countryside was basically correct. The whole vast project had a fundamental design flaw. It was not so much that there was not enough land, but rather that land that remained in Māori ownership was unevenly distributed. What might have worked for Ngāti Porou or Tūwharetoa did not necessarily work in other regions. The Ngata programme could have done nothing for South Island Māori, for example, where virtually no Māori land remained to be developed, and the same is true of Taranaki, where a great deal of such "Māori" land as remained was owned only nominally and was under the de facto control of Pākehā lessees. Ngāi Tahu could only have benefited from land development if the state had been prepared to return large areas to them as compensation

54 The land development schemes are often mentioned in standard histories of Māori society in the 20th century, but they do not analyse in any detail the legislative underpinnings of the programme.

55 The principal published study is IH Kawharu *Maori Land Tenure: studies of a changing institution* (Clarendon Press, Oxford, 1977), which is concerned with a much wider field than the schemes specifically, although it contains much information about the latter. Key studies prepared for the Tribunal process are David Alexander, *The Land Development Schemes of the Urewera Inquiry District* (Research report commissioned by the Crown Forestry Rental Trust, Wai 894 [Urewera Inquiry], 2002, Doc A74); Heather Bassett and Richard Kay, *Tai Tokerau Māori Land Development Schemes: (Whangaroa, Hokianga, Bay of Islands, Whangarei and Mahurangi Inquiry Districts)* (Wai 1040 [Northland Inquiry District] 2006) Doc A10; Gould, above n 47; Hearn, above n 41; and Tony Walzl *The East Coast: Overview of Land Management and Development Issues (1890–1999)* (unpublished Report Commissioned for Waitangi Tribunal's East Coast Inquiry, 2003). Also valuable is a thesis by Aroha Harris focusing on Northland: Aroha Harris "Maori Land Development Schemes 1945–1974" (MPhil Thesis, Massey University, 1996).

56 Ashley Gould has estimated that studying even one scheme in detail from primary sources would take around three months: Gould, above n 47, at 8.

for the injustices of the Ngāi Tahu purchases of the 19th century, but there was no chance of that happening in 1929. Remedying the tenurial confusions of Taranaki was just as unlikely. It is true that the government did embark on negotiations with Ngai Tahu and with the tribes of the confiscated districts and was prepared to offer a certain amount of compensation, but the redress was not enough to generate any widespread prosperity: the emphasis was more on laying “ancient grievances” (as Ngata called them) to rest. After the Second World War, the policy settings were re-set by the state, with the objective of encouraging Māori to move out of the countryside to redress the labour shortages in the cities and new industrial towns such as Kawerau and Tokoroa. This was in many ways a more realistic programme, but of course it generated new stresses and problems. At the same time the development schemes were continued.

The schemes are rightly associated with Āpirana Ngata, or at least their inception is, and they thus reveal the complexities of Ngata’s approach to politics, sociology and economics. The concept developed out of initiatives taken by Ngata’s Ngāti Porou people to develop and settle their own lands in the Waiapu district. Waiapu was an untypical region in many respects. Tony Walzl has stressed that the East Coast region was in many respects “unique”; not only had large areas of land been retained but also “by 1900 there was a strong movement towards utilising that land towards its greatest commercial potential and a number of differing development methods were being adopted”.<sup>57</sup> The region was regarded as progressive and forward-looking, certainly as compared to the dismal realities of Māori life in Northland, the Waikato and Taranaki. A large part of this success was due to Ngāti Porou’s decision to withdraw their blocks from the Native Land Court and to look for alternative tenurial arrangements, a clear illustration of the obvious truth that land alienation can significantly limit economic options and retention can maximise them. As a consequence, large areas of the northern part of the East Coast remained uninvestigated and thus unpurchased by 1910. Despite these initiatives being undermined to some extent by government land purchasing – and especially by the Reform government’s aggressive land-purchasing programme after 1910 – Ngāti Porou continued to struggle to develop and settle their lands themselves. It was Ngāti Porou leaders such as Paratene Ngata who had campaigned for legislative provisions allowing Māori owners to incorporate (achieved with s 122 of the Native Land Act 1894), and it was Ngāti Porou that led the way in establishing incorporations once they had the opportunity to do so. In 1926, Gordon Coates, the Native Minister (and Prime Minister), visited Waiapu with his colleague Ngata and was so impressed with the progress being made he promised that the state would be prepared to lend £250,000 to finance Māori land development.<sup>58</sup> The schemes, then, as they were originally conceived by Ngata, arose out of

57 Walzl, above n 55.

58 See Sutherland, above n 16, at 171.

Ngāti Porou’s own radical collectivism rooted solidly in Māori culture and autonomy, indeed in rangatiratanga if you will.

Coates had replaced Herries as Native Minister in 1921. Coates was a remarkable individual.<sup>59</sup> He was born at Pahi, a remote corner of rural Northland.<sup>60</sup> He had grown up amongst Northland Māori people, spoke the Māori language to some degree, and was relaxed and confident in Māori company, unlike some Pākehā politicians. He was very friendly with key Māori figures, including Ngata and “Princess” Te Puea Herangi of Waikato, and they esteemed and respected him in their turn. Coates first entered parliament in 1912 as an Independent Liberal, but soon switched to Massey’s Reform Party. In 1916, Coates left politics to join the New Zealand army in France, returning to politics in 1919 after a distinguished war career. Coates was a very able and successful Minister of Works (1920–1926) and Minister of Railways (1923–1928). In 1926 he became Prime Minister. Coates scaled down the government’s Māori land purchasing programme and worked closely with Ngata on Māori land development.

Reform, led by Coates, unexpectedly lost the general election of 1928 to the United Party (the Liberals, basically), all the more surprising given Reform’s massive success at the general election of 1925. Four Cabinet Ministers lost their seats, and the United Party, led by the aged Sir Joseph Ward, took power with Labour Party support.<sup>61</sup> Ngata, a long-standing Liberal, now found himself in office as Native Minister, giving him the chance he needed to put his development programme into effect. Ngata moved rapidly and the necessary legislation was enacted the following year. Coates became the Leader of the Opposition. Ngata was well-known to Coates and other Reform leaders, and Coates remained supportive of Ngata’s programme. Ngata moved rapidly to provide legislation providing for land development schemes. The fundamental concept was that loan moneys for land development were now to be provided by the state.

As things turned out, Ngata was to face attacks, not so much from the right, as from the left – from the Labour Party and its Rātana Māori allies. At first Rātana had sought to distance his movement from the trade unions (and thus from the Labour Party) and, in fact, in the 1935 election when Labour, led by MJ Savage, won its famous electoral victory, Labour had its own candidates standing against the Rātana (and, of course, against Reform-Liberal candidates) in the Māori seats. The Rātana campaign to take control of the Māori seats, which threatened Ngata’s own political position directly, predated the Rātana alliance with the Labour Party, which was not formalised until a meeting between Rātana and Savage in April 1936. This historic discussion led to the formation of the Labour Party Māori

59 On Coates, see Michael Bassett *Coates of Kaipara* (Auckland University Press, Auckland, 1995).

60 On Coates’ background and the upper Kaipara region where he was from, see Dick Scott *Seven Lives on Salt River* (Hodder and Stoughton, Auckland, 1987).

61 On the election of 1928 and its effects, see especially Michael Bassett, above n 59, at 144–45.



Organising Committee, with Eruera Tirakatene as president and Paraire Paikea as secretary, which held its first meeting later in 1936 with Rātana as an executive member.<sup>62</sup> The cementing of this political alliance was an important step in creating a completely new type of Māori politics, oriented towards Rātana, the Labour Party and the unions, aimed at bringing Māori within the protections of Labour's welfare state. Ngata, a Liberal to his core, had no sympathy for this new social democratic standpoint. He had always distrusted the welfare state and remained committed to his vision that Māori should be farmers, not urban factory workers, and should be thrifty and independent, not social welfare beneficiaries.

Yet it is important to not lose sight of the radicalism and high ambitions of Ngata's programme, or to dismiss it as simply backward-looking or conservative. Ngata *was* conservative, if that meant distrusting the welfare state and being wary about Rātana (who Ngata distrusted not only politically, but, as a committed Anglican himself, theologically). But he was not conservative in the modern sense of seeking to roll back the state or of optimistically pinning faith in the untrammelled operation of free markets. In the Pākehā political spectrum Ngata, as indicated above, was an heir of the "new Liberalism" of the 1880s and 1890s and of the great radical-Populist tradition in New Zealand politics represented by Ballance, McKenzie and Seddon. This can be described as a belief in ruralism – cities were bad – and personal thrift, combined with state action to assist the disadvantaged, albeit assisting them to assist themselves. The state should certainly assist, but in Ngata's view it should assist Māori collectively, not individually. There was always something of the kibbutz and the commune about Ngata's programme. As TJ Hearn has put it, "Ngata wished to reinvigorate Māori collective and economic and social life and strengthen collective authority, decision-making, and responsibility."<sup>63</sup> In some ways, Ngata was the New Zealand equivalent of John Collier and Felix Cohen in the United States, and Manuel Gamio in Mexico, all of them (like Ngata) intellectuals in politics who idealised the collectivist values of indigenous peoples and who also worked hard to alleviate their economic plight in their respective countries.

