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THE LIMITS OF ADVICE:
BRITAIN AND THE KINGDOM OF TONGA,
1900-1970

by
PENELOPE A. LAVAKA

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Except where otherwise acknowledged, this thesis represents my own original work.

P.A. Lavaka
ABSTRACT

Despite the endeavours of Kings Tupou I and II to maintain Tonga's independence, Britain established a Protectorate over the Kingdom in May 1900. By this action the British Government hoped to exclude other powers from Tonga, whilst keeping its own commitment to a minimum. Tonga aroused little interest in British eyes apart from its potential as a base for rival Pacific powers.

Although it was not intended that the British Agent and Consul appointed to Tonga should intervene in the Kingdom's internal affairs other than by giving advice when asked, a succession of British officials were not content with the role of observer, and sought Colonial Office backing to force the recalcitrant Tupou II to heed their advice. In 1905 the King was obliged, on threat of deportation, to accept the intervention of the High Commissioner for the Western Pacific and to agree to take the Consul's advice on internal as well as external affairs. For the next six years the Consul, supported by a Cabinet of British nominees, vied with the King for control of the Government.

In 1911, after the Consul had insisted once too often that his advice be taken in opposition to the decision of the Tongan Privy Council, Tupou II launched an effective protest against British intervention. The Colonial Office, which had never intended the authority of the Tongans to be removed under the Protectorate, did not support the actions of its Consul and restored to the King much of the autonomy that had been taken away in 1905.

Throughout the rest of the reign of Tupou II and during the reign of his daughter, Queen Salote, the British Consul continued to advise the Government by mutual agreement rather than by force. The Consul came to be a source of support to the Government and the monarchy, rather than a threat, and for at least three decades his advice was an important facet of the administration.

After the Second World War, and particularly with the rise to prominence of the Queen's son and heir, Tungi (later King Taufa'ahau Tupou IV), the British Consul moved further and further from the centre of power. The changes in his relationship with the Tongan Government were embodied in a revision of the Treaty of Friendship in 1958 and again in 1968.

With an exchange of notes in 1970, Tonga regained control of its external affairs and 're-entered the comity of nations'.
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The claim is sometimes made that the Kingdom of Tonga has a unique importance in the study of colonial history because it is the one Polynesian society that has maintained its political independence unbroken in the face of the overwhelming might of the colonial powers. The credit for this unusual achievement is often given almost entirely to King George Tupou I and his adviser and Premier, the Reverend Shirley Baker. This thesis sets out to examine these claims and analyse the relationship between Tonga and Great Britain which operated for the first 70 years of the twentieth century.

Tonga became a British Protectorate in May 1900 not because of the situation in Tonga itself but because of broader imperial concerns. The Treaty of Friendship which defined the protectorate relationship was drawn up in the British Colonial Office and designed to meet Britain's requirements in Tonga with the least possible interference in Tonga's internal affairs. Great Britain's main concern in Tonga was to exclude the warships of foreign nations, for Tonga offered practically nothing worth exploiting from a nineteenth century European viewpoint, apart from its safe harbour at Vava'u. The lines of a poem, penned by Hamilton Hunter, the British Agent and Consul to Tonga from 1901-1909, might well serve as a key-note for Britain's attitude towards the island kingdom:

...By reason of its great,
Its regal unimportance, it rests a native state.
Admittedly, had there been no recognised central Government capable of ruling both Tongans and the few Europeans within the group, Tonga's history would have been very different. But Tonga did have a unified and effective Government which would never willingly submit to external domination. For this reason, Britain's minimal interest in Tonga was adequately served by the signing of the Treaty of Friendship and the proclamation of a protectorate involving control of the Kingdom's foreign relations and defence, and jurisdiction over non-Tongan subjects who committed serious offences. Although Britain subsequently increased its influence in Tonga through the Consul's role as adviser, it learnt that there was nothing to be gained, and even much to be lost, by adopting a coercive attitude towards the Tongan Government.

The use of the term 'protectorate' in this study requires some explanation. In 1900 it was used by the Colonial Office in a general sense to denote a less formal commitment to a colonial territory than was implied by the term annexation. As Deryck Scarr has shown in *Fragments of Empire*, Britain was reluctant to extend direct control, accompanied by inevitable administrative expenses, over islands in the Pacific. Britain established Protectorates over the Solomon, Gilbert and Ellice Island groups and over Tonga, all of which involved a different degree of involvement. In the Solomons and in the Gilbert and Ellice Island Protectorates, where no central Government existed, the role of the Resident Commissioner was naturally very different to that of the Agent and Consul in Tonga; the kind of relationship depended almost entirely on the circumstances of the island government.
Although Tonga was regarded as a protectorate in the early part of the twentieth century, the Colonial Office later adopted the term Protected State to describe those of its territories which were self-governing and subject only to certain defined limitations on their sovereignty. In 1929 the Foreign Office examined Tonga's precise legal position and concluded that it was an independent kingdom under the protection of Great Britain.

This thesis is not an attempt to write a general history of Tonga between 1900 and 1970, but to examine the British-Tonga relationship which spanned that period. For this reason, the temptation to become side-tracked into a discussion of developments that are not relevant to the central theme has been avoided. The concentration of seven of the chapters on the reign of Tupou II between 1900 and 1918 is a natural consequence of the extent of conflict and change that occurred in the relationship throughout this early period.

One criticism that has been levelled at writers of Tongan history is that they tend to write 'great person' history and to deal almost exclusively with the thoughts and actions of those at the apex of power. Such a phenomenon can hardly be avoided, however, in writing about a hierarchical society such as Tonga, where the voices of the common people have little influence on government policies. The existence of public opinion as a force to be reckoned with is the product of an individualism which was not the social norm in Tonga throughout the period under discussion. However, 'public opinion' was nevertheless a force that could be mobilised in Tonga's interests by its political leaders. Given the socio-political structure of Tonga, it would be unusual, for the period under review, for the common people of Tonga to hold or much less express views contrary to those
of their chiefs on national political issues. Most Tongans were in the main concerned with the intricacies of church and village level politics.

Tonga's treaty relationship with Britain was important in consolidating the position of the Tupou dynasty, in promoting Tongan nationalism and in helping to define the way in which Tongans see themselves and the rest of the world. Moreover, as well as its intrinsic interest, the relationship was unique in Oceania and had only limited parallels elsewhere in the British Empire. At a time when 'imperial history' has lost its popularity, this thesis is 'imperial' in so far as it examines Tonga's diplomatic, and sometimes 'colonial', relationship with Great Britain. But, in terms of the definitions of the late Professor J.W. Davidson in the course of his Inaugural Lecture on the study of Pacific History, it is also 'island-oriented' in that its main concern is with Tongan initiatives in manipulating and modifying the treaty relationship.
NOTE ON ORTHOGRAPHY

A note is perhaps necessary to explain the form of spelling used in the thesis. In 1943 the Tongan Government standardised its alphabet by omitting the letters 'b' 'd' and 'g'. Except in the Treaties in Appendix I, which are copies of the original documents, all spelling has been modernised.
ABBREVIATIONS

A.N.U.  Australian National University
AT/TA  Alexander Turnbull Library, Tongan Archives
BCT    British Consul Tonga
C.O.   Colonial Office
F.O.   Foreign Office
JPH    Journal of Pacific History
'Pitto' The Pitcairn and Tonga Office, Suva
PO     Palace Office, Tonga
PO/KNF Palace Office, Ko’ee Ngahi Fefaitohi’aki
NZNA  New Zealand National Archives
S.P.O.  South Pacific Office, Suva
WPHC  Western Pacific High Commission
CHAPTER 1

An Independent Kingdom

'For remember that till your flag goes up or your Protectorate is declared, that it is still open to any nation to take Tonga.'

[Private communication from Captain Mandt, commanding His Imperial German Majesty's Ship 'Bussard' to Ernest G.B. Maxse, Her Britannic Majesty's Consul and Deputy Commissioner at Samoa. (Maxse to Commander Sturdee, 18 October 1898, FOCP 7278, encl. in no. 58.)]
On 18 May 1900, Tonga was forced to accept British protection through the determined efforts of a Special British Commissioner, Basil Thomson. The Treaty of Friendship which set up the new relationship was neither sought nor desired by the Tongan King, George Tupou II. Its origins lay solely with the British Colonial Office, in whose eyes Tonga had temporarily acquired an importance out of all proportion to its size or resources. For Britain, the Treaty was the culmination of more than two decades of intermittent anxiety over the future of the Tongan group, provoked primarily by concern for British interests in nearby Fiji. By claiming a protectorate over Tonga, Britain hoped to exclude other foreign powers from the group while keeping its official commitment to a minimum. For the King of Tonga, however, the Treaty represented defeat. His predecessor, Tupou I, had sought international recognition for Tonga in order to secure its independence; Tupou II continued to struggle against any curtailment of Tonga's sovereignty. But despite his determination, Tupou II was powerless to alter the course of Great Power politics. The prized Tongan independence was compromised and it seemed only a matter of time before Tonga suffered the political fate of its neighbours -- annexation.

Tupou II had inherited from his great-grandfather, Tupou I, a kingdom united under his supreme will. Out of the constant struggle for power and the civil wars of the first half of the nineteenth century, Tupou I had emerged as hau (temporal ruler) over all Tonga. With a basis of legitimacy provided by his high birth, Taufa'ahau (as he was then known) had used his energetic and commanding leadership, his military prowess and his new-found allegiance to Christianity, to win him paramountcy. In a series of battles he defeated those whose power rivalled his own, including the heir to the once omnipotent but
now largely ceremonial title of Tu'i Tonga, and also the recalcitrant Ha'a Havea chiefs on Tongatapu. In 1845 Taufa'ahau was recognised as the undisputed successor to the Tu'i Kanokupolu title and in 1852 he survived the last military challenge against him, at the forts of Pea and Houma.[1]

But the spirit of challenge was not dead, merely buried. Tupou I had won his supremacy over powerful rivals who kept the Kingdom's unity under constant threat. He therefore set about reinforcing his own position with measures designed to change the basis of legitimacy and prevent his rivals from following his own example. In this respect the role of Christianity was significant. As early as 1831 Tupou I had formally renounced his traditional gods in favour of the new religion which the Wesleyan missionaries had brought to Tonga. Although some of his opponents held out against Christianity for a time and others adopted the teachings of the Roman Catholic missionaries in defiance of Tupou I's Wesleyan affiliation, the new King was nevertheless successful in seeing Christianity accepted throughout his Kingdom by the 1850s. This provided an important unifying force and gave Tupou I a new legitimacy from which to challenge the old order.

In his search for internal stability, Tupou I turned to European forms of government to replace Tonga's traditional war-like factionalism and to provide a stable framework for the exercise of his power. With the help of a series of advisers, of whom the most

1. An account of the rise of Tupou I and his unification of the Kingdom is contained in Sione Latukefu, Church and State in Tonga, Canberra, 1974. See also A.H. Wood, History and Geography of Tonga, Nuku'alofa, 1932 and Noel Rutherford (ed.), Friendly Islands: A History of Tonga, Melbourne, 1977.
notable was the Reverend Shirley Baker, Tupou I created a centralised government which shared some of the principles and many of the trappings of European-style constitutional monarchies.[2] The Constitution, proclaimed by Tupou I in 1875, was the culmination of this policy. Amongst other things, it established a Privy Council, a Cabinet of Ministers, a Legislative Assembly with control over finance, and a judicial system vested in the courts. Perhaps more importantly, the Constitution underlined the power of the King over the whole system. Under clause 55, for example, it was the King's prerogative to appoint Ministers to hold office during his pleasure. The King's role in the proceedings of the Legislative Assembly was also crucial; although he was not a member he could prorogue or dissolve it at his pleasure and he also had final control over the passage of legislation by means of the power of veto. If he refused to sign legislation not only did it not become law, but it could not be discussed again during that session.[3]

Other significant changes introduced by the Constitution concerned the system of land ownership and the creation of a landed nobility. In part these measures were aimed at limiting the powers of the chiefs while giving them a clearly defined place in the Government. Although all land belonged to the Crown, certain estates known as tofi'a were granted to nobles appointed by the King; the nobles in turn were to parcel out their land amongst their people.

2. For a full account see Noel Rutherford, Shirley Baker and the King of Tonga, Melbourne, 1971.

3. Constitution of Tonga, 1875, clauses 55, 80, 60, 71. Clause 55 was later amended to allow the king to appoint such persons as he saw fit to Cabinet. A readily accessible copy of the Constitution is in Sione Latukefu, The Tongan Constitution, Nuku'alofa, 1975, Appendix A.
This system was later refined so that each male over the age of 16 years had the right to an hereditary 'api'uta of $8\frac{1}{2}$ acres and a smaller town allotment, in return for which he paid a poll tax to the Government.[4] Although these arrangements were slow to take hold, they ensured the people a degree of independence from the chiefs to whom they otherwise owed their allegiance and their labour.

The 1875 Constitution made provision for twenty hereditary noble titles chosen from amongst Tonga's chiefly lines; in 1880 a further 10 were added together with six land-holding matapule (or chief's attendant) titles, and a further three noble titles were added later.[5] Selection was based not necessarily on rank or on loyalty to Tupou I, but on the extent of influence which particular chiefs wielded over territory and subjects.[6] Undoubtedly the creation of the nobles was Tupou I's means of accommodating the most powerful chiefs and ensuring their support for his reforms. Moreover, the legal recognition of some chiefs gradually tended to weaken the power of the others. The nobles (as distinct from the matapule) were all accorded a place in the Legislative Assembly and this, together with their hereditary land rights, gave them an important stake in government.

4. These changes were contained in the 1880 amendments to the Constitution, and in the Hereditary Lands Act, 1882.

5. Las ike was added in 1897, Veikune in 1903 and Tupouto'a in 1921.

Tupou I was not completely successful in overcoming his opponents and ensuring the stability of his Kingdom. During the 1880s under the premiership of Baker, his Government faced mounting opposition particularly from those who had not benefited by the reforms and resented the entrenched position of Baker. In 1881-2 a group of minor title-holders and traditional rivals of Tupou I petitioned the King for Baker's removal in what became known as the 'Mu'a Parliament' affair, but they could not overcome the King's authority. In 1885 however, when Tupou I and Baker seceded from the Australian Wesleyan organisation and created the Free Church of Tonga, the scene was set for long-term confrontation. While the majority of Tongans supported Tupou I and his Premier, others chose to declare their opposition by refusing to leave the Wesleyan Church and its local leader, the Reverend J.E. Moulton.[7] The King's authority and the unity of the Kingdom were clearly under threat.

Despite these troubles, the Kingdom which Tupou I had created held together. The degree to which his innovations had gained acceptance was indicated most clearly at his death in 1893 when, contrary to the expectations of many European observers, he was succeeded according to the Constitution by his great-grandson, Taufa 'ahau.[8] The laws of succession dictated by the Constitution were not sanctioned by tradition, nor was the young Taufa'ahau particularly well qualified other than by birth to become Tu'i Kanokupolu and King. Nevertheless he was proclaimed George Tupou II in February 1893 by Tuku'aho, heir to the Tu'i Ha'atakalaua title, who had been made Premier after Baker was removed in 1890. Tupou II thus inherited a


8. See, for example, 'Memorandum on Tonga', 30 November 1887, FOCP 5570, encl. in no. 374.
kingdom united in form but riddled by factions and potential divisions.

The reforms which Tupou I introduced into his Kingdom were not only aimed at suppressing his traditional enemies. By the time of his rise to power the interest of colonial powers in the Pacific as a new field for expansion had been clearly demonstrated and it became one of Tupou I's central objectives to safeguard his Kingdom from European intervention. The movement into new territories which took place in the late nineteenth century had its roots in conditions in Europe; industrial growth had prompted the search for raw materials and new markets which led in turn to the development of trans-Pacific shipping and the influx of foreigners looking for land, for trade, and for souls. Behind them were the metropolitan governments whose imperial policies were shaped not only by international rivalries and by defence and economic considerations, but also by the overseas activities of their nationals. Where the perceived national interest required it, or where European settlement was accompanied by problems of disorder, then annexation or perhaps the establishment of some less overt form of control was inevitable.

Tonga had little to offer Europeans by way of resources and was therefore not a prime target for colonial expansion. Its land area was small -- only 269 square miles spread over 140,000 square miles of ocean -- and the limited availability of land for settlers was reinforced by Tupou I who acted quickly to forbid the sale of land to foreigners.[9] Although leases were available, subject to the approval of Cabinet, there was little potential for large-scale

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9. Tupou I's refusal to allow the sale of land was first codified in Clause XXIX of the 1850 Code of Laws. See Latukefu, Church and State, p.172.
plantation development. As a result, European economic interests were restricted to trading. The trade in coconut oil, which was replaced by copra from the late 1860s, attracted both German and British traders especially after the mid-1850s, but not in great numbers.

From a strategic point of view, the most important asset Tonga possessed was the harbour of Neiafu in the northern Vava'u group. Although not on any direct trade routes, the harbour was, as the British Admiralty admitted in 1899, 'an almost perfect war harbour'.[10] In the later nineteenth century both Germany and the United States acquired rights to establish a naval station at Vava'u, but although the German Government leased a site in 1880, neither power ever made use of its rights. Britain also showed interest in the harbour and ensured its own position there vis-à-vis the other two powers by means of a 'most favoured nation' clause in its 1879 Treaty with Tonga.[11] Although Britain acquired naval facilities in Fiji, it was nevertheless concerned to keep the other powers out of Vava'u and its policy towards Tonga did not fail to take account of this consideration.

Perhaps the greatest interest which Tonga aroused amongst Europeans came as a result of the on-going search for souls, to which the various missions were devoted. In 1797 ten missionaries from the London Missionary Society made an unsuccessful attempt to evangelise the Tongans, and in 1822 the Reverend Walter Lawry initiated Wesleyan efforts to spread Christianity in Tonga. Once Tupou I took up the

10. Admiralty to F.O., secret, 31 January 1899, and encl., FO 83/1674.

11. Article II of Treaty of Friendship Between Great Britain and Tonga, 29 November 1879; see Appendix I(i). Germany and the United States acquired their rights in their respective Treaties with Tonga. For the German lease see Leefe to O'Brien, 7 February 1899, FOCP 7358, encl. 2 in no. 55.
Wesleyan cause Tonga rapidly became a Wesleyan domain, and the influence of the Wesleyan missionaries was imprinted on Tonga's social and political life.

From 1837 French Roman Catholic missionaries also sought to gain a foothold in Tonga, and they made no secret of the close backing they received from the French Government. Although the Wesleyan-influenced Tupou I resisted the intrusion of the French priests, they found adherents amongst those who opposed his desire for supremacy. Subsequently, Tupou I was forced to accept the presence of the priests as a result of French pressure. In 1855 the French Governor of Tahiti gave the King little option but to sign a treaty guaranteeing protection for Roman Catholics, and promoting the interests of French citizens and shipping. Over the next few years French warships continued to press the demands of the Catholic missionaries for equal privileges with the Wesleyans, and in March 1860 Commandeur De Cintre of the Corvette La Chise demanded that discrimination against Catholics in appointments to government positions should cease.[12]

Tupou I's encounters with French warships strengthened his resolve to try to safeguard his Kingdom against foreign interference. On the advice of Baker and others he sought international recognition for his Government as a means of ensuring its continued independence. To achieve this, it was necessary to convince the colonial powers of Tonga's ability to govern itself, in a seemingly European fashion, and to control the growing number of Europeans visiting or residing in the Kingdom. Many of the changes Tupou I introduced to the Kingdom were thus aimed as much at international recognition for Tonga's

sovereignty and independence as at reinforcing his own supremacy. The Constitution, complete with Declaration of Rights, not only defined Tonga's form of government but was in itself a useful form likely to impress European observers. Similarly, the provision of such pomp as a crown, flag, coat of arms, national anthem and even a small army were as much for external as internal effect.

The Constitution achieved its desired end in relation to external threats when, in the next few years, three European powers signed treaties which formally recognised Tonga's independent status. Treaties of Friendship were signed with Germany in 1876, with Great Britain in 1879 and with the United States in 1886. Moreover the Anglo-German Commission, set up in 1885 to delineate the respective spheres of influence of Britain and Germany, concluded that no interference with Tonga's administration was required because the Government of Tonga itself could guarantee peace and order and protect the commercial interests of foreign residents.[13]

The effectiveness of Tupou I's Government in maintaining order amongst both Tongans and Europeans, coupled with Tonga's lack of resources, lessened the opportunities for any of the Great Powers to intervene. Nevertheless it was unlikely, in the context of nineteenth century imperialism, that Tonga could escape some form of European supervision or control. The pattern of events in Fiji, Tahiti and Hawaii demonstrated beyond doubt that neither the consolidation of a kingdom, nor Christianization and missionary advice, nor even international recognition was in fact a complete insurance against Great Power intervention. Should events in Tonga indicate that the Government could no longer keep control over the population or if, for

its own reasons, some imperial power became bent on taking Tonga, there was little that Tongan leaders could do about it.

Britain's decision to establish a protectorate over Tonga was taken entirely in the context of European rivalries. Although Britain's faith in the Tongan Government had been weakened by the debacle of Baker and by reports of corruption and misgovernment under Tupou II, the 1900 Treaty did not seek in any way to interfere with Tonga's internal administration. On the contrary, the instructions given to the Special Commissioner charged with negotiating the Treaty made clear that the Colonial Office did not intend

for the present at all events to advise Her Majesty to assume the sovereignty of the Friendly Islands, nor to interfere with the internal autonomy or administration of the group.\[14\]

Britain's intentions were limited to a desire to circumscribe German activities in the group. In bilateral negotiations between Britain and Germany, the respective roles of the two powers in Tonga and elsewhere were discussed and settled without any reference to the leaders of the countries concerned.

THAT it would be British interests to which Tonga would eventually succumb, had been foreshadowed since the late 1870s. Until then Britain had shown particular reluctance to become involved in Tongan affairs, as in the Pacific Islands in general. The reason was

14. C.O. to Thomson, 29 January 1900, FOCP 7338, ea.1. 1 in ea. 10.
not to be found in any lack of excuse. Since 1844 Britain had ignored petitions from British subjects and even some Tongans praying for British protection or annexation and had paid no heed to voices in the Australasian colonies that had been constantly urging Britain to take a more positive stance in the area. The costs and problems of administering remote Pacific territories continued to outweigh any benefits which may have been gained.[15]

By the mid 1870s however, Britain's reluctance to become involved was overshadowed by practical considerations. In 1874 Britain annexed Fiji, and as a result its attitude towards the rest of the Pacific underwent some change. The political status of Tonga was now seen in a new light: Tonga was close to Fiji and joined to it by social, cultural and trading links. If a foreign power controlled Tonga, and especially the Vava'u harbour, it could conceivably exert an indirect influence on Fiji or at least make Britain's regulation of Fijian affairs much more difficult. Any unrest in Tonga could have serious repercussions on Fiji, which was to become a major centre of British influence, providing facilities for the Royal Navy, a base from which to control the labour traffic and a seat for the Western Pacific High Commission. The concern for Fiji, together with the growing demands for intervention from the Australasian colonies, finally convinced Britain that Tonga should not come under the influence of any other foreign power. As Sir Arthur Gordon, the first High Commissioner for the Western Pacific urged the Colonial Office in 1879, the Germans should be warned that it would be 'impossible for us...to acquiesce in

15. A discussion of Britain's 'reluctant acceptance' of a Pacific role can be found in Deryck Scarr, Fragments of Empire: A History of the Western Pacific High Commission 1877-1914, Canberra, 1976.
the assumption in that group of a preponderating influence by any other power'.[16]

Although Tonga's importance was thus acknowledged, Britain remained reluctant to increase its official involvement. Britain was quite content for Tonga to maintain its political independence, provided always that its own interests remained ahead of those of any other foreign power. Independence was the solution which best suited the Colonial Office as it involved the least commitment, but it left the possibility that some other power would overtake the hesitant Britain and claim Tonga. Some insurance against this eventuality was contained in the Treaties recognising Tonga's sovereignty and territoriality, and in the reluctance of the powers to disturb existing relations between themselves, especially as this might affect the rivalries over Samoa. Tonga's independent status was reinforced by the 1886 Anglo-German convention which listed the respective spheres of influence of the two powers in New Guinea and the rest of the Pacific and declared Tonga, along with Samoa and Niue, to be a neutral region.

Nevertheless the insecurity remained, and the growth of British official involvement in Tonga became a history of response to German initiatives. The 1879 Treaty of Friendship by which Britain secured 'most favoured nation' status in Tonga was in itself more a reaction to Germany's Treaty in 1876 than the outcome of any genuine desire to recognise the independent Tongan Government. In August 1876, some three months prior to the signing of the German-Tongan Treaty the Commander-in-Chief of the Royal Navy's Australian Station had visited

Tonga and recommended that its government should be accorded official recognition. But, on the basis of its information as to the condition of affairs in Tonga and the power of the King to maintain order and good government under the present administration, the Colonial Office was not convinced that such a step was justified. Further, officials believed that as the High Commissioner was about to be given jurisdiction over British nationals in Tonga, official recognition was even less fitting.[17] By 1879, however, increased German activities fostered by Baker had convinced Britain that a treaty was required, and the extensive powers over British subjects granted to the Tongan Courts at this time reflected a significant change of heart.

Despite their 1886 Convention, Britain and Germany continued to vie for dominance in Tonga. In late 1887 the British Government was again spurred into action by German initiatives. Following the failure of the Washington Conference to achieve a settlement of the rivalries over Samoa, the German Government resorted to direct action and declared war on Samoa in August 1887. The British Government, fearing similar German action in Tonga, acted quickly to protect British interests in Tonga. The High Commissioner, Sir Charles Mitchell, received telegraphic instructions to declare a protectorate over Tonga on the first indication of German interference there. At the same time HMS Opal was hurriedly despatched to Tonga, where it lay in Nuku'alofa harbour for some five months to prevent German intervention and reinforce Britain's claim to regulate Tongan affairs. The arrival of a German warship, the Adler, shortly after HMS Opal strengthened British fears that Germany planned to annex Tonga.[18]

17. C.O. to Under-Secretary of State, F.O., August 1876, WPHC 21/9.
In the wake of these events, the British Government sought to convince Germany that Britain's claims to influence in Tonga surpassed those of Germany. A Foreign Office Memorandum to the German Government in November 1887 declared that British influence in Tonga was supported by 'interests and ties based upon the past and present close connection between the people of Fiji and Tonga, and [by] every argument founded upon propinquity'.[19] The question as to whose trade influences predominated was argued at length by the two Governments,[20] but it was clear that from the 1880s British trade in Tonga was on the increase, while German trade was declining, especially after the failure of the German firm, J.C. Godeffroy and Son. By 1900, even the Germans admitted that their share of the Tongan trade had declined to one-third of that of the British.[21]

At this time the British Government was prepared to sacrifice its position in Samoa to ensure its dominance in Tonga. In a proposal that foreshadowed the final solution of international rivalries over Samoa and Tonga in November 1899, the Foreign Office suggested that by a 'corresponding arrangement' to that desired by Germany in Samoa, Britain 'should direct the policy of the native Government of Tonga'.[22] The Foreign Office sought an assurance that if for any

19. Memorandum on Tonga, 30 November 1887, FOCP 5570, encl. in no. 374.

20. See 'Memorandum respecting British and German Proposals regarding the Political Control over Samoa and Tonga' F.O., 9 September 1898, FOCP 7045.

21. Cited in Morrell, Britain in the Pacific Islands, p.328. In 1887 the Germans held 76% of Tonga's export trade and 41% of the imports but ten years later, in 1897, the figures were 25% and 32% respectively. (Stewart Firth, 'German Firms in The Western Pacific Islands, 1857-1914', JPH, vol. 8, 1973, p.17.)

22. Memorandum on Tonga, 30 November 1887, FOCP 5570, encl. in no. 374.
reason the British Government deemed it necessary to intervene in Tonga affairs, it would be able to count on the full 'moral support' of the German Government for its actions as the mandatory of the 'civilised powers' interested in Tonga. A similar proposal had been rejected by the German Government on the eve of the Washington Conference on the grounds that 'the Tonga Islands were most important to Germany'.[23] With this second attempt however, the British Government gained a measure of success. In return for support for its position in Samoa, Germany was apparently prepared to respect Britain's position in Tonga. An informal assurance was given that there would be no German ships of war sent to Tonga.[24]

The new tripartite system of government in Samoa (set up by the Berlin Conference of 1889), solved for a while the Samoan troubles without reference to Tonga and, through the 1890s, Britain grew reluctant to renounce any of its rights in Samoa.[25] Nevertheless, Britain continued to claim a preponderating influence in Tonga and, through the Western Pacific High Commission, intervened increasingly in Tonga's internal affairs. The Western Pacific High Commission had been established in Suva in 1877 primarily to control British subjects in the Western Pacific. It was hoped that by giving advice and support to the various island governments, any further formal

23. Marquis of Salisbury to Sir E. Malet, 7 February 1887, encl. in 'Memorandum...', 9 September 1898, FOCP 7045.

24. This assurance was given to Lord Salisbury by the German Ambassador in the course of conversation. ('Memorandum...', ibid.)

commitments could be avoided. From June 1878 the High Commissioner was represented in Tonga by a Vice-Consul who was also a Deputy Commissioner. Under the 1879 Treaty he presided over the High Commissioner's Court which heard all civil actions involving British subjects and, following an amendment to the Treaty in 1891, all criminal offences cognisable under British law apart from breaches of local laws relating to customs, taxation, public health and police.[26]

Both the High Commissioner and the Vice-Consul took considerable interest in Tongan affairs, hoping to assume the role of European intermediary and adviser to the Tongan Government. But successive British officials competed unsuccessfully with Baker for the ear of the King. The result was frequent conflict with Baker and a history of what the Acting High Commissioner, Sir William MacGregor, called 'meddling interference with Tongan politics' on the part of certain Vice-Consuls.[27] Tupou I's Government, led along by Baker, began to fear that British annexation was imminent. On a number of occasions the High Commissioner used gunboats to reinforce his position in Tonga -- in 1884, for example, HMS Espiegle visited Tonga to urge the release of the men convicted for treason over the 'Mu'a Parliament' affair and to settle certain other matters in dispute between the two Governments. The most notable intervention was Sir John Thurston's deportation of the Tongan Premier, Baker, in July 1890. Thurston's action, together with the secondment of Basil Thomson to Tonga for a year as Deputy Premier, stamped British influence indelibly on the

26. Agreement between Great Britain and Tonga, 2 June 1891; see Appendix I(ii).
27. MacGregor to C.O., 10 June 1885, cited in Scarr, Fragments, p.102.
Tongan Government and fostered the impression that Tonga was virtually a British Protectorate.

But the de facto control which Britain exerted over Tongan affairs was not enough to provide security against the threat of German intervention. In 1898, rumours of German designs on Tonga again grew so extensive that the Colonial Office could not ignore them. In July 1898 Commander F.C.D. Sturdee of HMS Porpoise visited Tonga and reported that the Government had recently borrowed £500 from a German firm and was making 'strenuous efforts' to borrow a further £2,000-3,000 to tide it over the effects of a bad drought. Further, he commented on local speculation that the King intended to marry Jane von Treskow, the half-caste daughter of the German Vice-Consul. At about the same time, the Colonial Office received reports that German naval officers were showing considerable interest in Tonga and that some German newspapers were urging their government to seize Tonga to offset the American acquisition of Hawaii.[28]

Even more disturbing were the rumours surrounding the activities of the German Vice-Consul at Samoa, Grunno, who visited Tonga in December 1898 in connection with the settlement of private debts owed by Tongans to German firms. Under Tongan law, foreigners were prohibited from suing Tongans for any debt contracted after 1890. The German Government apparently saw this as an infraction of its treaty rights and it seems that Grunno hoped to persuade the Tongan

28. Commander F.C.D. Sturdee to Rear-Admiral Pearson, 25 July 1898, FOCP 7278, encl. 2 in no. 24; Consul Maxse to Commander Sturdee, 18 October 1898, ibid., encl. in no. 58; Dr Edward Van Dyke Robinson to Mr Chamberlain, 24 August 1898, ibid., encl. in no. 22.
Government to open its courts to the recovery of these debts. When he 
was unsuccessful, rumour abounded that Grunno had notified the King 
that unless the Tongan Government paid the amount of the debts, the 
Vavau group would be seized in the name of Germany.[29] Although 
there was probably very little substance to these various German 
threats, the evidence of German interest in the group was sufficient to 
impress upon the Colonial Office the need for preventative action.

Britain decided that further argument with Germany was useless. 
A number of British officials took seriously the warning of a German 
naval officer in October 1898 that 'till your flag goes up or your 
Protectorate is declared...it is still open to any nation to take 
Tonga', and advised the immediate establishment of a protectorate, or 
its equivalent, over Tonga.[30] Instead, the British Government 
chose to strengthen Tongan independence and allay the German threat by 
extracting a pledge of neutrality from the King of Tonga. In early 
1899, a British warship was sent to Tonga to extract from the King a 
carefully worded undertaking by which he agreed to

pledge and bind himself, his heirs and successors, never to 
cede or transfer any of his rights of sovereignty, nor, 
except insofar as he may be expressly bound by existing 
arrangements, to cede, sell, mortgage or otherwise give for 
occupation any part of his territory to any foreign 
power.[31]

The Colonial Office believed they could at any time release the King 
of Tonga from his pledge as far as a cession to Britain was concerned;

29. Leefe to O'Brien, 14 December 1898 and 26 December 1898, FOCP 
7358, encl. 2 and 4 in no. 42.

30. Consul Maxse to Commander Sturdee, 18 October 1898, FOCF, 7278, 
encl. in no. 58.

31. F.O. to C.O., 20 January 1899, FOCP 7358, no. 10; C.O. to F.O., 
27 January 1899, ibid., no. 16. The wording was intended not to 
interfere with the existing rights of Germany and the United 
States to coaling stations under their respective Treaties.
since no other power would be involved there could be no objections.[32] This was the last possible means, short of making an official claim, by which Britain could try to ensure that Germany would not seize Tonga.

The British Government made it clear that its intentions in regard to Tonga went no further than this. It gave no support to the suggestion, put forward by Commander Sturdee, that Britain should establish a general control over Tongan finance in order to counter German dealings. Further, the Commanding Officer of the warship was instructed to explain, in case the King should raise the question, 'that His Majesty's Government have no intention of establishing a Protectorate over the group, and that they cannot entertain any proposal of that nature'.[33] When Captain Leslie Stuart of HMS Tauranga arrived in Tonga on 8 March 1899, he was thus able to assure a 'nervous and suspicious' King, attired in full military dress, that Britain's sole objective was 'to secure the independence of Tonga for ever, and to maintain the friendly relations which have hitherto existed between them and the Sovereign and peoples of the islands'.[34] Such an objective could hardly have been closer to the King's own wishes. Accordingly Tupou II signed the Agreement on the 14 March 1899, without Stuart needing to make any mention of a loan which he had been authorized to hold out as inducement if necessary.[35]

32. C.O. to F.O., 6 May 1899, FOCP 7358, no. 62.


34. Captain Stuart to Tupou II, 11 March 1899, ibid., encl. 2 in no. 69.

35. Captain Stuart to Rear-Admiral Pearson, 20 March 1899, ibid., encl. 1 in no. 69.
With the signing of this Agreement it seemed that Tonga's independence was further strengthened and that Britain had again managed to secure her interests in Tonga with a minimum of effort and expense. But within a few months the settlement of British, German and American rivalries over Samoa altered the situation drastically. The Anglo-German Treaty of 14 November 1899 was based on the idea of a Samoa-Tonga division of interests which had been foreshadowed 13 years earlier. Under the Treaty Britain agreed to surrender her rights in Samoa in return for a similar withdrawal of German interests from the Tonga group, together with territorial concessions in the Solomons and West Africa.[36]

In view of the Australasian lobby for Samoa, some commentators have found Britain's decision to abandon Samoa in favour of Tonga surprising, and have attempted to explain it as the outcome of weakness, or of a last-minute revelation of the strategic importance of the harbour at Vava'u in the Tongan group.[37] However, Britain's decision to take Tonga is best seen as the culmination of 20 years of concern over the strategic importance of the group in relation to other British possessions. Britain's primary motive over this period had been to keep out the warships of foreign nations,[38] and its


38. cf 'The primary motive for them (the British) had been to preserve the Kingdom's autonomy, not to keep out the warships of foreign nations', Kennedy, ibid., p.257.
objective in obtaining a surrender of German treaty rights in Tonga in 1899 was the same:

to remove as far as possible the competition of any foreign influence, and to prevent the establishment in those islands of a strategic position from which the security of the Australian colonies and New Zealand, or their trade, might easily be threatened.[39]

Besides, the practical good sense of gaining exclusive rights in Tonga as against uncertain and probably unobtainable rights in Samoa naturally appealed to British negotiators. As Lord Salisbury had minuted more than 10 years earlier: 'It is in Tonga that we must look for compensation for the superior position which their more active trade has given to the Germans in Samoa.'[40]

Thus with the Samoan settlement of November 1899 Anglo-German rivalry over Tonga, which had helped maintain the islands' independence, was eliminated. Britain had accepted Tonga in part compensation for Samoa, and it therefore became necessary for the Colonial Office to establish some positive claim over Tonga and prevent the possibility of fresh rights being created in the group. Officials also felt that possession of Tonga might help to appease New Zealand's anger over the loss of Samoa, and the Colonial Office intimated that responsibility for Tonga might shortly be handed over to New Zealand.[41] The 1886 Anglo-German declaration of Tonga's neutrality and the explicit guarantee of Togean independence contained in the undertaking obtained from the King exactly eight months

39. C.O. to F.O., 16 December 1899, FOCP 7358, no. 110.

40. Minute on Commander-in-Chief Australian Station to Admiralty, 27 November 1887, FO 58/232.

41. C.O. to Governor of New Zealand, 2 November 1899, See 'Note on Proposed Annexation of Tonga to New Zealand', CO 881/12. Australian no. 200, 14 October 1911.
earlier, had all been superseded. Tongan independence was no longer a possibility.
CHAPTER 2

Reluctant Protectorate

The King of Tonga to Mr Basil Thomson. King's Palace, Nuku'alofa, 7 May 1900.

I DESIRE to know how treaties are made by the great Governments of the world, especially England, and the reason for my question is that I am certain that you know the right way in which Treaties are made, and that you are familiar with all Government matters.

First. Are Treaties made when two Governments are of the same mind, or only when it is the mind of the stronger of the two?

Second. If a great and powerful State wishes to make a Treaty with a small and weak State, is it right that the small and weak State should be punished by the strong State because it does not wish to make the Treaty?

Third. Does a great and powerful State seek occasion to quarrel with a weak State for seeing that a portion of its powers will be taken away from it by a Treaty?

Fourth. Will England punish poor Tonga for wishing to keep the existing Treaty of Friendship she made with England?

I send my love.

Your affectionate friend,

(signed) TUBOU II

[Encl. 5 in no. 6, FOCP, 7504.]

"...for our land could not be justly seized for having wronged any State, or for having broken any Treaty, but only for having wished to keep ourselves independent".

[The King of Tonga to Mr Basil Thomson, private, (translation), 19 May 1900, encl. 8 in no. 6, FOCP, 7504.]
The form of control which the British Government decided to assert over Tonga in the wake of the Samoan Convention represented no great departure from its previous policy. While it was considered essential to the interests of the Empire that Britain 'should be placed in a position to prevent any foreign Power acquiring any influence or authority in those islands or interfering in any way in their affairs';[1] this was to be achieved with a minimum of commitment. Britain's requirements would be met by extracting three privileges from the King of Tonga under a new treaty. The most important requirement was control over Tonga's foreign relations. Article II of the draft Treaty sought the King's agreement that 'all his relations of any sort whatever with foreign Powers, shall be conducted under the sole advice and through the channel of Her Majesty's Government'.[2] Secondly, to avoid complications with foreign powers, it was necessary to persuade the King to transfer full jurisdiction over Europeans to a British court; this would ensure that when the consular jurisdiction of other powers was abolished, they would have no cause to complain of the weakness or partiality of the Tongan Courts. Thirdly, Britain sought the sole right to establish coaling stations in the harbours of Vava'u and Tongatapu, and the right to erect and garrison fortifications should this become necessary.[3]

Britain intended to assume these rights under a protectorate. By Article I of the draft Treaty the King of Tonga was to agree 'to place freely and unreservedly himself, his subjects, and his dominions

1. G.O. to Thomson, 20 January 1900, FOCP 7388, encl. in no. 10.
2. Draft Treaty of Friendship, FOCP 7388, encl. 3 in no. 4; see Appendix I(iii).
3. Article VI and III, _ibid_.

under the protection of Great Britain. In return, Britain would
undertake 'to protect the Government and territory of Tonga from any
external hostile attacks',[4] as well as conducting Tonga's foreign
relations and exercising jurisdiction over foreigners. Although the
word 'protectorate' was used, it implied a totally different
relationship from that involved, for example, in the protectorate
established over the Solomons in 1893. The word 'protectorate' was in
fact used for a variety of governmental forms, and the extent of
influence exerted under it was determined far more by practice than by
any set policy. The establishment of a protectorate rather than
annexation, was in the first place 'a matter of convenience', for it
implied limited financial and administrative commitments.[5] In the
case of Tonga, protectorate status was simply a convenient framework
within which to claim international responsibility for Tonga. Tongan
sovereignty was to be retained, and British sovereignty would not
extend to the Tongans. Britain would have no responsibilities in
internal affairs, except that the advice of a resident Agent and
Consul or the High Commissioner would be available to the King, should
he wish to seek it.[6]

Although protectorate status would meet immediate needs, the
Colonial Office was nevertheless careful not to preclude the
possibility of annexation should it become necessary. Its major
concern was the possibility of an unfriendly move by another power,

4. Article II, ibid.

5. For a discussion of the concept of Protectorates see Scarr,
Fragment, pp.252-256 and Colin Newbury, "Treaty, Grant, Usage
and Conscience": The Origins of British Colonial Protectorates',
in S.A. Wood and P.S. O'Connor (eds.), W.P. Morrell: A Tribute,

6. Draft Treaty, Article IV.
particularly the United States, which had not formally renounced its treaty rights, including the right to establish a naval station at Vava'u. [7] Similarly, if a deterioration in the state of Tonga's internal affairs warranted annexation, then the question would be reconsidered. Accordingly the Colonial Office stressed that while there was no immediate intention or desire to assume sovereignty, it was necessary 'to abstain from giving any formal pledge or assurance that Her Majesty will not under any circumstances annex the group'. [8] At the same time the Special Commissioner to Tonga, Basil Thomson, was asked to assess as discreetly as possible, how the King and people would react to annexation and especially whether there was any possibility of active resistance. [9]

The draft Treaty did not seek an extensive surrender of the King's powers, but the Colonial Office was nevertheless aware that the task of extracting even these meagre concessions from him might not be an easy one:

As the people of Tonga are naturally suspicious and jealous of outside interference, it is desirable that the person to be entrusted with the proposed Mission should be not only possessed of tact and discretion, but also known to and trusted by them. [10]

Accordingly they chose as their negotiator a man considered to have successfully gained 'the entire confidence of the king and people' —

7. In the meantime, however, a confidential assurance had been given by the American Secretary of State, Hay, that the United States did not intend to take advantage of its treaty right to establish a naval station. (Memorandum by Oakes, F.O., 21 December 1899, FOCP 7388, no. 110; minute by Villiers, F.O., 23 December 1899, Ibid.)

8. C.O. to Thomson, Secret, 20 January 1900, FOCP 7388, encl. 2 in no. 4.

9. Ibid.

10. C.O. to F.O., 16 December 1899, FOCP 7388, no. 110.
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...
At the outset of his mission, Thomson was hopeful that he might win at least a nominal cession of sovereignty, 'with the full agreement of the Chiefs and people'.[14] His pro-annexationist view, privately expressed to the Colonial Office, contrasted markedly with his public expressions that Britain 'was bound in honour not to take' the Tongan harbour, and that annexation was a 'ridiculous idea'.[15] To the Colonial Office he justified his support for annexation in terms of his fear of the United States 'expansion party' which might not be daunted by a mere protectorate. As he pointed out, annexation would 'put the matter of the coaling station at rest for ever'.[16] The Colonial Office went along in part with Thomson's reasoning — he was given full power to accept a cession of sovereignty if it were freely offered, but he was not to be the first to mention it. Moreover, if sovereignty was taken it would be only on condition that existing arrangements were to stand until Britain provided otherwise.[17]

Thomson's optimism was misplaced. Far from eliciting an offer of cession, he was to have considerable trouble in extracting from Tupou II even the few concessions contained in the draft Treaty. By the time of Thomson's visit the 26 year-old King had been on the throne for seven years. In keeping with his position as Tongan chief and King he was of massive proportions and had surrounded himself with the finest trappings of European-style royalty. His claim to the throne was through his mother, Fusipala, who was the daughter of Tupou I's

17. Ibid.
son, Tevita 'Unga, and he was also descended from Tupou I through his father, Fatafehi Tu'ipelehake, who was the son of Tupou I's daughter, Salote Pilolevu. At birth the young Taufa'ahau had been only fifth in line to the throne; it was not until 1889 with the death of Tevita 'Unga's son, Prince Ngu, that he became Crown Prince. Taufa'ahau was educated at the Government College in Nuku'alofa, and, although as King he invariably used an interpreter, he had a reasonable command of English.[18] For a few months in 1889-90 he visited Auckland where, under the guidance of a private tutor, he continued his education. His first and only government position prior to the Kingship was as 'Town Officer' of the village of Holopeka, in Ha'apai. The village contained about five or six families and Taufa'ahau was sent there at the age of 18 to see how he managed to conduct the fono, or meetings. The death of Tupou I within a year caused his rapid promotion from Town Officer to Sovereign.[19]

Tupou II's contact with the encroaching European world was minimal and the problems of internal dissension which he inherited increased the difficulties of his reign. Tupou II ruled, not as the constitutional monarch European observers expected, but as Tu'i Kanokupolu: Tongan chief and holder of supreme power. He was strong-willed, autocratic and sensitive to any challenge to his authority. Not surprisingly, he made no secret of his dislike for the idea of a protectorate and his conviction that Tonga should preserve its independence. An independent kingdom was his proud heritage and any compromise would damage his prestige: a letter he had received 18. At the Government College Taufa'ahau studied under 'Professor' J.H. Roberts. See S.C. Roberts, Tamai: The Life Story of John Hartley Roberts of Tonga, Sydney, 1924, pp.110-112.

from the ex-Queen of Hawaii addressed to 'the last independent Sovereign in the Pacific', consoling him on the loss of his independence under the Samoa Convention, had apparently strengthened his resolve never to surrender willingly any of his rights.[20]

As soon as he read the draft Treaty, Tupou II rejected its implications. In a brief letter to Thomson written on 10 April, the day after the latter's arrival, Tupou II bemoaned the fact that the country was lost, and signed himself dramatically 'Your true friend, whom you have slain'.[21] In discussions between the two men over the next few days no agreement was reached and Thomson decided he should lose no time in securing the coaling and repair stations 'lest the King should afterwards make them a condition for concessions in other parts of the Treaty'.[22] Accompanied by the Minister of Lands who had been authorised by the King to conclude a perpetual lease of the land required, Thomson selected two sites: one at Vava'u and one at Nuku'alofa. He also took the opportunity to sail on to the neighbouring island of Niue, where the King and Chiefs accepted a protectorate without demur. After an absence of 10 days Thomson returned to Nuku'alofa on the 25th April. He then proceeded, as he later put it, to show his claws to a recalcitrant King.[23]

After his return from Niue, Thomson was invited to attend three Privy Council meetings at which the draft Treaty was discussed. To counter the King's objections Thomson argued that far from taking away

20. Thomson to C.O., 28 May 1900, CO 225/60.
21. Ibid.
22. Ibid.
23. Thomson, 'I Show My Claws to a Recalcitrant King', Chap.XX, The Scene Changes.
Tonga's sovereignty, the Treaty would strengthen it by removing the danger of foreign aggression. He stressed the possibility of the French or even Italian flag being hoisted and claimed that if Tonga rejected the draft Treaty Britain would regard the King as 'hostile to her interests' and take 'stronger action'. If, however, the Treaty was signed, Thomson assured the King that Britain would recognise his sovereignty in the event of any civil disturbance within Tonga, although, as he noted later, he gave no promise to keep Tupou II on the throne. Further to allay fears regarding independence Thomson agreed to add to the first Article which placed Tonga under British protection the words, 'without prejudice to the sovereignty of the King of Tonga'. But as Thomson no doubt realised, the addition neither altered the substance of the Treaty, nor guaranteed continuing sovereignty for the King.[24]

During the discussions on the Treaty, Tupou II was undoubtedly receiving European advice, although the exact source is uncertain. The Reverend J.B. Watkin, a former Wesleyan missionary to Tonga who had followed Tupou I and Baker into the Free Church in 1885 and had been its President and chaplain to the King since that time, invariably acted as Tupou II's interpreter and may have been advising him regarding the Treaty. Other European missionaries and former missionaries also seem to have given Tupou II advice, including the French priest Father Olier and even the Reverend Dr. J.E. Moulton, who had been recalled from Tonga by the Australasian Wesleyan-Methodist Church in 1888 and was visiting Tonga at the time of the negotiations. Baker, too, had a hand in the deliberations; in 1898 he had returned to settle in Tonga and although his influence was no longer decisive, he apparently translated the Treaty for Tupou II.

24. Ibid., p.195; Thomson to C.O., 28 May 1900, CO 225/60.
The advice that he gave the King is a matter for speculation — in September 1900 this former champion of an independent state who now found himself left out in the cold was urging on New Zealand's Premier the advantages of annexing Tonga.[25] Tupou II's only other sources of European advice were local traders and others who shared his distrust of Britain and believed that British influence might threaten their position with the Government.

With the assistance of his advisers, Tupou II proposed a number of amendments to the draft Treaty. He sought, for example, to add the words 'And the Queen undertakes never to seize the islands'. In view of his instructions Thomson could not agree to this amendment. Instead he declared it an insult, and argued that Britain could have seized Tonga 'at any moment during the 127 years since Captain Cook'. The King's second proposal was that Europeans working for the Tongan Government should be amenable to the Tongan Courts and punished according to Tongan law. This too, Thomson dismissed outright; no European would be tried by the Tongan courts. A further amendment proposed by the King met with Thomson's approval: Article IV of the draft Treaty which provided for the appointment of a British Agent and Consul to be the 'authorised medium of all communications' between the two Governments was amended to allow the King of Tonga to appoint his own representative to conduct negotiations with the British Government.[26]

25. Baker to Seddon, 4 September 1900, NZNA, Seddon Papers, 1/60/73. Baker to Seddon, 8 August 1900, ibid., 1/60/67;

26. Thomson, The Scene Changes, p.197; Treaty of Friendship between Great Britain and Tonga, 1900, Article III.
By this time Thomson realised that Tupou II had no intention of signing the Treaty if he could avoid it and was employing every delaying tactic he knew. On 2 May, in reply to a request from Thomson that the day for signing be fixed, the King wrote: 'Our reply is, on the day we are agreed about it it shall be concluded.'[27] Thomson's impatience was growing. It was time, he decided, to show 'the ungloved hand'. In a move which he failed to report to the Colonial Office, Thomson attempted to intimidate the King into signing by fabricating a report that he had received 'secret orders' which made things look very bad for the King. His ploy was assisted by local rumour which alleged that if Tupou II refused the protectorate, Britain would simply seize Tonga. To force home his advantage, Thomson wrote a private letter to the King, remonstrating with him for his opposition to the Treaty, and likening Tonga's situation to that of a loved one trying to commit suicide. Thomson admitted later that his letter 'must have stirred up the King considerably', and from the extremely abject tone of the reply it evoked, there can be no doubt of that.[28]

At discussions the next morning it seemed to Thomson that he had finally managed to convince the King that a protectorate was the least of the possible evils which might befall Tonga. Solemnly he declared, 'Tupou, neither you nor I can stop this Protectorate. It has been decided upon'.[29] But Tupou was not yet beaten. After some time

27. Tupou II to Thomson, 2 May 1900, encl. in Thomson, to C.O., 28 May 1900, CO 225/60.

28. Thomson, The Scene Changes, p.198-9; Thomson to Tupou II, private, 2 Me 1900, FO/KNF 1900; Tupou II to Thomson, private, translation, 2 May 1900, FOCP 7504, encl. 4 in no. 6.

had been occupied in discussing the merits of various translations of the word 'protection', it was agreed between the two men that the signing of the Treaty should be delayed until the nobles and other important chiefs[30] were assembled from all over the group. According to Thomson, the King gave an assurance that the waiting would not be in vain, and that the Treaty would be accepted and signed once the assembled nobles had considered it.[31]

If this assurance was given (and we have only Thomson's dubious word for that), it is surprising that Thomson accepted it at face value. No doubt he did so out of his own conviction that the presence of the nobles would aid his mission. At the outset he had encouraged the King to share with the nobles the responsibility of signing the Treaty, but the King had preferred to be guided by his Ministers in Privy Council, on whose support he knew he could rely. Throughout the negotiations, Thomson accused Tupou II of standing virtually alone against the Treaty, with the support of only some of the nobles whom he described as 'the more ignorant'.[32] He stated in his report that the nobles Tungi, Ata, Tu'ipelehake and Vaea, and the chief Mateialona, were all openly in favour of the protectorate.

30. In his report Thomson refers to 'All the forty-one Chiefs ("nobele")'. Since there were at that time thirty-one nobles, it is likely that Thomson meant to refer to the nobles, all of whom were due in Nuku'alofa shortly for the triennial Parliament. Amongst those he mentions in this context, however, are some chiefs, such as Mateialona, who were not nobles.

31. Thomson to C.O., 28 May 1900, CO 225/60.

32. Ibid.
The support which these nobles and chiefs gave Thomson and the protectorate had its origins in divisions within Tongan society and in a long-standing alliance between certain opponents of the Tupou dynasty and the representatives of the British Government. All of those Thomson named had reasons to oppose Tupou II's rule and they saw British protection as a means of increasing their own influence and restricting the power of the King. One of the most prominent was Mateialona, the Governor of Ha'apai and an illegitimate grandson of Tupou I. Like Ata and Vaea, Mateialona was a Wesleyan who had accepted exile in Fiji between 1887-1890 rather than join Tupou I's Free Church. During the turmoil of the 1880s the Wesleyans had found support from British officials and they continued to foster links with Britain. The noble Tungi was one of Tupou I's most powerful rivals. He was a direct descendant of the Tu'i Ha'atakalaua line which, according to tradition, had exercised temporal power for the Tu'i Tonga before the Tu'i Kanokupolu took over in the seventeenth century. Tungi's son, Tuku'aho, was appointed Premier at British instigation after Baker's deportation in 1890, but was dismissed by Tupou II in 1893. Both he and Tungi had worked closely with Thomson during his term as Deputy Premier in 1891 and although Tuku'aho had died in 1897, Thomson regarded the elderly Tungi with particular affection. In 1899, a few months before Thomson's arrival, factional rivalries had intensified as a result of Tupou II's choice of a wife. Until shortly before the wedding Tupou II was expected to marry Ofa-ki-Vava'u Ma'atu, who belonged to the Tu'i Ha'atakalaua line and was favoured by many of the nobles. Instead, however, Tupou II married Lavinia Veiongo, great-grandaughter of Laufilitonga, the last Tu'i Tonga, and daughter of the Minister of Police, Kupu. The extent of feeling which Tupou II's decision aroused was indicated by attempts to burn down
houses by the opposing factions. The Reverend Shirley Baker, who had for some time been trying to regain influence in Tonga, found willing converts for a branch of the Church of England among Ofa's relatives.[33] For many months after the wedding Tupou II rarely ventured from the Palace except under guard and, according to Thomson, Tungi and Ata had not spoken to the King since the wedding.[34]

It was clear, then, that Tupou II did not have the unanimous support of the nobles and other leading chiefs, and Thomson obviously hoped to use the divisions to his advantage. Nevertheless, when the nobles and chiefs were finally gathered together in the Palace on the 16 May, it rapidly became evident that the King's will prevailed. Thomson apparently expected a division amongst the nobles -- an indication of the extent to which he had failed to understand the relationship between King and nobles and the sanctions against open disagreement. Moreover, there is no strong evidence to support Thomson's assertion that those who favoured the Treaty were in the majority. At the meeting (from which Thomson was excluded after he had made an opening speech), several of those present, including Tungi and Mateialona, apparently expressed support for a protectorate. But on the second day Thomson was asked to agree to an amendment guaranteeing the King's throne for ever; this he would do only if the words 'making the islands a British Protectorate' were added. Finally a messenger informed Thomson that the meeting would not agree to the first clause of the Treaty, and the discussions concluded with Thomson


34. [Tregear, E.], The Right Hon. R.J. Seddon's (The Premier of New Zealand) Visit to Tonga, Fiji, Savage Island and the Cook Islands, May 1900, Wellington, 1900, pp.20-22; W.E. Bell, Ocean and Isle, Melbourne, 1902, p.103; Thomson to C.G., 28 May 1900, CO 225/60.
no closer to his objective.[35]

Thomson's patience was running out. He had expected the meeting of chiefs to settle the matter; now he determined that the Treaty should be signed before the night was out. But by this stage the King's dislike of the Treaty had widened from Article I to include Article II as well. Tupou II would not sign unless the restriction 'except under the sole advice and through the channel of Her Majesty's Government' was removed from the conduct of his foreign relations. Thomson blamed the King's renewed resistance and sudden awareness of the full ramifications of Article II on the background activities of Father Olier, the acting head of the French Roman Catholic mission, whom he described as 'the snake in the grass'.[36] Thomson accused Olier of intriguing to make Tonga a French Protectorate, and he claimed to have private information 'from a trustworthy source' that the French priest had promised the King that a French warship would visit Tonga in June 'with instructions as to a Treaty'.[37] According to Vice-Consul Leefe, however, Olier satisfactorily explained the warship rumour and declared himself delighted with the idea of a British Protectorate over Tonga, as this could be expected to ease the French mission's struggle to develop its Church.[38]


36. Ibid, p.211.

37. Ibid., p.213; Thomson to Leefe, 19 May 1900, FOCP 7504, encl. 3 in no. 18; Thomson to C.O., 28 May 1900, CO 225/60.

38. Ibid., Leefe to O'Brien, 14 June 1900, FOCP 7504, encl. in no. 28. As recently as 1896 a French Naval Commander had been called upon to induce the King to assign land in Nuku'alofa for the French Catholic mission (Hugh Laracy, 'The Catholic Mission', in Rutherford (ed.), Friendly Islands, Oxford U.P., 1977, p.197).
Whether as a result of Olier's influence or not, it became clear to Thomson that the King was now 'obstinately determined to resist at all costs'.[39] Thomson had no real choice but to acquiesce, and allow the King to sign only those sections he pleased. The prospect of further delay could not be tolerated. Nor was it desirable to put any more pressure on the King than Thomson's continual outpouring of unveiled threats provided; if a contingent of marines were landed from HMS Porpoise there would be no doubt that Thomson had extorted the Treaty by force. Moreover, he was astute enough to realise that if he created an open breach with the King, there was every possibility that Tupou would simply reject the whole Treaty, including the extra-territoriality clauses, and Thomson's mission would be a complete failure.