It was an integral part of Ngata's vision that the schemes had to be community initiatives utilising the traditional leadership. The state should advance loan monies, provide technical and financial advice and help with training but, at the end of the day, the schemes were meant to be Māori

62 See Keith Newman *Rātana Revisited: An Unfinished Legacy* (Reed, Wellington, 2006) at 355. The neglect by historians of the Rātana movement, and, indeed, of Māori involvement in the unions and the Labour Party, is astonishing. Perhaps this is because Rātana's pan-Māori vision and the social democracy of the Labour Party are out of tune with the contemporary *Zeitgeist*, or perhaps because academic historians find it difficult to become interested in a 20th-century religious leader and faith-healer like Rātana. Newman's books on Rātana are essential reading.

63 Hearn, above n 41, at 308.

initiatives and expressions of local autonomy. The development schemes were not only, or merely, an economic policy. As GV Butterworth has put it:<sup>64</sup>

Ngata's schemes had never been intended to be cold bloodedly economic. Rather he had sought to make Maori farming the economic basis of a renewed Maori tribal life which was to include those manners and customs (modified where necessary) that fostered Maoritanga. The development of tribal lands would enable the retention of a political, social and life centred on the carved meeting house and marae. He was also anxious to make use of Maori administrative ability and to encourage the traditional leaders to take an active part in land development.

Gould sees the schemes as having two distinct components:<sup>65</sup>

[T]he social imperative, as seen in the beneficial employment and housing assistance in the early phase of the schemes, and the commercial or economic consideration that was necessary to account for and protect the spending and repayment of public funds.

Two “competing principles” which make the benefits of the schemes to owners so difficult to assess.

The schemes were one component of an ambitious programme of social, economic, and cultural renewal, but it was a renewal which, by definition, was *rural*. Ngata hoped that his land development project would make Māori people more virtuous: it might improve levels of domestic hygiene and, perhaps, it was hopefully imagined, even reduce alcohol consumption. Such initiatives, wrote Ngata in 1931, “would fail to produce enduring results unless they cantered around and assisted in an industrial development based principally on the cultivation of land”.<sup>66</sup> Rural life is good for people, especially (in Ngata's view) Māori people. There could be no more revealing expression of Ngata's deepest convictions, drawn from his own life and cultural background, but also from the rural Arcadianism which was such a fundamental part of Liberal party ideology and which itself had a long genealogy in both New Zealand itself and in Britain. There was no room in his Ngata's vision for the likes of one Matene Mita, whose letters I discovered buried in one of the Native Land Purchase files, who wanted to sell his land interests to the Crown so he could move to Rotorua and open a billiard saloon.

<sup>64</sup> Butterworth, above n 34, at 175.

<sup>65</sup> Gould, above n 47, at 53.

<sup>66</sup> Āpirina Ngata “Native Department Annual Report” [1931] AJHR G-10, at 41, cited in Gould, above n 47, at 41.

If Ngata was undoubtedly the driving force behind the development programme, he was not a one-man band. Many other people shared his vision. Ngata had many influential supporters, Māori and Pākehā, in officialdom, parliament, academia, the Native Land Court bench, the Anglican Church and the Māori world. One of the most important of these people was his personal secretary, Henare Balneavis, of Ngāi Tāmanuhiri and Whakatōhea, a capable administrator and organiser who also had a deep scholarly interest in Māori ethnography. In parliament, Ngata could always count on the support and friendship of Gordon Coates.<sup>67</sup> On the Native Land Court bench, Judges Acheson and Harvey were strongly supportive of the development schemes and indeed they became active in land development themselves. But probably Ngata's most important allies were two remarkable Māori women, "Princess" Te Puea Herangi (Searancke) of Waikato and Whina Cooper in Northland. Both of these important Māori leaders worked hard to convince their respective peoples of the benefits of the land development programme and cooperated with Ngata, if not always uncritically.

It must also be recognised that Ngata could not have set up the schemes without the support and backing of the United Government of which he was a member. It is hard to find, on such literature as exists on the schemes, any explanation as to why Ngata's cabinet colleagues were prepared to fund the schemes and to continue to do so as the country slid into depression. Why did they? It was not a policy likely to win support from Pākehā voters, although it could reasonably be expected to do so from Māori ones. Admittedly the Māori seats were not unimportant in a finely-balanced parliament. But there must have been other reasons. One, possibly, was that the schemes offered some hope of solving the problem of unpaid rates on Māori land but, while this was no doubt an irritant, it is hard to believe that it was a pivotal factor in government policy-making.

Probably the real reason for Cabinet support is that the schemes, as noted above, represented a further state-controlled stage of the grasslands revolution, which meant more butter, cheese and frozen lamb for export to Britain. It is sometimes forgotten that Ngata's legislation was just one part of a wider package of land development legislation enacted in 1929. Legislation was simultaneously enacted aimed at facilitating land settlement and development by Māori *and* Pākehā. This ambitious combined programme can be interpreted as the United (that is, Liberal) Government's continued commitment to the ancient dream of close rural settlement as a cure for all social and economic ills. Many of the provisions of s 23 of the Native Land Amendment and Native Land Claims Adjustment Act 1929 parallel those

67 On Coates and Ngata, see Bassett, above n 59, at 214–215; and Walker, above n 15, at 200–202.

of the Land Laws Amendment Act enacted at the same time.<sup>68</sup> (The first, Ngata's legislation, was aimed at Māori and the second at Pākehā). The Land Laws Amendment Act, which implemented the non-Māori programme, set up a Land Development Board, chaired by the Minister of Lands, assisted by advisory committees.<sup>69</sup> The legislation was aimed at developing unoccupied Crown lands for settlement, conferring wide powers on the Minister of Lands to achieve this goal, just as Ngata's legislation conferred equally sweeping powers on himself. As David Alexander has noted, while there are many parallels between the two statutes there was a crucial difference in that one was aimed at Crown land and the latter at Māori land – by definition in private ownership. It was, therefore, deemed necessary to severely limit private property rights in the case of Māori freehold land:<sup>70</sup>

Because the Māori owned land was not under Crown control, but the Crown felt that it needed safeguards to ensure that any development it carried out would not be adversely affected by other people's activities on the land, the legislation empowered the Crown with ultimate control over how the land was used.

In the case of Māori land the programme could not work without making inroads into private property rights. Crown land, moreover, was for Pākehā settlers, not Māori.

### *B. Section 23, Native Land Amendment and Native Land Claims Adjustment Act 1929*

As one of the most important legislative provisions relating to Māori land matters in modern times this rather lengthy and complex provision has to be analysed in full.

Section 23 (1) was as follows:

**23. Provisions facilitating development and settlement of land owned by Natives:** (1) For the purpose of the better settlement and more effective

68 I am not aware of any studies of the Land Laws Amendment Act 1929, which was in many respects an update and extension of earlier Advances to Settlers statutes. Another policy of the United Government was a graduated land tax, likewise another Liberal shibboleth (on the latter see RM Burdon, *The New Dominion: A Social and Political History of New Zealand between the Wars* (Reed, Wellington, 1965) at 125–126). Studies of the United Government are far and few between, making it difficult to contextualise Ngata's programme in its wider context of neo-Liberal policy.

69 Land Laws Amendment Act 1929, s 6.

70 Alexander, above n 55, at 5.

utilization of Native land or land occupied or owned by Natives, and the encouragement of Natives in the promotion of agricultural pursuits and of efforts of industry and self-help, the Native Minister shall have the powers hereby conferred on him.

Thus, the overall practical purpose of the legislation was to confer sweeping powers on the Minister, that is to say, on Ngata. As will be seen, the powers were very extensive indeed, making Ngata a very powerful individual – which was to prove his undoing. The rhetoric of s 23(1) is interesting as well. The words are a statutory expression of Ngata’s personal vision and that of the government. The objectives included “better settlement” and “more effective utilization”. “Better settlement” is basically the old Liberal party mantra of “closer settlement”, the Arcadian vision of a rural paradise of family farms as a cure for all social evils, but this time Ngata was seeing to it that the rural utopianism typical of Liberal party ideology was now to be extended to Māori. Their future was to be a rural people engaged – in the words of the provision – in “agricultural pursuits”. They were not, however, to be a rural people of landless labourers or sharecroppers working the land of others, so typical of so many other places (from Bangladesh to Guatemala to the American South), but of family farmers. Whether or not this was a realistic objective, it was certainly a very progressive one. There has been so much criticism of the schemes and of the flaws in Ngata’s vision that the grandeur and appeal of his programme has been almost lost sight of, but it deserves to be emphasised. Ngata, to repeat, was trying to deliver the Māori people from the nightmare of rural poverty, surely a worthy aspiration.

Following this visionary statement, the legislation goes on to deal with what was to Ngata a pivotal component, the advisory committees. They are dealt with in s 23(2), which provides:

(2)(a) The Native Minister may from time to time appoint one or more advisory committees. Every such committee shall consist of not more than five persons, who shall hold office during the pleasure of the Native Minister.

(b) It shall be the duty of an advisory committee appointed under this subsection, as and whenever required by the Native Minister so to do, to inquire into such matters as may be submitted to it, and to report thereon with such recommendation (if any) as it thinks proper.

(c) Every member of an advisory committee, not being a person permanently employed in the service of the Crown, shall in connection with the duties or function of such committee, be paid such travelling and other allowances as may be approved of from time to time by

the Native Minister out of any moneys appropriated by Parliament for the purpose.

Section 23(3) was concerned with the powers of the Native Minister, who was empowered (or, rather, who empowered himself) to do practically anything necessary to make Māori land “fit for settlement”. Section 23(a) gave the Minister power to “cause to be undertaken and carried out in connection therewith” whatever works he thought fit, including:

...the survey, draining, reclamation, roading, bridging, fencing, clearing, grassing, planting, top-dressing, manuring, or otherwise improving such lands, the construction of buildings and other erections thereon, and the insurance, maintenance, and repair thereof, and any other works calculated to improve the quality and utility of such lands.

He was given extensive powers to purchase whatever was required, and to “provide all necessary camps and buildings for the use of workmen”.<sup>71</sup> Section 23(3)(f) essentially empowered the Minister to expropriate or nationalise any parcel of Māori land for the purpose of land development – the development was for the benefit of the owners, but they lost all control for the duration of the scheme:<sup>72</sup>

If and whenever the Native Minister decides to apply the provisions of this subsection to any land, he shall give notice thereof by publishing in the *Kahiti* a notice of his intention to do so, and thereupon no owner shall, except with the consent of the Native Minister, be entitled to exercise any rights of ownership in connection with the land affected so as to interfere with or obstruct the carrying-out of any works under this subsection.

Presumably Gould has this provision particularly in mind when he notes, quite correctly, that:<sup>73</sup>

The 1929 legislation allowed the Native Minister power to declare areas subject to development which temporarily suspended all owners’ rights, moving this land, in my view, to an intermediate status of no longer being entirely the private property of its Maori

71 Native Land Amendment and Native Land Claims Adjustment Act 1929, s 23 (3)(c).

72 Native Land Amendment and Native Land Claims Adjustment Act, s 23(3)(f).

73 Gould, above n 47, at 71.

owners”. The legislation facilitated a kind of interim nationalisation – although the “interim” could often be rather lengthy, sometimes running into decades.

What the 1929 Act shows is that, in some respects, Ngata was anything *but* a conservative. His ruralist vision for Māori well-being might seem conservative in a general sense, but the legislation was breathtakingly radical in what Heather Bassett and Richard Kay – perhaps going a little far – describe as its “complete nullification of Māori ownership rights”.<sup>74</sup> Ngata admitted that title complexities needed to be sacrificed to some extent and was completely untroubled by this. Title and property rights took second place to the urgent task of land development, the end justifying the means as far as he was concerned. In Ngata’s words:<sup>75</sup>

To overcome any delays or difficulties arising from the nature of the titles to the lands proposed to be developed, the Native Minister was authorized to bring such lands under the scope of a development scheme. Upon notification of the fact the owners were prevented from interfering with the work of development, and private alienation of any land within the scheme was prohibited. The funds for development were provided by the Minister of Finance through the Native Land Settlement Account. *The difficulties as to title were literally stepped over, the development and settlement of the lands made the prime consideration.*

Although the legislation (and some of the steps taken under it) was somewhat cavalier with respect to the property rights of owners, Ngata’s lack of concern is understandable given the urgency of the situation. Moreover, not all “owners” were necessarily active participants in the management of the land they owned (or, more precisely, held undivided share interests in).<sup>76</sup> To Ngata, the strict logic of private property rights mattered less than land development and turning Māori into a nation of prosperous farmers at the eleventh hour. I for one would not want to say his priorities were misplaced.

In any case there is little evidence that owners were forced into a development scheme against their will. Owners were on the whole keen to see development schemes proceed and were often no more troubled about the letter of the law of private property than was Ngata himself. Ashley Gould has discussed this point in some depth in his 2004 study of the subject. He suggests that from the beginning owners were consulted about whether their

74 Bassett and Kay, above n 55, at 23

75 Apirana Ngata “Native Department Annual Report” [1931] AJHR G-10, p vi, cited by Bassett and Kay, above n 55, at 23 (emphasis added).

76 A point made by Ashley Gould: see Gould, above n 47, at 55.

land would be subjected to the legislation. After 1929 there were a number of changes to the law. Section 5(1) of the Native Land Amendment Act 1936 gave power to owners to agree by resolution to include their land within a scheme. However, the Board of Māori Affairs, set up in 1934 and which subsequently came to acquire many of the powers originally conferred on the Minister in 1929, was not bound by such a resolution and presumably could implement a scheme whether the owners wanted it or not. But Gould believes that this provision, theoretically coercive, was never so in reality, although probably there is scope for further research on the point. Consultation, of at least some kind, was the norm.<sup>77</sup> The Native Land Court was given a formal role in the process of scheme implementation in 1941. The Native Purposes Act of that year provided that if any land was to be included in a scheme, the Board of Māori Affairs, the Registrar, or any interested person (that is, a disgruntled owner) could apply to the Court to inquire into and report on the proposal. Ngata was supportive of this change, but he may have assumed the Court's powers were more extensive than was actually the case.<sup>78</sup> The Court ceased to have this role in 1952. On the whole, then, there is little to suggest that the legislation was imposed coercively on groups of owners against their will (or the will of most of those who took an interest, at least). On the other hand, owners may not have expected to experience such a lengthy loss of control as was often the case, or were disappointed by the final outcome or by the amount of debt that remained to be repaid to the state.

### *C. The Schemes Begin*

The next step, following from the legislation of 1929, was to secure financial backing for the schemes. In the 1930 parliamentary estimates substantial amounts were set aside. *The Auckland Star* regarded the funding as “liberal”, which indeed it was, especially given the international economic crisis:<sup>79</sup>

In the financial provision for carrying out Sir Apirana Ngata's land settlement scheme as set out in detail in the Estimates presented to the House to-night the sum of £7320 is set aside for salaries and expenses of administration, and £40,000 for the acquisition of native and other lands and the payment of rates. To render fit for development lands included in the development schemes £15,000 is provided, and £10,000 is earmarked for advances to assist natives to farm lands owned or leased to them.

77 At 72.

78 At 73.

79 “Native Lands: Liberal Development Votes: Sir A Ngata's Scheme” *The Auckland Star* (Auckland, 25 July 1930) at 8.



A similar sum is made available for surveys and settlement of lands acquired from natives, and £80,000 for the construction of roads, bridges, and opening up and preparing land for settlement.

The timing of this great initiative could, however, hardly have been more unlucky; as Butterworth writes “the early 1930s were the worst possible time to try to launch such a scheme”.<sup>80</sup> Given that even JM Keynes did not foresee the Wall Street crash of 1929 or appreciate its seriousness at first, Ngata and his colleagues can hardly be criticised for launching the project when they did but, then again, the economic downturn was arguably a good time for additional state spending to re-energise the flagging economy (not that Ngata, a fiscal conservative, saw things in this light). The schemes were not a response to the economic nightmare of 1929–1933 but predated it: the project was conceived and developed in the relatively optimistic 1920s. However, the depression of the 1930s did not spare New Zealand. The economy first began to be really affected in 1930. Between 1929 to 1931, export receipts fell by 37 per cent: the drop at the start of the 1930s “was unusually sharp and deep and accompanied by news of gloom abroad”.<sup>81</sup> State expenditure on public works was slashed and wages and salaries were repeatedly cut to save costs. Significant amounts of government income had to be devoted to making interest payments to overseas creditors while government income fell and unemployment rates began to rise inexorably. As Nancy Taylor puts it, “[t]he effect of the Depression of 1930–5 was wide, deep and cauterising”.<sup>82</sup> These were New Zealand’s “sugarbag years”. But, nevertheless, the schemes were continued with.