Accordingly Thomson agreed 'under protest' to the omission of Articles I and II of the draft Treaty and the inclusion of a new Article I on condition that the Treaty was signed immediately. The new Article which was intended to strengthen Tonga's independence, resembled the pledge signed by the King and Captain Stuart in 1899:

His Majesty the King of Tonga agrees that he will have no relations of any sort with foreign powers concerning the alienation of any land or any part of his Sovereignty, or any demands for monetary compensation.[40]

At 2 a.m. on the morning of 18 May the Treaty was finally signed, with Thomson and Fatafehi Tu'ipelehake, who was Tupou II's father and the Minister of Lands, acting as plenipotentiaries for their respective monarchs.

39. Thomson to C.O., 28 May 1900, CO 225/60.

40. Article I, Treaty of Friendship Between Great Britain and Tonga, 1900; see Appendix I(vi).
In the eyes of his Tongan subjects Tupou II had triumphed in the negotiations. He appeared to have prevented a protectorate and kept control of his own foreign relations; his victory was translated into song and celebrated widely. Even Thomson observed that the Tongans assembled at his departure were saying 'There they go, beaten; they fought our chiefs for our country and got the worst of it!'.[41] After reading Thomson's report the High Commissioner, Sir George O'Brien, commented in the same vein that 'the King seems to have been too much for the Envoy'.[42] But although the resourceful Mr Thomson had failed to secure formal agreement to the Treaty as drafted, he nevertheless managed to secure the essence of the missing first two Articles by other, more dubious, means.

The Treaty as signed contained no provision for British control over Tonga's foreign relations, but Thomson insisted that it did. He maintained that a letter which Tupou II had written on 2 May expressing his general agreement with the Treaty apart from the first Article, constituted a 'formal undertaking'.[43] Thomson later described the letter as 'a business-like document' and 'an official letter...(which) seemed to put an end to all negotiations',[44] but in fact it was nothing of the sort. The King denied that it was an 'agreement', and from the format and the wording there can be no doubt that Tupou did not intend it to be final. In translation it began:

I write this letter in reply to the questions you put to me yesterday, which were as follows: (1) What is our mind towards the new Treaty? And our answer is, we agree to it, but the first section only is difficult to us where the word 'protection' is used.

41. Thomson, _The Scene Changes_, p.212.
42. Minute by O'Brien, 11 June 1900, WPHC 4, 2/1900.
43. Thomson to Tupou II, 18 May 1900, FOGP 7504, encl. 6 in no. 6.
44. Thomson, _The Scene Changes_, p.198.
And later,

Do not be pained at this letter, Mr Thomson, for I agree to everything that is in the Treaty; it is only the first section that appears difficult to me; and if you will consent to alter the first section it would be easy for us to agree on the matter.[45]

Thomson's interpretation of this letter was obviously an exaggeration, but he used it now to his advantage, warning the King that 'he would be held bound by his written agreement of the 2nd May'.[46] To reinforce the point he informed the King later in the day that Her Majesty's Government would regard the letter of 2 May, 'as forming part of the Treaty', and that if the King entered into 'negotiations of any sort whatever with any foreign State, except under the advice and through the channel of Her Majesty's Government, such negotiations will be regarded as a breach of Treaty entailing the usual consequences'.[47]

Thomson next turned his attention to the missing Article I. Having failed to secure his objective by treaty he determined instead simply to proclaim a protectorate and present the King with a fait accompli. Thomson reasoned that unless he took some definite step, another nation, notably France, would be free to execute a Treaty of Protection with Tonga. Moreover he declared himself satisfied that 'all the more powerful and intelligent chiefs were in favour of a Protectorate'.[48] Consequently, he prepared a Proclamation, which was to be read publicly as his final act before sailing away from Tonga. The Proclamation stated that:

45. Tupou II to Thomson, 2 May 1900, FOCP 7504, encl. 2 in no. 6.
46. Thomson to C.O., 28 May 1900, CO 223/60.
47. Thomson to Tupou II, 18 May 1900, FOCP 7504, encl. 6 in no. 6.
48. Thomson to C.O., 28 May 1900, CO 223/60.
Whereas His Majesty the King of Tonga has been pleased to sign an Agreement, dated the 2nd May, 1900, and a Treaty, dated the 18th May, 1900, wherein he agrees that his relations with foreign Powers shall be conducted under the sole advice of Her Britannic Majesty's Government, and that her Majesty shall protect his dominions from external hostile attacks, it is hereby proclaimed that a Protectorate by Her Britannic Majesty has been established accordingly.[49]

The following day, 19 May, Thomson, accompanied by Commander Ravenhill, Vice-Consul Leefe, and an escort of 50 armed men, proceeded to the Palace to take official leave of the King. After Thomson had rebuked the King for his obstinacy and issued a further warning as to the conduct of Tonga's foreign relations, the two men shook hands and, according to Thomson, parted on the best of terms. At the head of the British guard Thomson now marched to Mala'e Pangai, the main square, where a large crowd quickly gathered. There Thomson read the Proclamation in both English and Tongan, while in the background HMS Porpoise, dressed overall with the Union Jack at the main, fired a 21 gun salute. In deference to the intensity of the Tongan people's devotion to their own flag Thomson had deliberately arranged to proclaim the protectorate without hoisting the British flag on shore. A few hours afterwards, Thomson sailed victoriously away, leaving the Kingdom to carry on its own government and to come to terms with the new limitations on its power.

49. Proclamation, Nuku'alofa, 19 May 1900, FOCP 7504, encl. 7 in no. 6.
THE King's reaction to the proclamation of the protectorate was at first one of quiet submission. He was well aware that the desires of a 'great and powerful State' were all that really mattered in the long run,[50] and he could do little about Thomson's proclamation, of which he had no forewarning and at which he was not even present. The saddened and submissive tone of the final private letter which he sent Thomson just before his departure is almost poetic:

I thought that the British flag would have been hoisted this morning, and if it had been done we should have been content, for that is the way with strong Governments; they do what seems good in their eyes.

He went on to point out that he had not wanted to seem discourteous to Thomson, but 'our minds are stirred at the thought of our land being taken by one of the Great Powers'. Movingly he concluded:

our land could not be justly seized for having wronged any State, or for having broken any Treaty, but only for having wished to keep ourselves independent, and something has happened to us today, yet we are content.[51]

As the King so clearly realised, Basil Thomson's proclamation of a protectorate was final proof that ultimately, the preservation of Tonga's independence lay not within Tonga, but with the attitude of the Great Powers.

Tupou II made one attempt to protest to the British Government against the Treaty. In late July the Colonial Office received a telegram on behalf of the King of Tonga, begging that the Treaty might remain in abeyance until a letter from him was received.[52] The

50. Tupou II to Thomson, 7 May 1900, FOCP 7504, encl. 5 in no. 6. The full quotation is at the title page of Chapter 2.

51. Tupou II to Thomson, private, 19 May 1900, FOCP 7504, encl. 8 in no. 6.

52. O'Brien to C.O., tel, 23 July 1900, CO 225/59.
promised letter, which arrived in late October, disputed Thomson's interpretation of the 2 May letter in relation to the inclusion of the foreign relations provision, and also protested the 'considerable difference' between the Tongan and English translations of the Treaty.[53] The King's arguments were soundly based, and were supported by Vice-Consul Leefe, who advocated the appointment of a 'Mixed Commission' to agree on an interpretation and translation of the Treaty.[54]

The Colonial Office was prepared in principle to consider the King's protests before proceeding with the ratification of the Treaty. After a brief examination, however, officials found no cause to modify Thomson's arrangements;[55] these arrangements provided the simplest means of meeting British requirements in Tonga, and unless Britain's reputation was seriously jeopardised, it was easiest to accept the fait accompli. The King of Tonga was in no position to make an effective protest. Moreover, the Colonial Office could do little but rely on Thomson's interpretation of events. He was, after all, Britain's chosen representative. When the King's letter was referred to Thomson for comment, he alleged, predictably enough, that the King was intentionally misleading the British Government and merely seizing upon any excuse for disclaiming responsibility for the Treaty among his people.[56]

53. Tupou II to C.O., 15 August 1900, FOCP 7504, encl. 3 in no. 65.
54. Leefe to O'Brien, 24 July 1900, FOCP 7504, encl. 2 in no. 57.
55. C.O. to F.O., 30 October 1900, FOCP 7504, no. 65; F.O. to C.O., 6 November 1900, CO 225/60.
56. Thomson, Memorandum, 12 October 1900, FOCP 7504, encl. 3 in no. 57.
Although the Colonial Office now gave its full support to Thomson's arrangements, some officials had initially been taken aback by his methods. In particular, there had been some doubt as to whether the foreign relations Article could or should be read as part of the Treaty. In a note to the Foreign Office, the Colonial Office commented that although the Treaty was not of great value without the foreign relations clause, the leases were nevertheless important and the Treaty should be ratified.\[57\] Subsequently these doubts were cast aside and the Colonial Office approved Thomson's actions and recognised the letter of 2 May as valid. It was considered that, in the circumstances, Thomson had achieved a considerable measure of success, for which the thanks of Her Majesty's Government were to be conveyed to him. The knighthood which Thomson had hoped for and subsequently requested was not forthcoming; it was not until after the First World War that Thomson was knighted for his services in Scotland Yard during the war.\[58\]

To further justify the British position, officials pointed out that the undertaking to protect Tonga against foreign powers implied control by Britain of Tonga's foreign relations.\[59\] Although the offending Article was not in the ratified Treaty, Britain continued to maintain that in fact it was. By a mixture of threats and habit, Tonga's foreign relations were thereafter for the next 50-60 years, conducted for the most part through British representatives.

57. C.O. to F.O., 13 July 1900, FOCP 7504, no. 6.
58. Ibid., I am indebted to Angela Woollacott for the information on Thomson's knighthood.
59. C.O. to O'Brien, Conf., 30 November 1900, CO 225/60.
On the question of the protectorate there was also some doubt. As late as October 1900, for example, High Commissioner O'Brien was unsure whether an effective protectorate had been established[60] but officials in London were adamant. Thomson's Proclamation had been 'a bold step', but one which they considered justified in the circumstances.[61] Although the King had refused to accept formally the relevant Article of the Treaty, he had nevertheless 'acquiesced in the Proclamation of a Protectorate, a step which was taken with the approval of the majority of the chiefs'.[62] H.B. Cox in the Foreign Office summed up Thomson's mission succinctly: 'We appear to have obtained the substance if not the form, but we may have to put the screws on King George a little if he is restive.'[63]

It was with the purpose of 'keep(ing) this slippery gentleman to his Treaty'[64] that the Colonial Office decided that the High Commissioner for the Western Pacific should himself proceed to Tonga in a warship to 'facilitate' matters at the exchange of the Treaty ratifications. The High Commissioner was to impress on the King, as forcibly as possible, that:

Her Majesty's Government will not suffer the provisions of the Treaty to be broken with impunity; and in especial that any attempt to enter into negotiations with foreign Powers through any but the proper channel, viz., Her Majesty's Government, will be regarded as a grave and deliberate breach of Treaty, and will entail the most serious consequences.[65]

60. O'Brien to C.O., 3 October 1900, WPHC 4, 2/1900.
61. C.O. to F.O., 13 July 1900, FOCP 7504, no. 6.
62. Minute by Cox on Thomson to C.O., 28 May 1900, CO 225/60.
63. Ibid.
64. Minute on O'Brien to C.O., tel., 23 July 1900, CO 225/59.
65. C.O. to O'Brien, Conf., 30 November 1900, CO 225/60.
The warning was, as one Foreign Office official noted, 'a little stiff, but it is desirable that there should be no room for ambiguity in dealing with a ruler so "shifty" as the King of Tonga'.[66]

Thomson's view of the King and of the negotiations had obviously been wholly accepted.

When O'Brien, accompanied by the new Agent and Consul, Hamilton Hunter, arrived in Tonga on 15 February 1901 he lost no time in acquainting the King, in the presence of his Ministers, with the British Government's attitude. The King accepted the warning without demur, replying that he understood fully that the obligation was strictly binding on him and giving an assurance that he would never attempt to infringe it.[67] The exchange of ratifications was carried out on 16 February with only a minor hitch in the proceedings when the Reverend Dr. J.E. Moulton (who had produced a new translation of the Tongan Bible) pointed out 'at least one serious mistranslation in the Tongan version'. The problem was settled however, when both Moulton and O'Brien agreed that the English version only should be binding on the King.[68]

In striking contrast to Thomson's observations, O'Brien declared himself most impressed with almost every aspect of his visit, including the behaviour of the King. Throughout his term as High Commissioner he maintained considerable faith in Tupou II's ability to rule the Kingdom satisfactorily. As far as O'Brien could discern during his 1901 visit, there was only one cloud hanging over Tonga's horizon, and that was the continuing fear of annexation. He described

66. Minutes on C.O. to F.O., 16 November 1900, FO 58/335.
68. Ibid.
the King as 'passionately attached to the independence of his country', and argued that the threat of annexation was stunting the country's economic development because the King feared any increase of foreign influence.\[69\] O'Brien therefore suggested to the Colonial Office that the King should be relieved of his apprehension of impending annexation, and left to carry on his own government and develop Tonga's resources.

The High Commissioner's suggestion went further than either the Colonial Office or Foreign Office was prepared to allow. The British Government did not see that it was possible to give the King any definite assurance beyond a statement that Her Majesty's Government had 'no present intention' of annexing Tonga. And as such a statement would probably confirm rather than allay the King's apprehension, it was decided simply to drop the High Commissioner's suggestion\[70\] and the question of annexation was shelved. In the meantime, it was sufficient for British purposes that Tonga was definitely, if reluctantly, a British Protectorate. It remained to be seen what this might mean in practice, and what impact protectorate status would have on the government of the Kingdom.

69. O'Brien noted that the King had recently declined a very advantageous offer by a foreign company willing to pay 33% of its gross proceeds as a Royalty, in return for a concession to fish for pearl shell. (O'Brien to C.O., conf. 22 February 1901, ibid.)

70. C.O. to F.O., 24 April 1901, FOCP 8089, no. 67; F.O. to C.O., 6 May 1901, CO 225/61.
but nevertheless when we extend a Protectorate over a nation, we have, I think, a certain moral responsibility to see that that nation is governed on such vital principles of freedom, justice and decency as marks our Rule all the world over...

[Leefe to Seddon, conf., 5 June 1900, NZNA, Seddon Papers, 1/60/38.]
Britain's desire to establish a diplomatic presence in Tonga resulted in the proclamation of a British Protectorate in 1900. In the Treaty of Friendship that defined the new relationship between the two nations, the British Government shied away from any overt involvement in Tonga's administration, hoping to avoid any unnecessary commitments. But, having assumed international responsibility for Tonga, the British Government could not resist for long the temptation to have at least some say in its internal affairs.

Tonga's status as a British Protectorate created a new avenue for, and new expectations of, redress for aggrieved Europeans and Tongans. It also created new expectations of cooperation with the Tongan Government on the part of British representatives in Tonga and engendered a sense of responsibility which even officials in London could not finally evade. As the first few years of the twentieth century passed, it became increasingly obvious to these officials that Britain's relationship with Tonga, as defined in the Treaty, was unworkable. The dilemma Britain faced was perhaps best described by Sir John Thurston:

I do not believe in 'Protectorates'. In fact I don't quite know what it means, nor did I ever meet anyone who did.

My own opinion is that if we want the place -- or the place wants us -- we should hoist the flag on it. If the reverse -- we should not meddle. [1]

By the end of May 1900 the British Government had meddled in Tonga, and, sooner or later, it would have to face the consequences of that action.

1. Thurston to Moss, 28 October 1890, F.J. Moss Papers, MS215, Box 2, Auckland Museum and Institute Library. I am indebted to Dr. Deryck Scarr for this reference.
The British Colonial Office had been adamant in its deliberations prior to the establishment of the Protectorate that it had no desire to intervene in Tonga's internal administration. Under the Treaty, Tonga's external relations were to be conducted through the British Agent and Consul and jurisdiction over non-Tongans was in some cases removed from the Tongan courts, but Tonga's internal affairs were otherwise unaffected. Article III of the Treaty, which provided for the appointment of 'a suitable person to act as British Agent and Consul in Tonga', made this quite clear. The Agent and Consul was to exercise the jurisdiction vested in the High Commissioner's Court and was also to be the authorised medium of all communications between the two Governments. But beyond this, the Article went on:

The Agent will not interfere in any way in the internal affairs and administration in matters where the interests of British subjects or foreigners are not concerned, but will at all times be ready to advise the King and his Government in any matter as to which they wish to seek his advice.[2]

Despite the prohibition against interference, it is clear that British officials expected to have some influence over Tongan affairs. The reference in Article III to the interests of British subjects and foreigners indicated that the Agent and Consul had a particular responsibility in this regard and implied that some form of intervention on their behalf was legitimate. Further, the explication in Article III of the Consul's advisory role underlined the British Government's expectations that the Consul would exercise an informal influence over the Tongan administration. Government by advice was not a new device in British colonial circles. The protected Malay States had been governed on this principle since the 1870s without the

2. See Appendix I(iv).
extension of a formal protectorate. The gentle art of advising was the least burdensome method of influencing Tongan affairs and the British Colonial office clearly hoped that the Agent and Consul would be able to persuade the Tongan Government to follow 'wise' policies.

But if behind the Treaty had lain the fond hope that Tonga would adopt Great Britain as its mother, to guide and nourish its growth into a miniature Britain, there was little on which to base such a hope. The King of Tonga had no desire to heed British advice, especially when it was proffered by power-seeking British officials. Britain's role in the political turmoil of the late nineteenth century had given the King ample reason to mistrust the representatives of Great Britain. Throughout the 1880s the British Vice-Consuls and High Commissioners had identified themselves with the anti-Baker dissidents and had given support to those who disobeyed Tupou I by refusing to join the Free Church. Moreover, since at least the 1870s the Tongan Government had felt threatened by the possibility of British annexation. Little wonder then that both Tupou I and Tupou II viewed the British Consul as being aligned with their opponents.

Tupou II's resistance to the Treaty and the circumstances in which the Protectorate had been declared only added to the alienation of the British Consul from the Tongan Government. Just as successive British representatives had failed to gain the ear of the King in the late nineteenth century, so now the Consul was treated with suspicion and mistrust and his presence was ignored whenever possible. The Consul's determined attempts to assert his influence only intensified the breakdown in relations. In a letter of complaint to the Secretary

of State for the Colonies written in June 1903, Tupou II claimed that the British Consul was continually interfering in matters that did not come under his jurisdiction, was threatening to ruin the Tongan Government and 'spreading reports that keep my subjects in a perpetual state of excitement'.[4]

The King's view of the British Consul contrasts strongly with the naive expectations of influence harboured by local British representatives. In early December 1900, for example, R. Beckwith Leefe, an ex-planter from Fiji who was British Vice-Consul in Tonga from 1887 until the Treaty ratification in February 1901, took considerable trouble to explain to the Tongan Premier his view of the Treaty relationship and of why the British representative should be kept informed of government matters, in this case the Government's intention to procure arms. Leefe began by impressing upon the Premier Great Britain's generosity in establishing the Protectorate. Great Britain, he said, knew very well that Tonga would sooner have Great Britain as its suzerain than any other Power, and for this reason it had engaged to protect Tonga. If it had not done so, he declared, 'Tonga would have lost her independence, country, flag and all she prizes most highly in six months'. Having taken on the burden it was only right, he felt, for Britain to expect some response from the Tongan Government. Of course, since the Tongan Government was spending Tongan money, Great Britain really had no wish to interfere in internal matters, 'unless absolutely obliged to do so'. Nevertheless:

considering that now everything which is of interest to Tonga is also of interest to Great Britain, that we are both in one firm, so to speak, Great Britain requires that she shall be made fully conversant of everything which is going

4. Tupou II to C.O., 20 June 1903, FOCP 8507, encl. 1 in no. 150.
on in Tonga, and that the British representative shall be freely and spontaneously informed of everything of any importance without having to ask for the information.

The only way for things to go smoothly and well in Tonga, Leefe concluded, was for the Tongan Government to treat the British representative 'with perfect candour and confidence, and look upon him as your best friend'.[5]

Far from regarding Leefe as their 'best friend', however, the King and Government ignored his efforts at intervention. Predictably enough, in view of his resistance to the treaty in the first place, Tupou II was determined that Tonga's new status would make as little difference as possible to his Government. At the session of parliament which opened shortly after Thomson's departure, the King acknowledged no change and merely alluded indirectly to the protectorate:

What shall I say concerning the Treaty the British representative brought, in case I go astray in what I say, for hasn't he written notices and circulated them; we give thanks for the love of Britain.[6]

Apart from this brief reference, the Treaty was awarded no recognition: it was neither laid before the Assembly nor published until much later. Leefe was undoubtedly correct when he complained that 'the country at large knows nothing of its terms'.[7]

5. Leefe to O'Brien, 7 December 1900, FOCP 8089, encl. 2 in no. 41.


7. Leefe to O'Brien, 12 July 1900, encl. in O'Brien to C.O., 23 July 1900, CO 225/7.
Although the King's resistance to the Treaty and Protectorate was more passive than active, Leefe gave credence to a rumour of planned active resistance to British encroachment that gained currency in the months before the Treaty was ratified. Soon after Thomson's visit, Leefe got hold of various snippets of information to the effect that the Tongan Government was attempting to procure arms, and he linked this information to local gossip that the Government intended 'to imitate the Chinese and annihilate the Europeans'.[8] Although the Premier explained that the Mauser rifles, ammunition and battery of guns were for the use of the Royal Guards and for signalling steamers, Leefe remained unconvinced as he felt the quantities excessive. He warned the High Commissioner that '50 modern rifles in the hands of men ready and able to use them would place the European population entirely at the mercy of the Tongans if they were at any time influenced thereto by the Chiefs', and he reported that by January 1901 many of the Tongans were actually talking of actively resisting any attempt to annex Tonga.[9]

Leefe's fears were not well-founded; it is unlikely that the King would have risked a showdown of this nature. The Colonial Office censured Leefe for believing all the wild talk about wiping out Europeans, but nevertheless believed it wise to use 'a little firm handling now' to avoid trouble in the future. Although unsure of its right to intervene in a matter properly classed as internal defence, the Colonial Office decided to warn the King that the British Government, having undertaken the protection of Tonga, would not

8. Leefe to O'Brien, 5 September 1900, encl. in O'Brien to C.O., 19 October 1900, CO 225/59.

9. Ibid., Leefe to O'Brien, 26 January 1901, FOCP 8089, encl. 2 in no. 96.
permit the importation of arms, and it gave consideration to the
enactment of a Regulation prohibiting the exportation of arms from any
British possession into Tonga. Further action was precluded, however,
when Sir George O'Brien sought and received an assurance from the King
at the time of the Treaty ratification that there was no intention of
procuring a battery of guns, and that the rifles were only for the use
of his bodyguard.[10]

After the Treaty ratification Leefe was retired and the British
Government looked to a new man to establish more satisfactory
relations with the Tongan Government. Leefe was considered rather too
old (he was then 66) and not qualified to perform the duties of the
new post; O'Brien considered that he was 'not possessed of
particularly good judgement' and that 'his tactics were often
mistaken'.[11] A skilful man, he asserted, might well use the King's
vanity to advantage. Finding such an officer was not easy: the field
of choice was rather limited, especially since experience with Pacific
Islanders was considered an important pre-requisite. Moreover, the
post was not particularly important or desirable: the salary (£ 700)
per annum (plus £50 allowance from the Foreign Office for consular
duties), was not as high as that of the British Resident in the
Solomons, for example. Hamilton Hunter, the man O'Brien recommended
for the job, was an ex-planter who had 27 years experience with the
British Colonial Service in Fiji. After annexation in 1874 Hunter had
left his plantation at Taveuni to join the colonial Government, and he
later became Chief Police Magistrate. In 1898-9 he had acted briefly

10. Minute on O'Br. to C.O., 5 February 1901, CO 225/61; C.O. to
F.O., 2 April 1901, FOCP 8089, no. 56; O'Brien to C.O., 21
February 1901, CO 225/61.

as British Consul and Deputy Commissioner for Samoa and had earned praise for his tact and discretion under difficult circumstances. O'Brien was confident that Hunter possessed every qualification for the appointment and that 'no person more competent to fill it satisfactorily can be found.'[12]

In appearance, Hunter was apparently every inch the colonial official. The trader, Alexander Cameron, commented that he was 'a little over medium height, tanned complexion, grizzled hair and moustache, very neat in his trim white ducks. I was very much impressed with him; he looked the epitome of power, without bluff.'[13] The appointment to Tonga came to the 55 year old Hunter as a reward after many years of waiting. Sir John Thurston, who had been High Commissioner from 1888-1897, had never promoted Hunter, despite the latter's appeals to the Colonial Office, as he believed him to be 'anti-native' and a planter's man.[14] In this Thurston was probably correct; Hunter possessed a racial arrogance and a sympathy for the views of white settlers which was not exceptional for a man of his times, but nevertheless did not bode well for his relationship with the Tongan Government. In addition, Hunter felt the importance of his new post keenly, and was rather over-convinced of his own authority and status. None of these qualities prepared him for the rebuffs he would experience at the hands of the Tongan Government. Convinced of his own importance yet frustrated by his obvious impotence, Hunter developed an increasingly high-hanied

12. F.O. to Treasury, 21 December 1900, FOCP 7504, no. 97; O'Brien to C.O., 3 October 1900, FOCP 7504, encl. 1 in no. 84.
13. Alexander Cameron, 'Memoirs', p.4. (Manuscript in writer's possession.)
14. I am grateful to Dr. Scarr for this information.
attitude towards the Government and became convinced, as Leefe had been, that annexation was the only means by which good government could be secured in Tonga. All hopes of influencing the Government by friendly and unobtrusive British advice had long before faded.

Soon after his arrival in Tonga in February 1901 Hunter clashed with the Tongan Government over two issues relating to his status as British Consul. The first concerned the site of a new consulate, which Hunter believed would add weight and dignity to his new position. Hunter initially asked for an enlargement of the present consulate site but, although this was arranged, he later set his heart on acquiring new land — either at Male'e'aloa or the Mala'e Pangai — which he considered in a better position and closer to the Palace. While Fatafehi, the Minister of Lands, co-operated over the land at Mala'e'aloa, neither the King nor the Premier wanted Hunter to have it, probably because the new schoolmaster, Edmund Lowe, was occupying a house on the site. It was only after a visit from HMS Torch on 21 September 1901 and some 'firm and judicious language' from Commander MacAlister, that Hunter managed to obtain a settlement of the Malo'e'aloa site.[15]

The second matter concerned Hunter's liability to pay import duties on goods for his own personal use — notably liquor. Presumptuously, and in a manner more resembling an order than a request, Hunter demanded of the Premier in February 1901 that 'in accordance with the general usage, you will be good enough to instruct

15. Premier's Department correspondence 1901 and Royal and Consular correspondence 1901, PNB 505; Rear-Admiral Sir L. Beaumont to Admiralty, 29 October 1901, FOCP 8089, encl. in no. 198; Hunter to im Thurn, 10 October 1904, FOCP 8507, encl. 4 in no. 150.
the Customs authorities that all building material and other articles required for use or consumption in the British Agency be admitted free of duty'.[16] When informed by Sateki that according to the law of Tonga everyone but the King must pay duty, Hunter was outraged and drew the King's attention to 'the fact that I am not amenable to any Tongan law'.[17] Since Hunter was not actually a diplomat his claim was a false one, and the Tongan Government took no notice of it. Although the building materials appear to have been admitted duty free, Hunter was not successful in claiming an exemption from duty on goods for his personal use, despite his strong language and the backing of Commander MacAlister.[18]

If Hunter received little cooperation in regard to these matters, he received even less in connection with his representations on behalf of local European residents. The European population, made up in the main of British, German and New Zealand traders, was not particularly significant in numbers: a census carried out by the Free Church on 1 January 1901 numbered 239 'foreigners' and 120 'half-castes', out of a total population of 20,677.[19] The Europeans were, however, very vocal. They felt none of the Tongans' restraint in speaking their minds and, determined to make a comfortable Western living in a country only barely westernised, they found plenty to complain about. Although an American evangelist who visited Tonga in 1900 found that

16. Hunter to Sateki, 26 February 1901, FOCP 8507, encl. 5 in no. 150.
17. Hunter to Tupou II, 15 July 1901, FOCP 8507, encl. 7 in no. 150.
18. Rear-Admiral Sir L. Beaumont to Admiralty, 29 October 1901, FOCP 8089, encl. in no. 198; Tupou II to C.O., 20 June 1903 and subsequent correspondence, FOCP 8507, encls. 1-11 in no. 150.
the Kingdom had 'as good a class of white traders as I have found in any archipelago in the Southern Ocean',[20] they were not all of good repute. Tupou II denounced the 'white trash' and 'godless traders' whom he considered brought nothing but harm to Tonga[21] and he paid scant attention to their complaints.

The attitudes of the Europeans towards Tongan society and government were determined in large part by the cultural baggage they brought with them. Despite appearances, European and Tongan views as to what constituted acceptable government did not match up. The Europeans, whether officials or traders, expected the Government to operate according to the principle of the equality of all men before the law (at least in theory), and they struggled constantly against the Tongan environment in which a man was treated according to who he was. Be it in the courts, in the leasing of land, or in any of the many regulations affecting trade, administrative action tended to depend on the circumstances and the attitude of those in authority. And while the Europeans would no doubt have been only too happy to be on the winning side of such a system, they resented the treatment meted out by this quasi-Western administration. Their resentment was compounded, too, by contemporary European racial attitudes which assumed the superiority of all things 'white' and 'Western'. Although most Europeans in Tonga accepted that the Tongans were amongst the most capable and intelligent of the Pacific peoples, few were convinced that they were yet fully capable of governing themselves, let alone the Europeans who lived amongst them.

20. Ibid., p.102.
21. Ibid., p.119.
These attitudes were shared by Hunter, and by other local British officials involved in Tonga. With few exceptions, they found the Tongan Government corrupt and inefficient. In almost every branch of government they found examples of maladministration too blatant to be ignored. The Government, it seemed, was in a hopeless mess. There was no money in the Treasury, no attempt to carry out public works, no definite system of land tenure, the administration was run on favouritism and, despite the Constitution and other European forms, government was by the chiefs for the chiefs. After only a few months in Tonga, Hunter reached the conclusion that:

The Government is corrupt from top to bottom: they have no ideas of truth, honesty or any other virtue, which would tend to guide them to do common justice to those living in the islands.[22]

His opinion only confirmed that of his predecessor, Leefe, who had found that:

The King has no backbone, which is an unfortunate accident, the Ministry is venal corrupt and ignorant, and in consequence the people are dissatisfied and see no good but only empty show in return for the taxes they pay.[23]

Hunter and his colleagues put much of the blame for the misgovernment they found onto the King. Judged against British ideals of monarchy and democratic government, Tupou II seemed to display a selfish and irresponsible attitude to the kingship. He openly flouted the notion that the King should be subservient to the Constitution, and appeared determined to exercise as far as possible the absolute power of which Tupou I had supposedly divested himself. European observers found Tupou II vain, selfish and ignorant. In 1900 Basil

22. Trade Report for 1900, Hunter to FO, 9 September 1901, CO 225/62.
23. Leefe to Seddon, conf., 5 June 1900, NZNA, Seddon Papers, 1/60/38.
Thomson censured him for showing 'that he cares more for playing at European Royalty than for the welfare and good opinion of his people'.[24] It was a criticism echoed constantly by British officials. According to W.L. Allardyce, Acting High Commissioner in 1901-1902, the King was 'of an excessively vain and selfish disposition and has long shown himself to be regardless of all but the gratification of his wishes'.[25] Tupou II's expensive tastes and his liking for alcohol and women did nothing to temper this reputation. Sir Everard im Thurn, High Commissioner between 1904-1910, believed the problem was that Tupou II's 'moral fibre' was 'not sufficient to enable him to withstand the temptations incidental to the royal position in which he was somewhat unexpectedly placed'.[26] British officials also failed to understand Tongan politeness and diplomacy, which precluded open disagreement with another person. Thus Basil Thomson accused Tupou II of 'clumsy duplicity' in the Treaty negotiations and Leefe, in exasperation at his own inability to influence the King, described Tupou II as 'such an egregious young prevaricator that you cannot believe or at any rate rely on a word he says'.[27]

If Tupou II won the unpopularity stakes with British officials his Premier, Siosateki Tonga Veikune, came a close second. Sateki, as he was called, was appointed Premier by Tupou II in November 1893

24. Thomson to C.O., 28 May 1900, FOCP 7504, encl. 1 in no. 6.
27. Thomson to C.O., 28 May 1900, FOCP 7504, encl. 1 in no. 6; Leefe to Seddon, conf., 5 June 1900, NZNA, Seddon Papers, 1/60/38.
after the latter dismissed the pro-British Tuku'aho (whose appointment had been engineered by Thurston when he deported Baker in 1890). The son of a minor chief from Vava'u, Sateki had considerable ability and experience in government; he had begun work as a clerk in 1875 and in 1885 was appointed Assistant Premier under Baker. Sateki's loyalty to Tupou II was unswerving. With no real power base of his own Sateki was not a rival for the King's power; instead he depended entirely on Tupou II for his continued authority. In 1903, to mark the 10th anniversary of Sateki's appointment, Tupou II created for him the new noble title, Veikune.[28]. Tupou II's appreciation of Sateki's work as Premier was not shared by British officials nor by most of Tonga's European residents. In 1893 these latter had welcomed him as 'the most honest man in Tonga'.[29] Within a short time however, he had gained a reputation for corruption and inefficiency. In 1900 Leefe described him as 'ignorant, obstinate, dishonest and dishonourable' and other British officials found no reason to doubt this assessment. As far as Allardyce could see in 1902, Sateki was 'the fons et origo of Tongan maladministration.'[30]

Sateki's unpopularity sprang in part from his subservience to Tupou II. He was suspected, probably correctly, of allowing the King a free hand with the finances:

The King is said to keep Josateki as Premier because he obeys every order without question, and the King is thus


29. Cited in ibid., p.77.

30. Leefe to Seddon, conf., 5 June 1900, NZNA, Seddon Papers, 1/60/38; Allardyce to C.O., secret, 15 August 1902, CO 225/63.
enabled to draw advances from the Treasurer against his stipend of £2,000 without any doubt being raised regarding the legality of the proceeding.[31]

British officials were also horrified at the blatant nepotism in Sateki's administration. The Cabinet posts of Treasurer, Minister of Police and Auditor-General were filled by his relatives, as were a number of other important posts in the Government, and this heightened the impression that power was concentrated in the hands of a small self-interested 'government clique' or 'cabal'. Those on the inside appeared to do well for themselves; those on the outside -- like the British officials and many of the local Europeans -- felt left out in the cold.

But not all Europeans were treated in this way. For example, Sateki's close friendship with the Auckland-based traders Emil and Meyer Hutter was a particular cause of resentment. The Hutters, whose Austro-Hungarian origin lent itself readily to the epithet 'the Jews', carried much of the Government's trade in Tonga from the late 1890s, and also acted as its Agents in Auckland. Their favoured position was the subject of much acrimony, not only amongst the other traders, but amongst British officials who distrusted the Hutters' motives and their influence on the Premier. According to Hunter, whose sympathies were undisguised, the Hutters got nearly all government orders, advanced money 'on their own terms', and made 'enormous profits to the detriment of the honest trader.'[32]

More than their trading activities, it was the Hutter's political activities that caused British officials most concern. The easy credit that the Hutters allegedly offered high government officials

31. Thomson to C.O., 28 May 1900, CO 225/60.

32. Hunter to F.O., 9 September 1901, encl. in F.O. to C.O., 22 November 1901, CO 223/62.
appeared to bring definite rewards. On more than one occasion rival traders who could not get their leases renewed in Cabinet blamed their misfortunes onto the influence of the Hutter brothers. According to Hunter the British trader, Mrs. Krause, was 'virtually being hounded out of the country by the Hutter brothers, who have such influence with the King and Premier that they are dangerous to the foreign community.'[33] But while there can be no doubt that the Hutters, and especially Emil, were one of the main sources of advice for the Premier, it is equally certain that Hunter and his colleagues exaggerated their influence. Sateki wanted European advisers he could trust, and who would not sell out the country to Britain. It is clear however that he did not always follow their advice, and that he was not as malleable as Basil Thomson implied when, in 1900, he described Sateki as 'the subsidized tool of a Polish Jew'.[34]

As far as many European residents could see, the security of their livelihood in Tonga was threatened by Sateki's administration. According to Hunter, Sateki took every opportunity 'to thwart and oppose the interests of both British and foreign residents.'[35] In 1903 Mrs Krause, appealing to the High Commissioner over a land dispute, claimed that 'the attitude of the Government and natives in general every day becomes more pronounced against the foreigner.'[36] One of the most common causes for concern was the

33. Hunter to Jackson, 26 September 1903, encl. in Jackson to C.O., 9 October 1903, CO 225/66.

34. Thomson to C.O., 28 May 1900, CO 225/60; For an indication of the Hutters' relationship with Sateki see printed correspondence between Emil Hutter and Sateki, 1901-1904, encl. in WPHC 4, 261/1906.

35. Hunter to F.O., 9 September 1901, encl. in F.O. to C.O., 22 November 1901, CO 225/62.

36. Mrs Krause to Jackson, 25 September 1903, encl. in Jackson to C.O., 9 October 1903, CO 225/66.
insecurity of land holding. No European could hold freehold title and there were no guarantees that leases would be renewed, nor at what rents. There were no regulations covering the leasing of land to foreigners -- Leefe had drafted some for the King but they had been conveniently lost, and Hunter's offers to provide new ones were turned down. Instead, foreigners leasing land from private individuals were subject to the decisions of Cabinet, which took over the land from its owner and could grant or reject applications and fix rents.[37]

A further cause of the 'intense and increasing dissatisfaction among Europeans' concerned the manner in which justice was administered by the Tongan Courts.[38] Under Article V of the 1900 Treaty the Tongan Courts had jurisdiction over all non-Tongans for violations of laws relating to 'customs, taxation, public health, and local police'. But the Europeans were not satisfied that they were fairly treated by Tongan magistrates. In mid-1902 a petition addressed to the Consul by 102 European residents asked that all court actions involving non-Tongans be tried in the High Commissioner's Court before the British Consul. According to the petitioners:

The liberty of the subject, as known to all civilized laws, is in jeopardy owing to the ignorance and incapacity of the native Magistrates who are called upon to administer the laws affecting us.[39]

Allardyce, who supported the petition, added that 'the general opinion is, especially as affecting the Chief Justice, that conviction is

37. Tongans wishing to lease their land to foreigners were required by the Law of Tonga, 1891, s. 448, to first surrender it to the King. (Ibid.)


39. Petition of Alexander D. Cameron and 101 others to Hunter, undated, encl. in ibid.
certain in all proceedings instituted by the Government, i.e., by the Premier.'[40]

Although it was not a matter that concerned them directly, the Europeans were also dissatisfied with the administration of the Kingdom's finances which, they alleged, resulted in 'peculation, extortion and corruption'.[41] Allardyce described the situation in 1902:

The charges of corruption and inefficiency are based upon the fact that the periodical audit of revenue officer's accounts generally discloses large deficiencies, due either to carelessness and bad book-keeping or, as is usually alleged, to peculation. To whatever cause the deficiencies may be due -- and it is even said that they are chiefly apparent and not real -- no attempt is ever made to follow them up.[42]

Tupou II, who was known for his expensive tastes, was suspected of having free access to the Treasury and, according to Harry Watkin who was government schoolmaster between 1897-1901 and conducted several audits of the Customs and Post Office books, the government Auditor 'draws a salary of £105 per annum, and lives at the rate of £500 a year....His audit is a farce and the whole of the Treasury books are in a state of chaos.'[43]


41. Petition of the Foreign Residents of Nuku'alofa to Jackson, 30 May 1903, encl. in Jackson to C.O., secret, 19 June 1903, CO 225/65.

42. Allardyce to C.O., secret, 15 August 1902, CO 225/63.

43. Watkin to Jackson, 30 June 1903, encl. in Jackson to C.O., cont., 18 July 1903, CO 225/65.
The vehemence with which local British officials denounced the Tongan Government was matched only by the enthusiasm with which they attempted to persuade the Colonial Office to intervene. If the Protectorate meant anything at all, these officials argued, surely it must place some check on the excesses of the Tongan Government. Leefe put the idea succinctly when he reported to the Colonial Office in July 1900:

Of course, it may be said that it is their money and not ours, but if Great Britain has taken Tonga under her protection, I imagine that beside the change of colour on the map, she is morally responsible that the people's money is not wasted away, and that the Government is carried on with that decency, honesty and liberty such as distinguishes our Empire all the world over.[44]

It was unthinkable that the representatives of the British Empire should accept the role of impotent observers of what was seen as blatant misgovernment. Not only would Britain's reputation as a colonial power be damaged by disorder in Tonga, but Britain must also take responsibility in the eyes of the other powers for the treatment afforded their nationals in Tonga.

Britain's responsibility for Tonga increased after 1900; its ability to influence the administration did not. The King and his Government simply ignored Hunter's constant threats and cajolings, and relied instead on the advice of Harpiner and its own inclinations. All Hunter's attempts at intervention on behalf of Louis Harpiner, a German resident of Ha'apai, for example, achieved nothing. Harpiner, who had traded in Ha'apai for some 40 years, was refused a renewal of his lease and trading licence in late 1901 and was forced to quit,

44. Leefe to O'Brien, 12 July 1900, encl. in O'Brien to C.O., 23 July 1900, CO 225/39.
apparently to the advantage of Emil Hutter.[45]  Similarly, Hunter's representations on matters ranging from court actions to the need for particular legislation fell on deaf ears. Before long, Hunter had almost exhausted his repertoire of threats. In early 1904 when he heard that the Cabinet had allegedly resolved to dispossess one Polutele Kaho of a piece of land he had leased to Mrs Krause, and thereby expel her from her store, Hunter was determined to take action, whether legal or not. In a letter to High Commissioner Jackson he related:

I at once made arrangements that if any action was taken to eject the unfortunate widow the British flag was to be hoisted over the building, and the Tongan Government notified that I had taken temporary possession of the premises on behalf of my Government, in order to protect British interests; and that any further steps taken to harass Mrs Krause would be regarded as a direct breach of the existing Treaties, and dealt with as such.[46]

What little success Hunter did have, was generally tied to the visit of a British warship. After he had secured his consulate site with the aid of Commander MacAlister, Hunter put in a strong plea for the presence of one of Her Majesty's ships in Tongan waters for at least a month each season, as he felt this would have 'a good effect' on the Tongan Government.[47] Although the Admiralty had other priorities, a number of matters were settled by brief visits. In

45. Hunter to Allardyce, 10 February 1902, encl. in Allardyce to C.O., 4 March 1902, CO 225/63; 'In re Louis Harpfner', FOCP 8507, encl. 4 in no. 85; Hunter to Tupou II, 10 January 1902, and subsequent correspondence, Correspondence 1902, PMB 503; Hunter to Major, conf., 13 September 1904, encl. in Major to C.O., 5 October 1904, CO 225/67.

46. Hunter to Jackson, 3 March 1904, encl. in Major to C.O., 24 March 1904, CO 225/67.

47. Rear-Admiral Beaumont to Admiralty (extract), FOCP 8089, encl. in no. 53.
early July 1903, for exam?ple, the visit of HMS Pylades under Commander da Costa, convinced the King that he should offer reparation, as demanded by High Commissioner Jackson, for the actions of a sentry who had tried to prevent Hunter's entry to the Palace. The sentry's behaviour was considered by Hunter to be a 'gratuitous insult to the person of His Britannic Majesty's Representative.' In accordance with Jackson's demands, as presented by da Costa and Hunter, the King apologised and on 3 July 1903 the British flag was hoisted to the accompaniment of the British National Anthem, and a 21 gun salute was fired.[48] Similarly, an interview which Hunter held with the King on 31 October 1904 in the presence of Captain Millar of HMS Torch, resulted in the King giving a verbal assurance that Mrs Krause would not be forced off her land.[49]

Despite these limited successes, it was obvious that British influence over the Tongan Government was minimal. Swamped with complaints from aggrieved Europeans, treated with disdain by the King and his Premier, made to feel foolish by the ineffectiveness of his repeated attempts to be heard, Hunter knew he was fighting a losing battle. As he confided in a private letter to Jackson in March 1904:

I cannot fight lying and cunning natives, supported by unscrupulous Jews and others, single-handed without some moral support.[50]

Since his arrival in Tonga, Hunter had tried to persuade the British Government to intervene more forcefully and reduce, or remove altogether, the autonomy of the Tongan Government. Had he been given

48. Hunter to Jackson, 1 June 1903, WPGC 4, 86/1903; Hunter to Jackson, 3 July 1903 and subsequent correspondence, ibid.

49. Major to CO, 5 October 1904 and enclosed correspondence, CO 225/67.

50. Hunter to Jackson, 23 March 1904, CO 225/67.
a free hand from the start, he told Jackson, 'I should now be driving
the Tongan coach along a smooth road with a mixed team of White and
Black.' Instead, he claimed, the Government was slipping from bad to
gorse and making a mockery of British rule.[51]

The European residents were not the only ones who found cause to
be dissatisfied with the existing Government. Those chiefs and nobles
who opposed Tupou II's rule found much in common with the aggrieved
Europeans, although not always for the same reasons. They shared the
Europeans' feelings towards Sateki, for example. As the King's
closest ally and the holder of great power, Sateki was a natural
target for the King's opponents, and they sought every opportunity to
discredit him. In the 1900 Parliament the dissidents, led by
Mateialona and Sipu, the Governors of Ha'apai and 'Eua respectively,
carried a motion of impeachment against Sateki's Ministry for alleged
embezzlement. The trial lasted several days and, according to Leefe,
several things were proved 'which in any other country but perhaps
Morocco, would have led to grave results.'[52] But just when it looked
as if things would go hard for Sateki and Manase Lavaki, the
Auditor-General, the proceedings were suddenly called to a halt. All
resemblance between the Tongan 'opposition' and similar movements in
the British tradition ended abruptly. C.D. Whitcombe, a former
government official, described what happened:

suddenly one afternoon the King sent a verbal message to
Mateialona[sic], head of the opposition, to stop his fooling
and let the Fale Alea [Parliament] close up its regular
business and finish supply, as he wanted to shut up
Parliament and send the members home. So the Opposition
dutifully obeyed and proposed and carried a resolution that
things had not been conducted quite according to Cocker, but

51. Ibid.

52. Leefe to O'Brien, 12 July 1900, encl. in O'Brien to G.O., 23
1900, Cu 225/59.
that they had no doubt matters would mend now after this little hint; and that Sateki and his Ministry were a jolly good lot of fellows and they wished long life and more power to them. [53]

As Whitcombe commented to Richard Seddon, Premier of New Zealand, 'Don't you wish your opposition would borrow a leaf from the Tongan book?'

It seemed impossible for those opposing the King and his Government either to loosen Sateki's hold or to increase their own influence. There was, however, one avenue that might yet prove effective. If the proclamation of the Protectorate was a severe blow for the King, it was just as much a triumph for his enemies. It provided them with a new weapon to use against the King, for while he might ignore his nobles and chiefs with impunity, it was unlikely that he could do the same to the British Government. With British backing, the power of the King's opponents would be greatly enhanced.

One of those who decided to 'invoke the assistance of the British Government' on his own behalf was Sipu, a high-born Tongan without noble title who had been Governor of 'Eua since 1893. According to Hunter, Sipu's involvement in the move to impeach Sateki had resulted in his being charged with having been drunk many months before, for which offence he was found guilty, fined and dismissed from office. In September 1901 Sipu appealed formally to Hunter against the seizure by the Tongan Government of the island of Fafa which he claimed had been given to him by Tupou II in 1900. Although the British Government was not prepared to intervene at that time in what was considered a purely internal matter, the complaint provided tangible

53. Whitcombe to Seddon, 15 August 1900, NZNA, Seddon Papers, 15/65.
evidence of Tongan dissatisfaction. A year later however, the Tongan Government was forced by High Commissioner Im Thurn to give Fa'afili to Sipu.[54]

By far the most outspoken of those Tongans who opposed Tupou II's Government was Tevita Polutele Kaho, a man of strong character and an astute politician. Polutele, as he was generally known before receiving the noble title Tu'ivakano in 1912, joined the government service in 1888 and worked for a number of years as the Premier's clerk and private secretary.[55] In November 1900 he resigned his post claiming later that his action was prompted by a falling-out with the Premier over the role of the Hutters in ordering government supplies. At about the same time, Polutele was also involved in a libel case following the disappearance of a considerable quantity of government stamps.[56] Whatever the circumstances of his resignation, Polutele was strongly opposed to Tupou II and to Sateki, and made no effort to hide his antagonism towards either.

In September 1904 Polutele took the bold step of appealing to the British Government to intervene in Tonga's affairs. Taking care to keep his letter secret for fear of banishment if it should come to the attention of the King, he prefaced his letter to the High Commissioner with the words: 'Still, the way of this world is, when the weak are

54. Sipu to Hunter, 3 September 1903, and Hunter to Jackson, 25 September 1903, and related correspondence and minutes in Jackson to C.O., 9 October 1903, CO 225/66.

55. List of His Majesty's Civil Servants, Tonga, undated, PO, uncatalogued papers.

56. Polutele Kaho to McOwan, 13 February 1918, WPHC 4, 1214/1918; Allardyce to Hunter, conf., 26 November 1901 and subsequent correspondence, WPHC 27/XXII/1.
afflicted to appeal to the strong, whoever the strong may be.' His immediate concern was the Government's threat to deprive him of the piece of land he had leased to Mrs. Krause. Although it seems that Polutele had not fully complied with the correct procedures, he attributed the Government's actions to Hutter who, he claimed, wanted the land for himself and had offered him money or a government appointment to evict Mrs Krause. If he was driven off his land as the result of a desire 'to kindly assist a British lady', Polutele expected the British Government to protect him. Polutele used the incident to condemn Sateliki's administration:

They (the Government) pay absolutely no attention to the law, but just do as they and the Jew like...the reason of what is going on is the want of knowledge here how to conduct Government affairs, and the Jew is directing the Government's conduct to make money himself regardless of the welfare of the country.

He went on to make his object perfectly clear:

If the Treaty made by Mr. Thomson in 1900 can be altered so that the Consul might direct the Government affairs, it will be most beneficial to the people of Tonga. How can Tongan people carry on a Government? We still have faith that the British vessels (men-of-war) will come to rectify matters, and we fully expect them to come quickly...[57]

It is difficult to determine how far Polutele spoke for the rest of Tonga, and how widespread was the dissatisfaction with Sateliki's administration. Polutele himself alleged that the chiefs and people in general were anxious for Britain to take action, but were too frightened to speak lest they suffer exile or lose their property. While he acknowledged that many people were unaware of what the Government was doing, he scornfully rejected newspaper reports written by Europeans who claimed that the Tongans were content with their

57. Polutele Kaho to Major, private, 8 September 1904, encl. in Major O.O. letter of October 1904, CO 225/67.
lot.[58] On the other hand, Polutele was not an objective witness, and was using every argument he could find to convince the British Government to take action. As one astute European observer noted in 1900, it was not a question of the people regarding their liberties as infringed by the Crown: 'It is the position of the chiefs that is in dispute.' In an historical parallel, the Tongan position resembled, 'not the quarrel of Charles I and the people, but the dispute between King John and the nobles which ended at Runnymede.'[59] Contemporary descriptions of the Tongan commoners weeping for joy when Tupou II stopped to talk to them convey a more realistic picture of Tongan attitudes towards their King.[60]

Despite these considerations, local British officials used the same tactics as Polutele to add weight to their appeals to the Colonial Office. Hunter, in particular, was keen to convey a picture of widespread discontent. Imposing his own values onto Tongan society, he claimed that 'the lower classes' looked forward to annexation as 'a means of deliverance from the oppression of their chiefs and the exactions of the government.'[61] In March 1904 he surpassed even his own usual eloquence, claiming that 'the King and the hungry gang who surround him rob the unfortunate natives, both chiefs and Commoners, who live under their tyrannous rule.' He concluded:

The natives are terrified to complain to, or seek any assistance from, the Protecting Power. Discontent is rife, and they only require a leader to themselves put an end to

58. Ibid.

59. [Tregear?], The Right Hon, R.J. Seddon's Visit to Tonga, Fiji, Savage Island, and the Cook Islands, p.22.

60. See, for example, Geil, Ocean and Isle, p.120.

61. See Allardyce to C.O., tel., 27 June 1902, CO 225/63.
the present oppressive and despotic form of Government under which they are supposed to maintain their independence. I feel sure that any change, even annexation, would be hailed with delight by the masses of the people who are groaning under their burdens.[62]

Hunter was supported in his desire for strong action by the various High Commissioners who followed O'Brien. In July 1902 while Allardyce was Acting High Commissioner, Hunter sailed to Fiji to confer with him. As a result, Allardyce sent a long report to the Colonial Office, setting out in detail the grievances of the Europeans, and arguing that the time had come for the Colonial Office to make some decision as to the future of the group. Otherwise, he predicted, 'matters can only drift on from bad to worse until intervention becomes unavoidable.' Allardyce suggested four alternatives, all of which involved decisive British action. The least drastic was to insist on the dismissal of Sateki as Premier and the appointment of a successor approved by the British Government. Secondly, he proposed a treaty revision that would give the British Consul a leading part in the Administration. His other two suggestions involved annexation -- either at once or at the death of Tupou II.[63]

Annexation was the option most consistently favoured by those on the spot. Basil Thomson, for example, had been eager to point out the advantages annexation would bestow. In his report on the Treaty negotiations he alleged that even the Tongans knew it would relieve them from 'over-taxation and bad government', and suggested that the most suitable opportunity for annexation would be at the death of

62. Hunter to Jackson, 3 March 1904, encl. in Major to C.O., secret, 24 March 1904, CO 225/67.
63. Allardyce to C.O., secret, 15 August 1902, CO 225/63.
King, which he believed was imminent. According to the King's physician, Dr Maclennan, the disease of 'fatty degeneration of the heart', which had allegedly cut off so many of the King's family, must inevitably prove fatal to the King himself within six or seven years at the most. As the heiress was then but a few months old, Thomson felt confident that at the death of T'pou II 'the majority of Tongans would...secretly or openly welcome annexation.'[64] His conclusion was shared by Hunter and other officials in the High Commission, although Hunter saw no point in waiting for the King to die. He argued that most Tongans regarded annexation as inevitable, sooner or later, and he was in no doubt that the British Government should act.[65] It was up to the Colonial Office in London, however, to make the decision.

WHILE the British Consul and the High Commissioner were pressing the Colonial Office for a greater say in Tonga's internal administration, pressure from quite a different quarter was also calling for change. The imperialistic designs of the New Zealand Government, and in particular of the Premier, Richard Seddon, had suffered a blow when Britain had given up Samoa in 1899. To lessen New Zealand's disappointment, and perhaps also to relieve its own impending responsibility, the Colonial Office had intimated at the time that Tonga might at some stage be handed over to New Zealand:

64. Thomson to C.O., 28 May 1900, CO 225/60.
65. See Allardyce to C.O., tel. 27 June 1902, CO 225/63.
As the great bulk of Tonga trade is with New Zealand it might be arranged for New Zealand to assume political control of the group on the same understanding as exists in regard to the Cook Islands, the Solomons being placed similarly under the Australian Commonwealth.[66]

No definite undertaking was given however and, after the declaration of the Protectorate, the matter was deferred.