Gould sees the history of the schemes as falling into six main phases. The first phase lasted from 1929–1934, the period of Ngata’s tenure as Native Minister. This period was characterised by an amazingly rapid expansion of the project and close involvement by Ngata and his staff in all aspects of scheme establishment and operation. The second phase, lasting from Ngata’s resignation in 1934 until 1941, involved a further expansion of the development project but also (in Gould’s words) “increasingly systematized bureaucratic control of the development scheme via the inception of the Board of Native Affairs and through strengthening the District Offices of the Department of Native Affairs”.<sup>83</sup> From 1941–1949 there was a major hiatus, caused by the shortage of staff and resources as a result of the war, and also post-war readjustment. The fourth phase, lasting from 1950–1972, saw the re-birth of the development scheme project on a more massive scale than ever before, at a time of national economic expansion and general prosperity. Many

80 Butterworth, above n 34, at 175.

81 GR Hawke *The Making of New Zealand: An Economic History* (Cambridge University Press, Cambridge, 1985) at 127.

82 Nancy Taylor *The Home Front* (Historical Publications Branch, Wellington, 1986) vol 2, at 1.

83 Gould, above n 47, at 17.

schemes were used to provide farms for Māori veterans. This period was also characterised by high levels of state involvement and it was at this time that the power and prestige of the Department of Māori Affairs was at its height. The sixth period was from 1972–1984, in which the dominant trend was a growing emphasis on returning scheme lands to owner control. The state continued at this time to be actively involved in expanding land settlement and primary production. The final phase (1984–1993) was characterised by state withdrawal, active return of land to owners, and substantial debt write-offs during a period of ideologically committed corporatisation and privatisation of public assets.

The launching of the schemes was unaccompanied by any sophisticated research into the actual state of the Māori economy by specialists in economics, sociology, or anthropology. Policy formation was primitive by contemporary standards, being made and unmade in the marked absence of anything resembling sophisticated socio-economic research, and the development scheme programme was no exception. (Sadly, the formation of Māori land policy at the present time suffers from the same defects, and compares poorly with policy formation in the 1960s). New Zealand invested much more heavily in research targeted towards increasing agricultural production than in the fields of sociology and economics. There was no attempt to craft a Māori land development policy carefully targeted towards the wide regional variations in Māori land ownership and tenure. Nor, naturally, was any thought given to environmental and ecological issues. Development schemes by definition involved large scale land development, which meant massive environmental and ecological changes to the remaining corpus of land in Māori possession. As with all forms of land development in New Zealand, the schemes involved large-scale forest clearance, land drainage, road-building, and the introduction of pasture and livestock. The schemes came, in short, with a significant environmental cost, an aspect of the history of the schemes that is not much discussed in the existing literature. The prevailing *idée fixe* that more land had to be brought into production come what may is exemplified perfectly by the development schemes. In retrospect, it might have been more sensible to leave some of the land in sustainably managed native forest, or at least convert it to exotic forest plantations, rather than trying to turn it into farms.

Another problem was an astonishing failure to accurately assess the economic and agricultural potential of the land being developed, or to develop farms that had a real chance of economic success. According to Butterworth:<sup>84</sup>

Much land that was, in fact, marginal was brought into production, and there were too many subdivisions

84 Butterworth, above n 34, at 175.

into peasant's holdings of the 40 acres and 20 cows variety that were soon to prove uneconomic.

Hearn has some interesting remarks about these problems:<sup>85</sup>

Practically from the outset of the land development programme several deficiencies were apparent. Chief among them was a general failure to seek expert advice as to the agro-pastoral potential of the land being considered for development: although the intensive farming that Ngata envisaged depended primarily upon application of knowledge, technology, and off-farm inputs, the productive response was greatly influenced by the quality of the land involved.

Ngata, however, was impatient to get started and believed he knew all the answers. Despite the increasingly grim economic outlook, schemes were soon up and running all over the country, involving Ngata and his small group of staff in a vast amount of exhausting and complex work, to say nothing of constant travel, very time-consuming at a time when even cabinet ministers mainly got around the country by train. (The situation was not helped by Ngata's tendency to micro-manage). In May 1930, in a letter to Buck in Hawai'i, he wrote that 16 schemes had by then been authorised by Cabinet, and described a number of them in detail. One of them was the Ruatoki scheme in the Urewera region. Ngata's description of this conveys the scale of both the difficulties and of the transformations that were now under way:<sup>86</sup>

This is the first example of a scheme which comprises a large extent of farmed land as well as of undeveloped land. Here is a large community living in several villages on the block engaged in milking and maize growing. The Maoris supply about 130–135 tons or one-third of the product of the Ruatoki Cheese Factory. But the farming is not of a high standard; the cows are culls from Pākehā herds, the fencing is of a poor type. The first job is to improve existing farms and herds – a less costly job than developing from bed-rock, but more difficult in view of vested rights, the fact that your farmers are in situ, selected on different considerations altogether and that slovenly methods are not easily corrected. There is not the same appeal in repairing and extending an existing

85 Hearn, above n 41, at 308.

86 Ngata to Buck, 22 May 1930, in Sorrenson (ed) *Na To Hoa Aroha* (Auckland University Press, Auckland, 1987) vol 2, at 28–29.

structure as in building on new foundations. But the scheme is more interesting because we may have to tackle more of the same kind of thing elsewhere. Everything has to be realigned, fences, drains, village sites, buildings and better stock gradually introduced to replace the worst now on the farms.

Ngata's knowledge of the situation at Ruatoki is impressive, but his tendency to throw himself into the details of every scheme is all too evident. The Native Minister should not have been spending his time thinking about realigning drains at Ruatoki. This was no doubt his personal inclination, but there was also the problem that, as Ranginui Walker has pointed out, the Native Department was not at all well-equipped in terms of staff and expertise to manage an agricultural revolution: "there was no officer in the department with experience in farming".<sup>87</sup> Such persons should have been found.

The radicalism of the project is particularly shown by its implementation in Northland, the subject of an important study by Heather Bassett and Richard Kay. Northland was a complex tenurial chequerboard with a long history of pre-Treaty purchases, Crown pre-emptive deed transactions, and numerous investigations of small blocks by the Native Land Court. The net result was scattered small Māori landholdings interspersed amongst Crown and private land titles, accompanied by much uncertainty about boundaries and as to who owned what. Acheson, the Tai Tokerau judge, was constantly involved in complex inquiries relating to uncertain land titles. At the end of 1930, Ngata toured Northland with his staff and held numerous meetings at Otamatea, Kaihu, Opononi, Whakarapa, Whangape and other places, seeking to convince Northland Māori of the benefits of the development programme.<sup>88</sup> Ngata could see that large-scale land development schemes such as those envisaged for the East Coast or Rotorua could not so readily work in Northland with its dispersed and highly fragmented Māori landholdings. A different approach was required.

Bassett and Kay have pointed out that what Northland Māori farmers were actually wanting was not necessarily what Ngata had in mind. People wanted to continue managing their own lands and were hoping to see assistance from the state in purchasing stock and financing improvements. What they were not anticipating – but which they reluctantly received – was a complete loss of control of their own properties:<sup>89</sup>

The ongoing lack of access to finance through banks and other institutions had been a major obstacle for Maori farmers, and was one of Ngata's justifications for

87 Walker, above n 15, at 241.

88 Bassett and Kay, above n 55, at 26

89 At 29.

the Maori land development schemes. However, rather than just lending money, the Minister of Maori Affairs was assuming complete control of development scheme land. Under a normal finance arrangement, as long as the farmer met his repayments, he was free to make his own decisions about farm spending and improvement work. It will be shown that under the development scheme, it was Crown officials who made the decisions, such as how much manure to apply in a season.

To deal with the special circumstances of Northland it was decided to simply include *all* Māori land in Northland in the development programme. This was brought about by a sequence of *Gazette* notices in 1930, which proclaimed under s 23(3) of the 1929 Act all Māori land blocks in the North not already subject to lease. This stripped the entire Māori population of Northland of any rights of ownership in their own land.<sup>90</sup> No less than 430,000 acres were affected. This was done essentially to cut through a Gordian knot of title complexity and it was not actually intended that all of this land would be subject to full-scale land development projects. The proclamations, however, now meant that all Northland Māori people were subject to whatever plans (or whims) that departmental officers felt inclined to impose on them in the interests of management and title improvement. Historians examining the schemes in other regions have also emphasised the dogmatic and inflexible aspects of the development programme, especially whenever Ngata was personally involved, as he very often was. Owners “could either join into a scheme whose vision had been predetermined by Ngata on behalf of the Crown, or they would not get a scheme.”<sup>91</sup> Other options, incorporations for example – which some owners might actually have preferred – did not receive state support. It was in Northland that the loss of owner control was pushed to its limits.