The decision against immediate action was largely based on uncertainty as to the reaction within Tonga to New Zealand control. Basil Thomson, who had been asked to investigate the matter during his visit, reported that the King was indifferent on the question. But Tupou II's response -- 'Let the British Government decide where their Consul shall take his orders...it is difficult for us to meddle in things that concern the British Government' -- was in fact a studied rejection of the idea that the Consul would have any effect on the Government.[67] In any case, the Colonial Office was not convinced by Thomson's report and believed that the people and Parliament 'distinctly prefer to be under Her Majesty's Government'.[68] Officials were also aware that the precedent created by the annexation of the Cook Islands to New Zealand in October 1900 might influence Tongan attitudes. As O'Brien stressed, any decision to place Tonga under New Zealand control would be regarded as the first step towards annexation, and he had no doubt that the King and his people would object strongly to being annexed by New Zealand.[69] The Colonial


67. Tupou II to Thomson, 2 May 1900, encl. in Thomson to C.O., 28 May, CO 225/60.

68. C.O. to Treasury, draft, December 1900, FOCP 7504, encl. 2 in no. 84.

69. O'Brien to C.O., 21 November 1900, WPHC 27/1/7.
Office therefore decided that Tonga would remain under the High Commissioner's control until the natives have become familiar with the new position of affairs, and the question of the transfer of the control of the group to the New Zealand Government can be approached without exciting their suspicion and possibly leading to disturbances.[70]

New Zealand's interest in the group did not flag. Although the annexation of the Cook Islands was some solace, it only encouraged Seddon in his grandiose dream of an Island Federation, in which Tonga, Fiji, the Cook Islands and possibly even the Society Islands, would be brought together under New Zealand leadership. In May 1900 Seddon visited Tonga in the course of a cruise around the Islands; the cruise was ostensibly for health purposes but Seddon nevertheless managed a fair amount of politicking. At Nuku'alofa he spoke with Sateki and the King, offering his advice, and impressing on the latter the benefits of British protection. He proposed a postal convention between the two countries, and discussed matters ranging from trade and taxation to education and 'moral tone'. Not surprisingly, the official report of his visit reached the conclusion that 'the general feeling in Tonga' (amongst Europeans, no doubt), was that Great Britain should follow up the Protectorate with annexation. So long as the Tongans' rights to their land were assured, regular incomes were given to the King and chiefs, and a form of local government introduced, there could be no objections to such a course. The report added that annexation to Fiji was not favoured: it would be 'like holding a red rag to a bull' while on the other hand 'most of the

70. C.O. to Treasury, draft, December 1900, FOCP 7504, encl. 2 in no. 84.
Europeans desired annexation to New Zealand'.[71]

The motives of those who supported annexation to New Zealand were mixed. Leefe, for example, who shared Seddon's view of 'the white man's burden that New Zealand is called upon to face', offered his services as Administrator of Tonga.[72] Another notable convert to Seddon's design was, surprisingly enough, the Reverend Shirley Baker who had once fought so determinedly for Tonga's independence. In September 1900, he wrote to Seddon, praising the idea of an Island Federation and assuring him that he was 'quietly working for...annexation to New Zealand.' Like Leefe, Baker's motives were probably personal for he, too, had earlier applied to Seddon for appointment as Resident of Tonga.[73] Other local Europeans also supported the idea of annexation perhaps hoping, as O'Brien believed, that it would enable them to get cheap labour and trading concessions. When the Governor of New Zealand, Lord Ranfurly, visited Tonga not long after Seddon, he declined to receive a deputation from a group of Europeans in favour of annexation to New Zealand because he considered it to be beyond his authority.[74]

72. Leefe to Seddon, conf., 5 June 1900, NZNA, Seddon Papers, 1/60/38; Leefe to Seddon, private, 21 July 1900, ibid., 1/60/66.
73. Baker to Seddon, 8 August 1900, ibid., 1/60/67; Baker to Seddon, 4 September 1900, ibid., 1/60/73.
At the beginning of May 1902, having waited two years since the establishment of the Protectorate, the New Zealand Government grew impatient and tried to prod the British Government into action. In a telegram to the Colonial Office Lord Ranfurly reported that Tupou II's health was causing Seddon concern, for he believed that the King's death would provoke trouble between the various factions in Tonga. Seddon was anxious to use the opportunity to annex Tonga to New Zealand. To pave the way, his Government offered to send its own representatives to Tonga, and even selected two candidates for the job. Although Lord Ranfurly acknowledged that New Zealand had no authority to interfere in Tonga, he nevertheless shared the New Zealand Government's opinion that the annexation of Tonga was most important, especially in view of the valuable harbour at Vava'u. Even if the King lived out his present illness, annexation might still be arranged by pensioning him off.[75]

The Colonial Office responded cautiously to this initiative, preferring to seek out the opinion of those on the spot before making any decision. Neither Allardyce nor Hunter had any knowledge of a change in the King's health. But while Allardyce had no strong feelings on the matter, Hunter matched his enthusiasm for annexation only by his distaste for New Zealand control. Taking the opportunity to urge again the advantages of annexation, Hunter warned that if a New Zealand representative approached the Tongans it would arouse suspicion and distrust, would destroy the influence and authority of the British Consul and, at the same time, endanger the prospect of a peaceful settlement.[76]

75. Lord Ranfurly to C.O., tel., 5 May 1902, FOCP 8185, encl. 1 in no. 67.
There was never any doubt in the Colonial Office, however, that if Tonga was annexed it would be handed over to New Zealand -- it was felt that the statement made to New Zealand in 1899 'amounted practically to an undertaking'[77] and, in any case, the Colonial Office did not want the administration of Tonga. If Seddon was given Tonga, it might also be a means of stopping 'any further intriguing or manoeuvring in Fiji.'[78] Lord Onslow, the Under-Secretary of State, could see no objection to sending an officer to Tonga and handing it over to New Zealand as soon as the King died. But he could see no great urgency for action. On the assumption that Thomson's information on Tupou II's health in 1900 had been correct, he commented: 'it seems rather hard on him to take away his independence when his life is not likely to be prolonged more than a year or so.'[79]

When the newly-formed Australian Commonwealth Government was informed in October 1902 that the British Government had under consideration a proposal to annex Tonga and hand over its administration to New Zealand, it protested strongly against such a move. Its objections had been foreshadowed during discussions at the Colonial Office in August 1902 with Sir Edmund Barton, the Prime Minister of the Commonwealth. Barton argued that although the various state Governments had not objected to the idea of New Zealand control when it was first contemplated, the creation of the Commonwealth had

77. C.O. to Tennyson, 31 October 1902, FOCP 8185, encl. 6 in no. 137.
79. Minute by Lord Onslow, 26 July 1902, on Allardyce to C.O., tel., 27 June 1902, CO 225/63.
altered the whole position. His main concern now was that an 'Island Federation' under New Zealand would be a serious obstacle to the Commonwealth's own dream of an 'Australian Federation' encompassing Australia and New Zealand. Barton argued that by giving Tonga to New Zealand the Colonial Office would be making it easier for New Zealand to remain independent. The Commonwealth also felt that it had prior claim to any Pacific Islands that the Colonial Office wanted to hand over.\[80\] In a telegram of protest sent in January 1903 the Commonwealth Ministers pointed out, quite rightly, that the bulk of the Tongan trade was with the Australian colonies rather than New Zealand. If the British Government considered it necessary to make any change in Tonga's political situation, annexation to the Empire and government from Fiji would be preferable.\[81\]

The Colonial Office was not greatly perturbed by the reaction from the Australian Government. What concerned it most was the prospect of active Tongan resistance to annexation and New Zealand control. There could be no doubt that Tupou II would oppose annexation fiercely. A telegraphic message in July 1902 prompted by the news that Seddon was trying to get Tonga joined to New Zealand, left no doubt of that:

I hereby declare on behalf of the Government that we do in the least consent to the proposal. Our desire is continue in the same position as we are in at the present time.\[82\]

But the King was not the real problem. What worried the Colonial

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\[80\] Minutes by Sir J. Anderson, 1 September 1902, on Allardyce to G.O., tel., 27 June 1902, CO 225/63.

\[81\] Lord Tennyson to G.O., tel., 1 January 1903, FOCP 8270, enc1. 1 in no. 40.

\[82\] See Allardyce to G.O., tel., 17 July 1902, CO 225/63.
Office more was the possibility of a 'native uprising'. Such an event might seriously damage British prestige, could have serious repercussions in Fiji, and was altogether not to be countenanced. Thus in replying to Lord Ranfurly, the Colonial Office, as well as depreciating the idea of sending a New Zealand representative to Tonga, also informed him that it is not desirable that His Majesty's Government should move in the matter unless they are assured that there would be no active opposition on the part of the King of Tonga and his people. [83]

In order to obtain definite information on this point, the newly-appointed High Commissioner for the Western Pacific, Sir Henry Jackson, was instructed at the end of October 1902 to take the first convenient opportunity to visit Tonga and find out 'whether the king and his people would be likely to make an offer to cede the group to His Majesty, or, at any rate, to acquiesce without disturbance in its annexation and administration by New Zealand.' [84] As Sir John Anderson in the Colonial Office put it, Jackson was to 'spy out the land and see if the king would be likely without any great fuss to accept a pension and surrender to King Richard.' (i.e. Seddon.) [85]

While this time-honoured device of an official inquiry would keep New Zealand demands at bay for a while, it provided no immediate solution to the problems with which the High Commissioner and his deputy were faced. The Colonial Office noted that since the Government was undoubtedly both weak and corrupt, its annexation would

83. C.O. to Lord Ranfurly, secret, 31 October 1902, CO 881/11, Australian no. 182, no. 6.

84. C.O. to Jackson, secret, 31 October 1902, ibid., no. 5.

85. Minute by Sir J. Anderson, 1 September 1902, on Allardyce to C.O., tel., 27 June 1902, CO 225/63.
be very much to the advantage of both Tongans and Europeans.\[86\] But in the meantime it felt that the difficulties could be met by means of some straight-talking to the King. The same despatch that sent Jackson to Tonga, gave instructions for Hunter to place the grievances of the Europeans before the King and to address to him

\begin{quote}
a strong remonstrance to the effect that His Majesty's Government are under a special responsibility for securing justice and good government to British subjects in Tonga; nor can they regard with indifference any misconduct of the native Administration, such as neglect or corruption in financial matters, which may lead to discontent and disturbances among the Tongans themselves; that they are satisfied that in his dealings both with British subjects and foreigners and with his own subjects the King has given legitimate ground for serious complaint, and that the present state of affairs cannot be allowed to continue indefinitely.\[87\]
\end{quote}

Consul Hunter, no doubt relishing his appointed task, held an interview with Tupou II on 30 December 1902. In the presence of Fatafehi (Tupou II's father), Sateki and two interpreters, he scolded the King for more than an hour and a half, dealing in detail with the grievances of not only the Europeans but of the Tongans as well. At the end of his tirade Hunter handed the King a 'letter of remonstrance' containing the Colonial Office warning, and demanded some definite answer as to what would be done to remedy the grievances.\[88\] Tupou II had no reason to be especially impressed by

86. Minute by Sir J. Anderson, 24 July 1902, on Allardyce to C.O., tel., 17 July 1902, CO 225/63. See also minutes on Allardyce to C.O., tel., 27 June 1902, ibid.

87. C.O. to Jackson, secret, 31 October 1902, CO 881/11, Australian no. 182, no. 5.

88. Hunter to Jackson, secret, 13 January 1903, encl. in Jackson to C.O., 31 January 1903, CO 225/65.
this latest effort on Hunter's part. After all, the Consul had, on his own admission, been threatening the King both verbally and in writing for some time and nothing had come of it. Tupou II evaded the issue, claiming the need to consult his Cabinet. But at Hunter's insistence he sent a reply some days later:

In reference to what you were pleased to inform us, there is nothing new to reply -- only the replies already made, those which you are acquainted with.[89]

Such a curt dismissal to an official remonstration angered Hunter and Jackson but did not immediately spur the Colonial Office into more drastic action. While acknowledging that the reply 'was not satisfactory' officials still wanted to wait for the result of Jackson's inquiry.[90] Jackson himself was not content with the terms of his mission -- he felt decisive action was now called for, but his instructions gave him very little scope:

You should, of course, confine yourself to inquiry in such a way as you may think best, unless you obtain a satisfactory offer of cession or find in the state of the group overwhelming reason for immediate action.[91]

Unconvinced that the affairs in Tonga were in a serious state, the Colonial Office was obviously stalling. A 'satisfactory offer of cession' was an extremely remote possibility, and High Commission officials were already convinced that they had given the Colonial Office 'overwhelming reason for immediate action'. In a telegram in early March 1903, Jackson was firmly reminded that his superiors

89. See Jackson to C.O., tel., 6 March 1903, CO 225/65.
90. Minute, on Allardyce to C.O., secret, 15 August 1902, CO 225/63.
91. C.O. to Jackson, secret, 31 October 1902, CO 881/11, Australian no. 182, no. 5.
desire not more than a report on facts of situation at Tonga, unless you come to the conclusion that action is urgently required and that delay would lead to difficulties later.[92]

In reply, Jackson pointed out that the King of Tonga had already been warned in strong terms that the present state of affairs could not continue, and had treated the warning with indifference. As a result he alleged, 'the whole of Tonga, the King included,' were awaiting some consequent action on the part of the British Government. Any delay could only weaken respect for Britain and render impossible any later course short of annexation. And in the meantime, Jackson argued, the King would have plenty of opportunity for fresh aggression towards foreigners, amongst whom the Germans in particular were already complaining that their position was now worse than before the 1900 Treaty. Jackson therefore recommended that he should be given authority to negotiate revision of the Treaty, 'so as to give His Majesty's Government controlling power in internal affairs, as well as in foreign relations.'[93]

Jackson's arguments were persuasive and the Colonial Office was half convinced. While making it quite clear that 'on the information now before them, His Majesty's Government do not feel justified in at once directing you to take extreme measures', the Secretary of State nevertheless approved Jackson's suggestion. If, on his arrival at Tonga, the High Commissioner felt that further continuance of the existing state of things was impossible, he should obtain from the King a revision of the Treaty:

92. C.O. to Jackson, tel., 12 March 1903, ibid., no. 9.
by which he would be bound, like the Sultans in Federated Malay States, to ask and act upon the advice of [the] British Resident on all questions, especially those of general administration, such as measures affecting Europeans and their rights, and collection and control of revenue.\[94\]

Jackson's rhetoric had finally had effect: the British Government had agreed to a new system of administration which, as it was well aware, involved more than the mere giving of advice. Government in the Federated Malay States was as close to annexation as could be achieved without using that word. The High Commissioner had now effectively been given approval to take over the Tongan administration.

Ironically, having obtained Colonial Office permission 'to convince the King that His Majesty's Government are not prepared to allow their advice to be disregarded,'\[95\] Jackson was thwarted in carrying out this task. An outbreak of measles in Fiji obliged him, reluctantly, to postpone his visit to Tonga and then provided the King of Tonga with an excuse to refuse him permission to land. In his eagerness to reach Tonga while Parliament was in session and so be able to meet and talk with its members, Jackson left Fiji a little too soon. According to him, measles were still prevalent in the country districts of Fiji, but they had not been of epidemic proportions in Suva since early May and the occasional cases were now isolated under treatment. But the health officers in Tonga had been instructed to refuse pratique to any vessel from Fiji so long as any sign of measles remained there. Despite Jackson's repeated requests, the King would not allow any relaxation of the strict 15 day quarantine and, since he could not wait that long, Jackson was forced to return to Fiji.\[96\]

94. C.O. to Jackson, tel., 19 March 1903, CO 881/11, Australian no. 182, no. 11.


The King's refusal to bend the quarantine rule was on the surface quite reasonable and justified. The measles epidemic of 1893 in which at least 1,000 Tongans died had resulted from inadequate quarantine measures, and there was no guarantee that Jackson was correct in claiming that there was now 'absolutely no risk'.[97] Jackson had timed his visit foolishly, and, considering the motive for his visit, his assurance to the King that he would not have come to Tonga if the visit involved the slightest risk, was somewhat ironic.[98]

Although Jackson was compelled to remain on board the ship at Tonga, Hunter was permitted on board to confer with him, and his report to the Colonial Office was a reiteration of the complaints of incompetent administration which Allardyce had furnished some 10 months earlier. It was given added weight and detail by a petition prepared at Hunter's request by a committee of seven Europeans elected at a general meeting of 'the representative residents of Nuku' alofa'. The petitioners, among whom were Robert Skeen, George Scott and Alexander Cameron, all of whom were to figure prominently in Tongan politics through the first decade of the twentieth century, gave full details of alleged corruption and maladministration in areas of government ranging from customs and shipping to the courts and the treasury, and drew attention to the refusal of the King and his Government to grant relief from the grievances.[99] It had become impossible, Jackson summed up, to secure good government in Tonga and he was determined to see the King and his Premier subjected to British

97. Ibid.
98. Jackson to Tupou II, 18 July 1903, WPHC 27/XXII/1.
99. Petition of the Foreign Residents of Nuku' alofa to Jackson, 30 May 1903, encl. in Jackson to C.O., secret, 19 June 1903, CO 225/65.
domination:

The longer the King and his advisers are allowed to persist in their contemptuous attitude towards His Majesty's Government, and the longer the delay in assuming the direct control, the more certain will be the opposition when affairs have drifted into such a condition as must make annexation inevitable in the interests of the natives themselves. [100]

On receipt of the Europeans' petition, Jackson had invited its authors to make suggestions as to how their grievances might be remedied; the response was predictable. The European residents were not in favour of annexation probably because this would remove any control over events from their hands and perhaps give it, unthinkably, to New Zealand Government officials. Instead the European residents put forward a proposal which would involve them intimately in the administration of the islands. They proposed to retain a measure of independence from the British Government with the King becoming a mere titular head without executive or legislative power. The parliament and the Tongan administration would be abolished with the Kingdom governed through a British representative assisted by an elected Council of Europeans with European officials in charge of the various government departments. An Advisory Board of Tongan chiefs would consider purely Tongan matters and appoint governors to oversee the Tongan population in the various districts. The office of noble, with its control over land, would be abolished. [101]

100. Jackson to C.O., ibid.

101. Suggestions made by the Public Committee of the Foreign Residents, encl. in ibid.
Jackson found these proposals impracticable, noting that the British Resident would have little effective control if he had to contend with an elected Council of whites. The best solution, he argued, was to go along with Seddon's demands and let New Zealand take over the responsibility for an annexed Tonga. Although Hunter was still vehemently opposed to this idea, Jackson declared that he had been unable to elicit any reasons for the opposition, and he therefore discounted it. Provided the New Zealand Government was prepared to guarantee fair and even generous treatment of the 'natives' in the matter of land security, Jackson felt it would be the easiest way out. The New Zealand Government would be in a position to provide, from its local resources, the staff to carry on the Government after annexation and also, somewhat ominously, the local forces necessary to maintain order. If, however, New Zealand control was disdained, Tonga could be governed as a separate colony, subject to the Governor of Fiji but with a separate legislature and treasury. As an alternative to annexation, should the British Government attach weight to the alleged disinclination for a change of flag, Jackson still favoured a treaty revision giving the British Consul effective control. To carry this out it would be necessary to deport the Premier, and possibly the King as well, in which case Jackson felt that Fatafehi, the King's father, would be a suitably compliant successor. It was not to be expected that the King would willingly consent, even if allowed to retain his position, but he might be induced to do so if he understood that the alternative was annexation. [102]

Anticipating Colonial Office approval for one of his alternatives, Jackson arranged with the Admiral Commanding the Australian Station to keep at least one warship in Tongan waters.

102. Jackson to C.O., ibid.
'until matters are settled', and planned to return to Tonga in late August.[103] In the event the Colonial Office issued no further orders until 15 months later, by which time Jackson was in Trinidad, his authority against the Tongan Government never asserted. The delay caused considerable frustration to officials in the High Commission. Throughout the rest of 1903 and 1904 they took every opportunity to prod the Colonial Office, urging that action was not only necessary but expected. The British Government's inaction, they argued, was making matters much worse in Tonga and was being interpreted by the Tongan Government as a victory. It would be a severe blow to British prestige in the Pacific, if Tonga were to be allowed to continue to defy British authority.

Hunter in particular felt the delay keenly and personally. Indirectly he accused the British Government of leaving him in the lurch, directing him to issue a remonstration and then withdrawing all support when it was ignored. At Jackson's request he had invited the foreigners in Tonga to send a petition to the British Government: 'I foolishly...assured them that their wrongs would soon be righted'. And to those 'Loyal Chiefs' who looked to him for support, he had given assurances that the British Government would take their part. 'Under the present position of affairs I am discredited by the Foreigners, and soon will be by the Loyal Chiefs'. Hunter had staked his position so completely on strong British action, that if the British Government was determined to do nothing, he wanted out. The Colonial Office should transfer him to an appointment elsewhere and replace him in Tonga with 'a new man who is pledged to nothing'.[104]

103. Ibid.

104. Hunter to Jackson, 23 March 1904, CO 225/67.
Sir Charles Major, acting as High Commissioner after Jackson's departure in March 1904, shared Hunter's views. In early October he informed the Colonial Office that he had no reason to disbelieve unofficial reports claiming that the entire population, Tongan and European, with the exception of the King's immediate entourage, was 'seething with discontent' and 'eagerly waiting for some sign from the British Government that the day of their deliverance is at hand.' Major could no longer refrain from expressing his regret that:

His Majesty's Government has apparently found it impossible to deal with the serious situation of affairs in the group which has been fully set forth in former despatches. Prompt and decisive action is much needed if the obligations of the Protecting Power are to be fulfilled, and an end put to, and, if necessary, punishment meted out for the effrontery with which the King and his Ministers disregard both their obligations to British and foreign subjects and the warnings and counsel of His Majesty's Representative, whose position in consequence has become almost untenable.[105]

By this time the British Government had, in fact, already taken steps to arrange a visit to Tonga by the new High Commissioner, Everard im Thurn. The delay had not been deliberate, it was largely the result of uncertainty as to how far it was really necessary or desirable to go. Officials in London were simply not convinced, even by Hunter's extreme language, of either the seriousness of the grievances or the urgency of redressing them. On the receipt of Jackson's report the Colonial Office noted that the facts did not support extreme measures: 'The instances of misgovernment do not amount to more than the ordinary slackness and corruption of all

native governments and even of some non-native ones.'[106] Far away from the scene of the power struggles, the Colonial Office could keep the Tongan situation in perspective:

His Majesty's Government do not wish to apply to a native Administration in a small community scarcely removed from barbarism the standards of government which prevail in a large European State possessing a civilisation many centuries old, and they desire to make every allowance for the difficulties inseparable from the presence of white traders and merchants in islands where the Government and the population are of non-European origin.[107]

Officials in London were also sceptical as to the accuracy of some of the tales they received. They had, it was noted, heard only one side of the story, and no doubt the King would be able to make out his own good case. Sir John Anderson, who dealt with the Tongan papers in the Colonial Office until he left to become Governor of Singapore in early 1904, was of the opinion that trade jealousy was at the root of the dislike for the Huttars and that Consul Hunter had lent too ready an ear to the tales against them. Hunter's judgement was doubted -- he had not always acted with tact and discretion, he had made no attempt to sift the vague complaints he had collected, and he was undoubtedly prone to exaggeration.[108]

106. Minute by H.E. Dale, 18 August 1903, on Jackson to C.O., secret, 19 June 1903, CO 225/65. See also minutes on Jackson to C.O., secret, 3 February 1904, CO 225/67; minutes on Major to C.O., secret, 5 October 1904, CO 225/67.

107. C.O. to im Thurn, secret, 14 October 1904, CO 881/11, Australian no. 182, no. --

The case against the Tongan administration was simply not strong enough to justify annexation. If annexation had been expedient or desirable for other reasons, it would have provided an answer. But given the climate of hesitancy which surrounded the question of annexation, and particularly the question of New Zealand involvement, the Colonial Office was disposed to give the Tongan Government every possible chance to work out its own destiny. This same consideration now led the Colonial Office to reject the idea of forcing a treaty revision on the King. If the British Consul was given full control over the administration, as was the case in the Federated Malay States, it would mean stripping the King and his Government of all authority. In the opinion of H. Johnson, who took over the Tongan papers from Anderson, this would be equivalent to annexation in all but the name, and the Colonial Office would still be bound to hand over control to New Zealand.[109]

While any drastic change was ruled out, the Colonial Office nevertheless accepted the need to take positive steps to improve matters in Tonga. Misgovernment did exist; there was no doubt of that. The Tongan Government fell short of 'even the comparatively low standard which it should attain' and British officials 'would be evading their responsibilities if they hesitated to take the measures which they consider necessary for giving the island an administration under which both white and native inhabitants may live with some degree of peace and confidence.'[110] Thus the Colonial Office decided to force some reform without a treaty revision. Its justification, insofar as it needed one, was taken from a loose interpretation of


110. C.O. to im Thurn, secret, 14 October 1904,
Article III of the 1900 Treaty. In matters where the interests of Europeans were vitally concerned, Article III was taken to mean 'that the British Agent may not only interfere by making requests, suggestions or protests, but is entitled to make demands to which the King is bound to accede' (emphasis added).[111]

Im Thurn, Jackson's successor as High Commissioner, was therefore instructed to visit Tonga as soon as conveniently possible. He was to hold an inquiry into all grievances and call upon the King and his Ministers to give any replies or explanations. Any persons found to be the cause of discontent were to be dismissed or deported. Further, Im Thurn was to insist on the King carrying out any other reforms he deemed requisite, and the King must undertake not to disturb these arrangements after Im Thurn's departure. Should he refuse to cooperate, Tupou II was to be threatened with deportation. In the event of his remaining obdurate, he was to be removed to Fiji, and an ordinance passed providing for his custody there as political prisoner.[112] As one official commented, it would be useless 'to threaten this besotted and sensuous potentate any more. He must be thoroughly convinced that we mean business...'.[113]

111. C.O. to Im Thurn, tel., 25 October 1904, Ibid., no. 31.
112. C.O. to Im Thurn, secret, 14 October 1904, Ibid., no. 30.
113. Minute by H.B. Cox, 9 August 1904, on Jackson to C.O., secret, 3 February 1904, CO 225/67.
CHAPTER 4

The Coup d'État of Christmas 1904

It has been committed to me to tell you plainly that you have been going on in a bad road. You must now turn, and go on a good road which I am here to show you; not only a good way, but by far the best possible one, not only for yourselves, the King, Chiefs and Hereditary Councillor of Tonga, but for all the people, including the Europeans who live here, and for the welfare and prosperity of all, high and low, rich and poor, in these rich and beautiful lands.

[Notes of Interview between His Excellency im Thurn and the King of Tonga, at the Palace, Nuku'alofa, December 10, 1904, Annexure A to 'Report on Tongan Affairs (December, 1904-January, 1905)', encl. in im Thurn to C.O., 15 March 1905, CO 881/11, Australian no. 182, encl. in no. 62.]
Im Thurn needed no encouragement from the Colonial Office to take a hard line in Tonga. A former Curator of the British Guiana Museum, he had worked in both the Foreign Office and the Colonial Office before becoming Lieutenant-Governor and Colonial Secretary of Ceylon. In 1903, during political disturbances in the Maldive Islands (a dependency of Ceylon), he had deposed one sultan and set up another in his place.[1] Now, in late 1904, Im Thurn was ready to take whatever action might seem desirable in Tonga.

Shortly before leaving for Tonga, Im Thurn learnt from Hunter that the King was suffering from a mastoid abcess and was considered to be in 'a very critical condition'. This seemed to provide an admirable opportunity to secure a more satisfactory government and, like Jackson before him, he sought Colonial Office sanction for any steps 'that may appear absolutely desirable, especially in the event of the King's death.' Short of annexation, Im Thurn considered the best course would be to force a revision of the Treaty, giving the British Consul a leading part in the administration.[2] But the Colonial Office dampened his enthusiasm because it did not feel justified in going beyond the instructions already issued — if the King died, the new regime should at least be given a fair trial.[3]

Im Thurn arrived at Nuku'alofa with Hunter on 8 December 1904, a mere eight days after receiving his instructions from London. His conveyance in a British man-of-war was a portent of what was to come. His business in Tonga was neither compromise nor negotiation, nor even

2. Im Thurn to C.O., tel., 9 November 1904, CO 225/67.
3. Minut s, ibid.; C.O. to Im Thurn, tel., 25 October 1904, FOCP 8507, encl. 4 in no. 117.
impartial inquiry. He had come to Tonga to 'put things straight'; to make changes which, as he noted, amounted to 'something like a Revolution in Tongan affairs.' The Tongan Government had gone wrong and they were now to be given a new lease of life by 'a kindly and powerful Surgeon who cuts off a diseased part however unpleasant the operation may be.'[4]

The focus of im Thurn's mission was not so much any specific grievances as the system itself. With true missionary zeal he saw his role in Tonga as that of the harbinger of white civilisation to the wayward children of the Pacific. He had come with teaching from His Majesty the King of Great Britain who, in his wisdom, was aware that 'the Tongan Government and people are yet as children' and that it was a comparatively short time since they had begun to adopt Western ways:

he [Edward VII] feels confident that with the help I shall give you, he can trust you to carry out these Western methods, and that you will learn to do so efficiently.[5]

From practically every area of government im Thurn drew examples to prove that the problem was that the Tongans did not yet fully understand 'how civilized white men rule'. The King was not behaving like a British constitutional monarch, the laws were neither framed nor administered properly, the police force was busy oppressing

4. Speech by im Thurn to King and Chiefs, 28 December 1904, 'Report on Tongan Affairs (December, 1904-January, 1905)', encl. in im Thurn to C.O., 15 March 1905, CO 881/11, Australian no. 182, encl. in no. 192, Annexure Y; Interview of the High Commissioner and King and Chiefs of Tonga, 10 December 1904, 'Report on Tongan Affairs', Annexure A; im Thurn, Diary, 28 November 1904, im Thurn Papers.

5. Interview of the High Commissioner and King and Chiefs of Tonga, 10 December 1904, 'Report on Tongan Affairs', Annexure A.
instead of protecting, financial matters were quite unsystematic, and that revered British notion of individual private property seemed quite unprotected. For all these failings im Thurn had an answer. He would point out the right path to follow, and other white men would line the route, assisting Tonga to become a miniature Britain. To im Thurn it did not really matter that 'some of you may not want to walk in this path, and some of you may even be unable to see that it is the right one.' He had come, he told the King, to save the Kingdom of Tonga, and nothing was going to divert him from that purpose.[6]

Im Thurn spent six weeks in Tonga, interviewing the aggrieved, addressing meetings of chiefs and issuing ultimatums. He had arrived with a fair idea of the measures he intended to take, and the views of Hunter and other Europeans served to reinforce his desire for strong action. But it was from amongst the group of dissatisfied Tongan chiefs who sought British assistance against the power of the King and his Premier, Sateki, that im Thurn found his real inspiration. Their views confirmed and justified his own and gave him a support base from which to work. Im Thurn's reliance on these chiefs was so great that, unwittingly, he played right into their hands. The British High Commissioner was an admirable instrument to bring about the sacking of the present Government. When im Thurn left Tonga on 21 January 1905, the Kingdom had a new Government in power. With the exceptions of the King and his father, Fatafehi, the incumbents of every major government post had been changed.

6. Ibid., Speech by im Thurn to King and Chiefs, 28 December 1904, ibid, Annexure Y; High Commissioner's Speech to King and Chiefs, 2 January 1905, ibid, Annexure Z.
Sateki was the first to go. He was deported to Fiji as a political prisoner after im Thurn had been in Tonga only five days. The impetus for this precipitate and drastic action came from a meeting of chiefs held on 12 December. Although initially reluctant to speak frankly, the chiefs responded, according to im Thurn, 'like a spark to gunpowder' when asked whether they wished to rule themselves with the help of the British Government or be ruled, as had lately been the case, by the King and Sateki under the direction of a white trader or two. Polutele Kaho led the way in denouncing Sateki, calling the Cabinet a 'family affair', and pointing to his connection with 'the Jews'. He was supported by a number of others, including the nobles Ata, Finau 'Ulukalala, and Vaea.[7]

The crimes for which Sateki was deported were never stated explicitly. On the afternoon of 13 December im Thurn subjected Sateki to 'a long and weary examination', receiving only 'evasive and obstinate' answers to his questions. It was clear, he later wrote, 'that Sateki would obstruct my enquiry by every means in his power and that he and the King were doing their best to prevent my obtaining any results.' The High Commissioner, therefore, determined to send off Sateki in the morning and, despite an apology, the unsuspecting Premier was marched on board the Fiji Government yacht Ranadi on 14 December by an escort of marines. As im Thurn himself put it: 'Thus was brought about a great coup d'état in the affairs of Tonga.'[8]

7. 'Report on Tongan Affairs'; Note of Interview with the Chiefs, 12 December 1904, ibid., Annexure B.

8. 'Report on Tongan Affairs'; im Thurn, Diary, 13 and 14 December 1904.
Im Thurn also took the opportunity to deport Sateki's son, Fotu, who was Treasurer and Minister of Finance. Apparently Fotu had followed his father's example of unhelpfulness, and 'though by no means equal to his father in ability, is, if I am not mistaken, more than equal to him in the matter of unscrupulousness.'[9] The decision to deport him was made after im Thurn had, in his own words, taken possession of the Treasury, in order to facilitate a thorough examination of the Kingdom's financial state. According to Edmund Lowe, a government schoolmaster who was present during the examination, Fotu was deported after a hastily-struck balance showed a deficit of £2,000. Lowe claimed that subsequent examination reduced the deficit to about £54, but by that time Fotu and his father had boarded the Ranadi, amidst much weeping, and were bound for Fiji where they remained until May 1906.[10]

The deportations of Sateki and Fotu were carried out as an Act of State which, as H.E. Dale in the Colonial Office minuted, was technically an act of war.[11] Neither the 1900 Treaty nor the Western Pacific Order in Council of 1893 gave the British Government jurisdiction over Tongan subjects. Following West African precedents however, an Order in Council was issued to provide for the Tongans'

9. 'Report on Tongan Affairs'.


11. Minute by H.E. Dale, 1 December 1904, on im Thurn to C.O., tel., 1 December 1904, CO 225/65.
detention in Fiji as political prisoners. The 'Fiji Political Prisoners Order in Council 1905', dated 12 January 1905, retrospectively validated the High Commissioner's actions in arresting and detaining the Tongans. Clause 8 of the Order prevented the bringing of a 'writ of habeas corpus or other process calling into question the legality of the removal from the Islands of Tonga or the detention of the political prisoners...or any other matter connected with the said removal or detention'.[12]

With Sateki and Fotu out of the way, im Thurn set about putting the rest of the Kingdom to rights. Throughout the next two weeks he interviewed many of the aggrieved chiefs, amongst them Polutele Kaho, Mateialona, Sipu and Ata and he also sought the views of a number of European residents. Then, on 28 December, he addressed a meeting of the King and Chiefs at the British Consulate, setting out what he believed to be wrong with the administration of the Kingdom, and outlining the changes he proposed to make. Subsequently his speech was printed on the government press and widely circulated.

Im Thurn began his address by censuring Tupou II for ruling 'merely in accordance with his own will.' He pointed out that this was not the way in which 'a real Constitutional King' ruled, and informed Tupou II that in future he must rule in consultation with his Cabinet and chiefs. He also made it clear that the King and his Cabinet must 'in all things take the advice of the British Consul who is put there to help them.'[13] At his meeting with the chiefs on 12 December im

13. Speech by im Thurn to King and Chiefs, 28 December 1904, 'Report on Tongan Affairs', Annexure Y.
Thurn had claimed rather less extensive powers for the Consul:

A Cabinet in Tonga, managing the affairs of Europeans and Tongans, must take the advice of the British official put here for that purpose. You are ignorant of the ways of foreigners, and do not know how to deal with them; therefore it would be the best thing for the Tongan Government if the King and Cabinet consulted the British Agent, who is here for no other purpose than to help and guide you, on all important foreign matters.[14]

On 28 December im Thurn made it clear that the Consul was to be consulted in all matters, whether foreign or domestic.

Im Thurn's address left few areas of government untouched. As a result of his investigation into the Treasury, which was pronounced empty, he insisted that the Government accept a loan of £4,000 from British colonial funds so that, somewhat ironically, the New Year would be started 'free of debt'. Im Thurn went on to deal in detail with the land system, calling on the King to carry out distribution of the lands, to return to the Government the rents of lands which he had lately made over to himself, and to ensure that his Government renewed leases to foreigners. He demanded that the laws be published in English as well as Tongan, that the laws governing the sale of alcohol be strictly enforced, that the Estimates for 1905, as revised by himself, be adopted and that the King not 'tamper with' the rights of succession and inheritance of his chiefs.[15]

The personnel of the Government was to undergo considerable change. Two Cabinet Ministers, Sateki and Fotu, had already been deported and three more were to suffer slightly less notorious removals. Asipeli Kupu, the King's father-in-law who was Minister of Police, Manase Lavaki, the Auditor-General, and Siosiua KaHo, the

14. Note of Interview with the Chiefs, 12 December 1904, ibid., Annexure B.
15. Speech... 28 December 1904, ibid., Annexure Y.
Chief Justice, were all dismissed — ostensibly on the grounds of incompetence. Only the King's father Fatafehi, who had managed to keep a foot in both camps, retained his position as Minister of Lands. The replacements im Thurn insisted upon, without any pretence at consultation, could hardly have been more distasteful to the King. Instead of being surrounded by his supporters, the King was now to face a Cabinet of im Thurn's nominees, many of whom had used the British alliance to attack the King and his former Government.

As Premier, im Thurn chose Sione Mateialona — a relative of the King, but one of his strongest opponents. Mateialona did not have a noble title but, as the illegitimate son of 'Isileli Tupou, who was in turn an illegitimate son of Tupou I, Mateialona was of high rank. One of the small group of Wesleyans who had been exiled to Fiji in 1887, Mateialona had been educated at Tupou College in Tonga and later in Auckland. As Governor of Ha'apai since 1897 he had experience in government and was clearly the most popular choice amongst the other chiefs consulted by im Thurn. At the 12 December meeting Polutele Kaho had suggested Mateialona's appointment, and this was supported by the others present. According to im Thurn, Mateialona had 'an unexpectedly great fund of moral strength', and enjoyed great consideration from his fellow countrymen, despite his 'somewhat exceptional taciturnity.' Im Thurn concluded:

He is the one man whom the reformers and most other natives in Tonga, and almost the whole of the European residents, look to as their proper political leader and premier.[16]

Other positions in the Cabinet went to those who had cooperated with im Thurn, and whose compliance seemed assured. Mateialona was to be Auditor-General as well as Premier; the post of Treasurer was:

16. 'Report on Tongan Affairs'.
given to Fatafehi, who was also Minister of Lands. Polutele Kaho was to become Minister of Police and Sipu would become Governor of Ha'apai in place of Mateialona. Finau 'Ulukalala, who had been dismissed as Governor of Vava'u some six months earlier, returned to that post. Outside the Cabinet, positions were found for two more 'loyal' nobles. Solomone Ata, a 22 year old whom Im Thurn described as 'the one Tongan who dares to speak his mind to the King' became Secretary and Assistant to the Premier, and Vaea, another formerly exiled Wesleyan whom Im Thurn considered 'honest, conscientious and able', was to be Police Magistrate at Nuku'alofa.[17]

Im Thurn's list of appointees included a number of Europeans in posts which he felt could not be suitably filled by Tongans. While expressing a desire to keep 'as many Tongans as possible' in government employment, Im Thurn nevertheless pointed out that 'as the Tongans have decided that theirs is to be a civilised and not a barbarous country...the King and his chiefs should have a certain number of white men to help them.'[18] The most important of the European appointments was that of Robert L. Skeen as Chief Justice and Legal Adviser to the Premier. The post of Chief Justice carried Cabinet rank so that for the first time since Baker's deportation in 1890, the Tongan Cabinet would contain a European. Skeen was a New Zealand lawyer who had worked in Samoa before coming to Tonga in 1901. He was one of those who had composed the petition to Jackson in May 1903, and was highly recommended for appointment by Hunter, who had worked with him in Samoa as well as Tonga.[19]

17. Ibid.
18. Speech... 28 December 1904, ibid., Annexure Y.
Although Fatafehi was to be Treasurer, im Thurn appointed a European, T.V. Roberts, as his assistant. Roberts was a son of 'Professor' J.H. Roberts, head of the Government College, and had come to Tonga from Sydney in May 1899, aged 19, to take up a government post at the request of Sateki. He later fell out with the Government and in September 1903 was dismissed from his post as Chief Clerk in the Customs Department on flimsy grounds. Roberts had appealed to the British Government against his dismissal and the Colonial Office had instructed im Thurn, should he find no adequate grounds for the dismissal, to insist on Roberts' reinstatement or on the payment of adequate compensation. [20]

To reorganise the police force and show the new Minister of Police how to go about his duties, im Thurn proposed to recruit a European from Fiji to take charge of the police for about six months. For this task he had in mind Sergeant J.M. Gosstray, whom he described as a first-rate police officer, married to a Tongan and fluent in the language. [21] In the Customs and Post Office Department im Thurn demanded the dismissal of two Europeans who had been close to Sateki -- E.M. Lee and J. Macaulay. In their place he proposed R.G.M. Denny as Collector of Customs and Postmaster and W.G. Bagnall as Chief Clerk, both of whom had recently arrived in Tonga.

20. Roberts to Hunter, 3 October 1903 and encls, CO 881/11, Australian no. 182, no. 27; C.O. to im Thurn, secret, 14 October 1904, ibid., no. 29.

Im Thurn was not acting under any delusions as to the source of his authority to reorganise the Tongan Government. Outwardly he justified his actions by claiming, as the Colonial Office did, that under the Protectorate Britain was pledged to see that the interests of both Tongans and foreigners were safeguarded. But on the practical level he was fully aware that he had might on his side and the trump card in reserve. When Tupou II protested that it was all a matter of the strong talking to the weak, im Thurn agreed with him. 'Of course', he added, 'I am only strong as representing my King whom I am glad you recognise as the greater power here.'[22] He made it perfectly plain from the outset that his mission was not to be hampered by non-believers. The King's options were either to agree to the High Commissioner's demands or be removed.

As im Thurn himself was aware, all semblance of an independent Tonga was gone. On 2 January 1905 he called a further meeting of the King and chiefs and demanded that Tupou II give an 'immediate and definite' answer to the proposed changes. Im Thurn was not prepared to listen to objections. He informed the gathering, which consisted of the King and some 30 chiefs assembled from all over Tonga, that the real choice before them was either frank acceptance of his own 'guidance' or the immediate loss of their King and, eventually, of their independence. Even the hardened im Thurn felt some sense of occasion. He described it as 'a strange and dramatic and to some degree a painful interview':

It covered the real crisis of the fall from independence of an interesting and in a sense a powerful people. I had asked the King to yield the considerable absolute power

22. Note of Interview with the King and Chiefs, 2 January 1905, ibid., Annexure AA.
which -- rightly or wrongly -- he had continued still to cling to...[23]

The day that Hunter had long predicted had arrived -- the King of Tonga must do as he was told or lose his Kingdom. Tupou II, with his hands thus tied, gave his reluctant consent to im Thurn's proposals.

Having settled the broad outlines that the new Government was to follow, im Thurn sailed for Ha'apai and Vava'u. During this trip, which occupied him from 3-11 January, im Thurn talked with the chiefs about the proposed changes and distributed copies of his address of 28 December, as well as his concluding speech at the meeting of 2 January. On his return to Nuku'alofa im Thurn learnt from his chiefly allies that Tupou II was showing no enthusiasm for the 'reforms'. Im Thurn described Tupou II's attitude as 'sulky', and noted that he had 'snirked' signing the gazette notices for the new appointments.[24]

Im Thurn immediately arranged for a further meeting of the King and chiefs at the Consulate on 17 January. In order to 'facilitate' the King's final concurrence, im Thurn prepared what he called a brief summary of the more important points of his proposals, for the King's signature. This document, which was headed 'Note of Points accepted by the King', contained 12 ultimatums drawn from the speech of 28 December. Although it was not intended as a revision of the Treaty, the 'Note of Points' was clearly drawn up for the purpose of placing some continuing restraint on the King -- im Thurn was determined that Tupou II would not dismiss his new Government and forget his promises as soon as the High Commissioner's back was turned. The 'Note of Points' thus came to assume the status of an amendment to the Treaty.

23. In Thurn, Diary, 2 January 1905.

and was generally referred to as the Supplementary Agreement of 1905.[25]

At the 17 January meeting Tupou II objected strongly to signing the summary of points. He argued that to do so would involve a breach of the 1900 Treaty, by which the British Government had pledged itself not to intervene in Tonga's internal affairs. He particularly objected to the second point, which stated blandly: 'The British Agent and Consul to be consulted and his advice taken', and also to points 9 and 10, which stipulated that new appointments to the public service and changes among leading officials were to be made only 'in consultation with' the British Consul.[26] Not only did these points contravene Article III of the 1900 Treaty, but they were also in conflict with Tonga's constitution. These provisions had the effect, he later protested, of

virtually transferring to the High Commissioner the complete control of the internal administration of my country and its laws, and leaving to me, my Cabinet, and my Parliament nothing but an empty name, and reducing us to the position of simply carrying out his or his nominee's instructions.[27]

In reply im Thurn argued that although by the letter of the Treaty it was only permissible to, and not imperative on, the Tongan Government to consult the British Consul, the intention of the Treaty was that this permission should be used in all cases 'affecting the peace and quiet of the islands.' In accordance with the spirit of the Treaty, the British Government had a duty to put 'native affairs' in order, for the recent state of unrest had been 'a serious menace to

25. See Appendix I(v).
26. Ibid.
the peace and quiet of the foreign residents.'[28]

At this point im Thurn called off the meeting. Although he knew he held the trump card, he apparently decided, 'out of consideration for the King', to proceed without all the chiefs present. The following day he arranged to meet the King with just five of the chiefs, including Fatafehi, Mateialona and Polutele. In no uncertain terms im Thurn informed Tupou II that if he refused to sign the 'Note of Points' and the two printed speeches he would be taken on board HMS Clio to join Sateki and Fotu in Fiji.[29] Without further delay, Tupou II signed the documents. As he later recorded,

The revolver of an exaction was presented to me and two of the deportation bullets thereof had already been fired..., and a third similar bullet was there ready for discharge against myself.[30]

Although the King's capitulation saved him from immediate deportation, the possibility was by no means ruled out. Tupou II was left in no doubt that if he altered any of the arrangements once im Thurn's back was turned, he would be bringing annexation upon his Kingdom. 'Fiji', im Thurn reminded the assembled King and chiefs, 'is but a little way off'. At the first sign of anything going wrong he would be back to take away their country.

You must pardon me if I remind you of the fact that it is your 'last chance', and that if you do not avail yourselves of it, there must be a complete change.[31]

29. Ibid.
31. Note of Interview with the King and certain chiefs, 16 December 1904, 'Report on Tongan Affairs', Annexure A.
TUPOU II was defeated and humiliated by im Thurn. In 1900 he had fought the British representative and, to a large extent, won. In 1905 he had been forced to watch im Thurn compromise his Kingdom and his rights. But he did not give up easily. Tupou II never fully accepted the new regime that had been forced on him, and he never gave up trying to have the Supplementary Agreement revoked. As soon as the High Commissioner and his warship had sailed away, Tupou II began to seek advice in the hope of having the new arrangements removed. Before long he was bombarding the Colonial Office with protests and demands for the immediate release of Sateki and Fotu. In the meantime his dissatisfaction with his new position was obvious -- he made no effort to work with his new Ministers, keeping himself as aloof and intractable as possible.

Realising that his only hope of extracting himself from the pledges he had been forced to sign was to prove their illegality, Tupou II employed one of Auckland's best-known lawyers to argue his case. Thomas Cotter was legal adviser to the Auckland City Council, and was later described by the New Zealand Herald as one of the soundest lawyers in the profession.[32] It appears likely that his services were suggested to the King by the Hutter, who withdrew their business and made a rapid exit from Tonga in early 1905.[33] On 28 January 1905, just over a week after im Thurn's departure from the Kingdom, Tupou II addressed two letters to Cotter, seeking his opinion as to the legality of im Thurn's actions. Cotter took the King's part.


33. M. Hutter to im Thurn, 4 April 1905, and subsequent correspondence, WPJC 4, 66/1905; 'EK' (indecipherable) to im Thurn, 10 March 1905, encl. in WPJC 4, 2/1900.
entirely. Describing the High Commissioner's proceedings as 'most harsh, illegal and unconstitutional', he advised Tupou II that, under British law, the Supplementary Agreement was null and void because it had been signed under duress. Cotter shunned the King's idea of asking for a Royal Commission to be appointed from Britain to enquire into the matter, arguing that that would be tantamount to an admission on the King's part that the British Government had a right to interfere with Tonga's internal affairs. Instead, he suggested that the King should at once revoke the appointments made by im Thurn and reappoint whoever he saw fit. He also strongly recommended that the King should call a special meeting of the Legislative Assembly and submit the whole affair for their consideration. [34]

The King was unwilling to take such drastic steps but he summoned Cotter who arrived in Tonga on 13 March in the company of Meyer Hutter. For two weeks they conferred daily and continuously. As a result a long letter of protest was addressed to the Colonial Office and to King Edward VII, claiming that the 1900 Treaty had been 'flagrantly, openly, and designedly broken' by im Thurn and that 'a gross outrage had been committed in my country by my sworn Treaty friend'. With considerable point, the letter argued that:

when it suits the High Commissioner in making charges against me or my Government he refers apparently with respect to the Constitution of Tonga and the laws thereof, the Treaties between Tonga and Great Britain, and what the constitutional monarch of the latter country would not think of doing, but practically in the same breath and when it again suits his purpose he ignores, overrides, and disparages my authority and prerogatives, and the Constitution, laws, and customs of my kingdom, assumes a greater knowledge of what is or is not good or beneficial for my subjects than their own Parliament, infringes and violates the liberty of my subjects, and does what I unhesitatingly submit no constitutional monarch in the world would do or think of doing or authorize being done. [35]

34. Cotter to Tupou I, 7 February 1905, Royal Correspondence, 1904-05, PEB 505.

Cotter also advised Tupou II to take action against the High Commissioner in the Supreme Court of Fiji for the illegal removal and detention of the Premier and Treasurer. Humphrey Berkeley, a Fiji lawyer, tried to institute proceedings on behalf of the King and Cotter but he was unable to do so because the Order in Council had put im Thurn's action above the law.[36]

In order to continue to have the benefits of Cotter's counsel, and also to place himself in direct telegraphic link with Britain, Tupou II left Tonga for Auckland on 25 March. His visit to Auckland lasted three months, and it may well have been inspired by more than the prospect of a direct telegraphic link with the Colonial Office. Surprisingly, perhaps, one of the people Tupou II turned to for support was Richard Seddon, the pro-annexationist Premier of New Zealand. A week after im Thurn’s departure, Tupou II wrote to Seddon seeking advice and assistance, for 'my contry is in jeopardy and I fear my power has gone from me'. He wanted Seddon's opinion on the appointment of a Royal Commission to determine whether his treatment at im Thurn's hands had been 'right'. He also suggested that Seddon might be prepared to bring the matter before the next Conference of Colonial Premiers, and expressed his intention of visiting New Zealand to discuss the whole matter with him.[37] Seddon was only too pleased to have the King lean on him in his troubles and responded sympathetically, assuring him of assistance and suggesting that, while it was too late for the Premier's Conference, a petition to the King

36. Berkeley to Cotter, 30 March 1905, and subsequent correspondence, Royal Correspondence 1904-05, PMB 505.

37. Tupou II to Seddon, 29 January 1905, Royal Correspondence 1904-05, PMB 505.
of England asking for an inquiry would be quite in order.[38]

Tupou II's motive in applying to Seddon seems to have been that association with New Zealand might prove a more amicable arrangement than the present one. Would it be possible he asked Seddon, for Tonga 'to remain a Protectorate but to be associated with New Zealand, the British Resident to be appointed by New Zealand.'[39] This arrangement had the advantage in his eyes of severing the connection with Fiji and with the High Commissioner and his methods. The King argued that since Tonga had nothing in common with Fiji, it was somewhat anomalous to be linked politically with that colony. On the other hand, Tonga's commercial relations with New Zealand were considerable, and provided a reason for political association.[40]

In view of the Cook Islands precedent, where annexation had developed out of a protectorate administered by New Zealand, Tupou II's approach to Seddon is surprising. Nevertheless it was an opportunity worth exploring and, since the majority of Tupou II's advisers were New Zealanders, they may have convinced him that the New Zealand Government would treat him more as befitted an independent monarch.

Although it was widely rumoured that Tupou II favoured a settlement similar to that in Rarotonga, nothing further came of the idea. It might simply have been a ploy to get New Zealand sympathy and support against Thurn. But, perhaps of more importance, both the Colonial Office and the new Tongan Cabinet were strongly opposed

38. Seddon to Tupou II, tel., 8 February 1905, PO, uncatalogued papers.

39. Tupou II to Seddon, 24 February 1905, Royal Correspondence 1904-05, PHB 505.

40. Ibid.
to the scheme. Im Thurn and Hunter believed that Tonga would not benefit from control by New Zealand, and they saw in the workings of intrigue -- the King was being tricked into New Zealand's clutches by the activities of self-interested traders and politicians. When Beatrice Grimshaw, the author, told im Thurn in December 1904 that Seddon was still very anxious for Tonga's annexation to New Zealand, the High Commissioner noted succinctly 'not if I can help it'.[41]

The case against New Zealand was also reinforced by opinion within the Tongan Cabinet and parliament. On 11 June 1906 a resolution was passed by a large majority in the Legislative Assembly, 'protesting against New Zealand and other Australasian colonies interfering in the government of the Friendly Islands'. The resolution, which was forwarded to the Colonial Office, asked that the Treaty of 1900 be strictly adhered to and that the Government of Tonga 'remain in the charge of' the British Government, through the High Commissioner in Fiji.[42]

The opinion of the Legislative Assembly on this point was probably indicative of general opinion in Tonga on the question of New Zealand control. Noticeably, however, the resolution made no reference to the events of 1905, for on that question opinion in Tonga was as divided as the leaders were. Some newspaper reports alleged that 'the majority of the natives entirely disapprove of the action taken', and claimed that bloodshed would have ensued had the King been deported. One claimed that when im Thurn asked those chiefs satisfied with what he had done to stand up, only the new Minister of Police did

41. Im Thurn, Diary, 18 December 1904.

42. See Hunter to im Thurn, tel., 20 June 1906, encl. in im Thurn to C.O., 22 June 1906, CO 225/72.
On 20 January, the day before im Thurn left, 21 chiefs had signed a petition recording their agreement with all that im Thurn had proposed, 'both verbally and in writing', and agreeing that Hunter 'shall have a voice in all matters relating to the Government and the Country.' Several of them, however, were later to show that they supported the King's cause.

Amongst the new Cabinet and those who supported it there was consternation at Tupou II's attempts to revert to pre-im Thurn days, and even a sense of disappointment that the High Commissioner had not completed his work in Tonga by deporting the King. His presence and defiant attitude made their positions very insecure: if the British Government did not back im Thurn, there was no telling what the King might do to them for their disloyalty. In early April the new Premier, Mateialona, reported to the High Commissioner that the King's attitude was worrying, 'not from any overt act, but because he adopted a policy of passive resistance to changes being carried out.' Polutele Kaho noted the same resistance:

it was apparent that he was anticipating something, as at our Privy Council meetings, every time a Minister asked for something for his Department, the King did not accede to it at once, but appeared to postpone it, in hopes that the Government would be again changed.

The settlement in Tonga thus rested on tenterhooks, awaiting the

43. Unmarked newspaper clipping, 8 March 1905, encl. in WPHC 4, 2/1900; 'The Tongan Coup D'état', The Globe, 10 April 1905.

44. Fatafehi and 21 others to im Thurn, encl., WPHC 4, 2/1900. See also 'Report on Tongan Affairs', Annexure FF.

45. Mateialona to im Thurn, 6 April 1905, encl. in im Thurn to C.O., 19 April 1905, CO 225/69.

46. Polutele Kaho to im Thurn, private and conf., 4 April 1905, CO 881/11, Australian no. 182, encl. 2 in no. 67.
outcome of the King's protests and the reaction of the Colonial Office to im Thurn's measures.

The appearance of Hutter and the lawyer, Cotter, on 13 March 1905 increased the feeling of insecurity amongst the new Cabinet. And when the King suddenly announced on 24 March that he was going to New Zealand with his lawyer, ostensibly on doctor's orders, the Ministers reacted strongly. The Doctor denied giving any such advice; it was clear that the King's trip was tied to his attempts to undo im Thurn's work. At a hurried meeting, the Cabinet attempted to prevent the King going, or at least to restrict his movements while he was away. The Ministers decided that since the Government was in debt and the country in difficulties, no money would be voted for the trip, and a letter was sent to the King expressing Cabinet's disapproval. In a further bold assertion of their authority over the King, the Cabinet Ministers also agreed that Mateialona should send a letter to Seddon pointing out that he had been instructed

by a unanimous vote of His Tongan Majesty's Cabinet to inform you that His Majesty King George II of Tonga has no authority or power to pledge the credit of, or in any way to arrange as to, the future government of Tonga.

As a final touch the Cabinet also decided to place advertisements in Auckland and Sydney newspapers stating that the Government of Tonga would not be responsible for any debts or liabilities on any account whatever contracted without the signature of the Premier.[47]

Tupou II was not deterred by his Ministers' disapproval, nor by their refusal to find funds, and it was widely rumoured that the Free

47. Mateialona to im Thurn, 6 April 1905 and encls., encl. in im Thurn to C.O., 19 April 1905, CO 225/69.
Church of Tonga was financing his trip.[48] At 5 a.m. the following Sunday morning he embarked for New Zealand to the accompaniment of a 21 gun salute and the strains of 'See the Conquering Hero Comes', as rendered by the Government College band.[49] Not surprisingly, the distrust which his Cabinet displayed towards him was fully reciprocated. He had appointed Fatafehi as Prince Regent, to administer the affairs of the Kingdom during his absence, as required by Section 46 of the Constitution. But Fatafehi's letter of appointment limited his powers to such a degree that he was, as Mateialona complained, 'practically without kingly power':[50]

You will not repeal any law or make any new law or add to or abridge any clause in the law or Constitution. You are not permitted to sign any document that is brought to you, that is if it is anything that does not appear in the law and Constitution.[51]

Tupou II was not taking any chances.

On his trip to New Zealand, Tupou II carried with him a document purporting to be from the nobles and the people's representatives of the Tongan Legislative Assembly, protesting in strong terms against the changes wrought by the High Commissioner. Obviously an attempt by the King to follow the advice of his lawyer and present the British Parliament with the protests of the Tongan Parliament, the petition declared: 'We do not wish the High Commissioner or anyone...to have anything to do with matters concerning our country'. It went on to

48. Hunter to im Thurn, 4 April 1905, encl. in im Thurn to C.O., ibid.
49. Ibid.
50. Mateialona to im Thurn, 6 April 1905, encl. in im Thurn to C.O., ibid.
51. Letter of appointment to Fatafehi, 25 March 1905, encl. in Hunter to im Thurn, 4 April 1905, encl. in im Thurn to C.O., ibid.
state that the Assembly and the King were very much averse to being
subservient in anything, but especially to have to put everything
before the representative of Great Britain. They were very opposed to
the Constitution being altered, and were hurt by the suggestion that
Tupou II might be taken to Fiji if he didn't sign.[52] It had been
the King's intention to circulate this petition for the signature of
all the nobles and people's representatives in the Assembly. For this
purpose a copy was taken around after the King's departure by two of
his supporters, the dismissed officials Ma'atu (a noble, and
ex-Governor of Niuatoputapu) and Siosiua Kaho, who had been Chief
Justice until im Thurn removed him. But the Cabinet Ministers
apprehended Ma'atu and Kaho while the petition showed the signatures
of only 13 nobles (six of whom had already put their names to the 20
January document approving the High Commissioner's actions) and six
representatives. Kaho and Ma'atu were brought before the Police
Magistrate to inquire into their actions. The Court found that two of
the noble signatories, Viliami Lamatau and Osaiasi Tovi, had been
unaware of the nature of the document when they signed it and in fact
agreed with im Thurn's actions. But it was apparently unable to press
any charges against Kaho and Ma'atu -- they had simply been obeying
the King's express orders. The defendants argued in court that the
King was supreme as he had the power to appoint judges, police and
Ministers, and that his commands over-rode judgements and orders of
the Cabinet.[53]

52. Petition, undated, encl. F(A) in Mateialona to im Thurn, 6 April
1905, encl. in im Thurn to C.O., ibid.
53. Mateialona to im Thurn, 6 April 1905, ibid.
Failing to thwart the King's petition, the Ministers turned to the High Commissioner for protection. They prepared a counter-petition, designed to destroy the weight of the former one, which called upon the High Commissioner to intervene. This petition, signed by eight nobles and seven chiefs (including all but two of the Ministers), approved im Thurn's coup, affirming that since his departure there had been quietness and peace, the laws had been obeyed and taxes paid. It included a declaration of faith in those put into office by the High Commissioner who, of course, comprised most of the signatories — they had been carrying out the laws 'to our satisfaction' and should retain office and so have the opportunity to govern well. The King had gone off 'without consulting us', and had taken with him a signed statement against im Thurn and the present Government. The High Commissioner was requested to 'carefully consider' the action of the King and those who had signed with him, and

to take such steps as you think best to preserve Tonga in peace and quiet, and the present system of Government and its officials as we consider the way the King is acting is against the welfare and prosperity of Tonga.[54]

The petition was a cautious indictment of the King. But Polutele Kaho, writing privately to im Thurn, had no qualms about speaking his mind freely, and no doubts as to what the High Commissioner should do. Polutele asserted that 'the whole world knows' that all the wrong-doing in Tonga had transpired from the King, and he implored the British Government not to go back on their word nor to alter 'one little portion of the good work' which im Thurn had done. He concluded dramatically:

54. Petition to im Thurn, encl. F, ibid.
I can quite see that one of the two must go between the King and country, because I can quite see that the King will never alter his action. And if he is permitted to reign and go on as he is doing, what is the use of the country? If the King were only taken away from here and Fatafehi crowned King all would go well.[55]

The protection which the new Cabinet sought from the High Commissioner was readily forthcoming. On 17 April im Thurn telegraphed the Colonial Office with the information that the King was intrigue with his recently dismissed Ministers, with the connivance of Hutter, Watkin and Cotter, and that the new Ministers were appealing against him. Im Thurn wanted power to depose the King and substitute Fatafehi, 'if any great difficulty should arise'.[56] The Colonial Office agreed. There was no point in deporting the King's white advisers, as he would probably soon find similar ones again.[57] At the same time, the Colonial Office hoped that im Thurn would find it possible to arrange matters on a satisfactory basis without proceeding to this extreme measure:

They are content, however, to leave the decision to you, in full confidence that you will treat the King with all the patience and consideration consistent with the paramount necessity of guarding against a recurrence of past misgovernment.[58]

The King could not, of course, be deported from New Zealand. But if, either before or after his deposition, he returned to Tonga, he could be deported from there to Fiji as an Act of State, and either an Order

55. Polutale Kaho to im Thurn, private and conf., 4 April 1905, CO 881/11, Australian no. 182, encl. 2 in no. 67.
56. Im Thurn to C.O., tel., 17 April 1905, CO 225/69.
57. Minute, ibid.
58. C.O. to im Thurn, conf., 6 June 1905, CO 881/11, Australian no. 182, no. 68.
in Council or a local ordinance would be passed to legalise his detention.[59]

In the event, however, im Thurn found no pressing reason to depose Tupou II. When he paid a return visit to Tonga from 20-28 July 1905, just six months after his first visit, he believed the King had finally resigned himself to the new situation. The King and Watkin had not long been back in the Kingdom from New Zealand and, in im Thurn's opinion, the trip had done the King a great deal of good; it had helped inculcate in him

a more accurate conception of the nature of his relations to His Britannic Majesty's Government, through the High Commissioner, and of his own true personal interest in conforming to these relations imposed on him.[60]

Im Thurn was very impressed by the King's obvious determination to be 'even profusely friendly' with both Hunter and himself. Moreover, it seemed to the High Commissioner that the King was also in a mood to work harmoniously with his Ministers. While there were rumours of an occasional renewal of strain between the King on the one hand, and the Ministers and the British Consul on the other, im Thurn put these down as much to an occasional 'want of tact' of some of the Ministers, as to any 'natural momentary reversion of the King to his old habits of thought'.[61]

Under these circumstances, im Thurn saw no need to depose Tupou II — he was, after all, the rightful King to whom all Tongans (with a few notable exceptions), bowed. And there was no telling what might be the reaction to his deposition — not only within Tonga, but also

59. C.O. to im Thurn, secret, 27 April 1905, WPGC 22/II/18.
60. Im Thurn to C.O., conf., 6 February 1906, CO 225/72.
61. Ibid.
in the New Zealand and Australian press, which had been very critical of the High Commissioner's earlier actions in Tonga. Consequently im Thurn contented himself with issuing the King a stern warning in the presence of his Ministers, and with handing him the Colonial Office's official reply to his protest, embellished with im Thurn's own paternalistic touches. The King was publicly reminded that it had almost been necessary to pull down the Tongan flag and reduce His Majesty to the position of a private individual, and he was censured for being so badly advised as to try to repudiate his 'promises' to the High Commissioner, but he was left upon his throne.

The official reply from the Colonial Office to Tupou II's protests was predictable. Faced with the King's protests, Seddon's intriguing and im Thurn's fait accompli, the British Government chose to settle for the latter. It approved im Thurn's proceedings in Tonga, including the deportations and the 'somewhat forceful methods' he had used. His vigorous measures had been necessary in the interests of all the inhabitants of Tonga -- Tongans as well as foreigners -- and were justified because they facilitated the task of reform. The Secretary of State was quite lavish in his praise -- he expressed his appreciation of im Thurn's 'tact and firmness' and conveyed the Government's high opinion of his ability in a difficult and delicate mission.

62. Im Thurn to Tupou II, 21 July 1905, WPHC 27/XXII/1.

63. C.O. minutes on im Thurn to C.O., 15 March 1903, CO 225/69; C.O. to im Thurn, secret, 21 March 1905, WPHC 22/II/17; C.O. to im Thurn, conf., 6 June 1905, CO 891/11, Australian no. 182, no. 68.
It was true that im Thurn had exceeded his instructions by securing an amendment to the Treaty extending the internal authority of the British Consul. And although the undertaking constituted an 'apparent departure' from the 1900 Treaty, officials argued that most of the Points involved little more than a promise on the King's part to rule in accordance with the Constitution and the law. The new conditions, they claimed, were only a logical outcome of the Treaty:

If the new undertaking extends the Treaty of 1900, it does so only because the King has disregarded the underlying assumption of that Treaty, which was that the King would guide himself by the law and the Constitution: and your Report, leaving as it does no room for doubt that the King has not so guided himself, explains and justifies the divergencies of the undertaking of 18 January from the Treaty of 1900.[64]

By this tortuous reasoning, the High Commissioner's use of force to extract the Agreement was given respectability. The King was informed that the British Government would regard the undertaking as binding on him equally with the existing Treaty and as supplementing them. He was expected to carry it out in the spirit and the letter, and so long as he did so, Britain had no intention as she had no desire, to annex his Kingdom to the British dominions.

It was, as the newspapers claimed, a resounding defeat for King Taufa'au Tupou II.

[64] C.O. to im Thurn, conf., 6 June 1905, ibid.
The Consul maintains that he is the controlling power in all matters in Tonga and insists that his advice must be followed without questioning. On the other hand I contend that the Government rests with the King and his Cabinet and that the Consul's advice is to be taken on important matters.

[Robert Skeen, Chief Justice, to Sir Everard im Thurn, 13 March 1907, WPHC 4, 279/1906.]
The attempt by the High Commissioner for the Western Pacific to 'disentangle Tongan affairs' in early 1905 produced neither harmony nor stability in the Tongan Government.[1] When Im Thurn returned to Tonga some six months after his first visit, he was quick to boast that by his bold intervention he had done the Tongans a favour.[2] And certainly, by his own criteria -- the balance in the Treasury and the provision of public works -- Tonga after 1905 showed distinct improvement. But the circumstances under which the new arrangements had been foisted upon the Kingdom created tensions and struggles within the Government. Three forces now vied with each other for control of the Kingdom. The King, whose hereditary rights had been curtailed, made no secret of his continued dissatisfaction with his new position. He had no intention of submitting to his Ministers or to the British Consul. The Cabinet was no longer the loyal executive arm of the King; it was now composed of British nominees, many of whom felt little allegiance to the King, and some of whom regarded him with open hostility. Over both King and Cabinet the British Agent and Consul attempted to exert a controlling influence.

Though the Kingdom had escaped Im Thurn's ravages with its flag intact, the autonomy of its Government had been compromised. In Im Thurn's own words, the King now headed a 'quasi-independent Government'.[3] Its decisions were subject to the approval of British officials, and in many ways it was dependent on the British Government for its very existence. The King could no longer be confident in his possession of his throne, and almost all important

1. Im Thurn to C.O., conf., 6 February 1906, CO 225/72.
2. Ibid.
3. Im Thurn to C.O., 4 April 1905, CO 225/69.
appointments now rested in British hands. But in practice the relationship was not so simple. The power of British officials over the Tongan Government had not been precisely defined by the 1905 Agreement. As a result the nature and extent of British intervention depended largely on the personalities involved and became the source of much controversy. In the years after 1905 there was no ready Tongan acceptance of British dominance -- not only the King but some of the Ministers as well, resented what they saw as high-handed interference with their rights.

With the second visit of the High Commissioner in late July 1905 there was no more doubt within Tonga that the new Government would stand. Tupou II was forced to realise that he would get no further by protesting to the Colonial Office. From that time, his correspondence with his lawyer in New Zealand became half-hearted: Cotter was shocked to discover in December 1905 that the High Commissioner's letter of 20 July had gone unanswered.[4] In Cotter's opinion, in Thurn's letter was simply a quibble and an evasion, justifying his extraordinary actions only in terms of might. He therefore continued to urge Tupou II to take steps to put his case before the British Parliament, particularly since the resignation of the Balfour Government gave him an opportunity to present his case to the new Liberal Ministry and the new Secretary of State, Lord Elgin. Although Thurn suggested a number of ways this could be achieved, including a trip to England by the King or by Cotter himself, there was little enthusiasm in the King's response. Tupou II was not willing to risk

- Cotter to Tupou II, 11 December 1905, Royal Correspondence 1904-05, PMB 305.
the money (which his Government would certainly not vote) or his throne, on such an expedition.[5]

With further protest ruled out, it appeared, at least to the High Commissioner, that the King and Cabinet now had little option but to make some attempt to work together.[6] But im Thurn's perception of a reformed Tupou II -- the prodigal son returning to the fold -- is much more revealing of im Thurn and of British attitudes than of the King. Tupou II now had to accommodate the British presence and he had no choice but to allow his Ministers to stay in office, but he remained deeply resentful of the incursions on his independence ... the usurpation of his privileged position. His reaction to im Thurn's news in July 1905 bore striking resemblance to his great-grandfather's reaction to the deportation of his Premier, Shirley Baker, in 1890. Tupou I had moved his residence to Ha'apai as a 'gesture of rebuke';[7] now Tupou II left the scene of government for a long visit to the northern groups, showing his contempt for the new Ministers by ignoring them. Surrounded by an entourage of chiefly supporters Tupou II left Nuku'alofa in mid-August for Vava'u, where he received a loyal welcome from Finau 'Ulukalala.[8] Some two months later, with Finau also in tow, the party proceeded to Ha'apai where the King had strong ties. Here there could be no doubt of the great love the people had for their King: the people of Felemea, for

5. Ibid., Cotter to Tupou II, 7 February 1906 and 7 March 1906, PO/KNF 1906; Tupou II to Cotter, 22 February 1906, Royal Correspondence 1906, PMB 506; Cotter to Tupou II, 3 April 1906, ibid., Cotter to Tupou II, 2 May 1906, ibid.

6. Im Thurn to C.O., conf., 6 February 1906, CO 225/72.


8. Hunter to im Thurn, 21 September 1905, WPHC 4, 196/1905. See also WPHC 4, 268/1905 and 235/1905.
example, brought 5,168 baskets of food to the King in one day.[9]

During their sojourn in the northern groups the King's party, safely removed from the Government and its British benefactors, gave free voice to their opinion of the new arrangements. Reports reached Nuku'alofa that they had been flooding the countryside with 'shocking' talk against Great Britain and especially against the new Government. In Vava'u, where the Premier was sent to keep an eye on the King's activities, it was reported that the ex-Auditor-General, Lavaki, and the noble Fakafanua had publicly stated that the King had obtained all he had petitioned for from the British Government, and that the present administration would end in October when Sateki would be re-appointed.[10] In Ha'apai the story was the same: at a large po lotu (prayer meeting) in mid-October, Tapueluelu, who had been Governor of Vava'u before im Thurn's visit, warned that on 16 November next, 'those that are to be killed will be killed, those to be hung will be hung, those to be banished will be banished.' The dismissed official Siamu also made a long speech, claiming, among other things, that there were no other chiefs in Tonga but those in the room.[11] Sipu, the British-appointed Governor of Ha'apai, was well aware at whom the talk was aimed and he sought the assistance of his colleagues in Nuku'alofa against 'the scum of the country that are with the King

9. Akau'ola and Tulimafua to Polutele Kaho, 20 October 1905, encl. no. 2 in Kaho to im Thurn, 21 October 1905, WPHC 4, 235/1905.


and are responsible for all the talk and ill-feeling.'[12]

If the King and his supporters appeared to wish some members of the Government dead, their feelings were fully reciprocated. The rifts were long-standing, but they were exacerbated by the new circumstances. It was not insignificant that, as a result of im Thurn's coup, there was no Cabinet Minister who belonged to the Free Church — the King's Church. In particular, the appointment of Mateialona was hailed in certain quarters as a victory for the Wesleyans over the state-linked Free Church.[13] Im Thurn repeatedly denied any such implication, deploring the activities of 'certain misguided persons' intent on causing trouble by reviving the church dispute. But he did admit after his second visit that adherents of the Free Church did not like the fact that 'accidentally but unavoidably', the chief political power in Tonga now lay with a Wesleyan.[14] Although im Thurn high-mindedly believed that Mateialona had 'honestly and successfully tried to abstain from all undue favour to his own Church', he noted that nobody else gave him credit for this, and that he was constantly viewed with suspicion.[15] Before Mateialona had been in power for long, the Free Church was complaining about the number of officials who were

12. Sipu to Polutele Kaho, 20 October 1905, encl. in ibid.
13. See, for example, 'Interview with J.M. Masterton', New Zealand Herald, 7 January 1905.
15. Ibid.
being dismissed and replaced by Wesleyans.[16]

Early in 1905 a dispute over the future of the Government College demonstrated the depth of sectarian rivalries. The Government College, established in 1882, had become a Free Church rival to the Wesleyan Tupou College; now the new Cabinet wanted government financial support withdrawn. Their arguments were on the surface quite reasonable: there could be little doubt that from an educational point of view, the College was something of an expensive indulgence: over £2,450 of government money was spent on it each year, for which sum the boys apparently spent about one day a week learning higher mathematics and shorthand, the rest of their time being spent in the King's plantations.[17] The Ministers, led by Mateialona, wanted the College handed over to the Free Church, for they claimed that it existed solely for the Church and the King.[18] Although the High Commissioner shared the Ministers' opinion that the College did not justify further expenditure, he was prepared to leave the matter to the Government. Without his backing the Cabinet could do nothing. Despite the continued urgings of his Ministers and the British Consul, the King refused to consider the matter and the

17. Im Thurn, notes of interviews with (6) Chiefs of Tonga, WPHC 21/59.
18. Mateialona to Im Thurn, 6 April 1905 and encls., encl. in Im Thurn to C.O., 19 April 1905, CO 225/69.
College remained the Government College.[19]

Amongst the Cabinet Ministers the most outspoken was undoubtedly the Minister of Police, Polutele Kaho. He had already made plain his desire to see Tupou II removed and he continued to push the idea, reporting to the High Commissioner in detail every uncooperative action on the King's part. In his dealings with the King, Polutele showed a similar forthrightness. He had no hesitation in addressing the King directly concerning what he considered his mis-rule, even though such directness was not condoned by Tongan society. As Minister of Police, Polutele held a position of considerable authority, and, with British support, he was prepared to use it wherever he saw fit. Unlike Kupu, the previous Minister of Police who was the King's father-in-law, Polutele did not see himself primarily as a servant of the King. His own view of his role was foreshadowed by a comment he made to im Thurn shortly before his appointment: 'The common people, and the police, will listen to the King, and do what he tells them. If there were a new Minister of Police, the police would obey the new man.'[20] Polutele was now the new man, and obviously determined to break the King's hold on the Kingdom.

19. Tupou II to im Thurn, 23 July 1905, WPHC 4, 22/1906; im Thurn to Tupou II, 26 July 1905, encl. in im Thurn to C.O., conf., 6 February 1906, CO 225/72; Hunter to Tupou II, 14 August 1905, Royal Correspondence 1904-05, PMB 505.

20. Interview with Polutele and Ata, 20 December 1904, 'Report on Tongan Affairs (December, 1904-January, 1905)', encl. in im Thurn to C.O., 15 March 1905, CO 881/11, Australian no. 182, encl. in no. 62, Annexure S.
Soon after his appointment Polutele attempted to wrest from the King control of the King's Guards which had hitherto existed as an independent unit under the King. Sergeant J.M. Gosstray, whom im Thurn had selected from the Fiji Police Force to help in the reorganisation of the Tongan police, supported Polutele's contention, as did the Cabinet. They argued that the Guards were not under proper control and were foremost amongst the troublemakers in the Kingdom. Moreover, since the Guards possessed a considerable quantity of arms and ammunition, they were represented as a possible threat to the welfare of the country. But Tupou II objected to the idea of his Guards being subject to Polutele. And since the High Commissioner, who described the Guards as 'a toy of the King's', decided not to interfere, no change was made. Nevertheless Polutele, in defiance of the King, took possession of all the ammunition and dynamite. According to Mateialona, the King was extremely displeased, but he neither said nor did anything.[21]

During the King's stay in Ha'apai in October 1905 Polutele took the opportunity to demonstrate his new power. The King's entourage indulged in a fair amount of alcohol -- not that this was unusual amongst either high-born Tongans or local Europeans at that time. Polutele Kaho himself was reportedly so drunk following a wedding in Nuku'alofa on 25 May 1905 that he had to be escorted home by two police constables,[22] and a number of European officials were known

21. J.M. Gosstray to Tupou II, 6 March 1905, PO/KNF 1905; Mateialona to im Thurn, 6 April 1905 and im Thurn to C.O., 19 April 1905, CO 225/69; 'Report on Tongan Affairs'.

22. Hunter to im Thurn, 31 May 1905 and encls., WPHC 4, 90/1905.
to have drinking problems. Under Tongan law only persons holding a permit were permitted to drink alcohol but before 1905 the police appear to have done very little to prevent the open sale of liquor. Im Thurn was shocked to find the Courtroom and other government offices stacked up with old champagne and whisky bottles and both he and the Consul were determined to put a stop to the easy access to liquor. Sergeant Gosstray's secondment from Fiji had been aimed at this, as was Clause 8 of the Supplementary Agreement, which read 'Laws regarding spirituous liquors to be enforced.'[23] In view of the High Commissioner's attitude, and even more since alcohol was one of the King's own weaknesses, it was not surprising that the new Minister of Police took up the campaign against illegal drinking with considerable vigour.

When members of the King's entourage in Ha'apai held two drinking parties in mid-October 1905, the police arrested 25 of them, including the nobles Ma'atu (ex-Governor of Niuatoputapu), Lasike, Malupo and Luani and other officials such as Sami Mafilo'o, the Captain of the King's Guards. The noble Tuita escaped prosecution because he apparently required alcohol on medical grounds, and Finau 'Ulukalala because he was Governor of Vava'u and of very high rank.[24] At the request of Hunter and the Cabinet, however, 'Ulukalala was later dismissed from office for supplying liquor to Tongans without permits.[25] The trial of the others took place on 31 October, and

23. 'Report on Tongan Affairs.'


25. Hunter to Im Thurn, 30 March 1906 and encls., WPHC 4, 235/1905.
for the occasion Polutele and the Chief Justice travelled up from Nuku'alofa. Twenty-two of those prosecuted were convicted and fined £10 each for drinking liquor without a permit. According to Hunter, many of the fines were paid by the King himself; many of the accused pleaded they had been given the liquor by the King and were therefore permitted to drink it.[26] Tupou II refused to see either Polutele or Skeen while they remained in Ha'apai, but Polutele did not lose the opportunity to make his feelings known. The day after the trial he wrote to Tupou II, censuring him for the company he kept, and for 'incessant breaches' of a law he had already approved. In typically bold fashion he declared that he wished he could take legal proceedings against the King himself.[27]

Polutele's feelings on this score cannot have lessened any by June 1906, when, in response to a report from two of his sergeants, he climbed up the Palace wall to the King's verandah where the King was entertaining Polutele's own sister and two nieces with alcohol. Insulted and angry at the King's behaviour Polutele removed the women and they were later fined £10 each for drinking without a permit.[28] The extent of bad feeling between Polutele and the King is demonstrated by reports current in 1905-06 which implicated Polutele,


27. Polutele Kaho to Tupou II, 1 November 1905, encl., Polutele Kaho to im Thurn, private, 10 December 1906, ibid., (Note: this sentence does not appear in another translation of this letter in WPHC 4, 268/1905, but the former seems more likely to be accurate.)

28. Polutele Kaho to im Thurn, 10 December 1906, ibid.
together with Sipu, in a plot to assassinate Tupou II. Although such
rumours are not easy to substantiate, this one is given credence by a
letter of confession addressed to Tupou II from a man who claimed to
have been prevailed upon by Polutele to carry out the assassination.
Three nights in a row he had, at Polutele’s behest, lain in wait for
the King beside the path leading to the King’s toilet. Rain had
apparently thwarted the plan.[29]

That Polutele was eager to hold power cannot be denied. But
although his antagonism towards Tupou II was long-standing and
depth-set it is hard to escape the conclusion that he was genuine in
his desire to see Tonga governed well and fairly. Certainly the
issues over which he attacked Tupou II — the consumption of liquor,
granting of lands, and useless and inefficient expenditure —
reflected well on his sense of good government. For this reason he
impressed High Commission officials. Moreover, Polutele seems to have
seen his own task in very straight terms:

I am a true Tongan and I intend to speak up my views
whatever it may cost me. The King’s or Chiefs’ displeasure
is as nothing to me. The blood and bones of my forefathers
are buried here, and, therefore, I am greatly in love with
my country. You are aware how afraid to speak the Tongan
chiefs are...otherwise they would join in begging you to do
your utmost for us during those difficulties, and prevent
the wrong that the enemy is striving for, and permit the
Tongans to share with the rest of the world the great
freedom of civilisation.[30]

29. Siosiua Falevatu to Tupou II, 27 June 1905, Royal Correspondence
1904-05, PMB 505. According to one informant, the late Lupeti
Finau, Sipu’s Diary, which is unavailable, contains an account of
an assassination plot.

30. Polutele Kaho to im Thurn, private and conf., 4 April 1905,
CO 381/11, Australian no. 182, encl. 2 in no. 67.
Polutele's own fearless expression of his views and strength of character led him to scorn those 'foolish' chiefs who lived in terror of the King. No doubt Mateialona was the prime target of Polutele's complaint concerning 'the cowardice and prevarication exercised by some leaders of the Government'. He accused such persons of trying to be friendly with both sides, and so making mischief between the British Consul and the 'evil-minded oppositions' by criticising the Consul's good work. Polutele was also scornful of the church factionalism which had again surfaced in the Government. His own Church of England affiliation led him to regard both Wesleyans and Free Church adherents with equal suspicion. The officials of the Free Church ('that church whom he [the King] has talked over') he accused of paying little heed to things heavenly: 'they are not quite sure if they are true or not.'[31]

The extent to which Polutele, like Mateialona and other colleagues, relied on the British Consul for support against the King cannot be over-emphasised. Without his backing Polutele could not have attacked the King in this way. For him, the British representative was the 'good guide of the government' and the 'true friend of the country'. It was up to British officials, he urged, 'to take such action as they think proper with the King'.[32] But in this he was only partly successful. Although his diatribes produced some feeling in High Commission headquarters towards the end of November 1905, that the King's deportation might again have to be

31. Polutele Kaho to im Thurn, private, 10 December 1906, WPHC 4, 289/1906.

32. Polutele Kaho to im Thurn, 4 April 1905, CO 881/11, Australian no. 182, encl. 2 in no. 67; Polutele Kaho to im Thurn, 21 October 1905, WPHC 4, 235/1905.
considered as necessary for good government, there was also an awareness that Polutele's hatred for the King produced somewhat coloured and exaggerated accounts.[33] It seems likely in fact, that one of the reasons why Im Thurn did not proceed to the King's deportation was that his second visit produced in the High Commissioner a vague awareness that issues and personalities in the Kingdom were not as straightforward as he had earlier seen them. He began to realise the extent of the divisions within Tongan society, and of his two protegees, Polutele and Mateialona, he revised his opinion. Mateialona, he concluded, displayed what appears to be 'an even unreasonable dislike and distrust of the King', and Polutele Kaho's distrust of the King was 'excessive...or at least impolitic and mischievous'.[34] The High Commissioner was not eager to widen the rift which he had created in the Tongan Government, and he decided it best to take no action on Polutele's reports. Instead he wrote to him informally expressing his sympathy but urging that to avoid annexation he must try to work with the King and perhaps persuade him to give up his trouble-making entourage.[35]

The one conciliatory and stabilising influence within the Government throughout this period remained Fatafehi Tu'ipelehake, the King's father and Minister of Lands. Had he chosen to challenge his son or build up his own support, Fatafehi could have created turmoil in an already divided kingdom. It was to him that Polutele Kaho and

33. Minutes on Hunter to im Thurn, 14 November 1905, WPHC 4, 268/1905; minute by R. Rankine, 7 November 1905, WPHC 4, 235/1905.

34. Im Thurn to C.O., conf., 6 February 1906, CO 225/72.

35. Im Thurn to Polutele Kaho, 9 November 1905, private, encl., WPHC 4, 235/1905.
British officials looked for a king to replace Tupou II, and certainly his birth, as Tu'ipelehake, was perhaps even more respected than his son's. But Fatafehi was not interested in his own claims. Although he seems to have been aware of Tupou II's faults, and did not always back his son, he nevertheless respected him as King. Fatafehi was not amongst those who spoke out against the King during the High Commissioner's 1904-5 visit, and in April 1905 he refused to sign the petition against Tupou II because, as he explained privately to Hunter, he knew the King was making a fool of himself and he had no wish to give him a parting kick down hill.[36] This same attitude led him to argue in Cabinet against the publication of the British Government's reply to Tupou II's protests. The Premier wanted the reply to be printed in a special Government Gazette, to leave no doubts in Tonga as to the King's defeat. But Fatafehi argued successfully that only if the King himself declared that his petition had been granted should the truth be published.[37]

Similarly in November 1905 when the Cabinet, at the instigation of the British Consul, sought to hold a Privy Council meeting to pass the Estimates in the absence of the King, it was Fatafehi who stood up for the King's rights. According to the law, the Privy Council was required to pass the Appropriation Ordinance and the Estimates for the ensuing year during the month of November, but the King was not present to convene a meeting of the Council. The Consul had no doubt that the King was purposely staying away in order to embarrass the Government, and the Premier and Minister of Police shared his opinion that the Privy Council should meet to consider the Estimates, despite

36. Hunter to im Thurn, 9 April 1905, encl. in im Thurn to C.O., 21 April 1905, CO 225/69.
37. Hunter to im Thurn, 21 September 1905, WPHC 4, 196/1905.
the King's absence.[38] Fatafehi contended, correctly, that only the King could summon and preside over a Privy Council meeting, and that the Estimates should therefore await his arrival. After heated discussion, it was agreed that if the King had not returned to Nuku'alofa by 22 November, a 'Privy Council' meeting would take place the following day. Even the High Commissioner in Fiji lent his weight to this unconstitutional proposal — if the King subsequently attempted to interfere with the 'Privy Council' decision on the Estimates — (which he could have done, for example, by persuading parliament to disallow them as being contrary to law) — he should be informed that the High Commissioner 'would not allow it', since the action was made necessary by the King's continued absence at a time when his presence was required.[39] In the event the King returned to Nuku'alofa at 1 a.m. on the 24th — two days past the deadline — and the Estimates were passed smoothly at Privy Council meetings on the 29th and 30th.[40] Tupou II had turned up in time to meet the requirements of the Constitution, and he had also demonstrated, as far as he dared under the circumstances, that though he as King might ignore his Cabinet with impunity, they were still on risky ground should they attempt to do likewise.

38. Hunter to Im Thurn, 14 November 1905, WPHC 4, 268/1905.
40. Hunter to Im Thurn, 14 December 1905, ibid.
IN the struggles which were played out between the King and Cabinet during this period, the influence of the British Consul was of crucial importance. The Cabinet stood little chance against the King without the backing of the Consul and the High Commissioner. Much of the Consul's influence on the administration was achieved through his alliance with the Cabinet, and in particular with the Premier. Hunter now occupied a very powerful position— if he chose to over-rule the Government, he was likely to succeed. But the power which he wielded was not well-defined and depended for the most part on his own interpretation. The development of the relationship between the Tongan Government and its British overseer after 1905 centred around the definition of Point 2 of the Supplementary Agreement: 'The British Agent to be consulted and his advice taken.' Even at the various levels of British control — Colonial Office, High Commissioner and local Consul — there was no common opinion as to the extent of the powers conferred under the Agreement. And between the British Consul and Tongan Government there was even less agreement. The question came down essentially to whether the Consul's advice, or the Tongan law and Constitution, took precedence.

In keeping with its previous reluctance to remove too much of the responsibility of government from the Tongans themselves, the Colonial Office balanced its enthusiasm for the Thurn's proceedings with its interpretation of the limited role the Agreement conferred on the British Consul. Officials in London had never been entirely convinced of the seriousness of the misgovernment in Tonga and, now that some of the troublesome elements had been removed, they were willing to give the Kingdom every chance to work out its own affairs. Besides, the British Government was also anxious not to press its official role in Tonga too far because this would undoubtedly excite the hopes of the
Premier of New Zealand, Richard Seddon. They were therefore adamant that 'the Agreement signed by the King on the 18th January does not reduce the native Government to a position of impotence.' The King and his Ministers should not be deprived of their authority, but should be left as free as possible to carry on the administration in accordance with the law, subject only to the ultimate control of the British Consul and the High Commissioner. The Colonial Office made it quite clear that Point 2 of the Agreement was not to be interpreted strictly. It should be taken as meaning that the King must consult the Consul in matters of importance,

i.e., whenever the King and his Chiefs see that anything is going wrong, and also whenever the British Agent privately points out that anything is going wrong.

The possession by the British Consul of the right to be consulted and to give advice in such cases had been shown by past experience to be essential if the administration was to be maintained on a satisfactory footing. And the more faithfully the King followed his undertaking, the less necessity there would be for the Consul to be consulted or offer advice:

His Majesty's Government hope that the native Government will henceforth be so conducted that occasions for the British Agent's intervention will be few and far between.[41]

But while these idealistic words satisfied officials in London, they were of little relevance and even less importance to the man on the spot. Although im Thurn at times tempered his desire to intervene

41. C.O. to im Thurn, conf., 6 June 1905, CO 881/11, Australian no. 182, no. 68, see also minutes on im Thurn to C.O., 15 March 1905, CO 225/69.
in 'purely Tongan' matters, the Colonial Office interpretation simply did not account for the realities of the struggle which had been going on in Tonga and it did not tally with the forceful intervention which the High Commissioner had already made into Tongan affairs. Just as it had become clear by 1878 to those involved in the Government of the Protected Malay States that the theory of giving advice was 'one of those fictions in which we seem to delight', so it soon became obvious that the Tongan Government was subject to more than the mere advice of the British Agent and Consul.[42]

In practice the 1905 Agreement endowed the Consul for the first time with real power to enforce his wishes and he took full advantage of both the Agreement and his unofficial influence with the new Ministers to ensure that the Government was run as he desired. Hunter's role in government matters was not restricted to that of ultimate sanction: he was intimately involved in nearly every branch. In a successful petition for an increase in his salary shortly after im Thurn's visit he wrote:

Hardly a day passes that I am not asked to advise on matters closely concerning the welfare of the native Government, such as Lands, Finance, Customs, and Gaols.[43]

Hunter believed that the effect of im Thurn's visit had been to place the Tongan Treasury, the Judiciary and the other departments under his own and the High Commissioner's supervision.[44] Before long he had earned himself a reputation as the real power behind the

42. Speech by Sir Frederick Weld. Cited in Sadka, The Protected Malay States, p.120.
43. Hunter to im Thurn, 4 April 1905, WPHC 4, 67/1905.
44. Hunter to im Thurn, 26 April 1909, WPHC 4, 450/1909.
Tongan throne. There was much to support the view of one European resident who wrote in 1906: 'The Consul is virtually dictator and it is little exaggeration to say that the laws come out of his mouth.'[45]

Hunter certainly saw his own role in Tonga in much wider terms than did the Colonial Office. In part this was due to the frustrations he had experienced during his first four years in Tonga. Before 1905 he had threatened the King that there would come a day when the King of Tonga must do as he was told or see his Kingdom annexed. Now Hunter's day had finally arrived. He saw himself as responsible for the welfare of Tonga: he was 'prepared to accept the responsibility of guiding Tonga into smooth waters.'[46] And to this end he expected the loyal support of those whom Im Thurn had raised to office. It was thus a constant source of frustration to Hunter that neither his advice nor his status was automatically accepted. Those who dared to question or oppose him, particularly if they were European, he regarded as akin to traitors; his job was a constant struggle against those who appeared to be trying to revert to 'the old style of things' in Tonga. Without his firm hand on the Government it must surely degenerate into chaos for which the only answer would be even tighter control or annexation — the solution which Hunter himself had favoured all along.

Hunter managed to achieve a considerable amount of reform in Tonga without coming into open conflict with the Government. Im Thurn believed this was because Hunter always acted with great tact,

45. C.M. Lee to E.R. Lowe, 23 March 1906, BCT 1, set 43, lot 45, Lee Papers.

46. Hunter to Im Thurn, 20 October 1905, WPHC 4, 234/1905.
discretion and proper bearing under trying circumstances.[47] There is little evidence to support this view: although Hunter did not brandish his authority in the manner that was to bring his successor into trouble, he showed little sensitivity towards the Government whose power he had usurped. Rather, much of Hunter's new pre-eminence sprang from the relationship he enjoyed with the new Cabinet, and in particular with the Premier, Mateialona. Mateialona felt the necessity to obey Hunter, even against his own judgement. He was not a particularly strong-willed man and he was plainly afraid that by defying Hunter's advice he would lose his own position and also his country's independence.

Mateialona's willingness to listen to Hunter and the High Commissioner meant that many of their proposals aimed at improving the Government now came to fruition. Among these were many which im Thurn had recommended during his visit -- legislation, such as that making British currency the only legal tender, was introduced despite the King's resistance, and even a law to regulate the landing of destitute persons in Tonga, which Hunter had earlier tried unsuccessfully to induce the King to accept, was now passed.[48] It was on Hunter's initiative that growing importance was attached to public works, and over the four years 1905-1908 a total of £4,279 was spent on ferro-concrete wharves at Nuku'alofa and Vava'u; new hospitals at Nuku'alofa and Vava'u (and in Ha'apai in 1909); and £9,876 worth of government buildings, including a new Customs, Post Office and Treasury building which still houses the Treasury. In addition, a

47. Im Thurn, 'Report on Tongan Affairs'.

48. Mateialona to Tupou II, 3 February 1905, PMB 505, Royal Correspondence 1904-05; Hunter to Tupou II, 17 June 1901, PMB 505, Royal and Consular Correspondence 1901; Hunter to im Thurn, 4 April 1905, WPHC 4, 65/1905.
start was made on the provision of a water supply by installing large concrete tanks in all the larger towns, and some progress was made on the roads and on surveying land although the latter work, suggested by im Thurn in 1905, met with opposition and obstacles because of the unsettled nature of land ownership.[49] The extent to which Hunter was involved in these matters cannot be doubted -- the first time the Cabinet saw the plans for the £8,660 wharf at Nuku'alofa was after the arrival of the contractor, when the Cabinet was asked to meet him at the Consulate.[50] The hostile press described the wharf as 'another of Mr Hunter's extravagances which poor Tonga has to suffer', arguing that no tenders were called and that the existing wooden wharf had only needed two piles repaired.[51] Similarly, the new road to Pea, which led to deadlock between the King and Cabinet, was begun without the Cabinet even being consulted.[52]

In the area of finance, Hunter kept a very tight reign. He regarded himself as 'virtually responsible for the financial position of Tonga' and, in turn, the Premier acknowledged that 'the finances of Tonga are practically under the control and supervision of the British Government.'[53] Although the 1905 Agreement made no specific mention of financial control (apart from the Estimates for 1905), im Thurn had made his intention plain by taking possession of the Treasury, making the Government accept a loan of £4000, and revising

49. Statement of Finances under the Protectorate, 1905-08, encl. in Hunter to im Thurn, 26 April 1909, WPHC 4, 450/1909.
50. Skeen to im Thurn, 13 March 1907, encl. in WPHC 4, 279/1906.
51. Unmarked newspaper clipping, 7 April 1906, Page, scrapbook.
52. Skeen to im Thurn, 13 March 1907, encl. in WPHC 4, 279/1906.
53. Hunter to im Thurn, conf., 17 November 1906, WPHC 4, 280/1906; Mateialona to Seddon, 10 May 1905, WPHC 4, 89/1905.
the Estimates for 1905. Finance was obviously an area of considerable importance, and one in which the Consul felt his advice was imperative.

As important as the supervision which the Consul exercised over Tongan finances was the control he kept over the appointment of leading officials, particularly Europeans. It was obvious that the administration could not be run on European lines without some European assistance: Im Thurn noted in mid-1905 that some of the Ministers 'though not without considerable ability, are not sufficiently educated politically speaking, to carry on the work of government without considerable assistance from others.' The trouble was, Im Thurn went on, they did not always seek assistance from 'the proper persons'. Mateialona, in particular, was apt to listen 'with unfortunate readiness' to the 'irregular counsels' of certain interested Europeans.[54] And of course the King was constantly looking around for new sources of advice to thwart the influence of the British overseers.

Thus the High Commissioner and his deputy found themselves in constant competition with successive Europeans who challenged their monopoly on advice and threatened to oust them from their tenuous position. Some of these rivals were fairly easily eliminated by invoking those points of the 1905 Agreement that specified that appointments to the Public Service were to be made only in consultation with the British Consul. This was taken to mean that where the British representative objected to an appointment, he would veto it, as was done in the case of A.W. Mackay's bid to become Assistant Premier.

54. Im Thurn to C.O., 6 February 1906, CO 225/72.
Mackay (who was also known as Captain Alexander Mackay, or the 'Copra King'), had enjoyed a varied career in the Pacific since his arrival from Dublin in 1887, via the Australian colonies. He had become a master mariner, worked in Tonga buying copra and engaging in other quasi-mercantile activities and had been involved in the fighting in Samoa. Although Mackay was not himself a Wesleyan, nor probably of any particular religious leaning, his connections with the Wesleyan Church in Tonga were strong. In 1891 he married the daughter of the Reverend Dr. J.E. Moulton and during the height of the Church troubles he had been closely involved with Moulton's cause in opposition to Baker and the King. In 1897 Mackay had applied to the Tongan parliament for appointment as Premier in place of Sateki, and had received the support of Fatafhi and Mateialona and others who were known as the 'Wesleyan Party'. In the face of Tupou II's anger, however, he had left Tonga for New South Wales, where he spent the next few years as Governor of Gaols at Goulburn and then Bathurst. Soon after im Thurn's intervention he returned to Tonga and took up residence with his old friend Mateialona, with whom he had developed a close friendship during the latter's exile in Fiji, and began to see himself in a good position to become Assistant Premier. To this end he had the support of Mateialona and Fatafhi and he was also backed by a fellow fighter from the days of persecution, Robert Hanslip.

55. The Cyclopedia of Tonga, pp.62-63; im Thurn to C.O., 6 February 1906, CO 225/72; Leefe to O'Brien, 7 February 1899, FOCP 7358, encl. 2 in no. 55.

56. Fusitu'a, 'King George Tupou II and the Government of Tonga', pp.87-94.

57. Hunter to im Thurn, 20 October 1905, WPHC 4, 234/1095.
substantial assistance in his executive duties -- his English was minimal and his ability in government administration limited -- and he looked to Mackay for support.

But when Mateialona and Fatafehi suggested Mackay as Assistant Premier, they met determined resistance from the High Commissioner. In Im Thurn's book Mackay was 'one of the European political birds of ill omen of the Pacific' -- he was obviously looking to fill the vacuum left by Baker and then by the Hutters.[58] Im Thurn wanted his own nominees in positions of influence, and Mackay did not qualify. Moreover, there could be no doubt that the appointment of Mackay would intensify sectarian jealousies and quarrels: 'No one would believe that he was not really the choice and the Agent of the Wesleyans.'[59] As one chief commented, 'if you allow Mackay to join the government the country will soon be under the control of Moulton, Hanslip, and Mackay, and Mateialona is merely a tool in their hands.'[60] Despite repeated requests, the High Commissioner remained firmly opposed to Mackay's appointment. By requesting it, he argued, the Ministers were falling into a trap laid by certain Europeans not interested in the preservation of Tonga's independence. It was only by listening to the High Commissioner that Tonga would stay secure: After all, 'you owe it to me that Tonga still lives.'[61]

58. Im Thurn to C.O., 6 February 1906, CO 225/72.
59. Im Thurn to Fatafehi and Mateialona, 8 November 1905, WPHC 27/XXII/1.
60. See Hunter to Im Thurn, 20 October 1905, WPHC 4, 234/1905.
61. Im Thurn to Fatafehi and Mateialona, 8 November 1905, WPHC 27/XXII/1.
Although he prevented Mackay's appointment the High Commissioner was well aware that the Premier was in need of assistance. More importantly, Hunter knew that only by filling important government posts with men who could be relied upon to toe the British line, would his self-appointed task of running the Government continue to be possible. He thus secured the transfer of T.V. Roberts from the Treasury to the Premier's Office where he became Chief Clerk and secretary to the Premier in place of Ata who, according to Hunter's successor, W.T. Campbell, had proved himself 'quite useless'.[62]

Ata was transferred to the new post of Assistant Minister of Education, and Roberts took over in the Premier's Office from 1 January 1906. His appointment was particularly unpopular, and accepted only with great reluctance by the King and Cabinet. Apart from the fact that he had been dismissed by the Tongan Government in 1903 and reinstated with promotion by im Thurn in 1905, Roberts' manner had not endeared him to the Tongans. He was, as the High Commissioner had now become aware, a somewhat overbearing young man; his brusque manner, excessive interference in Tongan affairs, and his lack of deference towards the chiefs had earned him the active dislike of many Tongans. Im Thurn noted that most Tongans would gladly see Roberts deported but Hunter believed him to be indispensable for the time being, and badly needed in the Premier's Office.[63] Hunter had initially intended Roberts to be Assistant Premier, but in view of heated objections from the Cabinet, he settled for the lesser title.


63. Im Thurn to C.O., 6 February 1906, CO 225/72.
Roberts' place in the Treasury was taken by Howard Watkin, a nephew of the Reverend J.B. Watkin, the King's chaplain. Like Roberts, his appointment was not particularly welcomed by the Government. From 1897-1901 Watkin had been a schoolmaster in Tonga but his contract was not renewed in 1901. Soon after Im Thurn's intervention Watkin applied to him for a post in Tonga. Im Thurn was careful to acknowledge that it was not up to him to make appointments but only to give or withhold his approval.[64] In practice, however, his influence was much greater -- he forwarded Watkin's application to Hunter, commenting that Watkin was 'of good repute and on the right side.'[65] At Hunter's insistence, Watkin took over in the Treasury from 1 January 1906.

HUNTER'S dominance over the Tongan Government did not go completely unchallenged. Even some of those he had helped into power began to resent his high-handed decisions and his insistence that his 'advice' be taken on all government matters. Tupou II, who had been cowed into submission by Im Thurn's threat to deport him, refused to submit to Hunter's continual interference. In late 1905 he took on the British Consul in a lengthy dispute over the building of a new road from Nuku'alofa to Pea, a village about three and a half miles from Nuku'alofa. Well aware that his throne was staked on his action,

64. Im Thurn to Fatafahiti and Mateialona, 8 November 1905, WPHC 27/XXII/1.

65. Im Thurn, minute, 9 September 1905, WPHC 4, 169/1905.
Tupou II issued a direct challenge to the Consul.

At Hunter's instigation, the new road had been surveyed and work begun when the King discovered, in December 1905, that his property at Tufumahina would be seriously affected by it. Tufumahina was a narrow strip of property fronting the lagoon which Tupou II used as a quiet resting place. Considerably annoyed, and believing that the road had been so surveyed solely in order to vex him, Tupou II ordered Fatafehi, as Minister of Lands, to stop work on the road. Fatafehi obeyed and work was stopped on 18 December 1905. But Hunter was not prepared to allow the King to interfere with his plans for Tonga's development. He insisted that the new road as surveyed was the shortest and best route and he saw no reason for the King to interfere with his decision. If the King could get away with it, he argued, 'every noble and commoner whose land is touched will object and road-making in Tonga will be an impossibility.'[66]

To break down the King's resistance Hunter made use of the Cabinet, seeking to isolate the King as the sole opponent to Tonga's progress. Invoking a rather free interpretation of Section 44 of the Constitution he reminded the Ministers that they were responsible for the good government of the country (which extended to road-making). When Tupou II finally agreed to meet Hunter on 7 February to discuss the matter, Hunter took it upon himself to invite the Cabinet along too.[67] According to Hunter, the Premier, the Minister of Police and the Chief Justice all supported him, arguing that the King was amenable to the laws just like any other Tongan, and that he should set an example instead of trying to defy the Government and retard

67. Hunter to im Thurn, 9 February 1906 and encls., ibid.
development. For Fatafehi the position was more difficult. As he tried to explain to the High Commissioner:

In the first place I have my loyalty to the country and sincere wish for its prosperity...On the other hand there is the King who is strongly against the very road that we have chosen to work on firstly...[68]

When the King said he would agree to the road providing the Cabinet was unanimous it was obvious that unanimity was impossible -- as the Chief Justice remarked, 'certain members would vote as the King wished'.[69]

As a result of the meeting, Hunter reported that Tupou II had consented, albeit in a very half-hearted way, to the road going ahead, and work was set down to begin again on 14 February. But Hunter's views were coloured by his determination to see the road made, by his use of interpreters, and by his own limited understanding of the Tongan art of polite refusal. Tupou II claimed that he had never given his consent.[70] Immediately after the meeting he called Hunter back for a private talk and, with Fatafehi also present, showed his extreme displeasure at the actions of Hunter and the Cabinet by declaring his intention to abdicate in favour of Fatafehi. He told Hunter that he was afraid of making mistakes and being deported, and that his love for Tonga was so great that he would give up his throne and his rights to save Tonga's flag. Hunter realised that such a move would only increase support for Tupou II and he therefore deprecated

68. Fatafehi to im Thurn, private, 5 February 1906, encl. in im Thurn to C.O., 21 February 1906, CO 225/72.

69. Hunter to im Thurn, 9 February 1906, WPHC 4, 22/1906.

70. Tupou II to im Thurn, 12 March 1906, encl. in ibid. Scott to Tupou II, 26 February 1906, PM5 506, Royal Correspondence 1906.
the idea. He did however propose as an alternative that Tupou II should take time out to travel the world and 'repose from his kingly worries', leaving Fatafehi as Regent.[71] But Tupou II had no intention of leaving his Kingdom to Hunter.

Having failed to counter Hunter's influence by means of his traditional prerogatives, Tupou II reverted to European advice to fight Hunter on his own terms. This time it was to George Scott, a lawyer born and educated in Hobart, Tasmania, that Tupou II turned. Scott had been resident in Tonga since 1900, working as a solicitor when the opportunity arose, but apparently combining this with auctioneering to earn a living.[72] Now, with Scott supplying the correspondence, Tupou II reminded the Premier and Cabinet on 14 February that he had not given his consent to the new road and that the people who had begun working on it again that day must 'on no account...trespass on my property or attempt to construct a thoroughfare thereon'.[73] He further submitted that no law existed under which he could be compelled to give up his land for road-making. Section 94 of the 1903 Law, on which the Cabinet relied, merely empowered the Minister of Lands to make roads. It did not, he argued, confer on the Minister any right to take possession of land for road-making. He also appealed to Section 18 of the Constitution ('which no laws can over-rule'), which gave to the Legislative Assembly the power to take property for road-making. Thus, in a letter to the High Commissioner, Tupou II claimed that Hunter had ignored the proper way of doing things and was trying to take away his land unlawfully and unnecessarily. While he had every wish to fall in

71. Hunter to im Thurn, 9 February 1906, WPHC 4, 22/1906.
72. The Cyclopaedia of Tonga, p.62.
73. Tupou II to Mateialona, 14 February 1906, WPHC 4, 22/1906.
with the views of the British Government 'on all reasonable points',
he appealed to im Thurn against such unfair and high-handed treatment
in a matter of private right.[74]

Im Thurn was in a difficult position. He had not wanted to
become involved in the dispute in the first place and had noted in
late January that it was not a matter for any more direct intervention
on the Consul's part.[75] But now that Hunter had forced the issue,
im Thurn had little choice but to back him. Under the mistaken
impression that the King had no private rights to Tufumahina, he
advised him to withdraw his opposition, and, since he no longer wished
to abdicate, to at least take the long holiday Hunter had suggested.
The High Commissioner presented the central issue clearly:

You will not see that in order to remain on the throne it is
necessary that you should rule according to the constitution
and to the wishes of His Britannic Majesty's Government.[76]

Tupou II's answer was just as clear cut. When the wishes of the
British Government clashed with either the Constitution, or what he
considered his private rights, he would do whatever he deemed
necessary to protect himself and his people.[77]

74. Tupou II to im Thurn, 12 March 1906, WPHC 4, 22/1906; see also
Tupou II to im Thurn, 2 June 1906, ibid.; Scott to Tupou II, 14
February 1906, PO/KNF 1906; Scott to Tupou II, various dates,
FMB 506, Royal Correspondence 1906.

75. Im Thurn, minute, 29 January 1906, WPHC 4, 22/1906.

76. Im Thurn to Tupou II, 26 March 1906, WPHC 21/63.

77. Tupou II to im Thurn, 2 June 1906, WPHC 4, 22/1906.
But it was not skilful argument which carried the day. Tupou II's standing as King amongst his own people was a far more powerful force to be reckoned with. Since 14 February work had again been authorised on the new road, but by early April the European engineer had begun to despair that any progress would be made -- he had great difficulty in getting prison labour, or carts or horses, so that the work was proceeding very slowly and unsatisfactorily. When I complained to Fatafehi he was told just to carry on until the King's opposition was withdrawn.[78] There was obviously no likelihood of this. And a petition from 33 foreign residents addressed to Hunter in early April expressing sympathy with the King and his subjects in what was termed 'their sincere and reasonable objections' to the continuance of the new road, must have made Im Thurn realise that the King was not alone in the matter.[79] After discussions with Hunter in Fiji during April–May 1906, he decided to opt for a compromise solution whereby, in deference to Tupou II's wishes, the road would not pass through Tufumahina.[80]

The King had won an obvious victory. The British Consul had been thwarted in his attempt to insist that the King's traditional rights were defunct. But a few months later when the two protagonists again got into battle dress, the outcome was very different. The High Commissioner had been prepared to consider the King's feelings and opt for compromise over Tufumahina. But in the deadlock which ensued over the passing of the Estimates for 1907 no such allowances were made. Realising that the King was testing his new position, Im Thurn took

78. C.E. Cooke to Hunter, Report on Road to Pau, 4 April 1906, ibid.
79. Petition of 33 European residents to Hunter, 4 April 1906, ibid.
80. Im Thurn to Tupou II, 24 May 1906, encl. in ibid.
the opportunity to reinforce the restrictions he had made in 1905. His visit to Tonga in May 1907 proved conclusively that real authority in the Tongan Government now emanated from the High Commissioner and his local representative, the Agent and Consul.

At the centre of the dispute was the right of the Consul to decide the Estimates in opposition to the constitutional powers of the Privy Council. During the two previous years, the Estimates had been prepared by the Consul and simply rubber stamped by the Privy Council. Similarly on this occasion, although the first draft was prepared by the Treasurer and the Secretary to the Premier, the copy as submitted to the Council bore Hunter's alterations and had received his approval. At the completion of four Privy Council meetings dealing with the Estimates in November 1906, three significant changes and a number of minor ones had been made. Hunter refused to condone this interference with his administration. But the King in Council, perhaps heartened by the outcome of the Tufumahina dispute, was not prepared to be guided by his 'advice'.

Three main points were at issue. The first concerned Hunter's intention to amalgamate the positions of Treasurer and Collector of Customs in the person of Howard Watkin. The previous Collector, R.G.M. Denny, was leaving and Hunter argued that the work was not enough for a separate officer. More importantly, he was trying to ensure that the appointment went to one of his trusted officials. The Privy Council rejected Hunter's proposal — it was convinced that one man would prove unequal to the duties of both posts — and instead it proposed either Scott or Mackay for the vacant position. Mackay was obviously out of the running as far as British officials were concerned, and Hunter had no time for Scott either. The lawyer had
come into conflict with Hunter both as an adviser to the King and as Secretary of the local Chamber of Commerce. Hunter also suspected him, quite correctly, of having something to do with critical articles in the Fiji Times, and described him as 'a persistent oppositionist'.[81] Rather than sanction either appointment, Hunter wanted the duties of Collector added to those of the Treasurer. The only other solution was to employ someone else from Fiji, but im Thurn believed the salary was not enough to attract a good man.[82]

Hunter's decision to insist upon this new arrangement was calculated to cause strife. Merton King, the Secretary to the High Commissioner, plainly regretted that Hunter should have taken up the position he had. After all, as he minuted, the Kingdom was not in the financial position to necessitate the amalgamation of the Customs and Treasury as a measure of economy, and if the Ministry wished to keep the appointments separate, he could see no reason why not. Although Scott was persona non grata with Hunter, he was the less objectionable of the two nominees, and im Thurn was not averse to the appointment, provided Scott first resigned as Secretary of the Chamber of Commerce.[83]

At this stage im Thurn was at this stage vaguely unhappy with Hunter's relations with the Tongan Government. In view of his own repeated statements that he had no power to confer appointments of Tongan officials, he thought it unfortunate that Hunter had told Scott that the appointment of a Collector of Customs rested with the High Commissioner. im Thurn therefore took some pains to point out to

81. Hunter to im Thurn, 17 November 1906, WPHC 4, 279/1906.

82. Minutes, 29 November 1906, on WPHC 4, 279/1906.

83. Ibid.; im Thurn to Hunter, 18 December 1906, ibid.
Hunter that he was under a misconception as to the present relations of the High Commissioner and the Tongan Government:

The power of making appointments to public offices in Tonga rests, I need hardly say, with the King and His Ministers.

The effect of the 1905 Agreement, he declared, had simply been to pledge the King not to dismiss any of the officials who were then put into office nor to make any new appointments without the High Commissioner's consent, and im Thurn had 'no intention of acting beyond the powers assigned' to him by the Agreement.[84]

The second point of contention concerned T.V. Roberts, whose repeated promotion at British instigation had caused strife on two previous occasions. Hunter wanted Roberts to be appointed Auditor-General as well as Secretary to the Premier. He argued that the appointment would improve the present system whereby Mateialona was nominally Auditor, but the work was carried out by Europeans appointed for each audit. His real motive was to increase his own influence over the Government, for the post of Auditor-General conferred membership of the Cabinet and Privy Council. But when the Privy Council objected to the idea, Hunter claimed they were trying to re-open the doors to peculation.[85]

A third issue over which Hunter and the Privy Council clashed was the Privy Council's decision, taken on 1 November, to raise the salary of Skeen, the Chief Justice, by £100. Hunter's objections to this were not born of economy but, rather, from the personal antagonism which had developed between Skeen and himself. As the only European in the Cabinet, and as Chief Justice, Skeen occupied a very powerful

84. Im Thurn to Hunter, 18 December 1906, ibid.
85. Hunter to im Thurn, 12 December 1906, WPHC 4, 279/1906.
position. He had been put into power by im Thurn at Hunter's suggestion, and Hunter obviously expected his unquestioning loyalty. It is not difficult to believe Skeen's claim that Hunter had told him he must take his orders from Hunter, that Hunter 'must have such a Minister in the Privy Council' and that there 'cannot be two masters and that he is the master'.[86]

Skeen did not see his own role in this light. He was a well-educated and able man -- born in New Zealand in 1862, he had progressed through Auckland Grammar School and the University of New Zealand, being admitted to the Bar in 1885. From 1889-1901 he had practised in Samoa, serving among other things as Secretary to the International Land Commission and as Municipal Magistrate in Apia. In 1901 he had come to Tonga with his Samoan wife, and, refusing Sateki's offers of a job as Collector of Customs, auditor and school teacher, had settled for a living as a lawyer until im Thurn made him Chief Justice in 1905.[87] Although he claimed to have tried at all times to avoid friction between the King, the Consul and the Cabinet, he had obviously had enough of the Consul's domineering control and the way in which the Cabinet, himself included, was ignored by the Consul. As he explained to the High Commissioner in March 1907, he and the Consul had 'an unfortunate difference of opinion' concerning the respective powers of the Cabinet and the Consul:

The Consul maintains that he is the controlling power in all matters in Tonga and insists that his advice must be followed without questioning. On the other hand I contend

86. Skeen to im Thurn, 13 March 1907, WPHC 4, 279/1906.

87. The Cyclopedia of Tonga, p.53; Interview between Skeen and im Thurn, 16 December 1904, 'Report on Tongan Affairs', encl. in im Thurn to C.O., 15 March 1905, CO 881/11, Australian no. 182, encl. in no. 62, Annexure M.
that the Government rests with the King and his Cabinet and that the Consul's advice is to be taken on important matters.