Development schemes were of two basic types. Where individual family farms were already established, as at Ruatoki, then the owners could receive assistance, including labour, for the development of their properties, although these might need to be consolidated first and resurveyed sometimes, but in other areas it was necessary to develop the land from scratch. A development farm comprised of amalgamated Māori land titles and managed by the Crown would be established first, and would then be subdivided into smaller dairying units. The Waiohau Development scheme (Te Urewera region) is an example: here “the communal work gangs worked on the undivided development scheme before settlers were established, and the settlers when established were then left to farm their holdings without group assistance”.<sup>92</sup>

90 At 37.

91 Alexander, above n 55, at 7.

92 At 8.

Gould estimates about 150 schemes were established from 1929–1986.<sup>93</sup> Most schemes established dairy farms, although there were some sheep or mixed farming schemes. The schemes could involve Māori being moved out of their traditional tribal areas to establish schemes in other parts of the country. Much of the development work on schemes near Rotorua (Tikitere and Horohoro are examples) was carried out by settlers from Ngata's own Ngāti Porou people from the East Coast. So, in this sense, land development also involved a degree of Māori migration and resettlement.

The impact of the economic depression of the 1930s on New Zealand was very severe. The schemes became something of a rare showcase for the New Zealand government in the early part of the decade. In 1931, Ngata accompanied the Governor-General, Lord Bledisloe, on a tour of the schemes in the Rotorua region. The itinerary was announced in the *New Zealand Herald* on 16 December 1931, revealing that a considerable number of schemes were already at various stages of development in this part of the country at that time. The public could see from such articles that something big (and perhaps alarmingly expensive) was happening in the central North Island:<sup>94</sup>

In response to His Excellency's expressed wish to inspect the Maori land development schemes in progress in the Rotorua district, the Governor-General, Lord Bledisloe, will spend several days in Rotorua. In company with the Lady Bledisloe, and the Minister of Native Affairs, Sir Apirana Ngata, he will visit a number of blocks which have been brought into cultivation by the Crown and native interests.

Their Excellencies will arrive in Rotorua by train tomorrow afternoon. The Minister's party arrived to-day. Accompanying Sir Apirana Ngata are Dr Wirepa, Mr EG Laten, headmaster of the Te Aute Maori College, Mr C Morris, the principal of St. Stephen's Maori College, and the Minister's Secretary, Mr HR Balneavis.

Leaving Rotorua on Thursday morning, the Vice-regal Party will visit the Te Teko and Parekarangi development schemes on the Atiamuri Road, and will proceed from there to Ngakuru and Horahora. At Horahora a Maori reception will be accorded to Their Excellencies.

On Friday morning the party will leave Rotorua at 8.30, and will proceed to Ruatoki, where a reception will be accorded by the Tuhoe natives. Later in the day the

93 Gould, above n 47, at 12.

94 "Maori Land Schemes: Vice-Regal Interest: A Tour of Inspection: Areas Near Rotorua" *The New Zealand Herald* (Auckland, 16 December 1931) at 12.

visitors will inspect the Ohope, Huanui, Taheke, and Maurea [sic] schemes. On Saturday Their Excellencies will visit the Galatea settlement, where, after the estate has been inspected a native reception will be given at the Rangataiki native village. From Galatea the party will return by way of Rerewhakaitu, where an area of native land will be inspected. Their Excellencies will probably attend divine service at the Ohinemutu Native Church on Sunday, when it is possible that Bishop Bennett will be the preacher.

However, some ominous troubles began to emerge, even at this heady time. In 1931 Ngata dismissed the two Pākehā supervisors of the schemes at Waiuku and at Ranana, and replaced them, respectively, with Te Puea Herangi and Hoeroa Marumarū. The sacking and replacement led to a great deal of hostile criticism from the Labour opposition in parliament. The costs of the schemes were criticised in some newspapers, especially in the *New Zealand Herald* and in the tabloid *Truth*.<sup>95</sup> The National Expenditure Commission, charged with reducing state expenditure during the Depression, inquired into Native Department overspending in 1932.<sup>96</sup> A Native Land Development Board was established in 1932 to control land development work, but Ngata chaired it and he remained generally in control of the programme. For the time being, Ngata was able to side-line the criticism, and took pleasure in such success stories as the Horohoro scheme near Rotorua. He continued to constantly tour the country. In 1932, for example, Ngata toured Waiapu and the eastern Bay of Plenty region with a group of politicians and officials and, at Whangaparaoa, he held a meeting with owners where it was agreed that their blocks would be incorporated into a scheme.<sup>97</sup> Māori enthusiasm was at a high level and the impression gained from newspaper articles at the time is one of a sense of buoyancy and rapid progress.

#### *D. The Schemes and the Judges of the Native Land Court*

There were both “State” schemes and schemes managed by the Māori Land Boards (that is, the judges and registrars of the Native Land Court). For example, the Horohoro scheme at Rotorua was a State scheme and the Te Kao dairy scheme located on the Aupouri Peninsula in Northland, a pet project of Judge Acheson, was a Land Board scheme. It could happen that government and Board schemes could be going on more or less side by side.

95 Hearn, above n 41, at 187.

96 See Sutherland, above n 16, at 236–237. Sutherland provides an excellent account of the brewing political crisis over the schemes leading up to the investigation in 1934. On the National Expenditure Commission inquiry in 1932, see also Hearn, above n 41, at 183–184.

97 “Extending Work: Native Land Development: East Coast District: Sir Apirana Ngata’s visit” *The Auckland Star* (Auckland, 5 February 1932) at 5.

During the 1920s, legislation had been enacted giving the Māori Land Boards the opportunity to advance loan monies to Māori landowners. Section 19 of the Native Land Amendment and Native Land Claims Adjustment Act 1922 empowered the Māori Trustee to make loans to the Boards. Then, in 1926, the Boards themselves were authorised to make loans to Māori farmers (Native Land Amendment and Native Land Claims Adjustment Act 1926, s 8). Much more elaborate legislation was enacted in 1928 allowing the Boards to undertake their own development of Māori land, using both their own funds and monies borrowed from the state.

The 1929 Act added to the responsibilities of the Māori Land Boards (that is to say, in reality, of the Native Land Court and its judges) in a number of ways. Section 23(3)(d) allowed the Native Minister to delegate his own sweeping powers to a Board with respect to any particular scheme, giving the Board the same powers conferred on the Minister himself. These powers included “the survey, draining, reclamation, roading, bridging, fencing, clearing, grassing, planting, top-dressing, manuring, or otherwise improving” the land, and the power to “purchase or otherwise acquire all such tools, plant, machinery, and other equipment” as was required.<sup>98</sup> Section 26 of the 1929 Act conferred on the Boards complex powers to acquire and mortgage land, to lease it and (amazingly) to “occupy and manage the whole or any part of or parts thereof as a farm and carry on any agricultural or pastoral business thereon”.

Given that the so-called “boards” were merely the local Land Court judge and his overworked registrar, the grant of such wide-ranging powers is somewhat breathtaking. The wide powers described here were conferred on the *Boards* rather than the *Court* but this was a difference in name only. Practically the two were one and the same. The legislation of 1926–1929 transformed the judges of the Native Land Court into land managers and land developers. Seldom have judicial officers found themselves the beneficiaries of such wide administrative and managerial responsibilities.

### *E. The 1934 Commission*

In 1934, the administration of the Native Department was minutely inquired into by a Commission chaired by David Smith, a Supreme Court judge. The other members were John Alexander, a lawyer, DG Johnston, an accountant, and LW Nelson, “of Whangarei, Farmer”.<sup>99</sup> In assessing the 1934 Commission and its report, it is important to bear in mind that Smith was a well-informed person with a reputation as a humane and thoughtful judge. Before his elevation to the bench in 1928, he had acquired much experience in working for Māori. He was in partnership with DGB Morison, who also argued many important Māori cases, including the Waikaremoana and Whanganui River cases, and who was later to become Chief Judge of the

98 Native Land Amendment and Native Land Claims Adjustment Act 1929, ss 3(a) and 3(b).

99 Native Affairs Commission “Report of the Commission on Native Affairs” 1934 AJHR G-11.



Māori Land Court in 1945. Smith had represented the Māori claimants before the Sim Commission on confiscated lands in 1927, where he had successfully pressed the case that the Waikato and Taranaki confiscations were wholly unjustified. On that occasion, Smith had rested part of his argument on the Treaty of Waitangi and argued that the confiscations were contrary to the “honour of the Crown”.<sup>100</sup> By no means, then, was Smith without experience of the Māori world or could he be said to be unsympathetic towards Māori aspirations.