If the Consul disapproved of expenditure or resolutions, Skeen argued, these should be reconsidered by Cabinet and if necessary referred to Fiji. The fact that the 1905 Agreement had left the King to rule, with and through the chiefs, and that im Thurn himself had left such matters as the future of the College and the Guards to the decision of the Privy Council seemed to Skeen to belie the Consul's view of his own authority.[88]

Skeen's views naturally appealed to Tupou II, and he was to prove a valuable ally to the King until his death in December 1915. But to the Consul, Skeen and his associates were anathema. Unable to see that the King and Ministers had real grievances in which they sought the help of men like Skeen and Scott, or in fact of anyone available, Hunter persisted in regarding these Europeans as the cause of all the friction in Tonga. They were, he believed, deliberately fomenting trouble in order to further their own ambitions. Tonga was full of 'Underhand intriguing carried on by dishonest and unscrupulous whites with weak natives.'[89] Skeen himself had been 'quietly undermining my influence and authority with the chiefs and had ingratiated himself with the King.'[90] Hunter believed that Skeen was entirely responsible for the alterations which the Privy Council had made to the Estimates: 'an expression of opinion from him, however indiscrete,

88. Skeen to im Thurn, 13 March 1907, WPHC 4, 279/1906.
89. Hunter to im Thurn, conf., 17 November 1906, WPHC 4, 280/1906.
90. Ibid.
carries great weight with the native members [of Privy Council].'[91] Had Skeen simply drawn the Council's attention to the King's Treaty obligations, Hunter was sure the Estimates would have been passed without demur. Relying on information supplied by his ally, Roberts, Hunter informed the High Commissioner that Skeen had insisted on the vote for the Auditor-General being struck out, had strenuously opposed the amalgamation of the offices of Treasurer and Collector of Customs, and had even used his 'complete control of the Cabinet' to insist upon his own salary being raised.[92]

These accusations Skeen absolutely denied. He had been present for only two out of the four Privy Council meetings on the Estimates, being on leave of absence in New Zealand from 3 November 1906.[93] The incident marked the beginning of established opposition between the Chief Justice and the British Consul. It also sparked off a long-term campaign by British representatives to remove the Chief Justice from his position on the Cabinet and Privy Council. It had not been foreseen, the High Commissioner remarked, that the Chief Justice should take a leading and active part in government administration. In hardly any British Crown Colony was the Chief Justice a member of the Legislative Council, and although in Fiji he was a member of the Executive Council, this was more in his capacity as Deputy Governor. Im Thurn declared: 'It is a mistake, for which I admit that I am partly responsible, that in Tonga the Chief Justice should have a voice in financial matters.'[94] He seemed to have

91. Hunter to Im Thurn, 12 December 1906, WPHC 4, 279/1906.
92. Hunter to Im Thurn, conf., 17 November 1906, WPHC 4, 280/1906; Roberts to Hunter, 10 December 1906, encl. in ibid.
93. Skeen to Im Thurn, 13 March 1907, WPHC 4, 279/1906.
94. Im Thurn to Hunter, conf., 18 December 1906, ibid.
forgotten that it was the law and the constitution of Tonga that
gave the Chief Justice his Ministerial status.[95]

Hunter's refusal to approve the Estimates as altered by the Privy
Council produced something of a crisis in the Government. On 16
November, Mateialona and T.V. Roberts conveyed the Consul's decision
to the King. The Privy Council Estimates, they told him, could not be
published because of the promises the King had made in 1905.[96]
Tupou II responded with an appeal to the High Commissioner against
Hunter's excessive interference in Tongan affairs. By treating the
decision of the Cabinet with indifference, he claimed, the British
Consul was exercising an arbitrary power which gave 'great uneasiness'
to the whole Government.[97] He remained resolute that the Estimates
to be published were those as passed by the Privy Council for, as he
told Mateialona, the law appointed the Privy Council to make the
Estimates and no one could then alter them. He warned Mateialona:

If you do not do as was discussed in the Privy Council, then
the Privy Council is useless, and it will be impossible for
me to work with the Privy Council again, or to call another,
because it is useless, as the rulings can be altered and put
aside...and the request that we hold a meeting is only a bag
of dotage.[98]

In the ensuing conflict the Premier was caught in an unenviable
position. Unable to decide whether to have the Estimates printed in
accordance with the Privy Council resolution as prescribed by law and
demanded by the King, or whether to be guided solely by the wishes of

95. Report of Proceedings of His Excellency the High Commissioner,
Tonga Government Gazette, no. 7, 20 May 1907.
96. Mateialona to Hunter, 17 November 1906, WPHC 4, 279/1906.
97. Tupou II to Im Thurn, November 1906, ibid.
98. Tupou II to Mateialona, 28 December 1906, encl. in ibid.
the British Consul, Mateialona vacillated. His personal inclination may well have been to side with the Council. According to Tupou II he complained bitterly of the Consul's interference, and Hunter accused him of being 'a somewhat weak but willing tool in the hands of Mackay and others'.[99] But uppermost in Mateialona's mind was the fear that the Kingdom might be lost. It was an attitude for which he received a severe reprimand from the over-confident Tupou II: 'It is apparent to me that no government will use force on this country through the publishing of the Estimates as passed by the Privy Council.'[100]

The situation had become so delicate that Hunter now declined to advise Mateialona any further on the question:

If I said [to publish] the Estimates as...approved by me, I would be accused of undue interference with the rights and powers of the Privy Council under the laws and constitution of Tonga.

On the other hand, if he advised the publication of the Estimates as passed in Council he would be selling out his own influence:

If the Cabinet, or the Privy Council, depending on the powers given them by the laws and constitution of Tonga and ignoring their Treaty obligations, are allowed to alter salaries, and change the personnel of the Departments over which the British Government strive to keep supervision, it must end in chaos. The present, and future, good officials will be forced to resign owing to reductions of salaries, and their places filled by useless derelicts from the beach doubtless much to the delight of the King, who still has hopes of regaining his power over the Treasury, and reverting to the old form of mal-administration of the

99. Tupou II to im Thurn, November 1906, ibid.; Hunter to im Thurn, 12 December 1906 and encls., ibid.; Hunter to im Thurn, 10 January 1907, ibid.

100. Tupou II to Mateialona, 28 December 1906, ibid.
Government as it existed prior to the intervention of the British Government.[101]

Hunter's only glimmer of hope in the whole melee was that the King's 'gross breaches' of Articles 2, 9 and 10 of the 1905 Agreement might serve as a lever for the British Government to insist on nominating and appointing a white Premier and a Chief Justice with seats in the Cabinet, Council and in Parliament.[102]

Resolution of the conflict rested with im Thurn. While he at no time censured Hunter for his interference, his early attitude seems to have favoured compromise and minimal disturbance to the wishes of the Tongans. He sympathised with the difficulty of Hunter's position, agreeing that he was in a sense 'virtually responsible for the financial position of Tonga'. But at the same time he regretted the friction and felt it highly desirable that Hunter should exercise his responsibility 'with the least possible amount of open demonstration'.[103] His final judgement was reserved for a future visit, but in his correspondence advised Hunter, cautiously and indirectly, to back down over all three items of contention on the Estimates. He pointed out that nearly all the matters were subjects for agreement between the Tongan and British Governments under the 1905 Agreement, and that,

as the representative of the [British Government, I]...am not inclined to press such authority as I may have too far against local native opinion.[104]

101. Hunter to im Thurn, 12 December 1906, ibid.
103. Im Thurn to Hunter, conf., 18 December 1906, WPHC 4, 279/1906.
104. Ibid.
These words, written in mid-December 1906, represent a striking contrast with im Thurn's actions in May 1907. The visit was allegedly to get hold of the full facts and 'to smooth away the not very grave troubles' prevailing in Tonga.[105] But, perhaps frustrated by having to wait until late April for a man-of-war to convey him to Tonga, im Thurn again turned a visit of inquiry into something approaching a coup. According to his own account, he had decided before arriving in Tonga that the best course would be to take a stronger stand, and 'to insist where before I had only tried to persuade'.[106] On 4 May 1907 he called the Cabinet, without the King, to a meeting at the Consulate. In a speech which was subsequently published in the Government Gazette, he made it quite plain that the Government had no choice but to obey the British Consul. The plan adopted in 1905 was 'the one alternative to the annexation of Tonga', and only by their strictly adhering to it could the Tongan flag continue to fly. The recent troubles he attributed partly to 'misunderstanding on the part of your native chiefs', but more to outside European influence. He made his views clear:

I wish to put before you the system on which the Government is to be carried on. It is intended, as far as possible, that the Executive work be carried on by you Tongans, but by the advice and assistance of the British Government. I need only remind you that the only mouth-piece is that of the present British Agent.[107]

In Thurn then went on to inform the Cabinet in a few words what he wished the Tongan Government to do. In accordance with Hunter's

105. In Thurn to Tupou II, 18 December 1906, ibid.
106. In Thurn to C.O., conf., 10 May 107, CO 225/76.
107. Meeting of the High Commissioner with the Tongan Cabinet, 4 May 1907, Tonga Government Gazette, no. 7, 20 May 1907.
vishes the posts of Treasurer and Collector of Customs were to be combined under Watkin, and Roberts was to be Auditor-General as well as Secretary to the Premier, with a seat in Cabinet and Privy Council. Skeen's increase in salary had already been approved, but Im Thurn believed Skeen would be more willing to act in accordance with the High Commissioner's views as a result of their conversations. Im Thurn also took the opportunity of his visit to settle a number of other matters and make various 'recommendations'. These ranged from appointments and dismissals (which he had not long before denied his right to interfere in), to recommendations concerning rigs and dynamite fishing. The posts of Governor at Niuafo'ou and Niutoputapu were 'useless' and should be abolished at the end of the year; the contract of the present Surveyor should not be renewed, and the Tongan foreman of roads, Maesaliaki, (who knew nothing about roadmaking but was a Wesleyan and loyal to the Consul) should be retained. The claim of a German subject, Gustav Rahn, who sought damages against the Government for injuries he received when attacked by a prisoner on leave, was arbitrated by the High Commissioner -- Rahn was to receive £2,500 in a settlement which caused the Colonial Office to comment that it was a case of typical British generosity, but at the Tongan Government's expense.[108]

Despite opinions in the Tongan Government, there was no choice but to accept the High Commissioner's rulings; the presence of the man-of-war and the references to annexation made sure of that. As had been the case in 1905, some of the High Commissioner's decisions were based on inadequate information and incomplete understanding of the issues involved. The amalgamation of the offices of Treasurer and

108. Minute, 21 June 1907, on Im Thurn to C.O., conf., 10 May 1907, CO 225/76.
Collector of Customs, for instance, was reversed as unworkable in 1910. But the central point had been brought home clearly. As the Chief Justice put it during the 4 May meeting:

The question has been whether the advice of the British Agent must be taken or not, and now it is apparent that the advice must be taken.[109]

Although it continued to wear heavily on the King, and increasingly on members of the Cabinet who had not bargained for such restrictions on their own administration, the Agent and Consul's control had been put beyond challenge.

109. Meeting of the High Commissioner...4 May 1907, Tonga Government Gazette, no. 7, 20 May 1907.
If we do not adopt the wisest course in managing our own concerns, that will be our affair. No nation has always seen clearly the right course to follow. If we are to make mistakes, then let us learn wisdom by experience, but as long as the interests of the few foreigners living in our midst are not endangered, no just cause can be found for robbing us of our independence, under the guise of giving us the 'advice' of the British Agent.

[Tupou II to Sir Francis May, 7 September 1911, encl. 4 in May to C.O., conf., 23 September 1911, CO 225/97.]
From 1905 until his departure in September 1909, Hamilton Hunter was undoubtedly the power behind the Tongan throne. Although there were growing indications that even his former allies found his continued interference irksome and debilitating, Hunter's authority in the Tongan Government was reinforced by the High Commissioner; the King and Cabinet were powerless to challenge his entrenched position. In 1910-11, however, when Hunter's successor, William Telfer Campbell, pushed British interference to even greater heights, he provoked a crisis with very different results. The Colonial Office was not prepared to condone the complete disregard Campbell showed for the opinions and decisions of the Tongan Government. It had never been intended that the British Consul should usurp political responsibility in Tonga, and in the wake of Campbell's ill-advised intervention, in particular his closure of the cooperative trading company, the Tonga Ma'a Tonga Kautaha, the Secretary of State and the High Commissioner withdrew their support for his actions. By 1912 the British-Tonga relationship was re-defined to Tonga's advantage and the authority of King Tupou II within his own Kingdom was re-established.[1]

The appointment to Tonga of William Telfer Campbell was known to the British Government to be something of a risk. Campbell's record as Resident Commissioner in the Gilbert and Ellice Islands Protectorate over the previous 12 years had revealed 'idiosyncracies of temper and tact' which led Im Thurn to warn the Colonial Office in 1908 that it would be 'a dangerous experiment to place him in the very peculiar political and social conditions which prevail in Tonga.'[2]

1. This chapter is based on a seminar given in the Department of Pacific and South East Asian History, ANU, in May 1978, subsequently revised and published in Pacific Studies, 4:2, Spring 1981, pp.142-163.
2. Im Thurn to C.O., conf., 11 March 1908, CO 225/81.
Im Thurn nevertheless acknowledged that Campbell was a good administrator and, in view of the latter's own urgent requests to go to Tonga and his 'undoubted loyalty to the High Commissioner', im Thurn recommended him for the job. [3] Campbell was an Ulsterman whose imposing stature suited his autocratic nature. One of his contemporaries in Tonga, the trader Alexander Cameron, recalled that Campbell

was well over 6 feet tall, with a clean-cut handsome face, close-cropped moustache, sunburnt complexion, erect soldierly figure. In uniform, he looked typical of the correct colonial official... until he raised his helmet. He had the most extraordinary head, quite bald at the top, with the skull coming almost to a pinnacle in the middle. He had an abrupt, clipped way of talking, and when he gave orders, they were carried out... or else! [4]

Cameron went on to describe Campbell's relations with local officials,

and there is plenty of evidence to support his views:

Personally, I found him to be an arrogant, blustering, bullying man, who succeeded in arousing in every government official with whom he came in contact, a feeling of apprehension and nervousness. He would make the rounds of the government offices about 9.5 a.m., and woe betide any one of the officials who had arrived late to work that morning or who was not attending to his duties. [5]

Campbell epitomised the paternalistic attitude which had underlain all the more recent dealings of the British Government with Tonga. He saw no worth in the Tongan way of life or government and believed it his duty to save the Tongans from their 'conceit and distinction' -- the two principal stumbling blocks which, in his opinion, prevented Tongans from deriving full benefit from the

3. Im Thurn to CG, 24 July 1908, WPHC 27/1/11.
5. Ibid., p.37.
Protectorate.[6] Like Hunter, he was convinced that annexation was the only real solution to Tonga's problems. He found the existing Government hopelessly inefficient and he argued that under Tupou II, progress was impossible. If annexation was not favoured Campbell suggested that Tupou II 'be asked to abdicate, or deposed as unfit to rule, and a Council of Regency be appointed for the efficient administration of the Kingdom of Tonga.'[7]

Campbell's interpretation of his role in Tonga was based on his reading of im Thurn's actions in 1904-5. Campbell believed that the Tongan Government was bound to take his advice on all matters, and he assumed that he would be held responsible for 'any general inefficiency in the administration of the kingdom.'[8] By an oversight, he was never shown the Secretary of State's letter to im Thurn dated 6 June 1905, which had defined the Colonial Office view of the Consul's limited role under the Supplementary Agreement. Despite an occasional word of caution from his superiors, Campbell persisted in the belief that his position in Tonga was 'practically that of Officer Administering the Government of Tonga.'[9]

From his arrival in early September 1909 Campbell interfered without discretion in Tongan affairs. In particular, he was determined to keep tight control over government appointments. A few days after his arrival he chided the King for appointing a Tongan as

6. Campbell, Trade Report for 1910, WPHC 4, 2032/1911. This remark was omitted from the published Report.
7. Campbell to May, 17 May 1911, WPHC 4, 936/1911.
8. Campbell to May, 19 September 1911, WPHC 4, 1842/1911.
Some two months later, in November 1909, he objected strongly to the principle of permitting a local European resident to fill a temporary vacancy in the Customs Department. When the Cabinet went ahead against his advice and appointed L.B. Lawton, a local shopkeeper, to the vacancy, Campbell refused to approve its action. He warned the Premier that he could not allow his recommendations to be so completely ignored and arranged for a passenger off the steamer to be given the job. Campbell attributed the Cabinet's independent attitude to the influence of Chief Justice Skeen and hinted that Ministers who listened to Skeen rather than himself might find themselves out of a job. As he commented to im Thurn,

"The matter of the Lawton appointment was the first opportunity I have had of showing the Chief Justice, and any others who may be his disciples, that it is not my mission or intention to adopt a policy of 'masterly inactivity' or inertness."[11]

Campbell's handling of this matter worried the High Commissioner, although he was unable to say exactly why. He cautioned Campbell against over-reacting towards Skeen, commenting with unusual insight that

"as long as Mr Skeen apparently has the other members of the Cabinet with him, it is not prudent to assume -- without proof -- that any action taken by the Cabinet as a whole is really and practically at the sole instance of Mr Skeen."[12]

As for the appointment itself, im Thurn noted that while he would have been prepared to support Campbell in any reasonable objection to Lawton's appointment, he was not sure that the Consul possessed the


11. Campbell to im Thurn, 4 December 1909, and subsequent correspondence, WPHC 4, 17: 1/1909.

12. im Thurn to Campbell, conf., 4 January 1910, ibid.
power of veto. Admittedly, the relative positions of the Tongan Government, the High Commissioner and the Agent and Consul were 'somewhat difficult to define'—

But I think it may safely be postulated that only the High Commissioner, and not the R.C. [i.e. Resident Commissioner or Agent and Consul], has by custom and mutual agreement the right formally and definitely to object to the selection of a new officer of this Tongan (native) Government.[13]

Campbell was not happy with the proposal that he should refer to Suva for a final decision on any matter. Whilst denying any desire for autocratic power, he argued that it would appear as hesitation and weakness if he could not oppose the King and Cabinet when they failed to carry out their agreements, without referring each point to the High Commissioner. In view of the 1905 Agreement and Im Thurn's own directions then, Campbell believed that it was his duty to consider all appointments of Europeans to the Tongan Government and that he had every right to object to the selection of officials. In what was to be the first of many capitulations, Im Thurn agreed. Submitting to practicalities, he admitted that the Consul has the right to lodge a formal protest against any contemplated action by the Tongan Government which might violate the 1905 Agreement. While such a protest would not be final without the High Commissioner's sanction, it would remain valid unless he over-ruled it.[14] Since the High Commissioner would certainly be reluctant to over-rule his deputy, the effect was simply to confirm Campbell's authority to take on the Tongan Government whenever he wished.

13. Ibid.
14. Im Thurn to Campbell, 30 March 1910, and related correspondence, Ibid.
Freed from the restraint of prior referral to the High Commissioner, Campbell force-fed his advice into the administration in an increasingly relentless fashion. At the end of March 1910 when a group of 10 nobles, supported by the King, petitioned Campbell for the dismissal of T.V. Roberts from his positions of Secretary to the Premier and Auditor-General on the grounds of drunkenness and working favouritism, they received an aggressive refusal. Campbell saw the petition as part of a conspiracy against Roberts and himself and he informed the King that the suppression of drunkenness should start at the top and that neither the King nor the petitioning nobles were qualified to show disapproval of drunkenness in anybody until they personally led an example of sobriety. The offending nobles had their characters read out to them by Campbell -- he detailed minor convictions and informed them that their antecedents and characters were so bad as to disqualify them from signing such a petition. Moreover, at Campbell's insistence the two government officials amongst the petitioners, Solomone Ata and Siosaia Vaea, were suspended by Cabinet from their respective offices of Assistant Minister of Education and Police Magistrate for signing a petition against a senior official and member of Cabinet.[15]

Although Campbell could produce no evidence of conspiracy, im Thurn supported his action in regard to the petition. Roberts had been put into office by im Thurn and, while he deserved a reprimand for his undoubted intemperance, was clearly 'the best man' for the job. In a stern message conveyed through Campbell, im Thurn warned the King and nobles that if the 'arrangements' he made in 1905 should break down because of disloyalty from present officials and nobles, he

15. Campbell to im Thurn, conf., 1 April 1910, and subsequent correspondence, WPHG 4, 426/1910.
would have no alternative but to advise his Government to annex Tonga.[16] Roberts, like the Agent and Consul, had been placed above the jurisdiction of the Tongan Government.

Im Thurn was in a quandary over the suspension of Ata and Vaea, whose dismissal now awaited his confirmation. Both men had supported British intervention and had been put into office by im Thurn. Ata, in particular, was, in im Thurn’s opinion ‘among the very best of the Tongans -- i.e. the straightest.’[17] If they were punished for ‘such a trifling offence’ as signing a petition, it might give rise to justifiable discontent. Unwilling to countermand Campbell’s orders, however, im Thurn suggested that the Consul and Cabinet find some ‘proper and adequate reasons’ to justify the dismissals.[18] The subsequent inquiries revealed little to warrant any action[19] but by the time the reports reached Suva in September 1910 im Thurn was no longer at the reins and Sir Charles Major, Chief Judicial Commissioner for the Western Pacific and Chief Justice of Fiji, was Acting High Commissioner. Major, who had shown a preference for decisive action during his previous occupancy of this post, did not want to concern himself with ‘the various allegations and counter-allegations’. [20] He urged the Cabinet to charge Ata and Vaea with conduct unfitting for service, and if it was satisfied of their guilt, he would confirm the

16. Im Thurn to Campbell, conf., 1 June 1910, ibid.
17. Im Thurn, notes in margin on minutes by Hart-Davis, 22 May 1910, ibid.
18. Minutes by Hart-Davis, 2 September 1910, ibid.; im Thurn to Campbell, 1 June 1910, ibid.
20. Minute by Major, 2 September 1910, ibid.
dismissals.[21] Shortly afterwards, however, the Cabinet appointed a clerk in the Premier's Office and in early 1911 Vaea became Assistant Minister of Police.[22]

Major's term as Acting High Commissioner, which lasted from August 1910 to February 1911, came at a particularly difficult time. Like Campbell, Major was not fully aware of the Colonial Office's attitude towards Tonga and he followed Thurn's lead in forcing advice onto the Government until he realised too late, in January 1911, that it might be wiser for the High Commissioner and the Consul to keep out of Tonga's heated domestic affairs. As conflict between Campbell and the Tongan Government intensified, Major found the situation exasperatingly beyond him. In August 1911, while in Tonga in his substantive capacity as Chief Judicial Commissioner, he noted privately:

I am heartily glad that my departure from this quite impossible 'kingdom' is nigh at hand, and I hope sincerely never to set foot in its shores again.[23]

In October 1910 Major was faced with a crisis in Tonga provoked by the resignation of that contentious individual, T.V. Roberts. According to Roberts, his resignation was tendered as a protest against "the present political position [which] I consider impossible in the extreme.'[24] Part of the problem was undoubtedly Roberts'  

21. Major to Campbell, 8 September 1910, ibid.  
22. Campbell to Mahaffy, 6 March 1911, ibid; Tonga Government Gazette no. 32, 7 November 1910: Tonga Government Gazette no. 11, 28 March 1911.  
23. Major to Hay, private, 18 August 1911, WPHC 4, 753/1911.  
24. Roberts to Tupou II, 4 October 1910, encl. 2 in Campbell to Major, 15 October 1910, WPHC 4, 1431/1910.
poor relations with the Tongan Government, and particularly with Mateialona, the Premier, for whom he had little respect. The more immediate cause of his resignation, however, appears to have been conflict with Campbell, whose dictatorial manner he found unbearable. Roberts alleged that his own position in the Government was untenable because of 'the system of dual control under which Tonga is governed', by which matters were constantly referred between Consul and Cabinet without a final decision being taken.[25] Later, he claimed that Campbell had tried to destroy his authority with the Tongans and had wanted government departments to take their orders from the Consul rather than from the Premier's Office.[26] According to Roberts, Campbell wanted to dictate every minor departmental matter, and this is certainly borne out by his close personal surveillance of the administration. The 'final straw' for Roberts concerned J.D. Whitcombe, a young clerk in the Premier's Office, who was suspended from duty by Roberts after confessing to the seduction of the 15 year-old daughter of the Foreman of Works. Campbell, who had a special liking for Whitcombe and had been responsible for his appointment, considered there was insufficient evidence to warrant a suspension and not only reinstated Whitcombe, but suggested that Roberts owed him an apology. Furious at the Consul's interference, Roberts informed Mateialona, the Premier, that he could not continue to hold responsible office in the Government while the Consul had such dictatorial powers.[27]

[27] Ibid., Campbell to Major, 12 October 1910 and encls, WPHC 4, 1431/1910.
The Tongan Cabinet, most of whom regarded Roberts and Campbell with equal hostility, made the most of Roberts' resignation. A letter from Mateialona dated 4 October, the date of Roberts' resignation, instructed Roberts to resign and proceed to Fiji to meet the High Commissioner personally:

You will explain explicitly to him all the difficulties the Government have in reference to matters being referred backwards and forwards from the Consul and the Government of Tonga, and you will explain that the Government of Tonga wish to have no friction with the British Government but would like to know whether the Law and Constitution still exist, whether there is any further use for the Cabinet and Privy Council, or whether the Consul has an autocratic rule without reference or advice from anyone.[28]

Roberts later claimed that he was 'urgently desired by the Natives to work against the Consul, who was disliked by all, and in the interests of the King', but he owed too much to British influence to accept the offer.[29] Instead he claimed in Tonga that he had no grievance with the Consul and at a Privy Council meeting on 11 October (which Campbell attended) he gave no satisfactory explanation for his resignation.[30] Two days later Privy Council accepted his resignation but, predictably, Campbell refused to confirm the Council's decision. He alleged that the incident was the culmination of a plot by Skeen and others to get rid of Roberts and he took it upon himself to arrange for Roberts to be granted leave of absence for the purpose of consulting the High Commissioner in Fiji.[31]


As a result of Roberts' discussions in Fiji A.W. Mahaffy, the Assistant High Commissioner, visited Tonga from 26 November to 12 December 1910 in a misguided attempt to improve the workings of the executive. Mahaffy has been described by one historian as an intellectual whose main characteristic was great sympathy for Islanders, but in his dealings with Tonga he differed little from the approach taken by im Thurn, Campbell and Major.[32] Although he regarded Tonga as 'a most interesting experiment to determine the capacity of a Polynesian people for self-government under modern conditions', he nevertheless showed great eagerness to interfere in the administration and he advised Major against decreasing 'the quite essential control' which the High Commissioner exercised through the British Consul.[33] As he reminded Major in the report of his visit, 'in the last resource the King can always be ordered to comply with any reasonable requirements...' [34]

On the recommendations of Campbell and Mahaffy, Major refused to agree to Roberts' resignation. During their discussions in Fiji, Roberts had made a good impression on Mahaffy who noted:

I cannot but think that his [Roberts'] services should be retained if possible, even at the cost of some further exploration of the devious paths along which the Government of Tonga travels in the accomplishment of its destiny.[35]

Despite Roberts' own admission of intemperance and the heated objections of Tupou II, Roberts resumed duty at Mahaffy's behest on 28 November 1910. A list of charges against him including drunkenness,

using unbecoming language and making decisions without consulting the Premier and Cabinet, was drawn up by the King and investigated by Campbell who concluded that 'the evils to which the charges relate exist, but I do not consider Mr Roberts can be held responsible for them.'[36] As a result Roberts was (yet again) promoted, this time to 'Government Secretary' in April 1911. According to Roberts,

The object of this appointment was that the Premier being incapable of his work I was to do the work as 'Government Secretary', which position would correspond to Colonial Secretary in a Crown Colony.[37]

Some months later, however, Roberts left Tonga for good. His bouts of intemperance had become bad enough to provoke comment in a petition from the heads of the Wesleyan, Anglican and Free Churches and also in the Fiji Times,[38] and Campbell and other British officials had lost sympathy for him. Roberts' petitions to the Colonial Office for reconsideration of his dismissal for desertion of duty found no support.[39]

The other measures which Mahaffy forced onto the Tengan Government during his visit in November-December 1910 were misdirected attempts to improve relations between the Consul and the Cabinet. Roberts had apparently named Skee11 as the chief source of opposition to the Consul and Major therefore instructed Mahaffy to discuss with Campbell 'the best means of causing that the Chief Justice shall no longer have, and that the British Agent shall be given, a seat in the


37. Roberts to G.O., 2 July 1912, CO 225/113.

38. Petition of Page, Watkin and Willis to Major, 26 June 1911, WPHC 4, 1132/1911; Fiji Times, 9 May 1911.

Cabinet."

Neither Mahaffy nor Major questioned the Consul's right to membership of the Tongan executive, nor their own authority to interfere with the King's constitutional prerogative to appoint the members of his Cabinet. Mahaffy believed that Campbell's presence in the Cabinet would correct 'what really seems to be an actual administrative weakness in the machinery of Government in Tonga' by eliminating 'the tedious reference of minute points of administration' from the Cabinet to the Consul, who 'was often unable to decide them' without much delay and inconvenience.[41] Mahaffy was also instructed to obtain the approval of the King to the appointment by the British Government of a Chief Justice with jurisdiction over Tongans and non-Tongans, a move which Major mistakenly believed was foreshadowed by Article III of the 1900 Treaty.[42]

In instructions emanating from a man who held the substantive post of Chief Judicial Commissioner for the Western Pacific, it is surprising that the legal aspects of Skeen's removal, or of Campbell's promotion, were given no attention. The justification was simple force. Major's instructions to Mahaffy read in part:

The British Agent and yourself are at liberty to exercise any pressure you may deem expedient and prudent to bring about acquiescence on the part of the King of Tonga and his Ministers...[43]

In an interview with Tupou II on 29 November, Mahaffy demanded the King's signature on an agreement which set out the requirements of the British Government. According to Mahaffy, Tupou II 'offered no marked

43. Ibid.
opposition to any of the requests made of him'; Mahaffy claimed that he treated the King with the greatest respect and courtesy and refrained from making any threats, even implied.[44] He did, however, note that the King asked more than once whether the 'requests' were an order from the High Commissioner, to which Mahaffy replied that it was 'advice tendered by...[the High Commissioner]'. Tupou II, on the other hand, claimed that he had objected strongly to signing the declaration and had only done so on being told that it was a command from the High Commissioner. He pointed out:

The Treaty does not grant power to...the King of England...to dispense with the office of the Chief Justice of Tonga or...appoint a Chief Justice except to exercise the jurisdiction defined and limited by Article V of the treaty of 1900.[45]

In a letter of protest to Major, Tupou II declared that he had been compelled against his will to break the Treaty, which now appeared to be a valueless document, despite the revered name of Queen Victoria upon it. The letter concluded:

I shall feel to the end of my life the high-handed command which has been made, it is not calculated to produce friendly feeling, besides such a high-handed command is a breach of the Treaty.[46]

Tupou II's protests were considered by the new High Commissioner, Sir Francis May, who took up duty in February 1911. May suffered the disadvantage of taking over responsibility for Tongan affairs in the midst of a political crisis, and although he eventually brought about a reconsideration of British policy in Tonga, his initial inclination was to follow the lead already established. He informed Tupou II that

44. Mahaffy to Major, conf., 2 January 1911, WPHC 4, 1431/1910.
45. Tupou II to Campbell, 27 June 1911, WPHC 4, 753/1911.
A high-handed action had taken place in Tonga and explained to the Colonial Office that the protests were the result of the King's 'shiftv and disingenuous character'.[47] But officials in London were concerned about Mahaffy's proceedings in Tonga. They urged May to proceed with great caution and as far as possible to 'give no opening for allegations of high-handed interference and the like.'[48]

On the matter of Campbell's elevation to the Cabinet, the Secretary of State commented:

I should have thought that, as the British Representative, he [the Consul] would have held a stronger position had he remained outside, and while I do not wish to interfere with your discretion or to impair your and his authority by reversing the step which has been taken, I think it should be regarded at present as an experiment which should be carefully watched, especially as I note that the King took strong exception to it.[49]

The Secretary of State's reaction to the changes affecting the Chief Justice was even more cautious; he would only approve Mahaffy's actions on condition that Skeen's removal and the appointment by the British Government of his successor received the full approval of the King and his Ministers and that the Tongan Government would bear all expenses in connection with the new appointment.

The conciliatory attitude adopted by the Colonial Office caused May to re-think High Commission policy towards Tonga. In instructions to Campbell he stressed that it was 'of the first importance to avoid any appearance of coercion' in dealing with the King and that in order to remove Skeen it was 'very necessary, indeed almost essential, to secure the complete and unqualified consent of King George

47. May to Tupou II, 5 April 1911, WPHC 4, 426/1910; May to C.O., 11 April 1911, WPHC 4, 753/1911.
49. Ibid.
But May's words of caution came too late to avert a major political crisis. British policy in Tonga had not so far been based on consent and the British Consul had become too involved in Tongan politics to extract himself gracefully. By the time May's instructions reached Campbell, he was engaged in yet another battle with the King and Government -- this time as a result of the closure of an extremely popular Tongan cooperative society, the Tonga Ma'a Tonga Kautaha (Tonga for the Tongans Company). Although Campbell was cleared by a court of law from any official involvement in the closure of the Kautaha, there can be no doubt that it was at his instigation and on his advice that the Kautaha was closed, its books and assets seized, and some £8,000 in Tonga taxpayers' money spent during the resultant chaos. Perhaps, without the other sources of conflict, British authority in Tonga might have survived the Kautaha affair, but the combination of its disastrous effects and other British actions in Tonga gave the Tongan King a valid reason to argue for greater autonomy.

THE Tonga Ma'a Tonga Kautaha was established in May 1909 by Alexander D. Cameron, a local European resident. Within a few months it had become an important organisation, both commercially and symbolically, for a great many Tongans. The Kautaha provided an avenue for Tongans to participate in the European commercial trading system and so take on the role and profits of foreign traders. Through

50. May to Campbell, 8 August 1911, WPHC 4, 753/1911.
it, Tongan producers were able to sell their copra to the best advantage, bypassing European middle-men. Initially the Kautaha was simply a commission agency which exported its members' copra and gave them the exact overseas price less duty, freight and 6d a sack (approx. 8/- a ton) commission which went to the President. It also imported goods in wholesale quantities — members could obtain flour, cabin biscuits, tinned beef or fish or other goods at cost price, plus expenses and 5% commission. Plans to expand into the retail business had little time to come to fruition.

Set against the normal profits which the European traders expected -- £3–£4 a ton on copra and 15 to 20% on imported goods -- the Kautaha brought real savings to its members. The difference in prices may well have been even greater than is reflected by these figures; it seems to have been common enough for traders to charge Tongans twice what they charged Europeans, an issue which intensified resentment against the traders. [51] There were, however, some drawbacks to shipping through the Kautaha. Payment was sometimes subject to a two-month delay so that when members needed ready money they would still sell to European traders. Members also contributed towards the Kautaha's working expenses. Apart from the membership fee of 12/- and annual payments of 4/-, there were collections, usually in the form of a sack of copra, towards new ventures such as the purchase of a schooner or the building of a copra shed. From the evidence available it seems certain, however, that Tongans could and did save money through the Kautaha.

But it was not the commercial advantage alone that attracted members. As the name Tonga Ma'a Tonga signified, the Kautaha served as a vehicle for Tongan aspirations, a means of regaining some of that prized Tongan independence which had been eroded in the economic as well as the political field. Members hoped that European business skills would provide the key not merely to economic improvement, but to a new kind of existence in which foreigners would no longer be needed. Four of the key posts in the Kautaha -- President, Accountant, and Branch Managers in Ha'apai and Vava'u -- were held by Europeans but, according to the President, it was the avowed aim of this 'progressive movement' to lift the Tongans out of the 'sticky mud of ignorance' and throw 'the whole light of day on the business habits of the papalangi'.[52] The Kautaha bore some resemblance to a cult movement and members looked towards their association and its President, Cameron, with almost mystical reverence. According to the Premier, Mateialona, Cameron was spoken of generally amongst Kautaha members as 'an angel descended from Heaven to deliver them from the bondage of the White traders'.[53]

With its nationalistic overtones and economic advantages, it is little wonder that the Kautaha rapidly took hold throughout Tonga. Its mass membership was testimony to its popularity: by February 1910 the Kautaha boasted 3,280 members (1,280 in Tongatapu, 1,200 in Vava'u and 800 in Ha'apai), some 60% of all taxpayers.[54] Included in this

52. Document 'C', Appendix to Tonga Government Gazette Extraordinary, no. 8, 1911.

53. Interview with Premier, 9 September 1911, encl. 6 in May to C.O., conf., 23 September 1911, CO 225/97.

54. Document 'M', Appendix to Tonga Government Gazette Extraordinary, no. 8, 1911.
number were many of Tonga's most influential chiefs and nobles. Although real control of the organisation lay with Cameron, the Kautaha's formal Constitution (drawn up by Robert Hanslip) provided the Tongans with a system of Trustees and Representatives -- the former to collaborate on important decisions and safeguard the Tongans' interests, the latter to convey information back to the villages. On Cameron's advice, the organisation of the Kautaha was based on that of the Free Church,[55] which also provided a base for membership. After all, the Kautaha's concern for autonomy was the same force that had provoked the formation of the Free Church in 1885.

The popularity of Cameron and the Kautaha contrasts strongly with the official condemnation heaped upon them by Campbell and other European officials. As the Colonial Office later noted, the officials involved made a crucial mistake in failing to appreciate early enough just how firmly the Kautaha as an idea and Cameron as its apostle had gripped the people.[56] Far removed from the villages and the attitudes of Kautaha members, Campbell seemed to find the whole attempt to bypass European traders contemptible. There can be little conjecture as to where his sympathies, and those of his superiors in the High Commission, lay. British and German merchants were definitely feeling the effects of the Kautaha trade. For individual small traders in particular, the Kautaha threatened ruin.[57]

55. Cameron, 'Memoirs'.


57. May to C.O., conf., 23 September 1911 and encls., CO 225/97.
While these conditions lay in the background, the decision to close the Kautaha was not taken in this context. It was the character and financial operations of the President, Cameron, on which the justification for the closure was to hinge. Cameron, a 37 year old Englishman, had spent four years in Ceylon, India and Australia before being appointed manager of the Tongan branch of Burns Philp in 1901. When his business ventures on their behalf failed, Cameron took to drink and banished himself to 'a distant island' for 15 months to regain 'moral control'. In 1903 he married Kelea Cocker, the daughter of a European trader and a Tongan woman, and for a time worked lands belonging to her family. [58] Cameron's local marriage, together with his lifestyle, made him anathema to Campbell. The fact that Cameron had been declared a bankrupt shortly before the Kautaha opened and that, within a year of its operation, he had earned between £1,300-£1,500, was not overlooked by Campbell. There was no doubt at all in the latter's mind that Cameron was a rogue who was shamefully exploiting 'ignorant and trustful natives'. [59]

Campbell's first official involvement with the Kautaha occurred in August 1910, when he presided over a libel suit which Cameron brought against R.G.M. Denny, a former Kautaha employee who was now promoting a rival organisation. After giving judgement against Cameron, Campbell impounded the Kautaha's books (an action which Cameron claimed was illegal) and handed them over to the Tongan Government, declaring that the Tongans were being exploited 'in a scandalous manner'. [60] On Campbell's urging, and with Cameron's

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58. Petition of A.D. Cameron, 10 November 1910, WPRC 4, 1278/1910.
60. Campbell to Major, 26 August 1910, ibid.
60. Campbell to Mateialona, 18 August 1910, encl. 1 in Campbell to Major, 12 September 1910, ibid.
blessing, an audit was made by Roberts and G.B. Humphries, a Sydney accountant who happened to be passing through. Their report, published on the Premier's sole authority in a Tonga Government Gazette Extraordinary on 26 August 1910 was, as an editorial in the Fiji Times commented, certainly extraordinary.[61] It began its indictment with the statement:

that all the assets appearing in the Balance Sheet do not exist; and that liabilities incurred by the Kautaha before the date of balance do not appear on the sheet, and the whole of the books are without a doubt faked.[62]

Nowhere in the report was there any admissable evidence to prove this claim. While it showed that the Kautaha had not been run very efficiently and was subject to chiefly appropriation, the report contained inconsistencies and was obviously the result of prejudices running deeper than a mere perusal of the books.

It was on the strength of this report that the Kautaha was closed. But the decision did not come from the Tongan Privy Council. In a move which reflected the extent of Kautaha support, the Council ruled that the Premier and Roberts should meet Kautaha members, read them the report, and seek their opinion regarding the Kautaha's closure. The meeting took place on 25 August and, although members and Trustees were present, Cameron was not invited. After the report was read, Mateialona merely notified the meeting that the Government would close the Kautaha. In response to objections from those present, he directed the Minister of Police, Polutele Kaho, to guard the Kautaha premises and to seize its assets.[63]

61. Fiji Times, 12 October 1910.
63. Evidence of Mateialona in Cameron et al v Campbell et al, unsorted papers in the possession of Mrs E. Fusitu'a, Canberra.
Mateialona's action, taken in opposition to the Privy Council and the wishes of the Kautaha members, was clearly the result of Campbell's influence and backing. In Privy Council, Mateialona had argued strongly against closing the Kautaha and, in view of this, the Minister of Police questioned on whose authority the instructions were given. Polutele later reported to the High Commissioner:

The Premier told me he had instructions from the Consul and that these instructions were more powerful than the Privy Council... The Premier told me to close it or I might get into trouble. [64]

This report of Campbell's attitude was subsequently confirmed from a number of sources, including Campbell himself. In his Memoirs (written in old age but not published), Cameron claimed the existence of a letter from Campbell to the Premier, instructing him to close the Kautaha. [65] No other mention of such a letter has been found, however, and it may well have been no more than a Cameronian literary device.

Subsequent to the closure, Cameron was charged in the High Commissioner's Court with having 'unlawfully, wilfully and with intent to defraud' published a false balance sheet, and with a further charge that he 'did use moneys of the Tonga Ma'a Tonga Kautaha for his own personal use without the authority of the Trustees of the said Kautaha'. [66] The embezzlement charge was thrown out at the preliminary examination before Campbell on 26 and 27 October 1910. And at the trial, from 27 to 29 December, the Hon. A. Ehrhardt, the

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64. Interview with Minister of Police, 9 September 1911, encl. 7 in May to C.O., conf., 23 September 1911, CO 225/97.
65. Cameron, 'Memoirs'.
66. Copy of Information, encl. in Campbell to Major, 9 November 1910, WPHC 4, 1278/1910.
Acting Chief Judicial Commissioner for the Western Pacific, acquitted Cameron of falsifying the balance sheet. No evidence of deliberate falsity could be produced. Moreover, as Ehrhardt pointed out in his Judgement, Humphries, the Liquidator, had been forced to admit that though the Kautaha was not being run for profit, he had realised more than the book debts for most of the assets and with prudent management there would be sufficient funds to pay the creditors in full.[67]

Ehrhardt's Judgement, delivered on 29 December, was severely critical of the Government's actions. Of Humphries he declared:

His evident bias, and prejudice, amounting to animosity against the accused, and his want of candor, left a very bad impression on my mind.

As for the closure itself, Ehrhardt concluded that it has been carried out by the 'very high-handed and I cannot but think ill-advised action of the authorities'. While noting that it would be a matter of some surprise if those in power did not regard the formation of such a large and important association with some uneasiness, he pointed out:

I need hardly say that they should take measures to secure that such associations are conducted in a proper and business-like manner...They should not, by indirect and high-handed action, attempt to wreck them or without just cause which can be upheld in a court of law stop their operation.[68]

Ehrhardt's Judgement weighed heavily on Campbell; he complained to the Acting High Commissioner of the criticisms made in Court and argued that the Tongan Government had never attempted to wreck the Kautaha. Rather, 'On my recommendation, steps were tak. to prevent,

67. Copy of Judgement in Rex v Cameron, encl. in May to G.O., 13 April 1911, CO 225/95.
68. Ibid.
if possible, the Kautaha becoming bankrupt.' If the Government had wanted to destroy it, he claimed, the best way would have been to take no action at all, in which case the Kautaha would have ended up 'hopelessly bankrupt and irrevocably wrecked'.[69] Mahaffy, who was in Tonga during the trial, was also upset at the outcome. In a personal letter to Ehrhardt, which the latter saw as serious contempt of court, he wrote:

I am very sorry indeed that this prosecution failed to prove that Cameron is the swindler that he most certainly is.[70]

Although the Court had failed to implicate Cameron in any fraudulent dealings and despite Ehrhardt's remarks, the campaign against Cameron and the Kautaha continued. Not long after the trial, an attempt was made to exclude from Tonga not only Cameron but also his former Auckland agent, Robert Millar, who was building a flourishing business out of the wreck of the Kautaha with the support of Cameron and his disappointed followers. The proposal was put before the Acting High Commissioner in Fiji by two lawyers -- Lancelot Indermaur, a recent arrival in Tonga who had been counsel for the prosecution at Cameron's trial, and Humphrey Berkeley, a somewhat notorious Suva lawyer whose retention by the Premier (with the Consul's connivance) as adviser to the Government at the exorbitant fee of 2,000 guineas was to become yet another nail in the official coffin of William Telfer Campbell. Campbell vigorously supported the prohibition of Cameron from the entire Western Pacific, although he felt Millar's exclusion premature.[71] His views on Cameron were

69. Campbell to Major, 6 January 1911, WPHC 4, 102/1911, (emphasis added).
70. Mahaffy to Ehrhardt, 20 January 1911, ibid.
71. Campbell to Major, tel., 26 January 1911, ibid.
shared by a number of European merchants and traders who, in January 1911, petitioned the High Commissioner to the effect that 'such a state of affairs as conducted by the said A.D. Cameron is calculated to seriously prejudice the white community as a whole in the eyes of the natives'.[72]

By this time Major was becoming concerned by the proceedings. He realised that the situation was explosive, especially in view of Cameron's acquittal. He wanted no part at all in the decision and instructed Campbell to be particularly careful not to involve the High Commissioner, even by implication, in any step to be taken by the Tongan Government:

The matter at present solely concerns the Government of Tonga and your position as adviser to that Government does not imply that the High Commissioner is in any way concerned in the matter...I sincerely urge upon you the absolute necessity of regarding the matter in its present stage as wholly a Tongan one to the absolute exclusion of the High Commissioner.[73]

Major's words highlighted an anomalous position: Campbell's advice as British Consul to the Tongan Government should no longer be regarded as British advice. Was it then to be merely the advice of an individual? If so, was the Tongan Government still bound by the Treaty to take it? Although Major's confusion may in part be attributed to the temporary nature of his appointment, it also reflects the uncertainty of the British position.

72. Petition of Merch. ...s and Traders of Tonga, encl. in Campbell to Major, 7 January 1911, ibid.
73. Draft telegram to Campbell, in Minutes, 24 January 1911, ibid.
Major's determination that the High Commissioner should not be associated with the matter at this stage was also reflected in his instructions to Mahaffy to proceed to Tonga for a second time to assist Mr Campbell in a difficult position in which he was faced owing to the anticipated resuscitation of the Kautaha and the return of Mr Cameron from Fiji' (where he had gone to seek legal advice).[74] It seems that Major did not trust Campbell's ability to keep aloof from the crisis in Tonga, and so Mahaffy was sent to watch events, not to interfere in any way, but to impress upon Campbell the necessity of leaving the matter to the Tongan Government. Mahaffy's brief visit in February/March 1911 earned him the name 'Picnicking Mahaffy' because the Fiji Times correspondent could not discover what else he did; he certainly did nothing to alleviate the situation.[75] Mahaffy's sympathies decidedly lay with Campbell's, and the latter was already too far embroiled to extricate himself. Besides, the Kautaha battle had developed its own momentum, provoked by Berkeley and Humphries on one side and the Kautaha lawyer, George Scott, together with Skeen, on the other.

By the time of Mahaffy's visit, the forces of the Kautaha had begun to rally and, taking strength from Cameron's acquittal, they prepared for an assault on the authorities who had deprived them of their association and property. On 8 February 1911, Scott, acting under instructions from the Kautaha trustees, asked Campbell to issue summonses against Roberts, Humphries and himself as British Consul, for illegally entering the Kautaha's premises and carrying off its goods. The Kautaha trustees claimed a total of £11,500 for

74. Minute by Mahaffy, 1 April 1911, ibid.
75. Fiji Times, 15 June 1911.
the value of the assets and £7,000 damages.[76] Campbell refused to issue the summonses, informing Scott that he would not be a party to 'farcical proceedings'.[77] The Kautaha promptly took out the summonses in Suva and the hearing was set down for mid-June, although it was subsequently delayed until August.

In addition to seeking legal redress, Scott proposed to the Premier in mid-January that a meeting between Cabinet and Council might settle the matter amicably, but the offer was declined,[78] and in mid-March the Kautaha solicitors in Fiji, William Scott and Co. (no relation to George Scott) called on Sir Francis May asking him to appoint a Commission of Inquiry, or to go himself to Tonga and inquire into the circumstances of the Kautaha's suppression. But May, who at that stage had been in Fiji only about two weeks, followed Major's example of not getting involved. He told Scott that the Tongan Government had taken legal action in the matter and that he could not interfere.[79]

The threatened action by Kautaha trustees, together with rumours that the Kautaha was soon to be revived, created what Mahaffy described as 'a big stir' amongst Tongans.[80] According to Campbell, the unrest was so considerable that 'strong measures' might

77. Campbell to Major, 17 February 1911, ibid.
78. Evidence of Mateialona in Cameron et al v Campbell et al, PO, unsorted papers.
79. Minute by May, 31 March 1911, WPHC 4, 1278/1910.
80. Mahaffy to May, 28 March 1911, encl. in May to C.O., 13 April 1911, CO 223/95.
be needed if it continued.[81] This unrest, together with the completion of two further official reports on the affairs of the Kautaha, apparently convinced the Tongan Government, or at least its advisers, that the immediate suppression of Kautaha activities was desirable. The reports -- one by the liquidator, Humphries, and one supplied by the Fiji Government Auditor at the request of the Acting High Commissioner -- were published as a Tonga Government Gazette Extraordinary (No. 8/11), on 3 March. Humphries' report concentrated particularly on what he called the exploitation by Cameron of the religious and nationalistic feelings of the Tongans, and repeated many of the charges already thrown out of court. The reports did prove that the Tongans themselves had very little idea of the financial workings of the Kautaha, and that the financial side had not been managed very efficiently, but their authors continued to overlook the fact that the Kautaha's founders had never intended it to run for a profit.

Subsequently, the Tongan Privy Council -- on the advice of Berkeley and in the absence of the King -- passed two ordinances directed at the Kautaha. Both Mahaffy and Campbell supported the legislation -- Mahaffy subsequently reported that they both believed the Government to be 'perfectly justified'.[82] One of the ordinances (No. 5/11), gave the King in Council wide powers to issue an Order of Prohibition against any non-native believed to be 'disaffected' to the King or Government 'or otherwise dangerous to the peace of good order of the kingdom'.[83] Obviously designed for use

[81] Campbell to May, 18 April 1911, WPHC 4, 1278/1910.

[82] Mahaffy to May, 28 March 1911, encl. in May to C.O., 13 April 1911, CO 223/95.

[83] Ordinance No. 5, 1911.
against Cameron, the Ordinance was criticised by European church leaders as abrogating the right of non-Tongans to the jurisdiction of the High Commissioner's court, as provided in Section V of the 1900 Treaty.[84] Perhaps because of this, and because the support of the High Commissioner could not be guaranteed in the event of a deportation, the Ordinance was never invoked. The other Ordinance (No. 4/11), was an even more remarkable piece of legislation, revealing 'a control and restriction of the liberties of private individuals...that can only be described as amazing'.[85] Aptly labelled 'panic-stricken',[86] it was designed to replace an earlier Ordinance, 17/10,[87] until proper company legislation could be introduced. Sections 4 and 5 had the effect of forbidding associations between Tongans and non-Tongans for the purpose of trading, on the grounds that such associations were 'likely to be to the loss and damage of the natives of Tonga' and, more significantly, were 'likely to lead to exclusive dealing or boycotting and hence...likely to cause loss and damage to non-native persons occupied in the legitimate conduct of trading operations with His Majesty's Tongan subjects'. Section 3 amounted to an indemnity for the authorities who had closed the Kautaha, and was obviously designed to forestall the threatened court action:

"It shall be unlawful for any Tongan to bring any action at law in any court against any member of the Tongan Government or against any officer or officers employed by the said Government or acting by the authority of the said Government...

[84] Page, Watkin, Willis, Petition to Sir Francis May, 26 June 1911, WPMC 44, 1152/1910.

[85] Ibid.

[86] Ibid.

[87] Ordinance No. 17, 1910, forbade the connection of a European with a Kautaha without Cabinet consent."
on its behalf for any act done by them or any of them in the suppression, winding up or liquidation of... the Tonga Ma'a Tonga Kautaha.

This section of the Ordinance was made effective retrospective to August 1910, thus coming into conflict with Clause 20 of the Constitution which forbade retrospective legislation. As a final touch, a further section hit directly at Cameron's connections with the Tongan people. It was made unlawful for any native of Tonga to give, subscribe, collect, or to aid, assist or abet in the subscription or collection of any money or produce for the purpose of helping any non-native who in the past may have been associated with natives of Tonga for the purpose of trading or in any Kautaha.[88]

These strenuous efforts to disarm the Kautaha had little effect other than to make martyrs of its members and supporters because the case was to be tried in the High Commissioner's Court and not under Tongan law. Thus the case of Cameron and the Kautaha Trustees v Campbell, Roberts and Humphries was heard in Tonga before packed houses from 9-18 August 1911. The Court was presided over by none other than Sir Charles Major, who had now returned to his substantive post of Chief Judicial Commissioner for the Western Pacific. After three days Major dismissed the charge against Campbell on the grounds of insufficient evidence. The case against the other two defendants continued and Major finally found for the defendants with costs, on the grounds that the closure and related matters were Acts of State into which he could not inquire.[89]

88. Ordinance No. 4, 1911.
89. May to C.O., 1 September 1911 and encls., WPHC 4, 1278/1910.
Major's judgement was, to say the least, open to attack. In a private letter to May, Major himself admitted that his judgement had been given 'not however without some doubt'. Legal officials in the Colonial Office had little doubt that it would be reversed on appeal. The case was also suspect from another point of view. Few officials doubted that Mateialona perjured himself at the trial. He claimed that he had received no instructions to close the Kautaha — that he had simply read the reports and come to his own conclusions. This, as the Fiji Times acidly commented, was rather strange when the Premier could not read English.

The Kautaha had lost the battle but not the war. Just a week after the trial, Skeen facilitated the re-formation of the Kautaha when, in response to an application from Cameron and the trustees, he suspended the Ordinance which prohibited it. That Skeen had good grounds for doing so cannot be refuted. Even Major, in the course of his judgement, had expressed himself in agreement with the Kautaha lawyer's contention that the Ordinance 'was and is null and void, as being contrary to the Constitution of Tonga and not enacted as an amendment to that Constitution in valid manner'. However, Campbell, who had no legal qualifications, was not really interested in legal considerations. As far as he was concerned, Skeen's action would have the effect of 'nullifying all the endeavours made by the Government of Tonga and myself to protect the interests of the people

90. Major to May, private, 18 August 1911, WPHC 4, 753/1911.
91. Minutes on May to C.O., conf., 2 September 1911, CO 225/97.
92. Fiji Times, 31 August 1911; see also minute by A.B. Keith, 2 February 1912, on May to C.O., 21 December 1911, CO 225/98.
of Tonga.'[94] He immediately went to the King with Humphrey Berkeley and demanded that the suspension be withdrawn and that Skeen himself be suspended.

This interview, which took place on 25 August 1911, represented the climax of Campbell's attempts to force his advice on to an unwilling King. Tupou II had already been forced to remove Skeen from Cabinet and had no intention of losing him altogether. He based his stand entirely on the Constitution, arguing that the advice now tendered conflicted with the Constitution, while the action of the Chief Justice was in accordance with that revered document. But to Campbell the Constitution was nothing more than a hindrance to be relegated to second place behind the Agreement under which the King was pledged to take British advice. Campbell and Berkeley demanded a simple 'Yes' or 'No' answer to their 'advice' before they would leave the room. If the answer was no, Campbell told the King,

By this one act you are cutting the halliards of your own flag, and sooner or later it must come down.

With a characteristic lack of diplomacy, he chided the King:

I object to being sent by His Majesty's British Government to deal with children, I want to deal with men.[95]

But the King remained adamant. He refused to sign a document agreeing to Skeen's immediate suspension from office, and the Ordinance remained in abeyance.

Campbell's bluff had been called. Berkeley suggested that the Consul should himself suspend Skeen, but Campbell was not prepared to go this far. He turned first to the Cabinet, hoping to use his

94. Campbell to May, 28 August 1911, WPHC 4, 1489/1911.
95. Interview with His Majesty the King, 25 August 1911, sub-encl.(b) in encl., May to C.O., 2 September 1911, CO 225/97.
influence there to obtain a vote against Skeen with which he might then over-ride the King's resistance. But the Cabinet was no longer with him — loyalties were beginning to change. Even Polutele Kaho, who had once courted British support to get rid of the King, refused to cast his vote against Skeen despite being threatened with dismissal by Campbell.[96] Polutele's change of allegiance indicated the extent to which Campbell had alienated himself from Tongan opinion.

Finding no support in Tonga, Campbell turned to the High Commissioner, sending the new Tongan Government Auditor, H. Harcourt, to Suva to lay the situation before May. Campbell's own recommendation was that the King be removed from Tonga, for a time at least, and that two or three of the foreigners be deported. Except for the Premier, he felt himself to be alone against a formidable array of enemies. The only way he could see to improve the situation was by force. He was prepared 'to adjust matters and to maintain my position here as far as circumstances will admit' but, ominously, he wanted to be supplied with a small number of reliable police in order to carry out the strong measures he believed necessary.[97]

96. Interview with Minister of Police, 9 September 1911, CO 22
97. Campbell to May, 28 August 1911, WPHC 4, 1
MAY judged the situation serious enough to warrant his immediate intervention and visited Tonga from 7-16 September 1911. His task was a difficult one — he had to reconcile Campbell's actions, and those of British officials in general, with the Colonial Office warning against 'high-handed interference and the like.' His difficulty was at first revealed in contradictory actions. Before his visit, May had noted that he was not impressed by Campbell's action over Skeen, nor by the 'singularly tactless language' that Campbell and Berkeley had used in their interview with the King on 25 August.[98] Then, in his first interview with the King on 8 September, May even went so far as to disassociate himself from the demand for Skeen's immediate suspension which he described as 'bad advice'.[99] Subsequently, however, he addressed the King with a series of demands based for the most part on Campbell's reports. It was even more unfortunate for May that the legal advice tendered to him by Major also turned out to be 'hopelessly wrong'.[100] May made three demands: that the King dispense with Skeen's services by 31 December; that a proclamation be issued declaring Skeen's suspension of the Ordinance to be null and void; and that no Kautaha be permitted without certain stipulated safeguards. Although the last demand was eventually satisfied in principle, the first two were never met. As one official in the Colonial Office commented, May

96. May to C.O., 2 September 1911, CO 225/97.

99. Ibid., encl. 1 in May to C.O., conf., 23 September 1911, CO 225/97.

100. Minute, 11 December 1911, on May to C.O., conf., 23 September 1911, CO 225/97.
...had to undergo the humiliation of having to withdraw every one of his demands, and to appear as a humble suitor before the King who has triumphed all along the line.[101]

Tupou II had neither the legal knowledge nor the awareness of European political thinking to fight his own battle against the High Commissioner, and the quality of the advice he received was crucial. In the past he had used a variety of European advisers, including traders, minor officials, and resident lawyers. In 1905 he had employed an Auckland lawyer, Thomas Cottre, to plead his case, and now he engaged another, R.N. Moody, whose ability and qualifications were of the highest. Moody was a partner in the Auckland law firm, Moody, Hackett and Moody and had been Lecturer in Law at the Auckland University since 1908.[102] His connection with Tonga seems to have begun through Cameron, who engaged him in the Rex v Cameron case in December 1910, and he subsequently acted for the Kautaha in Cameron et al v Campbell et al. But Moody was not only solicitor to the Kautaha. While on a three month visit to New Zealand early in 1911, Tupou II had engaged Moody as his legal adviser, instructing him:

to take such steps and make such representations to such persons as may seem to you advisable, with a view to...secure the due observance of the Treaty (dated 18 May 1900 and ratified 16 February 1901) made between Great Britain and Tonga, and to remedy the grievances of which my subjects complain in connection with the present administration by the British Agent in Tonga.[103]

To this end, Moody was responsible for nearly all of Tupou II's correspondence. Thanks to Moody, the King's letters were a great success -- well framed, and maintaining his zeal for the Constitution

101. Ibid.
102. Obituary, Auckland Star, 2 January 1937; Moody to Greene, 27 February 1911, WPHC 4, 309/1911.
103. Tupou II to Moody, 25 March 1911, PO, unsorted papers.
and for his proper position as an independent sovereign. As one
official in Fiji minuted on the receipt of one of Tupou II's adroit
letters -- 'The voice is Tupou's voice, but the hands are the hands of
Mr Moody.'[104]

With the law and constitution on his side, and Moody to argue
them, the King had a strong case. It was doubtful, he contended, if
he had the power to dismiss the Chief Justice even if he wanted to.
According to Clause 88 of the Constitution, the Chief Justice held
office 'during good behaviour', and the only means provided for his
removal seemed to be impeachment by the Legislative Assembly for
improper conduct. Although Tupou II refused to dismiss Skeen
arbitrarily, he was prepared, in proper legal form, to support a
proposal to impeach Skeen at an early meeting of the Legislative
Assembly, provided the High Commissioner would supply him with the
necessary evidence of Skeen's improper conduct.

Finding his position untenable in law, May settled for the offer
of impeachment. But when he attempted to find evidence, he was forced
to back down. A charge of drunkenness could not be pressed, though it
was considered, because there was no firm evidence that Skeen did
habitually drink to excess, and even May conceded that he did not have
the appearance of such a man. Other possible charges, relating to the
taking of private practice and a failure to revise the statute books,
were similarly based on shaky ground. Perhaps the only substantial
charge against Skeen was that he was known to consort with 'small
traders and the lower class men on the beach', which might be
undesirable in a Chief Justice but was hardly grounds for impeachment.

104. Minute, 12 April 1912, on Tupou II to May, 1 April 1912, WPRC 4,
1875/1911.
Thus on the day of his departure from Tonga, Hay wrote to Tupou II, informing him that he did not wish to pursue further the matter of Skeen's removal and regretting that so much of the King's time should have been occupied by a question which he now found himself unable to press. Skeen continued as Chief Justice until his death in late 1915.

Of wider importance was the settlement of the future of the Kautaha. In all the turmoil surrounding the Kautaha up to this point the King had taken no part. As he explained to Moody sometime later:

I had no interest in the Kautaha; but when I saw the unjust way they were treated by the Government, I stood by the Kautaha.

Tupou II made no attempt to deny his sympathy with the views of his people and he took issue with the British officials' belief that such companies were inimical to the welfare of Tongans. Again with the support of the law, Tupou II refused to issue May's Proclamation declaring Ordinance 4/11 still in force, contending that Skeen's suspension of it was quite in order. May, having been handicapped by Major's advice to the contrary, wisely decided not to press the point. But he was not happy with Tupou II's proposal to leave to the Legislative Assembly the question of whether future Kautaha should be subject to restrictions. Well aware how the representatives, many of them outraged members of the Kautaha, would vote, May proposed, and was eventually successful in seeing passed, an Ordinance placing minimal restrictions on future Kautaha. Provided that their rules of

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106. Tupou II to Moody, 25 November 1911, PO, unsorted papers.

107. Tupou II to Campbell, 28 August 1911, WPMC 1489/1911.
association were approved by His Majesty in Council, and that the
account were regularly audited by the Auditor General, Kautaha were
free to conduct business.[108] An attempt to make the rules subject
to the High Commissioner's approval was removed at the King's
insistence.[109]

Under this temporary Ordinance and subsequent comprehensive and
complex Company Legislation prepared by High Commission officials, the
new Tonga Ma'na Tonga Kautaha Ltd., was set up. Public opinion in
Cameron's favour was so strong that May realised it was hopeless to
try to induce the Tongan Government to eliminate him from the
management of the new Kautaha, but it seems Cameron's enthusiasm had
waned.[110] The second Kautaha never regained the popularity of its
predecessor, and was not a commercial success. In 1918 it was finally
wound up by the Government Receiver.[111]

The overall cost of the Kautaha episode to the Tongan Government
was considerable. A total of £7,742 was paid out, including over
£4,000 in legal expenses.[112] Shortly after the trial, Scott
announced the Kautaha's decision to appeal against Major's judgement
unless a consensual settlement was achieved out of court. Tupou II
had no wish to leave his subjects with such a grievance and in

108. Ordinance No. 7, 1911.
109. Notes of an Interview on 11 September 1911, encl. 17 in May to
C.O., co. 8., 23 September 1911, CO 225/97.
110. Cameron's association with the new Kautaha was short-lived.
(Cameron, 'Memoirs').
111. Tonga Government Gazette, no. 19, 1918.
112. Treasury Report for 1909-12, Tonga Government Gazette, no. 6,
1912.
December 1911, Privy Council voted £3,604 to restore the costs of liquidation. It seems that the liquidator's ledgers were even more suspect than the Kautaha's books. Further, the costs of the trial were never enforced against the Kautaha. Cameron also sought compensation from the Tongan Government, and although he received only £200 of the £2,500 he claimed, all imputations on his character and conduct were withdrawn from the Gazettes by Order of the Privy Council in September 1914.[113]

Although the Kautaha closure resulted in heavy financial loss to the Government, it also brought its own victories. Tupou II had been fighting for more than just the Tonga Ma'a Tonga Kautaha or for Skeen; his constitutional right to control his own Kingdom, and his Government's right to make its own decisions unfettered by British demands had been at stake. Tupou II had never acknowledged Britain's right to interfere in his Kingdom and he was now in a good position to capitalise on Britain's mistakes. Appealing to Clause III of the 1900 Treaty which precluded the British Consul from interfering in internal affairs, the King argued that Campbell's view of his own position was 'totally erroneous'.[114] He claimed that the 1905 Agreement did not give Campbell licence to insist that his advice be 'slavishly followed' when it was opposed to the best interests of the Kingdom as perceived by the King. Such a course would rob Tonga of the slightest vestige of autonomy and

[113] Tonga Government Gazette, no. 17, 1914; see also WPRC 4, 2408/1914 and 2417/1914.

[114] Tupou II to May, 7 & 8, 1911, encl. 4 in May to G.O., conf., 23 September 1911, CO 175/97.
would lead to the absurd result that the King of Tonga is to have no voice in any matter which he believes affects the welfare of his subjects; in other words the King would not be the reigning monarch, but the British Agent.[115]

In the course of demanding Skeen's suspension, Humphrey Berkeley had assured the King that if the British Consul gave bad advice, he alone would suffer.[116] But events had proved otherwise. It was not Campbell, but the Tongan Government and the Tongan people who had suffered from his ill-conceived 'advice'. Tupou II had good reason to call the system into doubt, and with Moody's pen he made an impassioned plea for Tonga's independence:

I am weary beyond measure of the existing condition of things. I have tried to preserve to my people their national existence, but there is a limit to my endurance. What does Great Britain want? Does she desire to further extend her dominions by adding to her wide empire the little kingdom of Tonga? No resistance can be offered. We can make no appeal to arms — our only appeal can be made to the justice which is supposed to characterise Great Britain's treatment of weaker nations...Does Great Britain desire to render the foreign traders richer, or does she truly desire to leave my people happy and contented?...

If we do not adopt the wisest course in managing our own concerns, that will be our affair. No nation has always seen clearly the right course to follow. If we are to make mistakes, then let us learn wisdom by experience, but as long as the interests of the few foreigners living in our midst are not endangered, no just cause can be found for robbing us of our independence, under the guise of giving us the 'advice' of the British Agent.[117]

Tupou II's plea for a re-examination of the relationship between Britain and Tonga was accompanied by an official request for the recall of Campbell from Tonga. Not only was Campbell the embodiment

115. Tupou II to Campbell, 28 August 1911, WPHC 4, 1489/1911.
116. Interview with His Majesty the King, 25 August 1911, sub-encl.(b) in encl., May to C.O., 2 September 1911, CO 225/97.
117. Tupou II to May, 7 September 1911, encl. 4 in May to C.O., conf., 23 September 1911, CO 225/97.
of the British attitude of which the King complained, but he was also, the King contended, quite unfitted for his position. The language he had used to the King and the threats which were a regular feature of his repertoire made him 'personally most distasteful' to the King and also, the latter surmised, to most of his subjects and to many foreign residents.[118] With point Tupou II argued:

We are not deficient in intelligence -- send us a wise and tactful man, to whom we can safely appeal for advice, and you will find that we are not slow to take advantage of wisdom.[119]

The request was sympathetically received. By the end of his visit to Tonga, May was convinced that Campbell's removal was necessary. He considered Campbell 'lacking in tact and dictatorial in his methods', and called on him to apologise to the King for the 'truculent attitude' he had adopted during the interview of 25 August.[120] Colonial Office officials agreed with May; they could see little in Campbell's favour and held him responsible for the problems arising from the closure of 'the Kautaha, including the financial loss to the Tongan Government. Although he was credited with having acted in what he believed to be the best interests of the people of Tonga, Campbell was censured for having 'failed to realise the necessity of showing great tact in dealing with the King and to accept the limitations which have been imposed upon the action of the British Agent by His Majesty's Government.'[121] That these limitations had never been spelled out to Campbell, or that he had acted with the tacit support and more often the active encouragement

118. Ibid.
119. Ibid.
120. May to C.O., conf., 23 September 1911, CO 225/97.
of his superiors in the High Commission, was not permitted to cloud the decision to remove him.

Campbell's removal from Tonga was a sign that the Colonial Office had in large measure accepted the King's interpretation of Tonga's status. In fact, for the Colonial Office there was nothing new -- it had always maintained that the King and his Ministers should not be deprived of their lawful authority. One official minuted:

I do not understand the objection to the King being an active Ruler. I can find nothing in the Constitution to indicate that he was intended to be anything else; I can see no ground on which we can desire that he should be a figurehead.[122]

But for the first time since the signing of the 1900 Treaty, officials at the Western Pacific High Commission gained a new respect for the Kingdom's autonomy. Early in his visit, May had challenged Tupou II's statement that Tonga was an independent state. Rather, he claimed, it was 'a state under the protection of Great Britain whose full liberty of independent Government is somewhat circumscribed by Treaty and by the Supplementary Agreement'.[123] On the day he left, however, he addressed a letter to Campbell which amounted to a re-definition of High Commission policy and prescribed a much more limited role for the British Consul. May's letter, subsequently endorsed by the Colonial Office, stated that the 1905 Agreement 'does not mean that the Agent and Consul can insist on his advice on any matter being followed'. All it implied was that the Consul should be consulted on important issues, and could offer advice if he saw the administration being mismanaged. If he was not consulted, or if his

122. Minute by A.B. Keith, 2 February 1912, on May to C.O., conf., 21 December 1911, CO 225/98.

123. May to Tupou II, 8 September 1911, encl. 5 in May to C.O., conf., 23 September 1911, CO 225/97.
advice on important issues (such as trade, administration or external relations) was ignored, then he could do no more than report the matter to the High Commissioner.[124] This interpretation, which formed part of the instructions to the incoming Consul, left much less room for initiative by over-zealous British official. May took the same opportunity to reverse Mahaffy's earlier action in giving the Consul a seat in Cabinet. In his opinion, Campbell's presence in the Cabinet placed him in 'a false and anomalous position', a view which the Secretary of State supported.[125]

Tupou II welcomed these reappraisals, informing May that his 'impartiality and tact' had re-established his own faith, and that of his people, in Great Britain. But there was one further change which Tupou II planned before he could again call the Kingdom his own. Since Mateialona's appointment as Premier in 1905, his presence had been a source of great irritation to the King. Mateialona had obviously become 'completely subservient to the British Agent',[126] and with unforgivable indiscretion had publicly declared:

I tell you our country is protected, and if it is protected, it is (i.e. the country) the protector's, and it is right if the Consul says he is going to jump into the sea, [for] the King to follow him...[127]

On 14 October 1911, Tupou II informed the High Commissioner that Mateialona had lost the confidence of the King, Ministers and people and that the interests of Tonga demanded his replacement. The Tongan

124. May to Campbell, 16 September 1911, encl. 34, ibid.
125. Minute by A.B. Keith, 1 November 1911, on May to C.O., conf., 23 September 1911, CO 225/97.
126. Tupou II to May, 7 September 1911, encl. 4, ibid.
127. Ibid.
Constitution empowered the King to dismiss his Premier, and Tupou II wanted that unfettered authority. In this he met determined opposition from May and the Colonial Office who realised that Mateialona was being punished for his loyalty to the British Consul and for his belief that Tonga should be ruled in accordance with British advice. Weighed against their reluctance to see Mateialona removed, however, was the question of their legal right to prevent it. The High Commissioner was authorised to make 'strong recommendations' to the King but no more -- annexation had been threatened too often and too cheaply. British officials were finally forced to admit that without the King's consent there was 'no legal means of intervention'.[128]

On Moody's advice Tupou II allowed himself to be persuaded. But he was not conceding anything; he had simply found a surer way to defeat the British Government. Relying on the Legislative Assembly's power of impeachment, Tupou II announced that he would wait and see whether any 'spontaneous action' was taken against Mateialona during the next session.[129] This was a brilliant move for it took the responsibility away from the King, and was fully in accord with the fundamental British constitutional principle that a Premier should retain the confidence of Parliament. The Colonial Office had no answer. On 15 May 1912, Mateialona was charged in the Legislative Assembly with having closed the Kautaha 'against the instructions of His Majesty and Privy Council', and with having acted without the authority of the Council on other specified occasions. With the outcome a foregone conclusion, the Acting British Consul, Islay

128. Minute by A.B. Keith, 4 October 1912, on Sweet-Escott to C.O., conf. (3), 9 August 1912, CO 225/105.

129. Tupou II to May, 1 April 1912, WPHC 4, 1855/1911.
McOwan, arranged a last-minute honourable settlement for Mateialona. In return for the withdrawal of the charges and the promise of a noble title, Mateialona agreed to resign from the Premiership.[130]

One final touch completed the King's ascendancy over British advice and over his own Kingdom. At the same session of the Legislative Assembly, the Governors of Ha'apai and Vava'u, Sione Tu'itavake and Sione Tupou Faletau, were impeached and subsequently removed from office. The charges against them were not particularly grave -- Tu'itavake was accused of preventing the collection of money for the Kautaha law suit, and Faletau with supplying liquor to a Tongan woman.[131] But the real offence of each in the eyes of the King and the Assembly was that he had been in the wrong camp. Both had supported Campbell and not the Kautaha and, like Mateialona, both were Wesleyans and therefore permanently at odds with the officially endorsed Free Church. Their impeachment and dismissal was therefore not without point. All who had opposed the King and supported Campbell had now paid the penalty. There could be no doubt that, as the Secretary to the Western Pacific High Commission minuted, 'deference to the British power is unadvisable for Tongan officials.'[132]
I venture to express the opinion that the Tongans are not in the mood to be driven. Whether it was ever in their character to submit to being bullied I cannot say as I have only a very short acquaintance with the people. But my view is that the Agent and Consul will advance the interests of the country far more by a tactfully conciliatory attitude and by the endeavour to guide rather than to coerce, the Tongan Government.

[Sir Francis May to Colonial Office, conf., 21 December 1911, CO 225/98].
In the wake of the conflict over the Kautaha, Tupou II had won a significant victory for his Government's right to determine its own policies without the interference of the representatives of the British Government. Sir Francis May's visit to Tonga in September 1911 had led to a redefinition of the British-Tongan relationship which was, for the future, to be based on the principle of minimum interference in Tonga's domestic affairs. It took some time, however, for the practical implications of this to become clear. W.T. Campbell, the British Agent and Consul whose interventionist activities provoked the crisis in 1911 was removed in April 1912 and with his departure the compulsion to follow British 'advice' went too. Although the period immediately following May's visit was marked by uncertainty amongst British officials as to how far it was prudent to intervene, it was a tribute both to their own sensitivity and to that of prominent Tongan officials, that the tensions surrounding these questions were gradually eased. Occasional disputes aside, the six or seven years following the Kautaha crisis until the death of Tupou II early in 1918, saw the working-out of ground rules, and the development of a much more amicable working relationship. British advice, once freed from the strings of compulsion, was much more readily received.

In the months following May's visit, Tupou II made no secret of his desire to follow up his victories over Campbell and Mateialona by securing the annulment of the Supplementary Agreement of 1905. Writing to Basil Thomson in December 1912, the King made his objective quite clear:

It is my earnest wish that the British Government should annul the Supplementary Agreement effected by im Thurn so
that our Constitution and law can be maintained and that the Treaty of 1901 should hold.[1]

In taking the initiative Tupou II was almost certainly acting on the advice of his legal adviser, Moody, who believed that the Supplementary Agreement had effectively been annulled and that in future the British Consul need not be consulted.[2]

Tupou II's desire to free himself from the constraints of British advice received widespread support within Tonga. The members of the 1912 session of the Legislative Assembly not only acquiesced in the impeachment proceedings against Mateialona and the others but they also gave voice to considerable anti-British sentiment. McOwan described the sessions as 'stormy':

It is obviously the intention of a majority in Parliament to strengthen the hands of the King in order that he may obtain full power and be in a position as formerly to distribute his favours amongst the leading spirits of this movement.[3]

Much of the discontent that surfaced no doubt had its roots in the closure of the Kautaha and the autocratic behaviour of Campbell. A majority of the members of the Assembly had belonged to the Kautaha and were well aware of Campbell's role in its liquidation. During the debates, some members spoke excitedly about the Protectorate and criticised the controlling influence of Great Britain. A resolution was passed, by a vote of 37 to 27, calling for the Chief Justice to draft a law making it an offence punishable as a felony for a Tongan subject to petition or complain to a representative of a foreign

1. Tupou II to Thomson, 6 December 1912, PO, uncatalogued papers. See also Tupou II to Thomson, 23 November 1912, encl. in Thomson to C.O., 16 January 1913, CO 225/123.
2. Moody to Tupou II, 6 September 1912, PO/KNF 1912.
3. McOwan to May, conf., 27 May 1912, WPHC 4, 1855/1911; McOwan to Sweet-Escott, 9 September 1912, WPHC 4, 1830/1912.
government either inside or outside the Kingdom, without first seeking the approval of both Cabinet and Privy Council. Although the resolution was not acted upon in Privy Council it was obvious that a majority in the Legislative Assembly did not see Great Britain as a benevolent protector.

In practice, too, the Tongan Government demonstrated its antagonism towards Britain. During the last few months of Campbell's term he was ignored by the Tongan Government and, after a month at the consulate, his temporary replacement, Islay McOwan, reported that his advice had been sought only on one or two unimportant matters. Moreover, McOwan added, he found himself in no position to either advise or make suggestions to the Tongan Government because he had no means of knowing, except from outside and unreliable sources, what it was doing. With the departure of Mateialona, the Consul had lost his direct link with the executive through the Premier.

The new Premier, who took office on 1 October 1912, was the former Minister of Police, Polutele Kaho, who had inherited the noble title Tu'ivakano a few months previously. Tu'ivakano (as he will be referred to henceforth) had aligned himself with the British Government in order to achieve his own ends but he had no intention of cowering to the British Consul as his predecessor had done. In the midst of the Kautaha crisis Tu'ivakano had opposed the dictatorship of the Consul and, perhaps with an eye on the noble title (the succession to which was not straightforward) or on the Premiership, had thrown in his lot with Tupou II.


In view of Tu'ivakano's former support for British intervention and the undoubted antagonism which had existed between the King and himself, it is surprising that Tupou II should have appointed Tu'ivakano as Premier. It is unlikely, in fact, that Tu'ivakano was Tupou II's first choice for Premier — he seems to have preferred Sipu, then Minister of Lands. It was on the advice of Moody that Tupou II appointed Tu'ivakano. Moody acknowledged that Tu'ivakano was unpopular with the Chiefs and people but he argued strongly that they would be 'sacrificing their independence' by not accepting him.[6] Moody believed that Tu'ivakano's ability and strength of character were vital to the Kingdom's future and he was eventually successful in convincing Tupou II of this. It was also true that by appointing Tu'ivakano, Tupou II was demonstrating that he had overcome the factionalism that had threatened to break up his Kingdom.

Relations between Tupou II and his Premier were not always harmonious and Tu'ivakano continued to be frank and outspoken. Nevertheless the two achieved a good working relationship that lasted until the death of Tupou II, and there is evidence to suggest that many of the earlier wounds were healed.[7] British officials on the whole found Tu'ivakano a capable and efficient Premier and their confidence in the Tongan Government's ability to work out its own destiny rested largely in him. In early 1913 McOwan contrasted Tu'ivakano's work with that of his predecessor:

I may say that the new Premier is not a mere figurehead. He is capable, industrious and business-like in his methods. The work of his office is now conducted with a promptness

6. Moody to Tupou II, 6 September 1912, PO/KNF 1912.

7. See, for example, Tu'ivakano to Tupou II, private, 8 June 1914, PO/KNF 1914.
and despatch which is in marked contrast to the way it was conducted under the late Premier.[8]

Under Tu'ivakano's administration a number of significant changes were made. In 1914, for example, it was at his initiative that the Constitution was amended to provide for smaller and more frequent meetings of the Legislative Assembly; it became an annual rather than a triennial event and was composed of only seven nobles and seven people's representatives, so that the government members would be less easily outnumbered and the whole Assembly more efficient.[9] In January 1915 May's successor, Sir Bickham Sweet-Escott, was sufficiently impressed with Tu'ivakano's administration to suggest to the Secretary of State, albeit unsuccessfully, that the Premier might be considered for an honourary CMG.[10]

Tupou II also gained a new respect in the eyes of British officials. In June 1914 and again in January 1915 Sweet-Escott recommended him for an honourary KCMG in view of his loyalty to the British throne.[11] The conflict of the years 1905-1912 had undoubtedly instilled in Tupou II an understanding of the importance of 'good government' (as British officials saw it) to the maintenance of his independence, but it is also true that British perceptions of Tupou II changed more than Tupou himself did.

9. Grant to Sweet-Escott, 18 November 1914 and encls., WPHC 4, 2996/14.
Evidence of the continuing independent attitude which Tupou II's Government adopted towards Great Britain was nowhere more clearly demonstrated than at the outbreak of the First World War in August 1914. Although Tupou II and the Legislative Assembly assured the Secretary of State of Tonga's steadfast loyalty to the British Throne and Empire, unofficial sources, including the New Zealand press, reported that Tupou II had declared Tonga to be neutral.[12] Sweet-Escott put the reports down to annexationist designs in New Zealand, but there can be little doubt that the Tongan Government did at least consider the question; during a visit to Australia in 1918 Tu'ivakano left no doubt of that.[13] In January 1915, however, Tupou II renounced the rumours: 'it is recognised that Great Britain being at war, Tonga should not under any circumstances remain neutral.'[14] The Tongan Government and people contributed to the war effort, despite conditions of economic hardship, and many Tongans offered to enlist -- six saw active service as part of the New Zealand Forces.[15] It was perhaps due to no more than an oversight that in mid-1917 the Secretary of State was astonished to learn that a

12. Tupou II to C.O., 17 September 1914, encl. in Grant to Sweet-Escott, 22 September 1914, WPHC 4, 2431/1914; Grant to Sweet-Escott, 21 July 1915 and encls., WPHC 4, 2121/1915; The Times, 9 September 1914, p.8.


14. Tupou II to C.O., 16 January 1915, quoted in Smith-Rewse to Tu'ivakano, 10 July 1917, PO, unsorted papers.

15. 'Tonga's Effort During the Great War', encl. in McGowan to Rodwell, 14 August 1919, WPHC 4, 1719/1919; Report of the Premier's Department for 1916, WPHC 4, 2645/1917.
portrait of the German Emperor and other German portraits had been allowed to remain in prominent positions in the Palace.[16]

Despite some evidence that Tonga retained an equivocal attitude towards the Protectorate, it is clear that the British Government's new emphasis on cooperation rather than coercion went a long way towards achieving a mutually satisfactory relationship. In his report to the Colonial Office following his visit to Tonga in September 1911, Sir Francis May had stressed the importance of a 'tactfully conciliatory attitude' on Britain's part, and on the whole his advice was adhered to.[17] In May 1913 R.V. Vernon in the Colonial Office summed up British policy neatly: in commenting on Tupou II's proposal to re-form the King's Guards which had been disbanded in 1907 at Hamilton Hunter's insistence, Vernon minuted,

We should aim in Tonga at maintaining the King's authority and dignity as far as possible and interfering only when we must.[18]

Of particular importance in the new relationship was the attitude of the British Consul. The Colonial Office hoped that he would be able to acquire an informal, even personal influence in the Kingdom and, as Basil Thomson now rather ironically advised, guide without appearing to thwart.[19] In a sense the downfall of Campbell and Mateialona favoured this: with the threatening aspects of the Consul's authority removed, and with the Consul no longer a member of the faction opposed to the King, there was a much greater chance that

16. Smith-Rewse to Tupou II, 10 July 1917, BCT 1/6.
17. May to C.O., conf., 21 December 1911, CO 225/98.
18. Minute by Vernon, 24 May 1913 on Sweet-Escott to C.O., 2 April 1913, CO 225/114.
he would enjoy the confidence of the King and Government. May's instructions to McOwan pointed out the importance of establishing friendly social relations with all classes of the community -- with the European residents, 'some of whom are married to Tongan wives through whom they may acquire influence in Tongan society'; with the Tongan officials; and with the King, to whom was due 'those courtesies which are by etiquette accorded in Europe to personages of royal blood'. The instructions concluded:

I need hardly impress upon you that a sympathetic attitude towards the King, his Ministers and people, who are one and all imbued with the laudable ambition of managing their own affairs with as little interference from the outside world as possible, will win you no little influence with the inhabitants of this interesting Kingdom.[20]

The difficulties of pursuing this course were manifold, and much was to depend on the personality of those on the spot. Discretion, tact and patience would be required in almost saintly proportions. Islay McOwan, who was Acting Consul between April 1912 and March 1913 and returned to Tonga for a second and longer term from August 1917, faced a far from simple job in taking over from Campbell. McOwan had gained considerable administrative and legal experience in Fiji as a Stipendiary Magistrate and later as Inspector-General of Constabulary. May had recommended him as a man of sound judgement with a strong but sympathetic character, and these qualities were amply demonstrated in Tonga.[21] Soon after his arrival, McOwan confessed to finding quite a number of likeable traits in Tupou IV's character, and a mutual respect between the two men strengthened the Consul's position as adviser. It was a mark of McOwan's tact and ability that at the news of his projected departure, a petition signed by 44 European residents


(including such former enemies of the Consul as A.D. Cameron and George Scott), asked for him to remain, adding that he had carried out his duties 'without fear or favour' and 'had endeared himself to both Tongans and Europeans in a way no predecessor of his has ever been able to accomplish.'[22]

The petition was received favourably and endorsed by May, but McOwan's term could not be extended as arrangements had already been made for H.E.W. Grant to take up the post. Grant's term in Tonga, from March 1913 until July 1916, was his last posting in a long career in the British Colonial Service. A member of the English Bar since 1898, he had worked in British Honduras, the Falkland Islands and the Leeward Islands, and had at various times administered the Government of each of these colonies. Grant followed smoothly in the tracks of McOwan, able to restrain himself from over-interference and gaining the respect of those with whom he dealt. The Premier in particular was loud in his praise for Grant's unaggressive assistance, and a relationship of trust developed between them. The absence of friction after 1912 and the development of harmonious relations was due largely to the competence and discretion of McOwan and Grant.

While conciliation and cooperation were to provide the basis of Britain's relationship with Tonga after 1911, this did not preclude the retention of some controls. It soon became clear that the policy of 'non-intervention in domestic matters' was not to be taken quite literally. This was not too difficult to justify: as Basil Thomson pointed out in a letter to the noble Tungi in 1912, it was no simple matter to say that any piece of government business was purely

22. Cowley et al to Sweet-Escott, 9 November 1912 and encls., WPHC 4, 2168/1912; see also WPHC 4, 2075/1912.
domestic.[23] In practice the policy came to mean that while things were muddling along in a way that was satisfactory to British officials, no intervention was attempted. But the Supplementary Agreement was still in force, and while the Colonial Office pointed out that the British Consul was not responsible for 'the peace and welfare of Tonga' it nevertheless noted that he should still 'be vigilant to prevent serious misgovernment'.[24] The difficulty was, of course, to decide when intervention was warranted 'to prevent serious misgovernment', and when the Tongan Government should be left to make its own mistakes.

Immediately after May's visit in September 1911 the second of these courses received most emphasis. But as time and tact eased tensions, Britain became more bold. The period saw a gradual growth of British controls on the Government, accompanied by more settled definitions of respective roles. Much of the responsibility for intervention rested with the High Commissioner Sweet-Escott, who took over after May was appointed Governor of Hong Kong early in 1912. Like May, Sweet-Escott's experience of the Pacific was non-existent prior to his appointment; his last position had been Governor of British Honduras and the Leeward Islands. His attitude towards the Tongan Government was sympathetic, although slightly more cautious than May's. In the main he followed the path laid down by May and the Colonial Office, anxious to allow the King and his Government the maximum amount of room to move. He did, however, tighten control in a few areas, though not without Colonial Office approval. Where doubt existed he paid particular attention to his legal rights of

23. Thomson to Tungi, 1 August 1912, encl. in Thomson to Johnson, 9 August 1912, CO 225/05.

24. Minute by A.B. Keith on May to C.O., 21 December 1911, CO 225/98.
interference, consulting with the Chief Judicial Commissioner for fear of over-stepping his role. Sweet-Escott's principles were not always shared by his colleagues — his Assistant, Mahaffy, and the Secretary to the Western Pacific High Commission, C.H. Hart-Davis, were both disappointed at the turn of events since September 1911, and keen to push a harder line. Sweet-Escott ignored their protests however and, armed with a healthy respect for the King, defended strongly the existing protectorate system in Tonga.

One of the most important controls over the administration which Britain had previously exercised concerned appointments to the civil service. From 1912 policy in this area was inconsistent — although Clauses 9 and 10 of the Supplementary Agreement provided for 'new appointments to the Public Service' and 'changes among leading officials' to be made in consultation with the Consul, there were no strict limits defined. May applied the Clauses very loosely. When Campbell protested in January 1912 that a local resident, Frederick Goedicke, had been appointed Government Storekeeper by the Privy Council without consultation, May was not prepared to take the technical objection that the appointment was not made in accordance with Article 9 of the Supplementary Agreement...That article was not intended to be applied strictly to each and every case of the appointment of subordinate European officials.[25]

Similarly, May refused to interfere with the Privy Council's dismissal of C.C. Howard as Principal of the Government College arguing that the matter did not concern the High Commissioner in his official capacity, as Howard was not a 'leading official'.[26] After May's departure,

25. May to Campbell, 8 February 1912 and related correspondence, WPHC 4, 127/1912.
however, other officials took a tougher line. Influence over the quality of those running the Government was felt to be extremely important and was one of the few remaining safeguards Britain could exercise. There was, McOwan pointed out, little enough in the 1905 Agreement that enabled the Consul to keep reasonable control over the Tongan Government, and whatever existed should be guarded jealously. So long as the obligation to consult on appointments was strictly observed, he felt that was some hope for a 'clean and fairly efficient administration of the affairs of the Kingdom'.[27]

When McOwan found in October 1912 that a new Principal for the Government College and new Chief Medical Officer had been appointed without his knowledge, he began a prolonged 'warfare of words' with the Tongan Government over the right of the Consul to be consulted. In view of an increasing tendency to ignore the Supplementary Agreement on the part of the King and his Ministers, McOwan determined to stand firm. He insisted that an intentional breach of the Agreement had been committed and refused to agree to the appointments until a formal acknowledgement of the breach was given together with an assurance that in future the Consul would be consulted over all appointments except those of minor importance.[28] The Premier, backed by the King, saw no reason to acquiesce. His letters, penned by the Government Secretary, H.W. Harcourt, and described in the Colonial Office as 'almost Savilian', argued that 'consultation' did not mean what McOwan thought it did, and that the Clause in

27. McOwan to Sweet-Escott, 4 December 1912, WPHC 4, 2338/1912.
28. McOwan to Sweet-Escott, 10 November 1912 and encls., WPHC 4, 2178/1912.
question referred only to executive officers.[29] The Premier denied any violation of the Agreement and accused McOwan of adopting a hostile and threatening attitude. The King took the opportunity to launch a further attack on the Supplemental Agreement and protested to the High Commissioner that the Consul's opposition to the appointment of two excellent men was not in the interests of Tonga and that if the Agreement was to be made use of in this manner, then it, too, was clearly not in the interests of Tonga.[30]

McOwan's handling of the issue met with a mixed response from his superiors. Sweet-Escott was very uncertain of his rights. Although he approved McOwan's action he doubted whether the High Commissioner was competent to disallow any appointment made by the King, and he sought advice from London as to the attitude he should adopt.[31] Within the Colonial Office there was some feeling that McOwan had been 'a little too stiff' in this instance. Officials argued that 'consultation' did not necessarily imply 'approval', and that the schoolmaster and the doctor could hardly be considered 'leading officials', especially as May had refused to interfere in Howard's dismissal.[32] Most officials believed, however, that McOwan had

29. McOwan to Sweet-Escott, 4 December 1912 and encls., WPHC 4, 2338/1912; McOwan to Sweet-Escott, 24 January 1913, WPHC 4, 265/1913; Minute, 4 March 1913 on Sweet-Escott to C.O., 29 December 1912, CO 225/107.

30. Tupou II to Sweet-Escott, 1 January 1913 and encls., WPHC 4, 116/1913; Thomson to C.O., 16 January 1913 and encls., CO 225/123.


32. Minute by Johnson, 23 January 1913 on Thomson to C.O., 16 January 1913, CO 225/123.
rightly protested at a 'deliberate try-on' by the King and Premier.[33] As the Secretary to the High Commission had noted earlier, the correspondence revealed the Tongans' determination to see relations between the two Governments as 'between free and independent sovereign states'.[34] Conscious of a need to keep at least one foot in the door, the Secretary of State gave his approval to McOwan's conduct.[35]

Sweet-Escott accordingly warned the King, in terms reminiscent of Campbell's reign, that he was still expected to adhere without reservation to the Supplementary Agreement, 'on the strict observance of which the safety of your Majesty's Kingdom and person entirely depends.'[36] In the meantime, McOwan's obstinacy had worn down the opposition. The Premier finally admitted that a breach had taken place, although in ignorance of any obligation to consult and prompted by a differing interpretation of the Clause in question. The assurance in regard to future consultation was also given, albeit with reservations. The original undertaking was described as ridiculous and the assurance given only for McOwan's occupancy of the Consul's post:

The incoming Consul may take an entirely different view of the case, and it would be grossly unfair to ask me to give an assurance that I will adopt the views of a man I have never seen, and whose probable line of action it is impossible for me to judge.[37]


34. Minute by Hart-Davis, 23 December 1912, WPHC 4, 2338/1912.

35. C.O. to Sweet-Escott, 2 April 1913, WPHC 4, 891/1913.

36. Sweet-Escott to Tupou II, 6 February 1913, encl. in Sweet-Escott to C.O., 6 February 1913, CO 225/114.

Nevertheless the principle was established; consultation over appointments continued to be an important and generally unobtrusive means by which British officials could keep an eye on the Government. The Consul guarded his rights closely, at times reminding the Government of its obligations, but generally reaching a satisfactory compromise.

Neither McOwan nor Grant exercised their power of veto over appointments in the indiscriminate manner to which Hunter and Campbell had been accustomed. From 1912, where the Consul had objections to an appointment he was careful to assign adequate reasons and to attempt to reach a compromise. In the case of J.N. Masterton, for example, whom the Tongan Government wanted as Collector of Customs in late 1912, McOwan's reservations were contained by making the appointment provisional in the first instance.[38] In particular, neither McOwan nor Grant followed the former practice of blocking the appointment of Europeans who were likely to support Tupou II's struggle for independence. In early 1913 McOwan agreed to the appointment of George Scott as Chief Clerk to the Premier and Scott remained in this post until 1925.[39] Similarly in late 1912 McOwan recommended that Chief Justice Skeen should again take his place in Cabinet, from where he had been removed at Mahaffy's behest in November 1910. McOwan believed that Skeen's influence was for the good and he argued that Skeen's experience and advice would be of benefit in the Cabinet. When McOwan's recommendation was supported by Grant in December 1913,

38. McOwan to Sweet-Escott, 7 November 1912, WPHC 4, 2174/1912.
39. McOwan to Sweet-Escott, 24 January 1913, WPHC 4, 265/1913; see also WPHC 4 2337/1912, 110/1913 and 711/1913.
the Colonial Office approved Skeen's return to the Cabinet. [40]

In 1915 Britain's control over appointments was more clearly defined. Writing in June 1914, Tu'ivakano sought a ruling from the High Commissioner as to the extent of the operation of Clause 9 of the Agreement: it had never been observed in connection with the appointment of minor Tongan officials such as police or school teachers, and the Premier wanted an assurance that this did not constitute a breach of the Agreement. British officials saw no objection to defining the Clause by listing the appointments on which the Consul should be consulted. On Grant's recommendation it was agreed that appointments requiring consultation should be (a) those filled by Europeans, (b) those carrying a salary of £200 a year or more and (c) those creating a new charge on the establishment. [41]

Under the new arrangement the Consul probably gained wider powers than were previously exercised, but the Tongan Government raised no objection. Its easy acquiescence must be taken as a sign of satisfaction with the way consultation had worked over the previous year and a half. Although the settlement did not preclude disputes, such as occurred over the appointment in August 1916 of J.B. Ma'atu as Relieving and Assistant Police Magistrate, it did provide a formula for their resolution. Ma'atu, a noble and half-brother to Tupou II's second wife, Takipo, was appointed to this new post without

40. McOwan to Sweet-Escott, 7 November 1912, WPHC 4, 2173/1912; Minutes on Sweet-Escott to C.O., 11 December 1912, CO 225/107; Grant to Sweet-Escott, 4 December 1913, WPHC 4, 2446/1913; Grant to Sweet-Escott, 27 December 1913, WPHC 4, 234/1914.

41. Grant to Sweet-Escott, 11 July 1914 and encl., WPHC 4, 1801/1914; Grant to Sweet-Escott, 28 April 1915 and encls., WPHC 4, 1321/1915.
consultation because of Grant's absence on leave. Despite the Premier's strong views to the contrary, British officials maintained that Ma'atu's character, and particularly his intemperance, rendered him unfit for the appointment. He was suspended from office and later dismissed.[42]

In December 1915 British officials took the opportunity provided by the death of Robert Skeen while on leave in New Zealand, to press for the selection by the British Government of a new Chief Justice with jurisdiction over Tongans and non-Tongans. Tupou II had given his reluctant consent to a similar proposal in November 1910 in response to the threats of Mahaffy, but the Colonial Office had not wanted to push the Tongan Government into the arrangement against its will. Now that Skeen was gone, and relations between the two Governments were on a more satisfactory footing, British officials felt the time was ripe for the change. They argued that the field of selection at the disposal of the Secretary of State was larger than that of the Tongan Government and that the projected exercise of jurisdiction over non-Tongans, presently entrusted to the Agent and Consul, made it vital for the British Government to have a say in the new appointment. Some officials were still under the misapprehension that Article III of the 1900 Treaty reserved to Britain the right to make some future arrangement of this nature.[43]


The Tongan Government might not have objected so strongly to this proposal had it not been set on the appointment of George Scott, who had been acting in the post (with Grant's approval) since October 1915. To the King and his Ministers, as to the nine nobles and one matapule who petitioned the King in Council in March 1916 for Scott's appointment, Scott had long demonstrated his suitability and his loyalty to Tonga. There was a definite aversion to bringing in a stranger who, without knowledge of Tonga and its ways, might cause 'disturbances and changes and frequent disputes'.[44] Tupou II pointed out that neither the Tongan Constitution nor the Supplementary Agreement gave Britain any right to take part in the selection of a Tongan Chief Justice, and he deplored the uncalled-for interference. In Privy Council the Premier recalled vividly the events of November 1910 when Mahaffy had forced the King to agree to the British Government selecting a new Chief Justice and he pointed out that the appointment of a Justice required Cabinet approval.[45] In July 1916 Tupou II conveyed to the British Government his Privy Council's decision that the selection should not be left to the Secretary of State, and that Scott should be appointed.[46]

The Tongan Government's desire to see Scott as Chief Justice was only equalled by the British Government's aversion to the idea. In Sweet-Escott's opinion, Scott was not 'socially qualified' for the job and it would be a confession of weakness to acquiesce. He felt that 'the effect of such an appointment on the administration of Tonga

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44. Petition to King in Privy Council, 29 March 1916, encl. in Grant to Hutson, 8 April 1916, WPHC 4, 951/1916.
45. Tupou II to Grant, 18 January 1916, WPHC 4, 426/1916; Minutes of Privy Council, 7 January 1916, PO, unsorted papers.
46. Grant to Sweet-Escott, 6 July 1916 and encls., WPHC 4, 1755/1916.
would be little short of disastrous' and recommended to the Colonial Office that he be instructed to proceed to Tonga to settle the matter:

It would be as well if I were authorised to inform the King himself, courteously but clearly, that refusal to accept my advice might have a not unimportant effect on the future of the Protectorate...[47]

Colonial Office officials were not prepared to authorise such loose threats, and nor did they think the High Commissioner should undertake a visit to Tonga. But they did, for the first time since 1911, authorise the Consul to point out if necessary that under Clause 2 of the Supplementary Agreement the King was bound to take the Consul's advice.[48]

In the event the reminder was not required. Exercising its established rights under the Supplementary Agreement the British Government simply refused to sanction Scott's appointment on the grounds that he was not a barrister and would not, in its opinion, 'command the respect of suitors'.[49] Scott then withdrew his application, and although the King was tactfully invited to put forward an alternative candidate, he had no one else in mind. With Scott's appointment ruled out the King decided to 'save any unpleasantness' and gave his consent to the selection being made by the Secretary of State.[50] The Privy Council would not, however, comply with the Colonial Office request that the salary be raised from £600 to £700 p.a. and British officials decided not to press the matter. They also deferred to the Council's objections to the new

47. Sweet-Escott to C.O., 13 July 1916, Ibid.
49. Ibid.
Chief Justice exercising jurisdiction over non-Tongans, as he would become 'the servant of two masters' if his duties were combined with those of a Judicial Commissioner in the High Commissioner's Court.\[51\] On 1 July 1917, H.C. Strange, barrister-at-law, member of the British Colonial Service, and previously Stipendiary and Circuit Magistrate in the Bahamas, began his duties as Chief Justice of Tonga.\[52\]

Having failed to secure Scott's appointment as Chief Justice, the King and Premier tried soon afterwards to create him the new position of Attorney-General; again the appointment was blocked by the High Commissioner. Although Tu'ivakano argued that it was not proper for the Chief Justice to be legal adviser to the Government nor to draft laws and regulations when he might be called upon to determine actions under them, Sweet-Escott felt that the value of the improvement to the administration of justice was outweighed by the unsuitability of Scott.\[53\] Just as the King had used the low state of Tonga's finances as an excuse not to increase the salary of the new Chief Justice, now Sweet-Escott used the same excuse. He was of course prepared to reconsider the matter when the financial situation improved, but only so long as the Tongan Government agreed to leave the selection of the officer to the Secretary of State.\[54\]

51. Tupou II to Smith-Rewse, 27 October 1916, encl. in Smith-Rewse to Sweet-Escott, 28 October 1916, WPHC 4, 2826/1916; Sweet-Escott to C.O., 3 November 1916, ibid.


53. Tu'ivakano to Tupou II, 1 March 1917, encl. in Smith-Rewse to Sweet-Escott, 13 April 1917, WPHC 4, 1193/1917.

54. Sweet-Escott to Tupou II, 28 May 1917, WPHC 4, 1318/1917.
In other areas of the administration too, the High Commissioner believed that men trained and experienced in the British Colonial service might strengthen the Tongan service. To this end he sought to introduce conditions of service compatible with those in the colonies—in particular he saw a need for a pension scheme. Assuring the Tongan Government that he had no desire to interfere in internal affairs, and that his suggestions were made with the sole aim of helping it to secure the best available officers, Sweet-Escott was adamant that

the administration of the public departments in Tonga cannot be placed on a satisfactory footing until the European officers are given security in the tenure of their respective offices, and until those offices have been declared to be pensionable.[55]

He urged pension legislation based on the Fijian model, and recommended that the approval of the High commissioner be required before such officers could be dismissed from the service.[56] Sweet-Escott's advice was accepted by the Privy Council and embodied in legislation in 1915. A list of 38 pensionable offices, including those normally held by Tongans as well as Europeans, was published in November 1916.[57]

Only a few Colonial Service Officials joined the Tongan service however. In 1911 the duties of Auditor had been given to a Colonial Servant from Fiji, H.W. Harcourt, and in June 1915 he was replaced at Sweet-Escott's suggestion by J.H. Darrell-Wall, who had worked with Sweet-Escott as Chief Clerk to the Auditor-General of the Leeward

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[55] Sweet-Escott to Grant, 30 June 1914, WPHC 4, 1627/1914.
[56] Ibid.; Sweet-Escott to C.O., 30 June 1914, ibid.
[57] Tonga Government Gazette, no. 8, 7 April 1915; Tonga Government Gazette, no. 28, 17 November 1916.
Islands. Since the Auditor-General and Chief Justice were the only two Europeans in Privy Council and Cabinet, the appointment of a capable and 'loyal' Auditor-General was considered particularly important. The possibility of securing medical officers for Tonga through the Secretary of State was raised from Tonga early in 1917, but was never proceeded with. Apart from the shortage of available men during the war, the Tongan Government was not prepared to accept the High Commissioner's conditions, which involved employing only officers from the Colonial Service, and making the appointments interchangeable with those in Fiji. [58] Other European heads of departments, notably in agriculture, education and survey, continued to be appointed from New Zealand or Australia. In view of the importance of agricultural development and experimentation in Tonga's economy, Sweet-Escott was keen that an agricultural expert might be procured from the Colonial Service in 1914. The Privy Council failed to see the merits of either of the men he suggested, but nevertheless enlisted Sweet-Escott's help in securing a suitable man from Queensland. [59]

Although many of the administrative reforms which were introduced during the last few years of Tupou II's reign emanated from the High Commissioner or the Consul, they were carried out as far as possible as Tongan Government measures. It was Sweet-Escott's desire that reform should come from within and not from outside the Tongan


Government. In the discussions which took place during his only official visit to Tonga, between 8-11 June 1914, the High Commissioner was careful to proceed 'by way of suggestion rather than direction'. It would be up to the Privy Council to consider each matter and make the final decision. It was a course that was obviously appreciated: the Premier’s 1914 Report made special mention of the High Commissioner’s 'invaluable' suggestions which 'could be adhered to or otherwise as Your Majesty desired'. It was also effective: although some measures took longer than others to come to fruition, very few were rejected. Changes affecting both Tongans and Europeans were made in this way, including, for example, legislation to provide that all civil cases brought by Europeans in the Tongan Police Courts should be heard by the Chief Justice rather than by Tongan magistrates; the amendment of legislation to permit Tongans to be sued for the recovery of debts amounting to between 10/- and £5; a regulation prohibiting Government employees from engaging in trade or commercial undertakings; and a reduction in the number of liquor permits issued to Tongans.

Clearly, the British Government’s conciliatory policy towards Tonga did not leave the High Commissioner without influence over the administration. But the reluctance of British officials to force their advice indiscriminately did mean that the end result could not always be guaranteed. Advice could be tendered, persuasion could be

60. Sweet-Escott to Smith-Rew, conf., 12 December 1916, WPHC 4, 3125/1916; see also WPHC 4, 2990/1914.
61. Sweet-Escott to C.O., 6 July 1914, WPHC 4, 1362/1914.
63. See WPHC 4, 1726/1914 and 8/1915; WPHC 4, 2127/1915; WPHC 4, 2962/1916 and 2097/1917; WPHC 4, 1662/1912 and 2636/1917.
used; but the decision rested ultimately with the Tongan Government. This course was not always easy to pursue, for it sometimes required British officials to sacrifice their own beliefs about good government to the half-digested ideal of self-government. Although there were many reforms in the methods of administration to be made, officials had to remember, as McOwan put it, that it was 'equally important [to obtain] the confidence and support of the King and his Ministers'.[64]

The High Commissioner's handling of Tupou II's desire to create a number of new nobles and to confer tofif'a (hereditary grants of land) on others, provides a good example of the new British diplomacy. Tupou II had first indicated his intention to create 10 new nobles in a speech to parliament on 28 May 1909, but he had been prevented from making the appointments by im Thurn who believed they would be 'unconstitutional and undesirable.'[65] During May's visit in September 1911, the King had again raised the matter; he felt considerable shame in having been unable to carry out his publicly expressed intention. From the point of view of policy May strongly deprecated the idea; like im Thurn he felt more nobles would burden parliament and the Kingdom's finances. Nevertheless he was careful to acknowledge the King's undoubted prerogative of appointing nobles and, as a compromise, suggested that not more than three 'specially deserving men' be appointed.[66] Tupou II accepted this advice and

64. McOwan to Sweet-Escott, conf., 20 October 1917, WPHC 4, 2902/1917.

65. Tonga Government Gazette, no. 5, 6 July 1909; im Thurn to Campbell 13 April 1910, WPHC 4, 421/1910; Campbell to im Thurn, 20 June 1910 and encls., WPHC 4, 814/1910.

66. May to Tupou II, 16 September 1911, encl. 24 in May to C.O., 23 September 1911, CO 225/97; Notes of Private Interview between May and Tupou II, 15 September 1911, encl. 23, ibid.
settled for Sipu, Afuha'amango and Mateialona, the former Premier who had been promised enoblement in 1912 as one of the conditions of his resignation.

When Sweet-Escott learned of the proposed appointments in January 1913, he sought legal advice as to his official position. In the opinion of the Chief Judicial Commissioner for the Western Pacific, Sir Charles Major, the matter was not one in which the High Commissioner could, or should, interfere. Major's experience of Tonga whilst Acting High Commissioner in 1910-11 had left him extremely cautious of the place and he warned:

The King of Tonga is not doing anything unconstitutional or illegal and any influence or advice which your Excellency might give in this matter might recoil.[67]

Accordingly Sweet-Escott informed the King that it appeared unnecessary for him to express any opinion on the proposal so long as the King was acting within the Constitution and according to the advice of his Ministers.[68] Subsequently, however, Sweet-Escott changed his mind. A few days after giving Tupou II his approval he received recommendations from McOwan who deplored the increase in the Legislative Assembly and suggested that the ownership of lands should be definitely settled before further grants were made. McOwan recommended that only Mateialona be appointed, although without tofi'a, and that no other titles or lands should be conferred until a 'properly constituted' Lands Commission had settled the existing boundaries between Crown lands, nobles' tofi'as and the King's private

67. Minute by Major, 18 February 1913, WPHC 4, 115/1913.
68. Sweet-Escott to Tupou II, 28 February 1913, ibid.
lands.\[69\] Sweet-Escott now decided to confirm McOwan's recommendations and he informed Tupou II that he was relying on him to carry them out. Further than this Sweet-Escott was not prepared to go. As Major minuted:

If the King declines to adopt them \[i.e. McOwan's recommendations\], either wholly or partially, I repeat I can't see any method of compelling their adoption, even if compulsion were thought advisable. In my opinion, it is not.\[70\]

In the event Tupou II created no new nobles and a Lands Commission did not start work until after his death. Much to the annoyance of British officials he steadfastly refused to enoble Mateialona and his objections were well set out and quite valid in Tongan terms. It was, after all, the King's prerogative to appoint whomever he chose, and nobility was not simply a reward for service, as British officials tended to see it. Tupou II explained his position to Grant:

All the nobles and Chiefs are descended from other nobles or chiefs who had the titles which they now hold handed down from generation to generation long before the advent of the Foreigner here and these names are according to our customs and traditions considered of the utmost importance to the holder.\[71\]

More importantly, Tupou II would look weak and ridiculous by ennobling a man whose impeachment he had not long before advocated, while others who supported him remained without titles. In the face of the King's determination, Sweet-Escott again sought legal advice as to whether

69. McOwan to Sweet-Escott, 26 February 1913, WPNC 4, 495/1913; Grant to Tupou II, 19 April 1913, WPNC 4, 1947/1913.

70. Minute by Major, 29 March 1913, WPNC 4, 495/1913; Sweet-Escott to Tupou II, 31 March 1913, ibid.

71. Tupou II to Grant, 11 September 1913, WPNC 4, 1947/1913; Grant to Tupou II, 24 September 1913, ibid.
the matter should be pressed: the Acting Chief Judicial Commissioner expressed frank doubts as to whether the King could be kept to his pledge.[72]

Bowing to this reality, Sweet-Escott decided instead to press for a pension for Mateialona as a reward for past services. When in May 1913 Mateialona appealed to the High Commissioner against the Privy Council's refusal to grant him a pension he found ready support. The Colonial Office believed that 'it would seriously compromise the dignity of Tonga that one who for so long a period held the office of Premier should be left in indigence'.[73] After all, the previous Premier, Sateki, had been dismissed and deported in disgrace but had still received a pension after intervention by the British Government. But when Sweet-Escott sought Colonial Office permission to insist on a suitable pension from Tongan public funds for Mateialona, he received a cautious reply. The Colonial Office agreed that every effort should be made to secure the pension but was not prepared 'to insist categorically' upon it. Sweet-Escott was instructed to make 'strong representations' to the King, and to urge upon him that it was the desire of the British Government that the pension be granted.[74]

The Colonial Office's faith in the Tongan Government's sense of propriety was rewarded. At the end of December 1913, Tupou II informed the High Commissioner that despite his personal reservations he was prepared to concede the point to the British Government, 'out of compliment to their wishes'. The Privy Council decided to grant

72. Minute by Alexander on Grant to Sweet-Escott, 29 June 1913, ibid.
73. C.O. to Sweet-Escott, 20 September 1913, WPHC 4, 2060/1913; Mateialona to Sweet-Escott, 6 May 1913, WPHC 4, 1072/1913.
74. Minutes on Sweet-Escott to C.O., 16 June 1913, CO 225/116.
Mateialona a pension and Tupou II made no secret of the concession involved:

I trust that Your Excellency will realise that this concession of a point that I have previously maintained, in response to your request, is indicative of my constant wish that the friendly and reciprocal relations established between our respective Governments by the Treaty of Friendship entered upon by them, should be preserved, and any unnecessary friction eliminated.[75]

In response Sweet-Escott was increasingly reluctant to apply pressure to the Government and refused to support Mateialona's requests for an increase in the amount of his pension and also for his promised a noble title. The granting of a pension had made Tupou II even more unwilling to create Mateialona a noble and Sweet-Escott was inclined to accept this point of view. As he commented to the Colonial Office: 'There are other matters of more importance in regard to which I hope to obtain the King's cooperation.'[76] It was not until after Tupou II's death that his daughter, Queen Salote, finally fulfilled the promise made in 1912 and granted Mateialona the noble title Tupouto'a.

Although the British Consul had exercised firm control over Tongan finances prior to the Kautaha crisis, his influence was removed after 1911. From 1912, at May's direction, the Consul no longer took part in the framing of the Estimates and had no power to oversee the budget. Both Campbell and McOwan protested that this was contrary to established practice; Campbell pointed out that although the 1905 Agreement did not stipulate that the Consul should be consulted on finances, he had been instructed by im Thurn to assist in framing the

75. Tupou. II to Sweet-Escott, 29 December 1913, WPHC 4, 238/1914.

76. Sweet-Escott to C.O., 1 June 1914, WPHC 4, 1355/1914; see also WPHC 4, 671/1914, and Sweet-Escott to C.O., 20 October 1914, WPHC 4, 2433/1914.
annual Estimates and while May could find no record of such instructions, there can be little doubt that it was so.[77] But the obvious effects which Campbell's 'scandalous extravagance' during the Kautaha had had on the state of Tongan finances was enough to convince the Colonial Office that not only was Campbell unfit to criticise others, but that no Consul should interfere:

I do not see how we can press for the interference of a British Agent with the finances when one British Agent has cost Tonga over £8,000 by his ill-advised action in starting the proceedings for the dissolution of the Kautaha.[78]

May did, however, concede the desirability of the Consul being kept informed as to the Estimates and general financial conditions, and for this purpose the King agreed that a copy of the Estimates would be sent to the Consul in time for him to make representations before the Privy Council gave its final approval.[79] That nothing more than this was intended or desired was made quite clear by May in March 1912. Tupou II, deliberately bypassing the still intractable Campbell, sent the 1912-13 Estimates to Fiji for May's perusal. May made a few suggestions, two of which were subsequently incorporated into the Estimates, but he minuted quite clearly that the responsibility was not his:

I think they are wrong to abolish the Agriculture Department but after all this is their own business. We have only to

77. May to C.O., conf.(3), 21 December 1911, CO 225/98; Campbell to May, 14 November 1911, encl. in ibid.
78. Minute by A.B. Keith on May to C.O., ibid; Tupou II to May, 14 October 1911, WPHC 4, 1857/1911; May to Tupou II, 12 December 1911, ibid.
79. May to Tupou II, 21 December 1911, ibid; Tupou II to May, 5 February 1912, ibid.
see that they do not run into debt, rob the till or deal foolishly with the general administration of the country.[80]

Six years later the Tongan Government's unfettered control over finance came to an end. Early in 1917, it became apparent that the Kingdom was in serious financial difficulties, and to British officials it seemed that at least part of the reason for this lay in inadequate supervision of the finances. Since 1912 Tonga had been gradually sinking lower into an economic depression brought about by the devastating effects of four hurricanes in successive years, followed by a severe and prolonged drought in Vava'u in 1915. The copra industry was devastated and money was scarce. The effects of the First World War exacerbated the problem. Shipping services were seriously interrupted after August 1914 -- steamers came only once a month throughout the war, and this, together with hurricanes and disease, contributed to the cessation of banana exports to New Zealand. The cost of freight and of imported goods rose considerably while copra prices and government revenue went down. The Premier estimated that in 1917 the purchasing power of 20/- was less than 15/- before the war.[81] The revenue collected during the 1915-16 financial year was the lowest since records had been kept -- at £23,129 it fell £15,860 short of the Estimate. Scarcity of money was revealed too in unpaid taxes -- at 31 December 1916 Tongan taxpayers were £8,700 in arrears.[82]

80. Minute by May, 15 March 1912, WPHC 4, 470/1912.
Tonga's limited resources and vulnerability to natural disasters would always bring economic problems. Nonetheless, when British officials examined the financial situation early in 1917 they concluded that better management could have done much to ameliorate the problem. They pointed to the need for an improved system of collecting taxes, and to the irresponsibility of purchasing a shipload of timber from Tasmania at a cost of £3,600 at a time when funds were so short that it could not even be used. Despite the measures the Government had taken to curb expenditure -- such as restricting public works to a minimum and reducing the estimated expenditure for 1915-16 by £10,426 -- British officials felt it had failed to recognise the necessity for exercising the strictest economy. Perhaps the final straw was that between late 1915 and mid-1916, the Tongan Government had found it necessary to borrow £4,150 from Lever Brothers, a private firm trading in Tonga. G.B. Smith-Rewse, the Acting British Consul, considered it undesirable for the Kingdom to be indebted to a private firm; the Secretary of State found it 'intolerable'.[83]

Thus when Tonga approached Britain for a £10,000 loan in January 1917, British officials felt that the time had come to intervene. In view of the urgent need to meet certain liabilities, including a loan repayment to Lever Bros., Smith-Rewse immediately arranged for a temporary advance of £5,000 from the funds under the control of the Official Liquidator of the German firm, Deutsche Handels-und Plantagen-Gesellschaft. Any further advances, however, were to have strings attached. On Smith-Rewse's advice, Sweet-Escott recommended a loan of £10,000 over three years on condition that the control of the

finances of the Colony -- as he put it -- should be entrusted to European officers appointed by himself and with seats in the Privy Council and Cabinet. The Colonial Office, while 'not anxious to intervene further than necessary', agreed that Tonga should accept this arrangement, at least until the financial position was again secure.[84] Even when it became clear, by May 1917, that the outlook had improved considerably and that no further loan was likely to be required, the High Commissioner remained convinced that the Tongan Government should be invited to agree to his appointing a European Treasurer to take over from Tu'ivakano who had been Minister of Finance as well as Premier since 1912.