The terms of reference for the Commission were to inquire into “the administration of the Departments of Government concerned with the administration of Native Affairs” and, in particular, “the schemes now in operation under the Native Land Act 1931” and “the funds which are available to the Māori people, the purposes for which they may be applied or should be applicable, and whether they might be used more effectively”.<sup>101</sup> The report, at 194 closely-printed pages, is a major document and is a mine of information on the development schemes and their funding, and of the functions of the Māori Land Boards, the Native Trustee and the Native Department. The commissioners met first in Wellington in March 1934 and held meetings in Auckland, Whangarei, Rotorua, and Gisborne; they also visited many of the schemes to inspect their operation and inquire into their financial management. Schemes they visited included those at Waiuku, Panguarua, Taheke, Ruatoki, Ruatahuna, and Waimiha; one of the commissioners went to see Judge Acheson’s scheme at Te Kao in the furthest north. There were 147 witnesses leading to a typescript of evidence 2,167 pages long. The commissioners had the assistance of counsel, RH Quilliam (later to be a Supreme Court judge) and GP Finlay, the latter being appointed to represent Māori. There were a significant number of Māori complaints to the Commission, especially about the operations of the Native Trustee – complaints which the Commission on the whole supported strongly. Some Māori also complained to the Commission about the administration of the East Coast Soldiers Fund, “the subject of much disquiet among Māori returned soldiers”.<sup>102</sup> The fund had apparently been raided to buy land blocks for land development schemes.

Ngata gave evidence to the Commission at Wellington on 3 July 1934, and also handed in a prepared statement covering a number of matters before the inquiry. Ngata was questioned closely, as he must have been expecting.

100 See Mark Hickford “Strands from the Afterlife of Confiscation: Property Rights, Constitutional Histories and the Political Incorporation of Māori, 1920s” in Richard Boast and Richard S Hill (eds) *Raupatu: The Confiscation of Māori Land* (Victoria University Press, Wellington, 2009) 169–204.

101 Above n 99, at 1.

102 At 117. This was quite an involved story in its own right. Māori had collected about £42,000 for relief for Māori soldiers, but in fact very little money was provided for relief and instead the money was spent on buying three sheep stations on the East Coast – Hoata, Hoia, and Hereheretau. See 117–127.

One key issue explored was the lack of planning for the project. Smith put it to him that:

... it would seem to me that you felt here was a chance, long awaited for, to develop Native land: you went at it with tremendous energy and enthusiasm and it may be that explains to some extent the lack of apparent planning for development from the land settlement point of view.

Ngata's response was: "quite probable".<sup>103</sup> Ngata was questioned at length about the lack of reporting on the progress of the schemes, and various problems with particular schemes. Another topic explored to some extent with Ngata was the important one of the relationship between consolidation and land development. Professor Ivan Sutherland of Canterbury University College, the closest thing New Zealand had at the time to a full-time university-based anthropologist, also gave evidence to the Commission. Sutherland, who "was deeply upset at Ngata's predicament",<sup>104</sup> gave evidence because he wanted to. He was strongly supportive of Ngata, who he knew well, and of the schemes. There was an interesting exchange between Sutherland and Smith as to whether it was possible for Māori to simultaneously become effective participants in the modern economy, while at the same time retaining their traditional culture. That indeed was the core issue. In putting this question to Ngata, Smith relied on a perhaps somewhat selective quotation from Raymond Firth's *Economics of the New Zealand Māori* to suggest that the former Māori communal system could not now be revived, while noting that Ngata himself and Felix Keesing (author of *The Changing Māori*, published in 1928)<sup>105</sup> were of a different view. Sutherland said that he thought it was certainly possible for Māori to participate in the development project and at the same time retain their traditional culture (this combined aspiration, of course, was integral to the whole development scheme project as Ngata conceived it). The Commissioners explored the same issue with Ngata as well, who of course said the same thing.

The report found that the Native Department was more or less in a state of permanent administrative and financial chaos as it struggled to deal with the pressures caused by the development scheme programme. There was no suggestion, however, that the schemes were misconceived as such, or that the programme should be closed down. The commissioners were critical not only of Ngata but also of senior departmental officials, the Māori Land Boards

103 MA 87/3 [transcript of evidence] Archives NZ Wellington, at 1993, cited in Gould, above n 47, at 152.

104 Sutherland, above n 16, at 238. Sutherland gives an excellent and fair-minded account of Ivan Sutherland's presentation to the Commission, at 238–247.

105 Felix Maxwell Keesing *The Changing Maori* (Board of Ethnological Research, Wellington, 1928).

(Judge Acheson did not escape unscathed) and especially of the Native Trustee. The core problem, as the Commissioners saw things, was Ngata's interference in departmental administration and financial management, which the Commissioners found was in breach of basic principles of public administration:<sup>106</sup>

The foregoing system of departmental control and check makes no provision for the intrusion of the Minister in charge of a Department into the administration of that Department. This is so because a Minister of the Crown is expected to be concerned with departmental policy and not with departmental administration ... It will be seen at a later stage of our Report that the Native Minister did interfere in the administration of the Native Department in important branches of its activity, and that he did so with unfortunate results.

The Report went on to draw attention to Ngata's impatience with administrative practices and a lack of sufficiently experienced officials:<sup>107</sup>

Allowance may be made for the Native Minister's impatience of "red tape" in the Native Department when it was carrying on a farming activity. Allowance may also be made for the fact that the Under-Secretary [Jones] and the Chief Clerk [Shepherd] were not sufficiently experienced administrators for the new work and were too compliant. But their compliance suited the Minister's methods – it was, no doubt, difficult for them to resist him – and the situation was briefly this: that the Minister substantially interfered in a system which was not designed to receive him and there was a paramount influence retarding the usual checks applied by the Public Service Commissioner and Treasury with the aid of Audit; that he increased the field work beyond all reasonable limits, having regard to the staff which he provided or permitted for the clerical work necessarily created by such field work; and that, when he knew the accounting system was not functioning as it should, he failed to take any reasonable steps and even resisted the steps taken and the helpful suggestions made by others.

106 Above n 99, at 48.

107 At 56.

Another issue the Commission fastened on, highlighted by Terence Hearn in his study of Māori land administration in the King Country, was the apparent lack of clarity in the existing 1929 legislation about what should happen to land once it had been developed and made fit for settlement.<sup>108</sup> All the emphasis was on land development and bringing land into production. But what should happen then? Should the land simply be handed back to the former owners on the same titles as before, or should they be remodelled in some way, and if so, how exactly? The failure to think this through was indeed a major conceptual shortcoming of the whole project. Increasing agricultural production was, of course, the mantra of the day, a mantra which, as has already been argued above, Ngata did not depart from.

The Commission's report, released on 29 October 1934, was shattering, personally and politically, and Ngata immediately resigned. The release of the report, Ngata's resignation and Forbes' acceptance was a political sensation. This becomes apparent from newspaper coverage, which tended to emphasise the reliability and attention to detail of the report. According, for example, to *The Auckland Star*:<sup>109</sup>

Simultaneously with the tabling of the report of the Native Affairs Commission in the House of Representatives last night, the Native Minister, Sir Apirana Ngata, resigned from the Government.

Strong criticism of the methods of the Native Minister in conducting the affairs of his Department is made in the Commission's 194-page report. Every phase of native land development is traversed, and details are given of the various State and Maori Land Board schemes. The accounting system is brought under review, and strictures made by the Audit Department are detailed and supported.

Ngata's resignation letter, addressed to the Prime Minister (Forbes), was widely published in the media. It read as follows:<sup>110</sup>

108 Hearn, above n 41, at 322.

109 "Conduct of Department: Severe Criticism of Minister: Report by Royal Commission" *The Auckland Star* (Auckland, 1 November 1934) at 9

110 "Native Minister: Sir AT Ngata Resigns: Mr. Forbes's statement" *The Evening Post* (Wellington, 1 November 1934) at 14.

Dear Sir, - I hereby tender my resignation as Native Minister and Minister of Cook Islands and as a member of the Executive Council representing the Native race. In doing so I desire to thank you and my colleagues in the Ministry for the consideration and courtesy that have always been extended to myself and especially for the good will manifested towards the Māori people. I shall be glad to render all the assistance I can, as one of the Māori members, to the Government and the country to prevent any misunderstandings arising and to make smooth the administration of Native Affairs. – Yours sincerely,  
A T Ngata.

Ngata was never to regain political office. Moreover, decades were to elapse before anyone of Māori descent was again able to become the Minister of Māori Affairs (to use the later term for the ministerial position).