On the advice of McOwan who returned to Tonga as Agent and Consul in August 1917, this proposal was abandoned in favour of the re-establishment of effective supervision over the finances by the British Consul. McOwan believed that Smith-Rewse's proposal would invite friction, particularly between the European and Tongan Ministers in the Government:

Increases of salary to two European officers and a reduction of the Premier's salary, together with the loss of the portfolio of Minister of Finance, would, I fear, intensify unnecessarily the feeling already existing that the object is gradually to deprive the King and his native Ministers of power and of their share in the native Government.[85]

Besides, McOwan pointed out, the course which led to the Government's financial embarrassment had been pursued quite openly, and the European members of Government, including the Assistant Treasurer, W.G. Bagnall, and the two Europeans on the Privy Council, should


85. McOwan to Sweet-Escott, conf., 20 October 1917, WPHC 4, 2902/1917.
accept their share of the responsibility. On 17 January 1918 the Privy Council agreed to the Consul's oversight of the finances, and the Premier declared himself relieved to be free of the burden. The draft Estimates were to be submitted annually to the Consul before being finally passed by Privy Council. All supplementary expenditure and all loan proposals were also to be submitted to the Consul. In addition, the Government agreed to adopt certain procedures suggested by McOwan for the better control of authorised expenditure.[86]

The Tongan Government's acceptance of the British Consul's intervention in the finances was a sign that the protectorate relationship was finally working as the Colonial Office had intended from the outset. The Consul no longer belonged in the camp of the King's enemies and his advice was not seen as a threat to the Kingdom's autonomy. Nonetheless the sensitivity of British officials towards the Tongan Government's desire to determine its own policies remained a crucial ingredient in the relationship. The British Government had learned that attempts to force unwelcome advice onto the Tongans would only cause conflict, and in 1916-17, an unsympathetic Consul recommended wholesale reorganisation of the Government, his enthusiasm was kept in check. G.B. Smith-Rewse, who was Acting Consul in Tonga for 11 months between September 1916 and August 1917, had been a District Officer in the Gilbert and Ellice Islands Colony for eight years, and he was horrified at the 'abuses' he found within the Tongan administration. Many of Smith-Rewse's criticisms reflected his own prejudices, his career hopes, and his frustration at his lack of direct authority. Nevertheless, his

86. McOwan to Sweet-Escott, 18 January 1918 and encs., WPHC 4, 217/1918; C.O. to Sweet-Escott, secret, 4 March 1918, WPHC 4, 980/1918.
descriptions of, for example, the disorganisation in the lands, the
police and education departments and the continued power of the nobles
and chiefs over the majority of commoners were undoubtedly accurate.
Although McWan noted in late 1917 that 'the progress made since the
year 1905 in the methods of administration has been little short of
remarkable', it was also true that in many aspects government fell
rather short of the organised, efficient and equitable British ideal.[87] British policy allowed the structures and patterns of
Tongan society to remain central and British officials had perforce
learned to turn a blind eye to much that could not easily be changed.

In Smith-Rewse's opinion, however, change was imperative. The
Tongan system of government offended his sense of the 'ideals of
British justice and fair play' and he boldly took up the cause of the
Tongan commoner, defending his rights against a system which ruled
'not for the benefit of the whole community but for a small
clique'.[88] His brand of paternalism differed little from that of
Campbell. He had no respect for the ability of the Tongans to govern
themselves, and longed for the opportunity to enforce efficient
government and inculcate the spirit of British justice into the minds
of all. Inevitably his views had some impact on British policy.
Reference to the Supplementary Agreement and the Consul's power
thereunder became more noticeable and, before McWan's return,
Smith-Rewse's proposal to put Tonga's finances into the hands of
Europeans was accepted. But although his superiors had some sympathy

87. McWan to Sweet-Escott, conf., 20 October 1917, WPHC 4,
2902/1917.

88. Smith-Rewse to Sweet-Escott, conf., 26 May 1917, WPHC 4,
1492/1917; Smith-Rewse to Sweet-Escott, conf., 8 January 1917,
WPHC 4, 103/1917.
with his views, they were not prepared to abandon the policy developed since 1912. With the memory of the crisis provoked by Campbell still fresh, Smith-Rewse was continually reminded that he should not interfere in the administration, that changes must come from within, and that he should not put definite proposals before the Tongan Government without first obtaining the approval of the High Commissioner or the Secretary of State.\[89\] His desire to prevent the formation of new Kautahas which he felt would not be in the Tongans' interests, and his concern that the King refused to set a definite date for his daughter's marriage, both met with a warning not to interfere. Similarly, Smith-Rewse's contention that the issuing of liquor prohibition orders against Europeans by a Tongan Police Magistrate was 'too much power to place in the hands of a native', and should be transferred to the High Commissioner's Court, was not approved by the Secretary of State.\[90\]

Unlike his predecessors, Smith-Rewse was not impressed with the abilities of the Premier, Tu'ivakano. While he doubted whether the country would ever progress under a 'native' Premier, he found Tu'ivakano particularly distasteful. The main reason for his dislike appears to have been Tu'ivakano's close relationship with Scott, Chief European clerk in the Premier's Office, whom Smith-Rewse described as 'virtually Premier'.\[91\] Tu'ivakano, he alleged, had been led astray

89. Sweet-Escott to Smith-Rewse, conf., 12 December 1916, WPHC 4, 3125/1916; Sweet-Escott to Smith-Rewse, 29 January 1917, WPHC 4, 103/1917.


91. Smith-Rewse to Sweet-Escott, conf., 8 January 1917, WPHC 4, 103/1917; Smith-Rewse to Sweet-Escott, conf. 8 March 1916, WPHC 4, 2829/1916.
by Scott to the point where progress was impossible and the country was being ruled for the benefit of those at the top. In Tu'ivakano's place, Smith-Rewse was keen to see a more amenable. When, in March 1917, Smith-Rewse learned of an incident in which Tu'ivakano, together with Vaea, the Minister of Police, and the latter's clerk had been seen drunk in public, he seized upon the opportunity to try to oust the Premier.

In Tongan terms the incident was, as the King pointed out, not a serious one; even less so 'when the conduct of Prime Ministers and other Ministers of civilised countries is considered'.[92] But Smith-Rewse would not let the matter rest -- he considered it a scandal and sought the High Commissioner's permission to suspend the Premier and Minister of Police from duty, replace them temporarily with Mateialona and Tungi respectively, and conduct his own inquiry. Sweet-Escott would not approve this course, but backed Smith-Rewse's call for a full inquiry with an appeal to Clause 2 of the Supplementary Agreement.[93] After much correspondence concerning the King's constitutional rights, Smith-Rewse's biased judgment and the necessity of taking the High Commissioner's advice, Tupou II agreed to a Commission of Inquiry to consist of the Chief Justice, the Auditor-General and Solomone Ata, who was then Magistrate at Nuku'alofa and Acting Governor of Vava'u. The report was considered by Tupou II in consultation with the new Consul, McOwan, who took a far more sympathetic attitude than Smith-Rewse. The outcome was predictable -- the Premier's conduct was censured, but he remained in

92. Tupou II to Smith-Rewse, 20 April 1917, BCT 1/6.
93. Sweet-Escott to Smith-Rewse, 28 April 1917, WPHC 4, 958/1917.
office. Vaea, who apparently had been the most intoxicated, and was past retiring age and not particularly capable in his duties anyway, was called on to resign and his place was taken by Solomone Ata.[94] Smith-Rewse's attempt to force his will onto the Government had not succeeded.

While Smith-Rewse endeavoured to introduce his own improvements wherever possible, his overall plan called for far more sweeping changes. His ideas were brought together in January 1917 in a report sent to the High Commissioner. This document, written just three months after his arrival, argued that the only hope for Tonga lay in a much more direct intervention by Britain in Tongan affairs. What Smith-Rewse looked for was perhaps as much a social revolution as a political one. He saw the King as 'an obstacle in the way of all progress' and he realised too that the nobles and chiefs would oppose any reforms that conflicted with their powers. To create 'a cleaner and healthier atmosphere' Smith-Rewse advocated removing all executive powers from the King and countering the strength of the nobles by increasing the number of Europeans in the Government. Short of annexation, Smith-Rewse held that the only way to prevent the country deteriorating and the Government becoming a farce, was for the Consul's position to once more be clearly impressed on the Tongans. The community, he felt, needed a leader, and better the British Consul than any undesirable European. By exercising his rights under the Supplementary Agreement, and with the benefit of more British representation on the Privy Council, Smith-Rewse believed that the Consul's hands would be strengthened and he could then become the 'power behind the throne' and a new era of progress and reform would

Neither the High Commissioner nor the Colonial Office wanted any such action. Not that they saw the Tongan Government in a very different light; as Sweet-Escott pointed out:

The strictures passed by Mr Smith-Rewse on the administration of the Government of Tonga are not, I believe, undeserved and existing defects can not be removed altogether unless competent European officers, selected by the Secretary of State, are placed at the head of all the government departments and are given a majority in the Legislative Assembly, the Privy Council and the Cabinet...[96]

These things excepted, however, the real questions for consideration lay elsewhere. As Sweet-Escott went on, it was really a matter of whether His Majesty's Government is prepared to insist on the adoption of the radical changes in the Constitution which such arrangements will entail, and whether the present time is opportune for the changes being made.[97]

In Sweet-Escott's opinion, the time was not ripe and the Agent and Consul should be content to follow policy as already laid down. The consideration of further alterations and improvements should await the termination of the war: a view in which the Secretary of State fully concurred.[98]

The First World War provided Britain with a convenient excuse for shelving any action in regard to Tonga and by the time the Armistice was signed in November 1918, the question of altering Tonga's political status had been allowed to drop. Perhaps some small impact

95. Smith-Rewse to Sweet-Escott, conf., 8 January 1917, WPHC 4, 103/1917.

96. Sweet-Escott to C.O., secret, 29 January 1917, ibid.

97. Ibid.

98. C.O. to Sweet-Escott, secret, 8 May 1917, WPHC 4, 1681/1917.
on Britain's decision to leave Tonga alone may have been made by the impassioned rhetoric which flowed from the Tongan Government in defence of Tonga's right to exist. The letter which declared the King's loyalty to the British throne at the outbreak of war was equally, if not more, concerned with Tonga's desire to be left alone, and in his annual reports during the war years, Tu'ivakano devoted pages to expounding the idea that the war was being fought for the right of the small and weak nations to exist and govern themselves:

We look to the British Empire to protect us, as Belgium did, and she has not failed Belgium -- so I am sure she will not fail us. We are weak, yet we have our love of the land from which we and our fathers sprang, our love of flag and race is as intense as that of other nations...Should our flag be taken away, we could not fight, we would have to submit; but we would rightly consider we had been betrayed...[99]

There is no evidence to suggest that the Colonial Office ever gave serious consideration to the possibility of altering Tonga's status after the war. In 1914, after a New Zealand military administration took over German Samoa, the idea of a federation between Tonga, Fiji and Samoa gained some popularity. Smith-Rewse advocated it as an ideal solution for Tonga, with European officials being interchangeable and a common policy of administration and trade being followed.[100] Sweet-Escott was also mildly in favour of the idea and he felt it would promote the prosperity of the three groups, but he strongly deprecated the annexation of Tonga while the Government remained loyal to the British throne.[101] In 1920 the

100. Smith-Rewse to Sweet-Escott, conf., 8 January 1917, WPHC 4, 103/1917.
Mandate for Samoa went to New Zealand without any open discussion of federation. Immediately before the Washington Conference in 1921, rumour again alleged that a federation involving Tonga might result from the deliberations of the heads of governments at the Conference but when no such arrangement eventuated, talk of federation or any other change in Tonga's political status died away.[102]

On 5 April 1918, seven months before the end of the war and three weeks after the 25th anniversary of his coronation, Tupou II died of heart failure. His death, which had once been eagerly awaited in British circles as an occasion for taking over the Kingdom's administration, now passed barely noticed as an event of international significance. The British Government had long before come to regard Tupou II's policies as Tonga's policies, and in the face of his determination to retain Tonga's sovereignty, British officials had been content to tolerate the Tongan way of doing things. Had there been any pressing reason for Britain to intervene, the outcome might well have been different. But what would Britain achieve by a change in regard to Tonga? If there was a certain amount of inefficiency and even maladministration in the island Kingdom, that did not mark it out as unique. What mattered was that some reasonable form of government existed and appeared to satisfy the Tongans.

102. 'Proceedings of 1921 Legislative Assembly', Tonga Government Gazette, no. 31, 1921; Report of the Premier's Department for 1921.
You are well aware that my Kingdom is very small, and if my people are to retain a national existence it can only be secured by the continued friendship and help of Great Britain.

[Queen Salote Tupou III to High Commissioner Sir Eyre Hutson, 6 March 1926, WPHC 22/I/11.]
The day after Tupou II's death the Tongan Privy Council met to proclaim Salote, the late King's daughter, Queen of Tonga. Her accession marked the beginning of a reign that was to span twice as many years as her father's and to provide a stable framework for Tongan political and social life. Salote came to fulfil her role as Queen with dignity, assurance and considerable political acumen and, where she lacked expertise, she turned to capable advisers for guidance. Under her influence the relationship between the Tongan Government and the British Consul reached a high point of mutual confidence. The latter years of Tupou II's reign had seen the development of cooperation and consultation between the two Governments, but Salote carried the relationship much further. The support and advice of British officials was central to her rule. At the same time, however, Salote fostered Tonga's identity as a Polynesian Kingdom proud of its own heritage and integrity. The loyalty and confidence which she inspired in British officials led them to accept finally that if Tonga was not governed according to the British ideals of efficiency and democracy, it didn't really matter.

Born in March 1900, just a few weeks before the proclamation of the Protectorate, Salote was the daughter of Tupou II and his first wife, Lavinia Veiongo. As Lavinia was the grand-daughter of Laufilitonga, Salote's shared the ancestry of the Tu'i Tonga as well as her father's Tu'i Kanokupolu line. When she came to the throne at 18 she was even younger than her father had been when proclaimed King. And, despite an education in New Zealand from 1909-14, she lacked experience in government. A naturally shy person, Salote was seven months pregnant at the time of her accession and it seemed to the British Consul that the demands of being Queen might prove too much for her. A few days after Tupou II's death McOwan reported to the
High Commissioner:

The Queen...is incapable, in my judgement, of discharging the duties devolving upon her and some difficulty may be experienced from Her Majesty’s inability to distinguish between good and bad advice where the interests of the kingdom are concerned.[1]

McOwan put forward a proposal, which he attributed to Salote, that the Queen should share the responsibilities of her throne with her husband, the noble Tungi Mailefihi. Tungi, who was some 13 years older than Salote, had been educated at Newington College, Sydney, and had six years experience as Governor of Vava'u. His suitability was enhanced in McOwan’s eyes by his birth; Tungi was the direct descendant of the once powerful Tui Ha'atakalaua line and grandson of William Tungi Halatuituia whose power had rivalled Tupou I’s. According to the Constitution as amended in 1888, the throne would pass to Tungi Halatuituia and his heirs should Tupou I die without lawful issue. Tungi Halatuituia’s son, Tuku’aho, had been Premier from 1890-93, following Baker’s deportation, and a number of British officials, including Basil Thomson, had favoured him as King after Tupou I. McOwan therefore found it fitting that Tuku’aho’s son, Tungi Mailefihi, should share the throne with Queen Salote. McOwan informed the High Commissioner that Salote had agreed that provided the British Government and the Tongan Legislative Assembly both consented, she and Tungi would be crowned together as King and Queen.[2]

Although McOwan’s superiors in the Colonial Office supported the proposal for a joint throne on the understanding that either the King or Queen, and preferably the former, would transact all state business

1. McOwan to Sweet-Escott, 12 April 1918, WHHC 4, 1016/1918.
2. Ibid.
McOwan offered the explanation that the views of the Colonial Office had been transmitted too late to be acted upon but it is more likely that Salote was not in favour of the idea and that it had been McOwan's suggestion rather than her own. Perhaps, too, the Privy Council convinced her that the idea was not wise. No proposal regarding Tungi was put before the Legislative Assembly when it met in July-August 1918. The coronation ceremonies, including the traditional fakanofo on 9 October and the European-style church ceremony on the 11th, honoured Salote alone.

Tungi nevertheless remained a vital source of support and advice for the Queen and became the leading political figure over two decades. In April 1918 Salote appointed him Minister of Lands in place of Sipu and when Tu'ivakano retired due to ill-health in 1923, Tungi became Premier until his death in 1941.

In contrast to the attitude which Tupou II had adopted towards British intervention in Tonga, both Salote and Tungi accepted the British presence without resistance. From the start of her reign Salote assured the High Commissioner that she intended to rule as a constitutional monarch in terms of the 1900 Treaty and the Supplementary Agreement of 1905. In her speeches to the Legislative Assembly in the early years of her reign Salote made constant reference to the value of British protection. In 1922, for example, she referred to the friendship of Great Britain as 'Tonga's dearest possession', and in 1925 she stressed the need for British

3. C.O. to Sweet-Escott, 18 July 1918, WPHC 4, 2272/1918; McOwan to Sweet-Escott, 12 September 1918, WPHC 4, 2361/1918.

4. Queen Salote to McOwan, 5 June 1918, encl. in McOwan to Sweet-Escott, WPHC 4, 1623/1918.
advice because of 'Tonga's inability to govern properly alone.'[5]

In writing to the High Commissioner in 1926 Salote drew attention to the role of the Agent and Consul:

The problems of my Government are more complex, the expansion of trade brings with it increasing European interests, and the intrusion of the Asiatic makes me feel how necessary it is for Tonga to have a counsellor who holds our confidence and is in sympathy with our national development.[6]

Salote thus took advantage of British guidance but at the same time she was sensitive towards any British encroachment onto her prerogatives. In 1925, for example, when a new Chief Justice set sail for Tonga before the Queen had a chance to accept his nomination, she reminded British officials that their task was merely to select a suitable candidate, but that the actual appointment rested with her and her Cabinet.[7]

The warmth of Salote's relations with the British Government and her willingness to accept the Consul's guidance reflected her ties with the 'pro-British' faction that had been her father's main opponents. Some time after the death of Lavinia Veiongo in 1902, Tupou II had placed Salote's upbringing in the hands of Rachel Tonga, the widow of a leading Wesleyan minister and sister-in-law of the former British-appointed Premier, Mateialona, to whom Salote gave the noble title Tupouto'a in 1921. Salote's marriage in April 1917 to the Wesleyan Tungi, whose father and grandfather -- Tuku'aho and Tungi --

5. Queen Salote's Opening Speech to the Legislative Assembly, 13 June 1922, Tonga Government Gazette no. 20, 1922; Queen Salote's Closing Speech...24 July 1925, Ibid., no. 10, 1925.

6. Queen Salote to Hutson, 8 March 1926, WPHC 22/I/11.

7. McOwan to Hutson, tel., 15 July 1925 and subsequent correspondence, WPHC 4, 696/1925; Notes of an Interview with the Queen of Tonga, 6 August 1925, WPHC 4, 1552/1925.
had found allies among British officials, reinforced her links with
Britain. In 1911 Tungi had visited Britain at the Government's
invitation for the coronation of King Edward VII, and had renewed his
acquaintance with Basil Thomson, a close friend of Tukuaho and the old
Tungi, with whom he kept up a friendly correspondence.

As a result of these influences, Salote did not share Tupou II's
political orientation and, particularly in the early years of her
reign, she encountered considerable opposition from those who had
enjoyed her father's patronage and who opposed the influence of Tungi.
Factions, focussing on the Wesleyan/Free Church rift and on opposition
to British encroachment continued to dominate internal politics, with
European residents only too ready to enter the fray. And just as
Tupou II's opponents had sought British intervention during the first
few years of the century as a means of increasing their own influence,
so Salote realised that an alliance with Britain would strengthen her
rule. Salote used British influence to reinforce her own position and
subdue her opponents. In this, her interests and those of British
officials coincided in practically every respect. In their concern
for stability and their desire to influence Tongan affairs, British
officials attached as much importance as Salote to her continued
command over the Kingdom, and followed unswervingly a policy of
supporting the Queen to their utmost. Whenever her authority was
questioned or her position insecure, the British Government stood by
her. Indeed, the support of some British Consuls for Salote's
Government was so considerable that it earned the animosity of
European residents who resented the idea that their representative saw
his first priority as supporting the Tongan Government, rather than
their own claims against it.[8]

8. See, for example, 'Affairs in Tonga', Fiji Times and Herald, 15
June 1937 and 'Tongan Affairs', Ibid., 16 August 1937.
Throughout the first eight years of Salote's reign, the position of Agent and Consul was held by Islay McOwan whose ability to foster good relations with the Tongan Government had been demonstrated when he acted as Consul in 1912-13 following Campbell's removal. During his second term in Tonga, from August 1917 to June 1926, McOwan enjoyed the confidence of the Government and became a vital source of support for the Queen. His personal concern for the welfare of the Tongan people was demonstrated beyond doubt during the epidemic of Spanish influenza which broke out in mid-November 1918, killing some 1600 people, about eight per cent of the population.[9] With much of the Tongan population prostrate, it was McOwan who kept the Kingdom running, procuring medical assistance via the High Commissioner, organising relief work, soup kitchens and the burying of the dead. A Privy Council resolution in December 1913 recorded the Kingdom's deep gratitude for McOwan's 'unceasing energy and unsparing efforts', noting that his prompt measures had prevented the death rate from being even higher.[10] When rumours of McOwan's imminent departure reached Salote in March 1926 she addressed the High Commissioner in glowing terms, speaking of 'the indefatigable effort of Mr McOwan to help me and my Government in every possible way' which had brought about a good understanding and a feeling of complete confidence.[11] McOwan's support for the Queen was nowhere so vital as during her attempt to unite the two factions of the Wesleyan Church in 1924. Although herself a member of the Free Church, Salote's links with the


11. Queen Salote to Hutson, 6 March 1926, WPHC 22/1/11.
Wesleyans were strong. Her desire to heal the split of 1885 was undoubtedly a genuine attempt to secure 'national unity', on which she placed considerable importance, but it was seen by many Free Church adherents as a Wesleyan coup and as evidence that Tungi was strongly influencing the Queen's rule.[12] Under the leadership of the Reverend J.B. Watkin, about one-third of the members of the Free Church broke away from the union. These anti-unionists brought a test case in the land court involving the ownership and use of Free Church property and in June 1924 the case was decided in their favour. The pro-unionists immediately appealed to the Privy Council against the decision and on 11 September a specially constituted Privy Council upheld the appeal, ruling that the Free Wesleyan Church, as the united church was called, was legal successor to the Free Church.[13] Both McOwan and T.E. Fell, the Acting High Commissioner, realised the importance of not becoming publicly involved in the dispute between the rival factions but they nevertheless gave Salote their full support. During McOwan's absence on leave Fell censured the Acting Consul, J.W. Masterton (who was also Watkin's son-in-law), for adopting a partisan stance and engaging in acrimonious correspondence with the Premier.[14] When the anti-unionists appealed to the


Secretary of State against the Queen's actions they were firmly reminded that the Tongan Privy Council was the final court of appeal and that there were no grounds for Britain to intervene.[15]

When McOwan left Tonga in June 1926 to take up the post of Secretary of Native Affairs in Fiji, his successor adopted the same supportive attitude towards the Government. J.S. Neill was a barrister who had been Registrar of the Supreme Court in Fiji since 1922. Neill had been seconded for special duty in Tonga as a member of the Privy Council in the Church Union appeal case and had created a very favourable impression on the Queen -- so much so that in 1925 the Government had sought his return to the vacant position of Chief Justice.[16] Although Neill declined the offer, which involved a drop in salary, he took up the Consul's job from January 1927 and remained in Tonga for 10 years, establishing close and friendly relations with the Queen and the Government.

As a result of the heightened cooperation between the Consul and the Tongan Government over this period it was, as one resident put it, rather difficult to sort out where the Tongan Government ended and the British Consul began, or vice versa. To another resident it appeared that 'actually the Government "lives, and moves, and has its being" in the British Agent and Consul.'[17] And certainly through the 1920s and 1930s the Consul's influence permeated the administration; he was aptly described as 'the power behind the throne', of even 'the

15. McOwan to Queen Salote, 20 December 1924, BCT 1/6; Tonga Government Gazette, no. 12, 21 August 1925.
16. Fall to G.O., 5 March 1925, WPNC 4, 696/1925.
17. 'Affairs in Tonga', Fiji Times and Herald, 15 June 1937; 'Tongan Affairs', ibid., 10 August 1937.
uncrowned King of Tonga'.[18] In seeking a salary rise in 1923 McOwan argued that he had played an important part in bringing about stable government and that his post was equivalent to that of an Administrator in one of the British possessions as it involved similar duties.[19] For the immediate future, he foresaw no change:

The complete independence of Tonga is an ideal which is dear to the minds of the Tongan chiefs but is a state which they neither try to deserve nor are capable of maintaining. Any relaxation of control, especially in the matter of finances, would, in my opinion, be unwise at present.[20]

To a considerable degree, the Consul's influence over the administration resulted from the 1918 Agreement giving him effective control over the Kingdom's finances. As Henry Vaskess, Secretary to the High Commission, observed in 1932:

Our experience in Tonga shows that control of the finances means virtual control of all branches of the administration.[21]

During the 1920s the Consul's powers under the 1918 Agreement were twice extended -- in 1923 the Government agreed to submit all Advance Warrants to the Consul for counter-signature and in 1927 it also agreed to submit Advance Warrants for certain store purchases.[22] In his confidential report for 1927, Neill commented that the Consul's general financial control was necessary if development was to proceed

18. See McOwan to Tungi, 1 May 1925, encl. in McOwan to Hay 5 May 1925, WPHC 4, 1012/1925.
20. McOwan to Fell, 4 September 1924, WPHC 4, 1804/1924.
21. Minute by Vaskess, 9 July 1932 on WPHC 4, 1884/1932. I am indebted to Dr. B. Macdonald for this reference.
'on sound lines'. [23] Although in practice successive Consuls tried to interfere as little as possible with the details of the government programme as presented in the Estimates, they nevertheless maintained a very close watch over expenditure, placing great importance on balancing the budget. Under McOwan's supervision a large surplus was built up during the post-war boom, and both McOwan and Neill refused to sanction any raid on it. Although this 'surplus policy' became the butt of criticism among European residents, who thought it could be sacrificed to tax relief, and provided a continual source of temptation to the less frugal members of the Legislative Assembly, it nevertheless helped minimise the effects of the world-wide depression on Tonga during the 1930s.

In addition to the Consul's agreed role in financial matters and in senior appointments to the government service, he also exerted considerable influence on a variety of matters ranging from health and education to boat-building and banana exports. Both McOwan and Neill exercised freely their right to make suggestions on any aspect of the administration, and they reported that not only was their advice sought frequently, but that unsolicited suggestions were also generally accepted. In his report for 1931 Neill noted succinctly that 'consultation has become a matter of course'. [24] Under the Premiership of Tungi it became a well-established habit for the Premier to call at the Consulate at least once a week for regular informal consultations with the Consul, and in this way the latter's hand extended over most aspects of the administration. In 1925 the European Chief Justice publicly ridiculed these personal conferences, likening the Premier's visits to the rounds of the local butcher boy.

for orders, but Tungi was not moved.[25] He believed the consultations to be mutually advantageous and although he did not always take the proffered advice, he had no intention of curtailing his visits. Similarly, McOwan noted that as Consul he attached far more value to these meetings than to official correspondence, because they were conducive to harmonious relations, and enabled him 'to understand and appreciate more fully their difficulties'.[26]

Despite this general picture of harmony, the Consul did not have a free hand with the administration. Although the Queen and Premier were, according to McOwan, quite happy that 'a controlled influence should be exercised by the Agent and Consul in the interests of Tongans and Europeans alike', certain other sections of the Government did not tolerate the Consul's role so readily.[27] Those allies of Tupou II who had fought against British intervention regarded the Queen's acceptance of the Consul as a sell-out; they resented his encroachment and remained extremely suspicious of his motives. The main avenue for the airing of this discontent was the Legislative Assembly which, in contrast to the situation during the later years of Tupou II's reign, did not throw its weight behind the new Queen.

A cause of particular resentment in the Assembly was the Queen's appointment, at McOwan's behest, of two additional European Ministers to the Privy Council. After Sipu's resignation in March 1918 Sweet Erratt had suggested that the post of Minister of Lands be abolished and the duties assigned to the Chief Surveyor, A.B. Wallace.

25. McOwan to Tungi, 1 May 1925, encl. in McOwan to Hutson, 5 May 1925, WPHC 4, 1012/1925.

26. McOwan to Fell, 30 January 1925, WPHC 4, 328/1925.

27. Ibid.
McOwan rejected this arrangement as the Queen wanted the Minister of Lands post for Tungi, but he suggested that Wallace be appointed Minister of Public Works so that 'his marked administrative ability would have full scope' and the Privy Council would have the benefit of his advice.[28] At the same time McOwan also recommended that the finance portfolio be taken away from the Premier (who found it inconvenient anyway) and given to the Assistant Treasurer, W.G. Bagnall, who would then be promoted to Treasurer with a seat on Privy Council. Out of deference to McOwan the Queen agreed to the appointments, albeit with considerable hesitation, but they were not generally popular, particularly in the Legislative Assembly.

The representatives were not only opposed to having four Europeans on the Tongan Privy Council, but they also resented the increase of government members in the Assembly to nine while the representatives of the nobles and people each remained at seven. The 1919 Assembly carried, by 12 votes to 11, a resolution calling for section 63 of the Constitution to be amended so that all parties in the Assembly be equalised. When the Government rejected this the 1920 Assembly refused to continue business, pending a Letter to the High Commissioner. Order was restored after a message from the Queen, together with a warning from the Chief Justice to the effect that the Assembly might find itself abolished if it refused to cooperate, but the resentment continued to smoulder. The 1920 Assembly attempted to impeach the Chief Justice and Wallace on rather flimsy charges, and in the 1921 Assembly a motion calling for the addition of a representative of the people and nobles from both Niutoputapu and

Niuafo'ou was passed but left to the Privy Council to decide. [29]

The extent of discontent amongst members of the Assembly was articulated clearly in November 1920 when a deputation of the seven elected nobles and five of the representatives of the people approached C.H. Rodwell, High Commissioner between 1918-24, during a two-day visit he made to the Kingdom. Led by the noble Ma'atu and Siosiua Kaho, who had been two of Tupou II's closest supporters, the deputation complained of the Consul's supervision of finance and his advice to the Queen to appoint the two new European Ministers, and sought an end to the 1905 Supplementary Agreement, which had been read out in the 1918 Assembly on the motion of Ma'atu. The deputation also complained that the Assembly's recommendations were continually disregarded by the Privy Council. [30]

The High Commissioner was concerned at the evidence that the Assembly was pulling in the opposite direction to the Queen and Privy Council, but both he and McOwan gave their full support to the Queen. Rodwell informed the deputation that any change in the role of the British Consul was out of the question and he issued vague warnings that Tonga's independence depended on the success of the existing constitutional arrangement. [31] In McOwan's view, the problem was not so much that the Assembly was being ignored but that it was attempting to exceed its powers; he claimed that the Assembly's resolutions were 'aimed at the executive' and constituted

29. Tonga Government Gazette, no. 19, 2 December 1919; Ibid., no. 26/1920; Ibid., no. 31/1921.

30. Notes of Interview between Rodwell and the nobles and elected representatives of the Legislative Assembly, 23 November 1920, WPC 4, 3116/1920.

31. Ibid.
an interference on the part of the elected members, an irresponsible body, with the Queen's prerogative and the Government's control.[32]

In his eyes, the opposition in the Assembly was merely capricious -- the work of 'an irresponsible body of mischief makers' and he argued that because elections aroused little interest, the 'noisy agitators' had the field to themselves. Neither McOwan nor Neill was impressed by the standard of political or even general education amongst the representatives, and they believed that this led to misunderstandings and ill-informed opinions. After the 1920 session McOwan was quite blunt:

The election of representatives to the Legislative Assembly is many years' in advance of the development of the race.[33]

McOwan's criticism of the Assembly reflects the extent of his alliance with the Government. Because the Government had no majority in the Assembly it was dependent on the support of the elected members (both noble and commoner) to see its measures through and this was not always forthcoming. Although the Privy Council could (and often did) veto proposals put forward by the Assembly, it could not compel the elected members to vote Supply and under clause 81 of the Constitution, all expenditure required authorisation by the Assembly. After 1918 the Assembly became increasingly aware of its constitutional role, particularly in regard to finance and blocked many government measures that were the result of the Consul's careful drafting of the Estimates. In many cases these confrontations between the Assembly and the executive were settled by an appeal to the representatives' loyalty to the Crown; a Royal Message calling on the

32. McOwan to Rodwell, 6 December 1920, ibid.
33. Ibid.
Assembly to reconsider an issue was usually effective and so were the 'informal discussions' that the Queen at times held with the representatives. In 1929 when a Royal Message was at first unsuccessful in persuading the nobles' and peoples' representatives to withdraw their opposition to a number of provisions in the Estimates, W.E. Russell, the Acting Consul, considered advising the Queen to appoint sufficient temporary Cabinet Ministers to ensure the Government a majority in the Assembly.[34] This suggestion, which had first been made by McOwan in 1920, was never acted upon as it was impractical and might have provoked even greater unrest.[35]

Much of the Assembly's opposition to government measures was inspired by a consistent desire to protect the interests of the Tongan people and to prevent European encroachment. On numerous occasions the elected members blocked proposals to increase the salaries of European officials or to create new posts for Europeans, particularly where the job was considered suitable for a Tongan. In opening the 1925 Legislative Assembly, Queen Salote emphasised Tonga's continuing need for Europeans, 'because we ourselves have not yet acquired the requisite knowledge and ability to administer the affairs of the Government and country.'[36] But the elected members remained unconvinced. In the 1928 Assembly, for example, they removed the vote for a European Inspector of Police and a second copra inspector, refused the maximum salary rate for two other European officers, reinstated the salaries of 12 Tongan police constables retired as one of Neill's economy measures and refused his proposal to amalgamate the

34. Russell to Seymour, 25 July 1929, WPHC 4, 2408/1929.
35. McOwan to Rodwell, 6 December 1920, WPHC 4, 3116/1920.
36. Queen Salote's speech at the Opening of the Legislative Assembly, 3 July 1925, Tonga Government Gazette, no. 10/1925.
posts of Governor and Police Magistrate in Ha'apai and Vava'u.[37]
While some of these measures were passed after reconsideration at the Queen's request, others, such as the amalgamation of posts, were conceded by the Government. In 1934 when the Government attempted, at British instigation, to introduce a quota system on imports designed to benefit British soft goods, it was soundly defeated. In 1938, however, the Assembly accepted a preferential tariff on British Empire goods, in exchange for poll tax concessions.[38]

Both McOwan and Neill resented the Assembly's interference with what they believed to be their financial responsibilities. In 1923, for example, when the Assembly reduced the salary of the European travelling foreman by £50 in view of alleged bad workmanship in the construction of a water tank and a wharf, McOwan argued that it involved 'a principle that cannot be admitted without danger to the Public Service':

If the principle be once admitted that the Legislative Assembly may increase or decrease salaries, the recognised scale would be completely disturbed and the Service would come under a capricious Parliamentary control in which favouritism would be the controlling factor.[39]

Sir Eyre Hutson did not share the Consul's resentment towards the Assembly's activities however. After the particularly difficult 1928 session he explained to the Colonial Office that the opposition sprang from the Tongans' 'natural and healthy desire' to manage their own affairs and he argued that the British Government should sympathise with this attitude so long as it remained compatible with Tongan prosperity and well-being. It was, he went on, more important for the

Tongan people to have gradual education in self-government than to introduce 'a state of efficiency that may be possible of achievement only by the filling of the more important offices by Europeans.'[40]

IRONICALLY, perhaps, it was from European officials that the Consul encountered further opposition to his active role in government. McOwan believed that European appointments strengthened the administration, but he soon came to realise that they also created difficulties. European heads of departments in particular were often reluctant to accept the Consul's leadership and gave contrary advice to the Privy Council. The question of whose advice should prevail on financial matters came to a head in 1923-25 over the relatively minor issue of whether officers on half-pay leave should be paid bonus payments at full or half rates -- a matter that particularly affected the Chief Justice, H.C. Stronge, and the Auditor-General, J. Darrell-Wall. McOwan insisted that the Privy Council's decision to pay full bonus was irregular and when his protest was disregarded, he made a formal request for the Treasury Orders to be rescinded under Point 2 of the Supplementary Agreement. This was, as McOwan pointed out, the first occasion in six years on which he had found it necessary to press his advice in opposition to the Privy Council, but he believed the principle at stake a vital one.[41]

40. Hutson to C.O., 19 November 1928, WPHC 4, 3059/1928.

41. McOwan to Fall, 16 July 1924 and related correspondence, WPHC 4, 1804/1924.
The Privy Council resented McOwan's intervention, and a committee consisting of Tungi, Darrell-Wall and George Scott, who was Acting Chief Justice, prepared a case for presentation to the High Commissioner. Their petition, which was signed by Tungi as Premier, claimed that the Government had the right to decide the issue and brought back into focus the whole principle of the Consul's role in financial matters and his authority under the 1905 Agreement.[42]

McOwan was convinced that the confrontation would not have arisen without European initiative, as the Tongan Ministers would never have questioned his authority to interfere. He attributed the acquiescence of the Premier in the Europeans' demands to 'the usual native reluctance to disagree openly with anyone in authority', but he failed to see that this customary politeness affected his own position perhaps even more than that of the European Privy Councillors.[43]

Although the issue was primarily a struggle between the Auditor-General and the Consul, the reaction of the Tongans demonstrated that the desire for unfettered independence was by no means dead.

It was a reflection of the relatively smooth path of relations over the previous decade that when the dispute reached Suva in August 1924 there was very little informed opinion as to the issues involved. T.E. Fell, the Acting High Commissioner, tried hard to avoid all reference to the 'difficult points connected with the Treaty and Supplementary Agreements', and was clearly undecided as to whether McOwan possessed the authority he claimed.[44] On the advice of

42. Tungi to Rodwell, 17 October 1923, WPHC 23/II, 38/12/2.

43. McOwan to Fell, 16 July 1924, WPHC 4, 1804/1924.

44. Fell to McOwan, 27 August 1924, ibid.; Fell, 'Note on Tongan correspondence', ibid.
A.K. Young, the Chief Judicial Commissioner, whose ignorance of the Tongan situation surpassed his own, Fell pondered the practicability of issuing an Executive Order to prohibit the Chief Justice and others from receiving full bonus; it was left to McOwan to point out to his superiors that no officer of the Tongan Government was amenable to the direction of the High Commissioner or Secretary of State.[45] To avoid future deadlock Fell advocated that

all questions affecting European officers, appointed...after consultation with the Agent, and who may be selected by the Secretary of State for the Colonies or by the High Commissioner should be referred to the Agent and Consul for his advice thereon, and that his advice should be accepted.[46]

This McOwan deprecated as implying that questions concerning other European and Tongan officers not appointed in this way, need not be so referred, an idea which would be quite contrary to practice and 'subversive of the present system of control'.[47]

The Colonial Office also rejected Fell's proposal, arguing that a special ruling on the functions of the Consul in relation to European officials was neither necessary nor practicable. Its policy was to confirm the status quo, including the 1918 arrangement regarding consultation with the Consul for the better control of finance, and to support McOwan's action. The premier was informed that the objection made by the Consul was well-founded and that he had been justified in expecting his advice to be followed.[48] At the same time, officials

45. Fell to McOwan, 27 August 1924, ibid; Minute by A.K. Young, 14 August 1924, ibid; McOwan to Fell, 4 September 1924, ibid.
46. Fell to Tungi, 27 August 1924, ibid; Fell to McOwan, 27 August 1924, ibid; Fell to C.O., 1 September 1924, ibid.
47. McOwan to Fell, 4 September 1924, ibid.
48. C.O. to Fell, conf., 31 March 1925, WPHC 23/II, 35/12/2; Hutson to Tungi, 29 May 1925, ibid.
in London were not insensitive to the Tongan Government's position. Unsure as to how far the protest should be regarded as evidence of 'a genuine dissatisfaction' on the part of the Tongan authorities with the Consul's supervision, they instructed Hutson to visit the Kingdom as soon as possible to look carefully into 'the nature and extent of the control at present exercised by the British Agent'.[49]

During his two-day visit to Tonga in August 1925, Hutson received no complaint or representation from the Tongan Government concerning the Consul's role. A petition addressed by Darrell-Wall to the Secretary of State dealing with his position as Auditor-General and a member of Privy Council via a via the British Consul was withdrawn and the matter settled amicably with Darrell-Wall accepting the Consul's view.[50] The Queen made it clear to the High Commissioner that she desired no departure from the terms of the Treaty nor from the understandings arrived at between the two Governments. Hutson formed the opinion that both the Queen and Premier displayed great confidence in McOwan, and he concluded that:

the happy relations that now exist, whereby the Queen and the Premier seek and rely on his advice on all financial matters, may be considered to be an entirely satisfactory position.[51]

49. C.O. to Fell, conf., 31 March 1925, ibid.

50. Memorandum from the High Commissioner to the Agent and Consul, conf., no date, ibid.

51. Notes of an Interview with the Queen of Tonga on 6 August 1925, conf. in Hutson to C.O., 13 August 1925, WIRC 4, 1952/1925; Hutson to C.O., conf., 14 August 1925, WIRC 23/11, 35/12/2.
The only aspect which caused some concern was McOwan’s action in pressing for the acceptance of his advice on the issue of half-pay bonus without first obtaining instructions from the High Commissioner. This policy, clearly defined since 1911, provided a safeguard against over-interference. To this end McOwan was reminded of previous policy and in 1926 when he had a difference of opinion with the Privy Council over leave privileges for the government dentist, he was restrained by Hutson from pressing the matter.[52] When Neill took over as Consul in January 1927 he was instructed to maintain a close surveillance of financial procedure and measures adopted by the Tongan Government but, having tendered his advice, to be careful not to press for its acceptance without first communicating with the High Commissioner.[53] Although Neill’s views generally prevailed, he refrained from openly challenging the Privy Council’s right to make its own decisions.

During Neill’s term, the presence of four Europeans on the Privy Council continued to be a sour of political disharmony. In 1925 the Queen intimated to Hutson that she would welcome an opportunity to reduce the number of Europeans on the Council, adding that it would be sufficient to retain the Minister of Finance. In early 1928 Neill foreshadowed a change:

The real fact is that a body composed of an equal number of European and Tongan members is not a suitable executive for Tonga and Her Majesty is not happy with certain of her European Ministers.[54]

The first to go was Wallace, Minister of Public Works, whose brusque manner had not endeared him to the Tongans. During the 1923 Legislative Assembly Molitoni Finau, a close supporter of the Queen, moved the abolition of the post of Minister of Works and the deletion of the salary from the Estimates.[55] The matter was left for the Queen to deal with in Privy Council. In September 1928 she sought British approval for Wallace's compulsory retirement on the grounds of a more economic reorganisation of the Works Department but economy was clearly only a pretext for Wallace's removal. The Queen, with the Privy Council and Legislative Assembly behind her, did not consider his services worth retaining. She argued that he was guilty of general inefficiency, was the cause of 'acrimonious debates' in Privy Council, and was tactless in dealing with the Legislative Assembly. She wanted Wallace's appointment terminated before he returned from leave.[56]

Russell, the Acting Consul, was at first inclined to object to the proposal and more particularly to the methods adopted for dispensing with Wallace's services. In the face of the Queen's determination however, Russell realised it would not be advisable to insist on his retention:

It appears quite plainly that neither political nor personal harmony between Her Majesty, Her administration and Mr Wallace can ever be re-established.[57]

Accordingly he restricted himself to arranging a more satisfactory settlement for Wallace, including three months notice of retirement, and an increased pension. Hutson was similarly unhappy at the way in

56. Memorandum on Reorganization of Works Department, encl. in ibid.
57. Russell to Hutson, 22 October 1928, ibid.
which the abolition of the posts had been used as a pretext for getting rid of Wallace, but he was reluctant to embarrass the Tongan Government by withholding his approval. However he did make it plain to the Queen that, in future, any matter which would ultimately require British approval should be discussed with the Consul before steps were taken 'that would lead to the embarrassment of the Tonga Government should such approval be eventually withheld.'[58] In July 1929 the portfolio of Minister for Public Works was added to those already held by the Premier, and although Russell believed that the European strength of the Ministry should be increased, Neill respected the Queen's wishes and accepted that there was no necessity for a further appointment.[59]

In 1931 the number of Europeans on Privy Council was further reduced when Darrell-Wall, the Auditor-General, was retired. The incumbent of this post was not an ex officio member of the Council and the Queen did not wish Darrell-Wall's successor to hold Ministerial rank. In 1925 she had suggested to the High Commissioner that Darrell-Wall's transfer would be welcome as a means of reducing the European financial officers in Council, but when Hutson took no action matters rested until Darrell-Wall turned 60 in 1931.[60] Then, despite his protests, he was retired and the post left vacant. The 1930 Legislative Assembly had carried a resolution, moved by Molitoni

58. Hutson to Russell, 8 November 1928, ibid; Russell to Queen Salote, 8 November 1928, BCT 1/6; Russell to Queen Salote, 17 November 1928, ibid.


60. Notes of an interview with the Queen, 6 August 1925, encl. in Hutson to C.O., 13 August 1925, WPHC 4, 1552/1925.
Finau, that the office be abolished, and Neill was in sympathy with this desire. He pointed out that the audit of Tongan accounts cost three times as much as in the British Solomon Islands Protectorate or the Gilbert and Ellice Islands Colony, and suggested that the present European clerk, with Tongan assistants, could easily audit the local accounts.[61]

The problem of the European Chief Justice was not settled as easily. To a much greater extent than that of his European colleagues, the Chief Justice's position was an anomalous one. While his judicial functions required the impartiality of a judge, his executive role as a Privy Councillor implied a high degree of loyalty to the Tongan Government. After the death of Skeen in 1915 successive Chief Justices tended to understand the first but not the second of these two roles. With the selection of the Chief Justice taken out of the Tongan Government's hands, the Queen had no way of guaranteeing that this influential post would be held by someone whose loyalties lay with her Government, or even with the British Consul. H.C. Stronge, the first of the British appointees, challenged the Queen's right to sit on the Privy Council during the Church Union appeal case in 1924, and was amongst those who opposed McOwan's intervention in the finances. His successor, W.K. Horne (1925-9) had been in Tonga some three weeks when he openly challenged the Queen's prerogative to appoint Ministers of the Crown.

At issue was the Queen's appointment in October 1925 of the noble Ata to replace Tupouto'a as Minister of Lands. Ata was close to the Queen; he was also very capable, had been educated at Newington

61. Queen Salote to Neill, 2 June 1931 and subsequent correspondence, BCT 7/1, 52/1931; Neill to Fletcher, 3 October 1931, ibid.
College in Sydney, and was considered one of the most promising nobles for service in the Government. In November 1917 Tupou II had appointed him Minister of Police but two years later he was dismissed for the embezzlement of money collected for the Lord Kitchener Memorial Fund.[62] In 1925 the Minister of Lands, Tupouto'a, was old and frail and, as Queen Salote explained to Hutson, Ata was the only man with the requisite birth, education and knowledge to take over the post. Hutson approved the appointment but, possibly at the instigation of Darrell-Wall, Horne challenged the Queen's prerogative as a means of opposing the appointment and claimed that, according to law, the appointment had to be made by the Queen with the consent of the Privy Council. It was only after considerable legal argument that the Queen's right to make the appointment was confirmed.[63]

A further difficulty associated with the position of Chief Justice was financial. If the salary was high enough to keep a good man, it was likely to be more than Tonga could afford and out of proportion to other salaries. In 1933 C.M. Murray-Aynsley, Chief Justice since 1931, applied for a transfer because he was suffering financially, and his request was endorsed by the Queen on the grounds that the Tongan Government could not afford £900 for a Chief Justice while the financial outlook remained poor.[64] In support of the

62. McOwan to Rodwell, 8 January 1919, WPHC 4, 190/1919; see also WPHC 4, 192/1919.

63. Horne to Queen Salote, 17 October 1925 and related correspondence, PO/KNF 1925 and 1926; Hutson to Salote and subsequent correspondence, WPHC 4, 2581/1925.

64. Murray-Aynsley, application for transfer, 4 November 1933, AT/TA, series A, MP 445/33; Queen Salote to Howard, 1 May 1934, WPHC 23/I, 1238/1934.
Queen's argument, Commissioner Fletcher described the post of Chief Justice as a sinecure and recommended its abolition. His suggestion that the purely judicial functions of the post might be performed by the British Consul met with no support—the duties might well clash and besides, it was unthinkable that the Consul would be in a position, as Chief Justice of Tonga, to be impeached before the Legislative Assembly.[65] The solution put forward by the Queen and Premier and accepted by Fletcher was that the present Secretary to the Premier, Ragnar Hyne, should combine his duties with those of Chief Justice, Chief Police Magistrate and Land Court Judge. While this arrangement made for economy it also ensured the Queen a Chief Justice she knew and trusted; Hyne had worked in the Tonga Government Service—a Director of Education before joining the Colonial Service, and he had proved capable and well-liked.

When Hyne was transferred to the Solomons in 1938 his place as Chief Justice was taken by W.H. Stuart, a graduate of Oxford and Advocate of the Supreme Court of South Africa, who was temperamentally unsuited to life in a small community and to his work under the Tongan Government. He clashed with every other European official of consequence, including the British Consul, the Treasurer and the Secretary to the Premier, and was tactless and dictatorial in his relations with the Government. Under his influence the factions that played about the surface of Tongan politics took on new form; the Queen's opponents found in Stuart a focus for their activities. Throughout his two-year term Stuart failed to understand that he was not a British official but a Tongan Government employee and he

65. Fletcher to C.O., tel., 16 May 1934 and enclosed minutes, ibid; Neill to Fletcher, conf., 29 January 1935 and subsequent correspondence, WPHC 23/I, 545/1935.
frequently appealed to the High Commissioner and threatened the Tongans with the intervention of the British Government. Stuart felt no loyalty towards the Queen and her Government and he also attacked the Consul's supporting role.

From the time of his arrival in Tonga in June 1938 Stuart developed an apparently obsessive hatred for his only European colleague on Privy Council, the Treasurer William Bagnall. The point of departure seems to have been Bagnall's occupancy of a more comfortable house than Stuart's, to which the latter felt he had prior claim. Stuart was obviously piqued that although he claimed to have been informed by the Colonial Office that he would be the 'Senior Official' under the Tongan Government, Bagnall had the better house and wielded considerable influence. In a personal letter to Sir Harry Luke, High Commissioner from 1938-42, Stuart accused Bagnall of not wanting the appointment of an overseas man and of making everything as difficult as possible for him. He went on:

The Tongans have been ridden by Mr Bagnall for a generation and are afraid but tired of him. He is a sort of pocket Shirley Baker. 66

Stuart's chance to discredit Bagnall publicly came with the discovery in March 1939 of the alleged embezzlement over a four-year period of nearly £1,300 by the Tongan clerk in the Treasury, Uliti Palu. Stuart was convinced that Bagnall was implicated in the crime and in this connection publicised Bagnall's reputed affair with a part-Tongan woman who was a cousin of Palu's wife. When the Queen in Council rejected Stuart's advice to hold an inquiry into the Treasury and the character of the Treasurer, he used his Bench as a soap-box. In the

course of a 42 page judgement in the case of Regina v Palu delivered on 5 May 1939, he denounced Bagnall's public and private conduct, accused him of perjury, and pronounced him so blameworthy as to be 'pecuniarily liable' for Palu's crime.[67]

By the end of March 1939 relations in Cabinet and Privy Council had become so strained that normal meetings were suspended for three months. Social functions were also affected; Stuart refused to meet Bagnall socially on the grounds that he had committed perjury although no charge was ever laid. It seems that Stuart had in mind a more resounding defeat for his colleague. After concluding his judgement in the Palu case, he explained to those present in the Court the procedure for impeachment of a Minister of the Crown. Acting on Stuart's advice, the Minister of Police, Sioape Kaho, refused to lay a charge of perjury as requested by the Premier, but on 11 July filed notice of his intention to impeach Bagnall before the Legislative Assembly on the charge of giving false explanation while on oath.[68]

A.L. Armstrong, Agent and Cons.1 from December 1937 to July 1943, regarded the impeachment of one European Minister at the instigation of another as 'highly detrimental to the government and to European prestige', and the Queen and Tungi had no intention of allowing the impeachment to go ahead.[69] On 12 July Bagnall sought permission to retire on the grounds that his health had suffered considerably from the strain of the past few months, and the Queen accepted his

67. See extract from the Chief Justice's Judgement in Pacific Islands Monthly, 15 August 1939.
resignation.[70] With Armstrong's approval, she also retired Sioape Kaho as Minister of Police. The immediate grounds were his refusal to charge Bagnall with perjury, but he was also accused of having refused to carry out prison reforms and the collection of poll tax arrears as directed by the Privy Council. It was obvious that Kaho was working against the Queen and had 'consistently acted in a manner highly detrimental to the government's interests.'[71]

Under the tutelage of Stuart, members of the Legislative Assembly argued that the retirements had the effect of 'annihilating the efficacy' of their prerogative of impeachment.[72] The Address in Reply at the opening of parliament, clearly inspired by Stuart, adopted a very critical tone and threatened further action in lieu of impeachment. The opportunity came during consideration of an Indemnity Ordinance which required the Assembly's ratification. The opening of the Assembly had been delayed till 1 August to allow Bagnall time to retire and also, according to Tungi, 'in the very great hope that the Chief Justice will no longer be in Tonga when the House assembles'.[73] The postponement required a simple Act of Indemnity, the form of which had finally been agreed upon at a meeting between the Premier, the Chief Justice and the British Consul, and subsequently approved in Privy Council. When it came before the House however, the Chief Justice moved its amendment by the addition of


several clauses, the most notable of which declared that 'no pension whatsoever shall be payable as of right' to Bagnall, and went on to stipulate that if he was granted a pension, half of it would be deducted prior to payment until the sum misappropriated by Uliti Palu was repaid to the Government. Until this was complete, Bagnall would not be permitted to live in Tonga. Other clauses cancelled all debts owing to the Government by Sioape Kaho (some £200), specifically approved all the Chief Justice's actions, and provided a complete indemnity, criminal or civil, for anything said or done between April and July by everyone in Tonga except the Premier's Secretary and the Treasury officials.[74]

In consultation with Luke, the Queen resubmitted the Bill to the Assembly, seeking the withdrawal of the amendments, and at the same time personally informing Stuart that as a Minister she expected him to support her appeal. The Assembly then withdrew the Bill as a whole, leaving the Ordinance to stand as law pending referral of the disputed clauses to the High Commissioner. Luke believed the clause concerning Bagnall 'savours of persecution', and that the selective indemnity was 'dangerous, unjustifiable and unnecessary'.[75] Acting on his advice, the Privy Council approved the Bill in its original form, and settled the matter of Bagnall's pension as a separate issue.