How should the 1934 Commission and Ngata's resignation be understood? It was not an attack on the development programme as such, which continued long after 1934. One interpretation is to see the Commission as an exercise in fanatical nit-picking motivated by an ulterior design to sabotage Ngata's efforts. This is more or less Ranginui Walker's analysis in his biography of Ngata (2001). He describes the Commission as a "witch hunt against Ngata" and indeed as "the last hurrah of colonialism" (whatever that means).<sup>111</sup> As noted, there was a considerable amount of Māori criticism of various aspects of the Native Department policy presented to the Commission. Ashley Gould, who has read all of the evidence given at the inquiry, more cautiously remarks that the report "failed to reflect the subtle Māori perspective given in evidence".<sup>112</sup> Certainly much of the report does indeed seem to be nit-picking, especially in its minute investigation of ministerial expenditure on toll calls and hiring cars. On the other hand, the Commission was set up by the government of which Ngata was himself a prominent member, and there seems to be no evidence that Ngata's ministerial colleagues were out to destroy him politically. Admittedly the literature on the United Government is extremely thin and its political history remains uncharted. However, it is hard to see why Ngata's colleagues should suddenly want to undermine him, or how such a strategy could prove politically advantageous to the embattled government. A personal crusade by Smith J also seems hard to credit, although there is evidence that Smith and Ngata had somewhat different philosophical approaches towards Māori autonomy and economic management. It must also be recognised, on the other hand, that prominent and well-informed people such as Sir Peter Buck, Professor Ivan Sutherland and Te Puea Herangi

111 Walker, above n 15, at 295; 300.

112 Gould, above n 47, at 150.

thought that Ngata had been treated very unfairly and that he should have been reinstated as Native Minister.

Much more research needs to be done on this episode, including a thorough analysis not only of the report itself, but also of the thousands of pages of evidence and documentation and on the whole political context of the inquiry. In the absence of such detailed analysis, it is probably best to refrain from commentary which, in the nature of things, is of little value until much more is known. If a guess at the true position may be hazarded, it is that the report was excessively rigorous in what it demanded of Ngata and his staff but that, on the other hand, it is probably the case that Ngata did cut corners, interfered too much in departmental administration and failed to devote proper attention to ensuring that an adequate administrative infrastructure was in place to support the schemes. Ngata was attempting to pull off an amazingly ambitious programme to rescue Māori from rural poverty, but made the mistake of rushing ahead too far and too fast. This could have been remedied, of course: as Ashley Gould quite rightly notes, while the Department was overwhelmed by its new responsibilities at the beginning of the development scheme era, “there is no reason to suggest that this was a long term issue”.<sup>113</sup> It is not at all impossible that the Commission’s findings served to reinforce a certain amount of prejudice amongst politicians and amongst Pākehā voters. Moreover, the general economic and political situation must always be remembered. The schemes were launched during the great depression of the early 1930s, which the government reacted to by cost-cutting and retrenchment of the public sector. Ngata’s departmental under-secretary was Chief Judge Shepherd, who was simultaneously departmental head, Native Trustee, and Chief Judge of the Native Land Court. This type of pluralism in Māori public administration was standard practice, and obviously risky. The strain on Shepherd, as on Ngata himself, must have been appalling. The schemes ended up as a very large affair run by too few overworked people who lacked the time and resources to build a durable and robust administrative framework. In these circumstances it is not surprising that the project got out of control. Thus, the disaster of 1934 can best be seen as the consequence of the short-term political configuration of the day combined with flaws in the design and management of the development programme.

#### *F. The First Labour Government and the Land Development Schemes*

After Ngata resigned the Prime Minister, George W Forbes, took over the Native Affairs portfolio. Some newspapers were dubious, understandably of the opinion that Forbes had more than enough to worry about in the midst of the economic crisis without taking on new responsibilities.<sup>114</sup> The

113 Gould, above n 47, at 55.

114 *The Auckland Star* (Auckland, 1 February 1935) at 6.

government made no attempt to abandon the land development project. In February 1935, Forbes travelled around the country meeting Māori leaders and making inspections and did his best to reassure Māori that the state remained committed to the schemes. Forbes seems to have been well received and was warmly welcomed when visiting Horohoro and other schemes around Rotorua. At the marae at Mourea, a “large gathering” welcomed the Prime Minister and “speakers assured him of their people’s keenness to push on the development of their own lands and provide a future for their children”.<sup>115</sup> When Forbes was away in England, Robert Masters became acting Minister and, in May 1935, Masters and Ngata toured the King Country, accompanied by Judge MacCormick of the Native Land Court, to inspect the schemes in that region and to assure Ngāti Maniapoto of the Government’s continued support.<sup>116</sup>

In one of the most important elections in New Zealand political history, Labour, led by MJ Savage, won the general election of 1935 and held power until 1949. The first Labour government, a genuinely left-wing government strongly backed by the trade unions, was to radically transform the country, politically, economically and culturally. Labour pressed on with the schemes. In 1936, parliament enacted another important statute relating to the development schemes, the Native Land Amendment Act 1936, which vested the wide powers of the Native Minister under the 1929 and 1931 Acts in the newly-established Board of Native Affairs, established the preceding year in the wake of the 1934 inquiry into the Native Department. (The Board of Native Affairs needs to be distinguished from Māori Land Boards and from the Native Land Purchase Board and is yet a further illustration of the New Zealand public sector’s love of boards, commissions, and committees).<sup>117</sup>

In July 1939 the acting-Minister of Native Affairs in the Labour government (HGR Mason) claimed that under Labour the number of schemes in operation had grown from 74 to 134, with the number of men employed on land development rising from 1,226 to 3,035. Capital expenditure had risen from £142,610 to £659,500.<sup>118</sup> Ngata, who had retained his parliamentary seat in Eastern Māori but who was now in opposition, continued to monitor progress closely, although he was no longer involved in policy formation or its implementation. He was encouraged – or at least he said he was – by the steady increase in cream returns, which in 1936 stood at £11,026, a result apparently better than predicted (but which does not in fact sound like a lot compared with how much the schemes had cost).<sup>119</sup> Ngata at the same time became

115 *The Evening Post* (Wellington, 28 January 1935) at 10.

116 “Native Lands: Party at Te Kuiti: Minister on Rating Issue: Deputations Received” *The Auckland Star* (Auckland, 29 May 1935) at 8.

117 On the 1936 Act, see Harris, above n 41, at 31–33.

118 “Native Land Schemes: Development Reviewed” *The New Zealand Herald* (Auckland, 26 July 1939) at 13.

119 “Maori Land Schemes: High Cream Collections: Returns estimated at £75,000” *The New Zealand Herald* (Auckland, 22 August 1936) at 14.

increasingly concerned that under Labour the development schemes were turning into just another paternalistic government project directed by officials, losing sight of the all-important goals of Māori community empowerment. Historians who have investigated the administration of development schemes detect a major shift in direction after Ngata lost office, and especially once Labour was in power. Terry Hearn believes that, while Ngata's vision was "not formally abandoned", nevertheless it was "slowly eclipsed by an increasingly pervasive emphasis on economic efficiency"; the development project became "harnessed to serve the wider economic interests of the state".<sup>120</sup> However Ngata's Cabinet colleagues would never have supported the project in the first place had they not believed, or had been convinced by Ngata, that it served the "wider economic interests of the state" in some sense. Serving, or not serving, the economic interests of the *state* is not the issue. Also, there was a contradiction between individualism and collectivism at the heart of Ngata's project: the schemes were established by collective effort but could result in individualised family-managed dairy farms. Dairy farmers, certainly New Zealand dairy farmers, of whatever ethnicity, are seen (and see themselves) as rugged individualists, not as collectivists. This contradiction arguably became increasingly glaring. It is clear that Ngata himself became disillusioned by shifts in direction after 1934. In September 1938, the newspapers widely reported Ngata's claim in parliament that the attitude of Departmental officials running the schemes meant many Māori people felt like "mud".<sup>121</sup> But what does Ngata's disillusionment show?

The key issue was whether developed blocks were to be vested in corporate entities (incorporations or trusts) or to individual farms held in severalty. Ngata himself, surprisingly, does not appear to have developed a fully realised policy on this, and by the time of his resignation probably few schemes had progressed far enough for it to have become an issue. Whether developed land was to be re-vested in corporate bodies or in individuals was one of the issues pursued by the 1934 Commission. Hearn argues that the Commission's preference was certainly for the latter (Ngata himself was hesitant) and that<sup>122</sup>:

... the legislative and administrative changes which followed the presentation of its report were intended, in their widest sense, not to foster Maori "communalism" but the creation of economic holdings held under titles in severalty, that is, to foster economic assimilation.

The advent of the Second World War "brought progress to a standstill".<sup>123</sup> The state obviously (and quite rightly) had other priorities, and the war

120 Hearn, above n 41, at 308.

121 "Attitude to Maoris: Officials Criticised: Administration of Land Development Schemes" *The Press* (Christchurch, 10 September 1938) at 17.

122 Hearn, above n 41, at 335.

123 Alexander, above n 55, at 10.



caused massive shortages of labour and materials. But, in the late 1940s, the project was re-started, and was pursued vigorously in the 1950s and 1960s. By this time the original social and cultural objectives of Ngata's plan were long gone. In 1949, a new policy was introduced by which owners had to agree to an amalgamation of interests and the cancellation of all existing partitions before the Crown would accept land for development. This was done to clear the way for returning the land on individualised wholly new farm "units" rather than re-vesting it in the former owners of the existing titles once the scheme had been completed. Hearn sees this step as the final nail in the coffin of Ngata's vision of community and owner empowerment.<sup>124</sup> The later history of the development schemes and the complex history of debt burdens and debt write-offs by the government (mainly from 1988–1992) is beyond the scope of this article and is yet another aspect of the complex story of Māori land development that requires further research and analysis.<sup>125</sup>

### III. THE LAND DEVELOPMENT PROGRAMME AND MĀORI SOCIETY

How transformative were the schemes in reality? It is important to neither downplay the significance of land development nor to exaggerate its benefits, a balance not easily achieved on the current state of scholarship. Once the actual land development had been done, the employment opportunities generated by the schemes were surprisingly limited. By 1940, according to the *Christchurch Press* (reporting on some comments by Ngata) only about 2,000 Māori people "were on land development schemes". Moreover many of these people were struggling to make a living and repay debts, "the Government taking 40 per cent of the cream cheques".<sup>126</sup> Gould has studied the statistics carefully, and concludes that about 2,200 Māori farmers were settled on development schemes by 1962.<sup>127</sup> This was only a tiny fraction of the Māori community, needless to say. However, the schemes generated much more employment than is represented by "settled" farmers. Thousands of Māori people were employed as labourers and farmworkers on the actual development work: clearing the land, fencing, draining, stocking and so on. They in turn will have spent their wages in those country districts lucky enough to be blessed with development schemes, an example of the Keynesian multiplier effect in operation if ever there was. Ngata's dream of creating a rural Māori population living prosperously on dairy farms did not come to

124 Hearn, above n 41, at 315. I confess to not having a sufficiently clear grasp of how land development worked after 1949 to be able to comment.

125 On the later history of the schemes and the problems of land development debt see Gould, above n 47, at 370–429.

126 *The Press* (Christchurch, 27 July 1940) at 12.

127 Gould, above n 47, at 62. The Annual Report of the Board of Māori Affairs for 1962 gives a figure of 2,214 Māori farmers "settled": 1962 AJHR G9, at 12.

pass, but the project certainly generated a great deal of employment in the 1930s and 1940s at a time when Māori very badly needed it.

Nevertheless, notwithstanding the schemes, much of the Māori population remained mired in shocking rural poverty throughout the 1930s. The benefits of the schemes varied widely from region to region. Some communities were just too poor to be considered for a land development scheme.<sup>128</sup> In most of Northland, Māori people continued to live in dire rural poverty until well into the 1940s, still dependent on labouring, fishing and gum-digging. Māori housing in Northland remained appalling and levels of epidemic and levels of chronic illness continued to be very high.<sup>129</sup> In Muriwhenua, “living conditions remained poor to abysmal”.<sup>130</sup> Māori were lifted out of basic poverty not by the development schemes, but by Labour’s welfare state and the post-war economic boom.

In saying this, I do not mean to be critical or dismissive of Ngata, whose reputation as a great and inspiring Māori leader is in my view well-deserved. Nor do I mean to be dismissive of the efforts of Land Court judges such as Acheson and Harvey to ameliorate the lives of the Māori families they had come to know well. Although some schemes can be criticised for poor planning or poor management, on the whole the project was well-intentioned, did create employment opportunities, and did indeed create several thousand developed farms. But it never could have turned the whole Māori population into prosperous dairy farmers. That was simply an impossibility. Not all Māori could become prosperous farmers any more than all Pākehā could. Did all Māori even want to be farmers? Ngata decided that this was indeed what they wanted, or should want. The fact is that Māori rural poverty, as the Labour leadership, Pākehā and Māori could see, was so deep-seated and on so vast a scale that Māori rural land development, no matter how well-designed and well-funded, *could not* lift Māori out of it. Only the Labour government’s social welfare and industrialisation policy, given further impetus by wartime necessities, and the post-war movement of Māori out of rural areas into cities and towns could do that (and even so, many inequalities remained).<sup>131</sup>

Ngata’s disillusion with the Labour government’s administration of his cherished development scheme project is clear, and the question of what Ngata’s despondency shows has already been posed above. It was not that the new Labour Government that took office in 1935 was anti-Māori, or indifferent to Māori. Rather, much bigger transformations were in play by the

128 David Alexander, above n 55, at 7: “The coverage of the land development schemes was patchy, and was directed towards those Maori communities with sufficient land of fair to good agricultural quality”.

129 See Božić-Vrbančić, above n 11, at 144–45.

130 Adrienne Puckey *Trading Cultures: A History of the Far North* (Huia, Wellington, 2011) at 267.

131 For a recent case study of this transformation and its challenges, see Melissa Matutina Williams *Panguru and the City, Kāinga Tahi, Kāinga Rua: An Urban Migration History* (Bridget Williams Books, Wellington, 2015).

later 1930s. It is within these transformations that Ngata's disenchantment must be understood. With Labour in power, a new social-democratic vision was in the ascendant, which Ngata disliked (and which had little time for him in its turn); there was also a new generation of Māori politicians in place, who had risen up through the trade unions and the Labour party, whose internationalist, democratic and class-focused outlook was quite different from Ngata's.<sup>132</sup> Labour was social-democratic and followed a programme of economic nationalism: this involved import substitution, building massive hydro-electric power stations, and creating a New Zealand pulp and paper industry based on the nation's ample reserves of plantation forests. Labour was not at all unsympathetic to Māori aspirations (in fact it depended on the Māori seats and Māori Labour voters to stay in office); but Ngata's conservative and ruralist response to those aspirations was out of place in an industrialising and increasingly modern and social-democratic society. Māori now worked in factories and sawmills, were employed as construction workers and bulldozer drivers for the Ministry of Works, drove logging trucks, increasingly lived in towns and cities, voted Labour, and joined trade unions. To many, dairy farming was not appealing, just as it was not appealing to most Pākehā New Zealanders.

With Peter Fraser, Labour had one of the greatest and most able Ministers of Māori Affairs of modern times.<sup>133</sup> Labour was hardly an anti-Māori party. The question is rather one of the context in which Māori politics are pursued. Māori politics have long oscillated, and continue to oscillate, between support for the politics of Māori autonomy and self-determination and the politics of the left within New Zealand society as a whole. The bicultural social-democratic consensus of the 1940s remained in place until the mid-1980s. It was then that the Fourth Labour Government decided, for reasons which still await full investigation (and which will perhaps always be beyond comprehension), to suicidally attack, by means of its neoliberal economic and privatisation policies, its own powerful electoral base in the industrial suburbs of Auckland, Wellington and Christchurch, and in industrial working-class towns such as Hastings, Tokoroa and Kawerau (all of which had large Māori populations and high concentrations of Labour voters). Government forestry towns such as Minginui and Murupara were abandoned and turned into social and economic disaster zones and the Ministry of Works – a significant component of the workforce which had built the country's network of power stations and infrastructure being Māori – was dismantled and the assets it had built were handed to the private sector. The New Zealand Forest

132 For reasons I am unable to fathom, New Zealand historiography almost wholly neglects Māori trade union and Labour activists of the 1930s and 1940s – a strange state of affairs given (it is safe to say) the social-democratic leanings of most academic historians. The electoral alliance between the Rātana Church and the Labour Party is well-known, but not all Māori Labour activists and trade unionists belonged to the Rātana religious movement.

133 On Fraser, see Michael Bassett and Michael King *Tomorrow Comes the Song: A Life of Peter Fraser* (Penguin Books (NZ) Ltd, Auckland, 2000).

Service, which administered state-owned plantation forests and which had employed many Māori people, was closed, and the nationally-owned forests were alienated on long-term leases to foreign companies. New Zealanders at the time, Māori and Pākehā, were encouraged to believe that these transformations were somehow beneficial to them, when nothing could have been further from the truth.

One result of the destruction of the social-democratic consensus was a re-emergence of a revived Māori politics of autonomy, which has in turn now been replaced by a re-connection between Māori and the politics of the left. To understand Ngata best, he needs to be sited within these oscillations in Māori 20th-century politics. What really counts? Class, or ethnicity?