Although the Bagnall matter was settled, Stuart continued to create difficulties. In a letter to the Queen in July 1940, Tungi summed up the Government's objections to him:

For a considerable time it has been apparent that His Honour the Chief Justice would not work in concert with Your


Majesty's Cabinet or Privy Council and his attitude of domination has, in my opinion, been extremely prejudicial to the good working of Your Majesty's government.[76]

During the 1940 sessions of the Legislative Assembly, Stuart was involved in a move by one of the people's representatives, Afuha'amango, to impeach all five Tongan Ministers, including the Premier, Tungi. Although the charges were flimsy and those charged found not guilty, there was considerable consternation in the Government and Stuart, who heard the charges, was considered to have organised many of the representatives:

Though His Honour's actions, definite factions have been created in Your Majesty's Kingdom, and the position is becoming increasingly difficult.[77]

Queen Salote was convinced that affairs in Tonga would not return to normal until Stuart was removed. In May 1939 she had appealed to the Colonial Office to transfer Stuart but, following a visit to Tonga in August 1939 by Ronald Garvey, Assistant Secretary to the Western Pacific High Commission, the Colonial Office had rejected her appeal. While Garvey regarded Stuart's methods as unsatisfactory, he was not convinced that the difficulties were all his own making and had believed there were good grounds behind some of his attacks.[78] In July 1940, however, the Colonial Office bowed to the Queen's renewed appeals and appointed Stuart Second Puisine Judge in British Guiana from October 1940.[79]

76. Tungi to Queen Salote, conf., 17 July 1940, PO, unsorted papers.
77. Ibid., Chief Justice Stuart's Book, Item 141, Tongan manuscripts, La Trobe Library.
78. Garvey, Report on visit to Tonga from 10-24 August 1939, BCT 7/I, 315/1940.
Although the Colonial Office agreed to the transfer of Stuart, its officials were not convinced that the difficulties in Tonga were merely a reflection on his conduct. Stuart was, after all, a member of the British Colonial Service. To avoid future deadlock Queen Salote, supported by Luke, suggested that the executive functions should be removed from the Chief Justice post by constitutional amendment, thus rectifying an 'anomalous and undesirable situation.'[80] But officials in London believed this reform would meet only a part of the Tongan problem. Taking up a suggestion made by Garvey they urged that the situation in Tonga required careful examination and that it would be a mistake to try piecemeal expedients. The Stuart troubles demonstrated that

the Tongan Constitutional and administrative machine is not functioning to best advantage and points to desirability of obtaining expert and detached advice on need for an overhaul of machine.[81]

Accordingly the Colonial Office arranged for H.E. Maude, Administrative Officer and Chief Lands Commissioner in the Gilbert and Ellice Islands Colony and 'an experienced administrative officer of outstanding ability', to act as British Consul during Armstrong's leave with a view to his undertaking the proposed investigation.[82]

Without exception, those closer to the Tongan Government opposed the Colonial Office proposal for an enquiry as an unwelcome and unnecessary intrusion into Tongan affairs. Although Queen Salote had approved Garvey's suggestion in November 1939, before the war intervened, she was now reluctant to accept the enquiry and pointed


out that:

It is much easier to ensure the approval of Parliament to alterations and changes if they come from within rather than what may seem to be pressure from without. [83]

Sir Harry Luke supported her contention that

A marked trait of the Tongan character is distrust and easily aroused resentment of anything which appears to him as a reflection on things Tongan; and he would no doubt regard such an enquiry not only as a serious reflection on his Government Institutions, but as an attempt at interference with his system of Government. [84]

Further, neither Luke nor Armstrong believed there was so much wrong with the Government that it required a special investigator to unravel. No convincing evidence of serious abuses had been produced. As Armstrong put it:

The government can of course be improved but there is nothing radically wrong and there is no corruption. The Tongan Government is 100% loyal and that means a lot. [85]

Luke went even further in his support for the existing system in Tonga, arguing that:

No matter what the result of such an Inquiry might be, so long as Tongan nature remains as indolent and easy-going as it is, no speeding-up of the administrative machine can be expected. [86]

In the face of these objections and the Queen's reluctance, the Colonial Office agreed to tone down its proposals. Initially, agreement was reached on the appointment of a temporary Chief Justice, who should make recommendations for improvements. But when it was

83. Queen Salote to Armstrong, conf., 3 March 1941, PO/Her Majesty's Department 1941.
revealed that a suitable appointment would involve the expenditure of
some £1750 of Tongan Government money, the Queen was reluctant to
proceed. Not only were the economy depressed by the war, but there
was also the difficulty that 'these large honorariums often provoke
discontent in the Public Service'.[87] The Queen wanted an
appointment more within the Tongan Government's ability to carry and,
with Maude's support, she argued that the judicial work normally dealt
with by the Chief Justice barely justified the expenditure on his
salary and left him 'with time on his hand: to create mischief'. At
Maude's instigation, a new arrangement that obviated the need to
appoint a permanent Chief Justice or to amend the Constitution was
agreed upon. The more important judicial duties, in particular
appeals, were to be carried by the temporary appointment, when
necessary, of a visiting judicial commissioner as Chief Justice.
Other duties were to be absorbed by the Chief Police Magistrate, which
post would be held by a Secretary to Government with legal
qualifications.[88]

Central to this proposal was the recommendation that the post of
Secretary to the Premier be upgraded to that of Secretary to
Government, and filled by the secondment of a Colonial Administrative
Service employee from Fiji or the Western Pacific. Maude and Luke
could hardly lay enough stress on the key importance of this post, on
which much of the responsibility for the efficient working of the
administration depended. Gurry had also recognised this in 1939 and
had recommended the abolition of the post of Secretary in favour of a
senior clerkship, and the expansion of the British Consul's duties to

87. Queen Salote to Maude, 4 August 1941, BCT 7/1, 315/1940.
1941, WPNC 23/1, 4575/1940.
include those of official adviser to the Premier. Garvey believed this would allow the Consul to 'have his finger on the pulse of Tongan administration', but his superiors were not keen on the Consul becoming a member of the Tongan Government. [89] Instead, Maude advocated that an experienced Secretary, placed in 'the very nerve centre' of the Tongan Government would not only 'ginger up the whole administrative machine but...exert a personal influence which would be all the more powerful coming, as it would, from inside the Tongan service itself.' [90] The Queen and Tungi gave their full support to the proposal and in October 1941 J.K. Brownlees, a barrister and member of the Colonial Administrative Service who had been a District Officer in the Solomons, was appointed Secretary to Government, Chief Police Magistrate and Legal Adviser to the Government.

In recommending these arrangements to the Secretary of State, Luke had argued that an enquiry into the administration was neither necessary nor desirable. Eventually, the Colonial Office agreed that in place of its original 'fault-finding investigation', Maude should remain in Tonga for a month after Armstrong's return to advise on a possible reorganisation of the public service. Maude had quickly gained the confidence of the Tongan Government, and had proved himself tactful and discreet enough not to provoke friction. At the Queen's invitation he was requested:

To review the existing organisation, emoluments, and other conditions of employment of the Public Service of the kingdom of Tonga, and to make recommendations for any changes which may be considered desirable. [91]

89. Garvey, Report on visit..., BCT 7/I, 315/1940.
His enquiry was confined to that section of the Tongan service which was normally staffed by personnel obtained from overseas, as well as members of the Ministry, since some of their number had hitherto been non-Tongans.

Maude's report, which was accepted with minor alterations by the Tongan Government in 1942, contained two major recommendations. The first was that in future all positions on the Privy Council and Cabinet should be held by Tongan subjects. It was difficult for Europeans, even with the best of intentions, not to 'exert an undue personal influence in the direction of purely Tongan affairs.' Maude recommended that the post of Auditor-General, which had not been filled since Darrell-Wall's departure, be finally abolished and that the post of Minister of Finance be separated from that of Treasurer and held by a Tongan. This latter recommendation was never fulfilled and one European remained on Privy Council until 1960. Maude also stressed the urgent need to train Tongans to take over as many as possible of the 26 positions then held by Europeans. His views in this regard were entirely in sympathy with those of the Tongan Legislative Assembly.

The second major principle underlying the report involved the secondment of Colonial Service officers to fill certain key posts. Although Maude described the system of government as 'ideal in its way', he nevertheless acknowledged a need for some 'gingering up':

It is true that this fillip is meant to be given by the leavening of Europeans in the service, and yet what have we provided the Tongans with up to the present — a lot of not very superior New Zealanders and Australians, mostly on temporary contracts, and an impossible Chief Justice — and this to deal with a race with whom manners and good breeding are instinctive.

92. Ibid.
93. Maude to Luke, 1 July 1943, WPGC 25/1, CF 81/6 vol.I.
By the employment of Colonial Service officers, Maude hoped to convert the Tongan service from 'a very second class affair' into one 'as good as that of any British colony'.[94]

Maude's recommendation for a close relationship between the British Colonial Services and the Tongan service was accepted by the Privy Council. Due to a shortage of officers during the war and the Tongan Government's refusal to provide inducement by way of high salaries, however, few posts other than that of Secretary to Government were actually filled from the Colonial Services. Nevertheless, in Luke's opinion, the Privy Council's decision was 'an eloquent indication of the trust which the Tongan people now repose in the good faith and intentions of His Majesty's Government, and their fervent desire to maintain and strengthen the British connexion.' As Armstrong pointed out, not many years previously the Government had flatly refused to employ a medical officer in the Colonial Service for fear that the link 'would go a long way towards the destruction of their own independence as regards local self-government.'[95] It was for this very reason that the Colonial Office advised against the adoption of Maude's proposal for the scheduling of eight Tongan positions with the Colonial United Services for pension purposes; the Colonial Office pointed out that as a result of an impending reorganisation, the Tongan Government would lose control over the posts.[96]


96. C.O. to Mitchell, 10 February 1943, BCT 7/I, 133/1941.
MAUDE'S report and the arrangements worked out in the wake of the Stuart troubles demonstrated the extent to which the British Government was content to use its influence in Tonga to support the status quo. Through the rest of the 1940s, despite the death of the Queen's consort and Premier, Tungi, in July 1941 and the disruptions of the Second World War, the role of the British Consul in Tonga underwent little change. In part, this was due to the character and abilities of Solomone Ata, who was Premier from July 1941 until December 1949. At the time of his appointment Ata was already 62 and was apparently anxious to retire from the Government which he had served as Minister of Lands since 1925. His decision to carry on was made 'out of loyalty to the Queen', in the absence of any other suitable contender for the post. [97] In a sense his eight-year term as Premier was a caretaker one, for it was openly acknowledged even in 1941 that the job merely awaited the readiness of the Queen's eldest son, Tupouto'a, then only 23. Ata was, as Maude remarked, clearly the only man who could act as Premier until Tupouto'a, himself so clearly fitted by both rank and ability, had gained a little more experience. [98]

Ata was amongs... the most experienced and capable of the nobles but he was not of the same calibre as Tungi. Perhaps one of his most outstanding qualities was his unswerving loyalty to Queen Salote, with whom he was on terms of closest friendship. Throughout the political troubles of 1941 he had supported her unstintingly and like Tungi, Ata was sympathetic towards the British presence -- as a young man he had been one of those calling for British intervention against Tupou II. Despite strong pro-Tongan sentiments, which caused him to be seen at


98. Ibid.
times as a hater of the papalangi (white man), Ata had a good working relationship with the British Consul and continued the unofficial consultations of Tungi's era.

As Maude had predicted in 1941, the presence of a capable and experienced administrator in the position of Secretary to Government contributed significantly to the smooth running of the administration, particularly after the death of Tungi. Ata relied heavily on Brownlees and later on P.A. Richardson, who replaced him in 1947 on secondment from Nigeria. Moreover, with the Secretary and the British Consul both members of the British Colonial Service, the chances of cooperation were enhanced. This did not mean that the Secretary to Government saw his loyalty as primarily to the British Consul. C.W.T. Johnson, Consul from June 1943 to March 1949, pointed out in 1945 that the views of the Tongan and British Governments were by no means always identical, and that both he and Brownlees always tried to avoid the slightest suspicion that they acted as a 'Bloc' against the Government.[99]

Johnson was as aware as many of his predecessors that his authority in matters of general administration was 'based entirely on goodwill -- there are no Treaty sanctions by which the British Government can enforce its will'.[100] He was therefore careful, like his more recent predecessors, to foster Tongan goodwill towards the British connection and to engender an atmosphere of trust by treating Tonga's independence as a real thing as far as possible. For this reason both Johnson and the High Commissioner, Sir Brian Freeston,

urged the Colonial Office not to apply wholesale to Tonga the provisions of the 1948 British Nationality Act. The Tongan Government feared that its subjects might qualify as British subjects on the basis of residence in Tonga, and it did not want the status of Tongans within the Kingdom changed in any way. Following on their representations, the Colonial Office agreed to compromise; while Tongans would be able to claim the benefits of British Protected Persons when travelling outside Tonga, their status would not otherwise be affected.[101]

The delicate question of how far it was possible, or wise, to press the Tongan Government to accept advice contrary to its own wishes, appears to have come into prominence on only one occasion during the 1940s: in 1948 the Colonial Office objected to a proposed revaluation of Tongan currency to bring it into line with that of New Zealand. Somewhat hastily perhaps, the High Commissioner was instructed to press his advice against revaluation. In reply to the Secretary of State, Freeston stressed that he knew of no provision justifying him in insisting that the Tongan Government must accept his advice in the matter. He believed that the Tongans should be left with the impression that the responsibility for the decision lay in their own hands, and he pointed out:

My immediate concern is that if I had to press to the point of a formal demand advice which could not be clearly shown to the Government of Tonga to be in their interests, our present excellent relations might be seriously disturbed and an atmosphere of suspicion and distrust recreated.[102]


Ultimately the Tongan Government accepted the British viewpoint without the need for a formal demand, no doubt owing in part to the 'excellent relationship and mutual confidence between us and Tonga' of which Freeston boasted.[103]

The first three decades of Queen Salote's reign had seen the stabilisation of Tongan-British relations and the growth of informal British influence over the Government. It was a comment on the relationship that, during the Second World War, American Navy personnel stationed in Tonga regarded the Consul as 'an unacknowledged governor-general' and found to their frustration that 'the God damn British were always sticking their nose in it'.[104] The War also demonstrated the extent of Tongan loyalty to Britain, for the Kingdom made its resources available to the Allied cause in an outstandingly generous fashion. But, if the War demonstrated the stability of Tongan-British relations over the previous 25 years it also held the seeds of change. While its effects were not overtly political, the War must be regarded as a catalyst of change, if only because of the broadening effect it was to have on the Tongans' experience. Although only a limited number of Tongans saw active service, Tongatapu was host to an invasion of over 10,000 American, and in lesser numbers, New Zealand troops, whose wealth 'more or less bought out Tonga'.[105] Queen Salote, supported by British officials, was anxious to protect her subjects as far as practicable from too much disruption and change, but there can be little doubt that the troops, their equipment and lifestyle, opened up a new vista in Tonga.

103. Freeston to C.O., conf., 6 April 1949, ibid.

104. 'History of Tongatapu', Tongatapu Advanced Naval Base: Records of the Director of Naval History. (Microfilm in the possession of Professor Glen Barclay, University of Queensland.)

105. Ibid.
CHAPTER 9

The End Of An Era

[It is] inconceivable that Britain would nowadays in any circumstances seek to enforce its will in Tonga by pulling down their greatly-prized flag or interfering with their independence.

During the 1920s and 30s the British Agent and Consul had found acceptance with the Tongan Government as a source of advice and authority. While his opinions were not always decisive and his advice was rarely forced in opposition to the Government, his influence was nevertheless wide-ranging and pervasive. It was to be the zenith of his power. Over the next two decades, changing circumstances gradually pushed him, and British influence generally, further and further from the centre of power. The first recognition of this movement was embodied in the revised Treaty of Friendship between Great Britain and Tonga, signed on 26 August 1958 after four years of deliberations. The Treaty reduced to a minimum Great Britain's influence over Tonga's internal administration and eliminated finally the controversial Supplementary Agreement of 1905. For the first time in half a century the protectorate relationship was clearly defined.

To a considerable extent the movement towards a treaty revision in Tonga was a reflection of world-wide trends: the recognition and development of self-government as a desirable end gained prominence in the period after the Second World War and provided a climate favourable to more local control in Tonga. Within the general context of decolonisation, however, the Tongan treaty revision occurred very early and was markedly free from friction. Undoubtedly it owed its smooth passage to the unique system of government which had developed in Tonga. Although the Kingdom's independence had been compromised, self-government had not been lost, and the principles and practices of governing were not now. The system which had had its beginnings in the previous century had, despite some problems, proved generally satisfactory and both Tongans and Europeans had confidence in the Tongan Government. It is also true that 'decolonisation' in Tonga had begun long before the rest of the world had seen its inevitability.
Since 1912 the British Government had recognised that it had no legal means of forcing compliance with its wishes in Tonga. British influence was dependent on goodwill, on persuasion rather than coercion and above all, on the Tongan Government's willingness to consult the Consul and to accept his advice. The initiative therefore remained in Tonga. By the 1950s members of the Tongan Government showed increasingly that they possessed the ability, as well as the enthusiasm to run the administration without recourse to any external authority, and the British Government had little option but to capitulate. At the most it might seek to slow down the process, and to ensure that certain safeguards remained.

It would be difficult to underestimate the importance to Tonga, as well as to changing Tongan-British relations, of the Crown Prince, Tupouto'a Tungi.[1] In him were combined the reverence accorded his hereditary status, and the awe and respect due to one who had succeeded so outstandingly against the criteria of the modern world. As the eldest son of Queen Salote and Tungi, Tupouto'a Tungi was the direct descendant of the three prominent lines prior to Tupou I's unification of the Kingdom -- the Tu'i Kanokupolu, Tu'i Ha'atakalaua and the Tu'i Tonga. His reputation as the first Tongan to receive a

1. Tupouto'a Tungi was christened Siaosi Taufa'ahau Tupoulahi but was granted the noble titles of Tupouto'a and Tungi. Although he was often addressed by the latter title alone, use of both names in this chapter avoids confusion with his father.
university degree — both a Bachelor of Arts and a Bachelor of Law at the University of Sydney — set him in a commanding position from which to introduce innovations into the Kingdom. His independence of mind did not weigh him down with a resistance to change. Even before his appointment as Premier, Tupouto'a Tungi occupied a position of almost unrivalled power from which he later came to direct the Government practically single-handed.

It was indicative of his authority that when signs of organised political opposition to the Government surfaced in 1941, it was to the absent Tupouto'a that the Queen and her British advisers turned. Soon after the death of Tungi and in the wake of the Stuart troubles, the recently retired Minister of Police, Sioape Kaho, had begun to organise opposition to the Government, advocating the abolition of the poll-tax and accusing the Government of making no effort to find a market for copra. Kaho was organising candidates for election to the Legislative Assembly and, according to Armstrong, early wartime lack of money provided fertile soil for the sowing of discontent. It was clear to Armstrong that the death of Tungi had left no one in the Government really capable of dealing with this situation: 'the only person with sufficient brains and influence to overcome this opposition is Tupouto'a'.[2] With the High Commissioner's approval he advised the Queen to appoint Tupouto'a temporarily as Minister of Education during his holidays in Tonga, and to hold parliament in January so he might attend. Armstrong, in what had become typical British support for the hierarchy, believed that the Royal Family had every right to representation in parliament.

In the event, Tupouto'a's presence was prevented by the outbreak of the Pacific War after Pearl Harbour on 7 December 1941, but nor did Kaho's opposition gain any significant footing. A year later, however, when Tupouto'a returned to Tonga after the completion of his studies in Australia, the Prince was immediately appointed to the Cabinet as Minister of Education. In November 1944 the job of Minister of Health was added to his duties, thus widening his apprenticeship for high office. Over the next few years Tupouto'a Tungi was responsible for a number of innovations, such as the standardisation of the Tongan alphabet in 1943.[3] He used every opportunity to travel widely, an occupation which he continued to enjoy after becoming Premier in December 1945. With his ability and enterprise, and growing experience in government, Tupouto'a Tungi tended to sweep the other Ministers off their feet and met little opposition to his leadership. As the Minister of Police, 'Ulukalala, stated in the course of the 1954 Legislative Assembly:

Tonga has spent money on educating Tungi, and now that he is back well prepared for the work of leading Tonga we in turn should have faith in his leadership.[4]

From the time of Tupouto'a Tungi's rise to prominence in the Government it became clear that he did not share the close links with Britain that had underlain the politics of his parents, and also his predecessor as Premier, Ata. With a typical openness to opportunity, Tupouto'a Tungi saw in other metropolitan powers advantages that outweighed those Britain could provide, and he found no reason to continue to foster British ties. From the late 1940s, partly as a


result of the evidence of American prosperity during the war, he increased his leanings towards the United States and to 'things American', and as Premier he adopted a policy of forging closer ties with the United States. In a manner reminiscent of his grandfather, Tupou II, the new Premier sought advice and expertise from a wide range of sources, acknowledging no exclusive British right to such a role. To him the British relationship appeared to hold no particular virtue or advantage — if anything, it merely placed shackles on his initiative and was therefore a source of irritation. There can be no doubt that he resented the continual reference of government affairs to the British Consul, and that he found the habit of consultation both stifling and unnecessary. Shortly after taking up the Premiership he discontinued the long-standing custom, established by his father in the 1920s, of informal weekly discussions between the Premier and British Consul. Although his relations with the various Consuls were always very cordial, he obviously saw no need for their guidance.

The most irksome of the British controls as far as Tupouto'a Tungi was concerned, was the Consul's supervision of finance. Since 1918 it had been required that the annual Estimates, as well as any proposals for supplementary expenditure, be submitted to the Consul for his approval. This procedure was central to the Consul's continuing influence with the Government but it was a control which Tupouto'a Tungi particularly resented. He wanted, and took, a freer hand in financial matters and the Consul found himself relatively powerless to counteract this trend. While the Consul's approval was still required on special warrants, for example, his opinion was generally only sought after the expenditure had been incurred. Moreover, under Tupouto'a Tungi's Premiership, the Consul was
increasingly left in the dark concerning matters not strictly within his province. Thus it was possible for the Government to embark on major projects, such as a new hotel or a wharf extension, using money allocated annually towards a development fund, without the Agent and Consul being informed. [5] The Consul was also excluded from financial matters through the creation of the Tonga Copra Board, and other quasi-governmental institutions. The Copra Board was set up in 1942 under the Agricultural Organisation Act (1941) to take over from commercial firms the marketing of Tongan copra. The Board was responsible to a newly constituted body, the Council of Agriculture, and was deliberately kept outside the control of the Legislative Assembly and the British Consul.

While Tupouto'a Tungi was thus able to secure considerable freedom within the existing system, he was nevertheless keen to obtain complete independence in financial matters. This desire was first made explicit during the Legislative Assembly session of July 1954 when, as Premier, he put to the Assembly a proposal aimed at removing British financial control. In the form of a motion to the House he advocated the appointment of a Parliamentary Select Committee as a 'Finance Committee' which would 'consider and approve funds to be used by the government'. [6] The proposed committee, which seems to have been based on a somewhat incomplete understanding of the British model of a Finance Committee, would help Ministers in the preparation of the Estimates and be responsible for approving any supplementary expenditure. The Premier made it quite clear that the Committee was to replace the Consul in supervising Tonga's finances. If necessary,

1. Nott to Garvey, 15 January 1955, DCT 6/C, 1/2/1 - I.

an expert financial adviser would be called to the committee, but this would not be the Agent and Consul, for 'Consuls appointed to Tonga are not experts' [7].

Consideration of this subject in the Legislative Assembly naturally led to the question of British control and to the continued existence of the 1905 Supplementary Agreement which, it was assumed, gave the British Consul his authority over finance. Tupouto'a Tungi obviously had scant regard for the Agreement, and he explained to the House that 'it was intended that this Agreement should only be in operation at the time [1905] as a sort of temporary measure, and not a permanent one'. Tupouto'a Tungi expressed his objections to the 1905 Agreement and to British financial control in basic terms: 'We as a kingdom are now wise enough to run our government'. If this involved a change in any Agreement with Britain, then so be it, for there were more compelling issues at stake:

If you love the government, then accept the advice of a Tongan, but if you do not, then do not let a Tongan advise the government. We should appeal to Her Majesty for the amendment of the Agreement so that no foreigner should have further control over the kingdom's finances [8].

Members of the Legislative Assembly who had at first found the finance committee proposal confusing and unnecessary, warmed instantly to the Premier's exposition. The 1905 Supplementary Agreement was still a topic which could arouse considerable depth of feeling amongst most Tongans, as could the suggestion that Tongans should be playing a greater part in running their own Government. The idea of amending or repealing the Agreement was not of course new. Apart from the

7. Ibid.

8. Ibid., Translation of Legislative Assembly debates, 26-27 July 1907, Ibid.
attempts of Tupou II's day, motions for its repeal had appeared quite regularly in the Legislative Assembly.[9] The difference now was that the Crown Prince was the instigator.

The House agreed to appoint a Committee of the Premier and Minister of Works (Tu'iha'ateiho), to prepare a letter for submission to the Queen. This letter, which was adopted by a majority of 16-2 on 27 July 1954, requested Salote to institute negotiations with the United Kingdom to have the 1905 Agreement repealed 'so that Tonga and Great Britain could continue living in friendly relationship under the provisions of the 1900 Treaty of Friendship'. Making reference to the relation of the Agreement to the laws of the Kingdom and the 'freedom of Your Majesty's subjects', the letter detailed the sections of the Agreement still in operation. On the controversial Point 2, requiring the Consul's advice to be taken, it noted that although there was good reason for this in the past, the Sovereign should now be 'free' in accordance with the non-interventionist 1900 Treaty. Finally, the letter recommended the appointment of a parliamentary committee to oversee finance, particularly Special Warrants. The assistance and advice given by British Consuls over the years was acknowledged graciously, but it was made clear that this was no longer required.[10]

Throughout the debates and in the letter, members of the Assembly were careful to acknowledge that the final decision lay with the Queen. Her position was perhaps best summed up by C.W.T. Johnson,

9. See for example motion no. 2 in 1950 Legislative Assembly, AT/TA, Series E, box X, F. 139 a.2. - II.

10. Kalaniuvalu, Speaker of the House, to Queen, re, 22 July 1954, ECT 6/G, 1/2/1 - I.
former British Consul in Tonga, who visited the Kingdom in December 1954 for talks with the Queen.

On the one hand she has a headstrong and impulsive -- and not always very practical -- Premier who likes having his own way and gets the support of all those who feel that Tonga should be advancing more quickly, both politically and economically. On the other hand, there are many conservative Tongans who are very impatient of any change and suspicious of modern trends and new ideas. The Queen's own leanings are rather towards the latter group.[11]

It is clear that Queen Salote did not share her son's enthusiasm for breaking ties with Britain, and neither was she convinced that the time was yet ripe for Tonga to carry its own finances without the Consul's advice. Tonga must never again be at the mercy of unscrupulous men such as the Hutter brothers, whom the Queen blamed for the troubles at the beginning of the century; Queen Salote believed that the Consul's advice in financial matters would prevent this. In an interview in February 1955 with C.R.H. Nott, British Consul from August 1954 until March 1957, the Queen explained that in her opinion Tonga did not yet have enough trained and experienced men; 'Tungi alone, trained in law, is not enough'.[12] Salote was therefore satisfied that Tonga was not ready for full independence, and made it quite clear to the British Government that she wished Tonga's constitutional status as a British Protected State within the Commonwealth to continue.[13]

At the same time, Salote realized that the issue which her son had raised could not satisfactorily be shelved; the desire for greater freedom was likely to grow, not fade away. Moreover, although she saw the 1905 Agreement as justified, and even necessary, under the

11. Extracts from Johnson's notes on his visit to Tonga, 8 December 1954, ibid.


13. Ibid; Nott to Carvey, 6 October 1955, ibid.
circumstances of her father's time, she nevertheless shared some of her subjects' distaste for it. But if a revision of the Treaty was to be carried out, Queen Salote did not want it done in response to the Assembly's letter. She was obviously concerned at the political implications of her position if she instituted negotiations at the request of the Assembly. As she explained to Johnson:

I did not want the initiative to come from our side because I did not want the Members of Parliament to feel that any change would be the result of their pressure. I wanted the initiative to come from the other side.[14]

It was thus with 'an obvious sense of relief' that she heard from Johnson that some consideration had already been given in British circles to a revision of the Supplementary Agreement. Sir Ronald Garvey, who as Governor of Fiji and Consul-General for the Western Pacific had been responsible for Tongan affairs since the High Commissioner's headquarters were moved to the Solomons in 1952, had apparently decided as a result of his visit to Tonga the previous May, to take the matter up with the Colonial Office while on leave the following year. Queen Salote therefore merely acknowledged the Assembly's letter, informing them that she wished for more time to consider this very important subject.[15] She made no official approach to the British Government, and the Tongans took no part in framing the revision, which was presented for their agreement early in 1958.

Although it cannot satisfactorily be claimed that the initiative for a treaty revision came from the British side, British officials were nonetheless in favour of the idea and were content, for the

14. Johnson, notes on visit to Tonga 1954, 8 December 1954, ibid, annex.

15. Secretary to Queen Salote to Speaker of Legislative Assembly, 14 August 1954, encl. 2 in Garvey to C.O., 12 March 1956, ibid.
Queen's sake, to maintain the fiction that the suggestion was their own. Since the Second World War, the context of world opinion had been leaning increasingly towards acceptance of self-government for colonial peoples, and while it emphasised the need for guidance, and the development of acceptable social and economic conditions, the British Government was not averse to the devolution of responsibility within this framework.[16]

British acquiescence in a treaty revision for Tonga was made easier because the revision did not seek to create changes in the existing position so much as to formalise changes which had already taken place. It was obvious that the 1905 Agreement no longer described the relationship between the two Governments; in the Memorandum that accompanied the revised Treaty presented to the Tongan Government in 1956, the British Government acknowledged that the 1905 Agreement had been 'designed to meet a particular temporary situation which has long since ceased to exist'. The new Treaty, which would consolidate into one document the various existing treaties and agreements, was, as the official Memorandum described it, 'an attempt to reflect the changes which have taken place since 1900, in a form which recognises the increased capacity of the Government of Tonga to manage its own affairs'.[17]


From a British point of view the treaty revision also had the advantage of clarifying the position of the Agent and Consul by setting out clearly those matters which required formal consultation. Although the Consul's role had long evaded definition, it had become shrouded in uncertainty because of the Premier's desire for greater freedom. In 1950 the Colonial Office, in writing to Sir Brian Freeston, High Commissioner, had admitted:

The fact is that our legal advisers find it impossible to define in precise legal terms the constitutional relationship between the Kingdom of Tonga and the United Kingdom in the light of the very vague wording of the Treaty of Friendship and the even more primitive phraseology of the 1905 Note of Points.[18]

Soon after his arrival in August 1954 Nott stressed the urgent need for a re-definition of his position as Consul. Nott felt that he was kept deliberately in the dark over some important issues and that, as a result, his position was an unpleasant if not an impossible one. If major proposals should conflict with British Commonwealth policy, or with the interests of British or foreign subjects in Tonga, the Consul had no recourse but to protest and report matters to his superiors, by which time he was probably dealing with a fait accompli. This kind of 'back-door relationship' was, he believed, no way for the British Agent and Consul to be discharging his duties.[19]

Following Garvey's discussions at the Colonial Office in mid-1955, the Secretary of State announced that he was prepared in principle to consider proposals for a revision of the Treaty.[20] Detailed consideration of the proposals took three years. The delay was in part a reflection of the low priority given the revision by

19. Nott to Garvey, 16 November 1954, BCT 6/S, 4/1/7 - I.
20. C.O. to Acting Governor of Fiji, 9 August 1955, BCT 6/C, 1/2/1 - I.
British officials, but there was also some feeling that matters should not be delayed too long. Apart from the need to provide a response to the Legislative Assembly's request, British officials were aware that at Queen Salote's death Tupouto'a Tungi would succeed to the throne, and that his independent views might present a risk to the kind of revision they envisaged. In March 1956 Garvey reminded the Colonial Office that it was most desirable that any revision of the Treaty should be effected while the Queen was still on the throne,

to influence the government with her wisdom, her intimate knowledge of local affairs over a greater part of the present century, and with her strong feelings of loyalty and high regard for her kingdom's association with the United Kingdom.[21]

It was quite clear that the British Government had neither the intention nor the desire to abandon all of its responsibilities in regard to Tonga. Independence, as opposed to greater self-government, was not a considered option at this time. The Queen had made it clear that she wished Tonga to continue as a Protected State, and British officials saw the need to support her in her 'very sane and careful approach to change'.[22] Despite the Premier's confidence in himself, his Government and the members of the Legislative Assembly, British officials still saw the need for safeguards. Nott pointed out, for example, that the general standard of debate in the Assembly did not produce much faith in the competence of the members.[23] He was also aware that Tongan members of government or quasi-government bodies were likely to follow blindly the direction given them by their Premier and Crown Prince, and that some countervailing influence might


22. Extracts from Johnson's notes on his visit to Tonga, 8 December 1954, *ibid*.

23. Nott to Garvey, 16 November 1954, BCT 6/S, 4/1/7 - I.
be desirable. There was no question in British minds that British advice and expertise were still essential. The Memorandum accompanying the Treaty made clear that Tonga would continue as a Protected State within the British Commonwealth, and that the Treaty had been drafted

with a view to giving the Government of Tonga the maximum independence of action and control over its own affairs as is consistent with its constitutional status and its present state of development'.[24]

These two criteria allowed the Tongan Government, in British opinion, considerable freedom over its internal affairs. According to the Memorandum, the general aim of the revision was 'to recognise the right of the Government of Tonga to manage its own domestic affairs', subject to British oversight of a few clearly-defined matters. Clause 2 of the 1905 Agreement, which placed the King of Tonga under a general obligation to consult the British Consul and take his advice, was described in the Memorandum as 'unnecessarily wide in its effect and creates rights to intervene in the internal affairs of Tonga which are no longer justified'. These rights of intervention had not been exercised for several decades, and their retention was bound, as the Colonial Office noted, merely to irritate Tongan opinion.[25] Since the Tongan Government had, to all intents and purposes, been managing its own internal affairs for some years, the British Government did not have a great deal to give up. The new Treaty excluded the Government of Tonga from any obligation to consult the British Government over matters of internal administration, except in a few clearly defined cases.


25. Ibid., C.O. to Garvey, 11 April 1958, BCT 6/C, 1/2/1 - II.
These cases were set out in Article V which obliged the Government of Tonga to obtain the consent of the British Government before enacting any legislation relating to defence, banking, currency and exchange, or discriminatory measures against non-Tongans.[26] In the first draft of the revised Treaty, which was prepared in Suva after consultation between Nott, Garvey and other British officials, the Tongan Government was required only to 'consult' with Britain before enacting certain types of legislation. The Colonial Office draft added the need to obtain British consent, which gave the British Government a virtual power of veto over these matters but left no room for ambiguity or deadlock.[27] Of the subjects reserved under this Article, the first and last were not new. The justification for the retention of British control over banking, currency and exchange was based on the British Government's belief that these subjects required 'expert knowledge and experience', not yet to be found in Tonga.[28]

Of the existing internal controls which Britain abandoned under this new arrangement, the most important was undoubtedly finance. Although the related, but more specialised areas of banking, currency and exchange were reserved subjects, the regular submission of Estimates and Special Warrants was to be discontinued. No doubt this decision was made easier for Britain when it was considered that the existing British supervision of finance was, as Nott pointed out in January 1955, 'largely ineffective'.[29] To attempt to win back a measure of control might well have jeopardised future relations. Moreover, the submission of financial matters for British approval was

27. Minute, 22 May 1957, on draft Treaty, BCT 6/C, 1/2/1 - I.
28. 'Memorandum on Revised Treaty...'.
certainly one of the most unpopular of British controls, and had become something of an embarrassing political issue. It was Tupouto'a Tungi's desire to be rid of it that had been behind the 1954 Legislative Assembly request for a treaty revision, and the Colonial Office recognised that the retention of this control was, as Garvey noted, 'unnecessary and now politically undesirable'.[30]

Some change in the management of financial matters had in fact occurred well before the revised Treaty came into effect in 1959. Subsequent to the Premier's motion in the 1954 Legislative Assembly, Nott learned that the formation of a finance committee had been approved, and that the Privy Council had resolved to discontinue the submission of Special Warrants for the Consul's 'approval'. In response to this move, Nott reminded the Premier of the agreement made in 1917, of which the latter was apparently unaware, and asked that the former practice should continue. However, Nott also felt strongly that for the Consul to give his approval to a Warrant which had already been approved by the Queen in Council was 'supererogatory to say the least', and he therefore initiated the practice of merely endorsing the Warrants as 'seen' rather than 'approved'.[31] The practice, which tempered resentment towards the Consul's financial role, continued until the Tongan Government assumed sole responsibility for finance after the ratification of the Treaty in May 1959.


31. Nott to Garvey, 19 October 1954, *ibid*; Note of Interview between the Consul and Premier, 1 November 1954, *ibid*. 
None of the other internal controls which Britain had once exercised by virtue of the Supplementary Agreement was retained. The Consul's right to be consulted over new appointments to the Tongan Civil Service, as established by Points 9 and 10 of the 1905 Agreement and defined in an exchange of letters in 1915, was no longer considered necessary. In practice the habit of consultation over appointments had gradually been lost so that Nott commented in January 1955 that it was now exceptional if the Consul was even informed of any changes among leading officials.[32] The Government was now well aware of the need to employ only efficient officials, and the provision had become a dead-letter. The only other provision of the Supplementary Agreement that found a place in the new Treaty was the fourth point which, in a slightly expanded form, provided for the Acts of the Tongan Legislature and subsidiary legislation to be published in both Tongan and English (Article IX). As Garvey had noted in writing to the Colonial Office in March 1956, the treaty revision was based on the assumption that in future, there will be free and frank consultations on those matters which are of common concern to the Treaty Powers. This is the basis on which I feel that satisfactory relations are most likely to continue in future, rather than by an insistence on direct authority in matters which are clearly now the domestic concern of Tonga...[33]

Although the role of the British Agent and Consul was considerably restricted by the removal of many of his functions relating to Tonga's domestic affairs, there was still a niche for him to fill, if under a different name. The title of Agent and Consul was considered outmoded and after discussion with the Queen was replaced in the new Treaty by 'British Commissioner and Consul'. Article VI(i)

33. Garvey to C.O., 12 March 1956, ibid.
of the Treaty authorised the British Monarch to appoint a suitable person as Commissioner and Consul, to be the medium of communication between the two Governments. His powers included making representations to the Queen or Government of Tonga on any matter affecting the interests of non-Tongans, and he was also authorised to give advice to the Queen or Government should they seek it.

The change in the Consul's title was accompanied by a change in regard to his immediate superior in Fiji. Since 1952 when the posts of High Commissioner for the Western Pacific and Governor of Fiji were separated and the High Commissioner moved to Honiara, responsibility for Tonga and Pitcairn had been entrusted to the Governor of Fiji; it did not make administrative sense for these groups to remain under the High Commissioner. The Pitcairn and Tonga or 'Pitto' Office was established in Fiji as a separate administrative office to deal with Pitcairn and Tongan affairs. The move was not popular with Tonga however, for it seemed to imply that Tonga was in some way subject to Fiji, a situation particularly distasteful to Tongans. In view of 'strong local national feeling and the old antagonisms', Garvey noted that he used his title 'Consul-General for the Western Pacific' rather than 'Governor of Fiji' in dealing with Salote's Government and during discussion of the treaty revision he suggested that he be given a new title to emphasise that he discharged separate functions in respect of Fiji and Tonga.[34] Conscious that the point might seem a minor one to the Colonial Office, Garvey stressed that it was of considerable importance in Tongan eyes. In 1958 with the appointment of Sir Kenneth Maddocks to replace Garvey as Governor of Fiji, the title of 'United Kingdom Chief Commissioner in Tonga' was introduced.

34. Ibid.; Nott to Garvey, 22 February 1956, ibid.
In keeping with the principle of removing restrictions on Tonga's internal sovereignty, the British Government was prepared to reduce the extent of its extra-territorial jurisdiction over non-Tongans in Tonga. These rights of jurisdiction had most recently been modified by an amendment to the Treaty in 1928, by which all civil cases involving non-Tongans, but only serious criminal cases (where the offence was punishable by death or by imprisonment exceeding two years), were tried in the High Commissioner's Court.[35] Criminal cases of a less serious nature were heard in the Tongan Courts. At the time this change was made Islay McOwan, the Agent and Consul, had advocated the gradual abolition of the British Court in Tonga 'which tends to complicate the administration of justice and for which there is no longer any real need.'[36] In this McOwan was only cautiously supported by the High Commissioner and Colonial Office, but by the 1950s his line of thinking was more acceptable. Since the 1952 amendment to the Treaty, by which the Governor of Fiji took over responsibility for Tongan affairs, the High Commissioner's Court had been an anachronism and its legal position was ambiguous. A British Order in Council had provided for the continuation of the Court's jurisdiction but, particularly in view of the Tongan Government's intention to revise its Criminal Procedure Act of 1927 (which gave legal force to the 1928 Treaty Amendment), the time was considered ripe for a change.[37]

35. Agreement between Great Britain and Tonga, 7 November 1928; see Appendix I(vi).

36. McOwan to Fell, 30 January 1925, WPHC 4, 328/1925.

37. Tonga Order in Council, 1 April 1952 and Tonga Royal Instructions 1952; Note by Doyle, BCT 6/C, 4/1/4 - I; Nott to Garvey, 17 September 1954, BCT 6/C, 3/3/1 - I; Nott to Garvey, 15 January 1955, BCT 6/C, 1/2/1 - I.
Opinion among British officials as to the extent to which Britain should abandon its extra-territorial rights in Tonga varied considerably. In first raising the question, Nott pointed out that under the existing system of civil jurisdiction Tongans were at a considerable disadvantage since they must sue non-Tongans before the High Commissioner's Court from which the locally qualified Tongan 'lawyers' were debarred.[38] It was perhaps for this reason that the Colonial Office decided that the Tongan Courts should be given full civil jurisdiction over non-Tongans, but that criminal jurisdiction should remain as it had been since 1928. Officials in Fiji were inclined to go somewhat further -- the Attorney-General, B.A. Doyle, saw no need for the British Government to retain any of its extra-territorial rights, as this was only justifiable if the Tongan Courts were not dealing out justice.[39] While the Governor was inclined towards this argument, the Colonial Office was not convinced that the time was ripe for complete abandonment of British jurisdiction in Tonga. Although it believed that the existing scope could no longer be readily justified, it drew the Tongan Government's attention to

the need to keep Tongan law and the judicial system in accordance with modern practice elsewhere to avoid any doubts which may arise in other countries over the adequacy of the Tongan legal and judicial system.[40]

In this regard specific reference was made to the Criminal Offences (Amendment) Act enacted by Tonga in 1956, which extended the range of offences for which whipping might be awarded as punishment, and to the Criminal Procedure (British subjects and Foreigners) Act, which made

39. Minute by Doyle, 6 January 1956, ibid.
40. Reid to Queen Salote, 30 July 1958, BCT 6/C, 1/2/1 - II; C.O. to Garvey, 11 April 1958, ibid.
no satisfactory provision for appeal. While such 'deficiencies in
Tongan legislation' might stand in the way of the granting of full
jurisdiction sometime in the future, they were not considered an
obstacle to Tonga acquiring full civil jurisdiction under the new
Treaty.[41]

THE terms of the revised Treaty as they related to the Tongan
Government's control over its own internal administration were
designed to take account of 'the independent spirit which animates the
Tongan people'.[42] But the British Government was not prepared to
go too far; the Colonial Office pointed out that 'with the privileges
of protection go obligations'.[43] If Tonga was to remain a Protected
State, it must be prepared to accept substantial limitations on its
sovereignty and independence in the spheres of external relations and
defence. Such surrender of sovereignty was considered in the Colonial
Office to be an essential feature of the status of a Protected State,
and although officials in Fiji advocated a greater degree of freedom
for Tonga, the Colonial Office remained firm.

41. Ibid.; Minute by McKee, 25 April 1958, ibid.; Garvey to Queen
Salote, 30 April 1958, ibid.

42. C.O. to Garvey, 11 April 1958, ibid.

43. Ibid.
In respect of Tonga's defence this occasioned little change to existing provisions under which Britain already exercised a substantial degree of control. The new Treaty clarified the position and brought it up to date, and was also intended to provide protection in the event of subversive activities which might threaten Tonga's internal security. In February 1954, just before the treaty discussions began, the British Government reaffirmed its sensitivity to its defence responsibilities. In a letter to the Premier J.E. Windrum, Agent and Consul from 1949-54, made the position clear:

The Secretary of State particularly wishes that your Government should know that in the role of Protecting Power it is the paramount responsibility of the United Kingdom to ensure that any proposals regarding the defence of Tonga be first referred to him for approval before they can be ratified. [44]

Although Tonga's defence was, in practical terms, handled by New Zealand, particularly after the signing of the New Zealand-Tonga Defence Agreement in 1957, Britain still wished to retain overall responsibility. For the effective discharge of Britain's defence obligations, Article IV of the new Treaty obliged Tonga to permit armed forces to be stationed in the Kingdom, to make land, harbours and other facilities available, and to take such other steps as might be considered necessary by the Protecting Power.

The question of Tonga's external relations was more complex. The Colonial Office was concerned that the existing Treaties and Agreements 'fail to secure to the United Kingdom that degree of control over Tonga's external relations which is appropriate to a

44. Windrum to Tupouto'a Tungi, 15 February 1954, quoted in Coode to Maddocks, 29 December 1960, BGT 3/DEF 8 - II.
protecting power'.[45] The 1900 Treaty, as printed in the Tongan law books, contained no provision to this effect, for Tupou II had refused to sign the missing Article II obliging him to conduct all relations with foreign powers under the sole advice and through the channels of the British Government. Although the British Government had regarded this unpublished Article as binding on the King and had in fact conducted Tonga's external affairs for over half a century on the basis of it, the legal position was at best uncertain. In the revised Treaty the British Government was not prepared to settle for anything less than a clear statement that Tonga's external relations were the responsibility of the United Kingdom. 'Pitto' officials were not happy with this general assumption of control in a treaty revision aimed at transferring some of that control. They believed that the terms of the new Treaty should be 'as generous as possible', and their first draft provided only that Tonga should consult the British Government before entering into relations with other powers.[46] But this increased freedom was not acceptable to the Colonial Office. It was considered essential that the Treaty should state the formal, legal position as was implied by the status of protection.

Within this framework, however, the Colonial Office was prepared to acknowledge and make legal provision for the practice, which had grown up in recent years, of independent action by Tonga on certain external matters. In fact, as the Colonial Office conceded, there might well be difficulty in attempting to limit this independent action.[47] Tupouto'a Tungi (who now styled himself Minister of

45. C.O. to Garvey, 11 April 1958, BCT 6/C, 1/2/1 - II.
46. Draft of Revised Treaty, encl. 6 in Garvey to C.O., 12 March 1958, BCT 6/C, 1/2/1 - I.
47. C.O. to Garvey, 11 April 1958, BCT 6/C, 1/2/1 - II.
Foreign Affairs as the Premier was entitled to do under the Constitution), obviously did not regard the missing Article II of the 1900 Treaty as binding. He clearly preferred to approach outside governments directly, particularly over his own trade and economic projects. His business relations with Holland and Japan, for example, were conducted without the knowledge of the British Consul, as were such matters as a request sent direct to the New Zealand Government in 1954 for a marine survey and correspondence with the New Zealand Secretary for Internal Affairs regarding double taxation arrangements. In the years before the treaty revision the British Government had constant cause to remind the Premier that the proper channel of correspondence, at least over any political or major matter, should be the British Consul.[48]

To clarify the position, the Colonial Office believed it desirable to set out clearly those matters on which independent initiative might properly be exercised by the Tongan Government. This was not done within the Treaty itself, but in a separate despatch accompanying it, thus preserving the formal position in the Treaty. Article III(1) stated simply that:

The external relations of the Kingdom of Tonga shall be conducted by and be the responsibility of the Government of the United Kingdom, except insofar as the conduct of such relations may be entrusted by the Government of the United Kingdom to the Government of Her Majesty the Queen of Tonga.

The Colonial Office again emphasised that the ultimate responsibility for Tonga's external relations, including those to be handled by

48. Note of an interview between Nett and Tupouto'a Tungi, 1 November 1954, BCT 6/C, 1/2/1 - I; See also BCT 2/1, MAR 1; Reid to Garvey, 21 May 1957, BCT 6/C, 1/2/1 - I.
Tonga, remained with the British Government. It was merely the conduct of certain matters, not the responsibility for them, that was being transferred. In addition, the process of transfer was not done by agreement, as 'Pitto' officials wished, but by a unilateral delegation of authority. Although the Colonial Office agreed to avoid using the word 'delegation' in official documents out of consideration for Tongan sensitivities, its officials pointed out that if the authority was transferred by agreement, it would be impossible to revoke or alter the contents except by agreement. The Colonial Office believed it necessary that the British Government should retain, at least in theory, a unilateral power to revoke and alter the despatch should this ever appear necessary. In this way Britain also retained the sole power of interpreting the exact scope and application of such matters.\[49\]

In deciding on the form of the authorising despatch on external affairs, British officials followed the precedent set during the establishment of the Federation of Rhodesia and Nyasaland when the Federal Government was entrusted with certain aspects of its external relations, and also the arrangements worked out in regard to Singapore.\[50\] The first provision authorised the Tongan Government to negotiate and conclude 'agreements of purely local concern...with the administrations of neighbouring Pacific Islands and the Governments of Australia and New Zealand'. While matters of defence, security and civil aviation were specifically excluded from this provision, it included arrangements for the exchange of representatives, the recruitment and secondment of staff, the obtaining of expert assistance and advice, as well as agreements to

49. C.O. to Garvey, 11 April 1958, BCT 6/C, 1/2/1 - II.

50. C.O. to Rogers, 1 May 1957, BCT 6/C, 1/3/1 - I.
enact reciprocal legislation on such matters as taxation and the enforcement of Court judgements. In general, any agreement affecting only the Kingdom of Tonga and the other specified governments would be authorised by this provision. Direct correspondence on matters of purely mutual interest with countries of the British Commonwealth other than those specified was also permitted, on the understanding that any agreements or exchange of representatives must first receive British consent. Further, the despatch authorised the Government to negotiate and conclude trade agreements, whether bilateral or multilateral, relating solely to the treatment of goods (e.g. tariff agreements and customs unions) and it permitted the Tongan Government to become a member of any international technical organisation for which it was eligible, and to conduct any external relations arising therefrom.[51]

The only obligation placed on the Tongan Government in connection with these matters was to keep the British Government informed of any negotiations, mainly so its officials could advise, where necessary, on any international implications. Although this gave the Tongan Government considerable freedom, the powers it gained were not particularly extensive. The despatch did not, for example, allow Tupouto'a Tungi unfettered initiative in his trade and economic projects, especially those involving non-Commonwealth countries. Agreements relating to international shipping, an area in which the Premier displayed considerable interest, were specifically excluded from the delegation. However, one of the advantages of the format of the despatch was its flexibility; it would be possible for further aspects of external relations to be transferred to Tonga without another treaty revision.

51. Despatch on External Relations: Accompany the Revised Treaty, see Appendix I(viii).
As far as those areas of Tonga's external relations not covered by the despatch were concerned, the British Government acknowledged, (in Article III(2) of the new Treaty), a general obligation to consult Tonga on the conduct of its external relations and, in particular, to consult the Tongan Government before entering into international agreements on its behalf. Although the Colonial Office hailed this as recognition of Tonga's advancing development and status, it was in fact a minimal concession. 'Pitto' officials, whose first draft of the Treaty had required the British Government not merely to consult, but to secure the consent of Tonga in the conduct of its external relations, believed the Article would be unpalatable from the Tongan point of view. But the Colonial Office maintained that the necessity to obtain the Tongan Government's consent allowed the possibility of deadlock, and would constitute a limitation on the United Kingdom's effective power to control Tonga's external relations. While the Tongan Government's consent would probably invariably be obtained in practice, the Colonial Office believed this safeguard necessary.[52]

By Article III(3) of the new Treaty, Tonga was required to pass legislation giving effect to international agreements entered into by the United Kingdom on behalf of Tonga, and to any other obligation imposed by customary international law. In 1956, Tongan reaction to the automatic application to Tonga of United Kingdom legislation relating to the International Finance Corporation, had demonstrated the reluctance of the Tongan Legislative Assembly to surrender its powers to make laws. On this occasion the Tongan Government had been extremely reluctant to give Britain carte blanche to issue an Order in Council applicable to Tonga over the status and privileges of

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52. Minute, 22 May 1957, BCT 6/C, 1/2/1 - I; Note on Revised Draft, encl. in C.O. to Rogers, 1 May 1957, ibid.
personnel of the International Finance Corporation, without the prior approval of the Queen of Tonga in Council.[53] This provision of the Treaty was therefore designed to uphold the Tongan Government's powers in this connection. At the instigation of 'Pitto' officials the wording of the Article was altered to take from the Queen the express obligation to secure the enactment of legislation. It was pointed out that in certain circumstances this obligation might be particularly heavy responsibility on the Queen, as the constitution of the Assembly made it possible for the Government to be outvoted. This had occurred as recently as 1955 when a coalition of the nobles' and people's representatives had defeated the Government in connection with the adoption of the Ramage report on salaries. The Article was therefore reworded to oblige the Queen to 'take such steps as may appear to the Government of the United Kingdom to be necessary to ensure compliance with' any international agreement or similar matter.[54]

Although Garvey and other 'Pitto' officials were concerned that the Tongan Government might reject some of the provisions of the new Treaty, the Colonial Office did not anticipate much opposition. In regard to the retention of responsibility for Tonga's external relations, its officials confidently expressed the opinion that there was 'a lot of sugar elsewhere in the Treaty to coat this pill.'[55] Nevertheless, the possibility of opposition to these clauses was acknowledged, and the Secretary of State conceded to Garvey that 'this is something which we cannot force upon Tonga if Queen Salote is


54. Minute, 22 May 1957, ibid.

55. C.O. to Garvey, 11 April 1956(C), DOT 6/3, 1/21 - II.
really reluctant to accept it.'[56] In such a case the Colonial Office was prepared to make amendments permitting the Tongan Government more effective participation in the decisions to be taken under it. One possibility kept in reserve was to follow the 'Pitto' line by conceding that the British Government should secure the consent of Tonga before entering into international agreements on its behalf. It might also be possible to modify the British Government's sole right to decide on matters of defence.[57] The need to introduce such bargaining points would not be known, however, until the British Government learnt of Tonga's initial reactions to the Treaty when it was informally presented to the Queen for her comment in April 1958.

QUEEN Salote's response to the Treaty was distinctly favourable. In a letter to Garvey in June 1958 she expressed her gratitude for 'another milestone in the long history of mutual confidence and friendship that has existed between Tonga and the United Kingdom'.[58] The external relations clauses did not even draw comment, and there were no substantial amendments to be made anywhere in the Treaty. While this reaction might well have been expected from the Queen, given her strong loyalty to Britain, it was somewhat surprising that it was also shared by Tupouto'a Tungi. As a mark of her dependence on

56. Ibid.
57. C.O. to Garvey, 11 April 1958, Ibid.
58. Queen Salote to Garvey, 6 June 1958, Ibid.
her Premier son, and also in recognition that 'he will have to sign for me and carry on afterwards', Salote sought Tupouto'a Tungi's opinion on the documents before responding to the Colonial Office. Perhaps influenced by his mother, and concerned primarily with the Consul's financial control and the fate of the 1905 Agreement, Tupouto'a Tungi appeared quite content with the new Treaty. The revision gave him all he had originally sought, and more. He gave no indication that he regarded the external relations clauses in the way 'Pitto' officials had feared. The despatch accompanying the Treaty gave him considerable initiative in external matters and he was not particularly concerned over Tonga's exact constitutional position. The standpoint which he preferred to take was that in theory Tonga had all the powers of a sovereign state but that in practice the Kingdom was glad to accept Britain's protection, assistance and services.[59]

The only change which Tupouto'a Tungi (and the Queen) sought was the introduction of a provision making it possible for the Tongan Government to appoint what was termed a 'Tongan Commissioner and Consul' in London. Such an appointment would allow the Tongan Government to get expert advice on a variety of subjects and there would be considerable advantage in having a Tongan in London with a knowledge of local conditions. Although the Government had no immediate plans to make an appointment (there being no suitable Tongan available), they had in mind that eventually 'such officer should be recognised as an alternative means of communication between the two Governments'.[60] Since Britain had a Commissioner and Consul, Tonga

[59] Reid to Garvey, 4 February 1958, ibid.; Reid to Garvey, 6 June 1958, ibid.

[60] Memorandum, encl. in Queen Salote to Garvey, 6 June 1958, ibid; Reid to Garvey, 6 June 1958, ibid.
would have one too.

Predictably, the idea of a Tongan representative in London as an alternative means of communication between the Governments did not appeal to British officials; it might induce confusion and lead to a habit of bypassing the British Consul. Nor did the British Government even entertain the possibility that the Tongan representative might deal in any kind of diplomatic or policy matters. 'Pitto' officials felt sure that what the Tongans really wanted was a business representative in London, who would provide a complementary channel of communication in commercial matters. Although the possibility of such an appointment was already covered by the Treaty, the British Government agreed to add a special provision (Article VI(4)) permitting the Queen to appoint such a Commissioner. The word 'Consul' was omitted from his title, and it was made quite clear that the Tongan representative would have no diplomatic status; the British Commissioner and Consul would continue to be the sole channel in diplomatic and policy matters.[61] Tupouto'a Tungi decided it wise to be content with this decision, at least for the time being.

Once Salote and Tupouto'a Tungi had unofficially accepted the new Treaty, the formal concurrence of the Tongan Government was automatic. Although the issue of an extradition agreement remained to be settled, the British Government decided to leave it for further consultation. The signing of the new Treaty took place on 26 August 1958 in the Legislative Assembly and the reaction of the members, no doubt reflecting general Tongan feeling, was charged with emotion. The Treaty itself provoked very little enquiry and no criticism, but it was a matter of great national pride that the Supplementary Agreement

61. Minute, 14 June 1955, ibid; C.O. to Garvey, 8 July 1959, ibid.
had now been formally abandoned. A matter of even greater pride was the simultaneous announcement of the award of an honorary KBE to Tupouto'a Tungi. In the opinion of A.C. Reid, who took over as Agent and Consul in March 1957, the latter announcement completely overshadowed the new Treaty.[62]

With the signing of the new Treaty the relationship between Tonga and Great Britain was, for the first time in over 50 years, clearly defined. Significantly, Britain's role in the Tongan administration was capable of definition because it now rested on consensus rather than British insistence. While the British Government retained responsibility for Tonga's external affairs and defence, the Tongan Government now had internal autonomy, subject only to a few clearly defined limitations, and was no longer subject to the advice of the British Consul whenever the latter saw fit. In his speech at the Treaty signing, Garvey referred to the 'great political changes' that had taken place in Tonga over the previous half-century leading up to the treaty revision. With considerable point Tupouto'a Tungi noted in reply that the changes had occurred not only in Tonga but in the British Commonwealth as well.[63]

The climate of world opinion had begun to swing in favour of self-determination for colonial peoples — a goal which had been as dear to Tupou II as it now was to his grandson, Tupouto'a Tungi — and

62. Reid to the Colonial Secretary of Fiji and encl., 13 October 1958, BCT 6/C, 1/2/1 - III.

had encouraged Britain to relax its hold on Tongan affairs. Nevertheless, it was fitting that Tupouto'a Tungi should sign the new Treaty for it was, as much as anything else, the outcome of his own influence and ability, and his desire for unfettered control. For the most part the Treaty recognised a situation that had already been achieved under his Premiership and, more importantly, it demonstrated that the initiative for change remained within Tonga. For this reason the new Treaty was as much a signpost for the future as an historical landmark; it could be only a matter of time before Tupouto'a Tungi would turn his attention to full independence for Tonga.
CHAPTER 10

Re-entry into the Comity of Nations

Tonga's political position as a result of the forthcoming change will be the same or better than when His Majesty King Tupou I ruled the nation and for the first part of the reign of His Majesty King Tupou II...we will be able to observe completely the clauses of the Constitution of the Kingdom concerning Foreign Affairs and our contacts with other nations of the world.

[Closing Speech of King Taufa'ahau Tupou IV to the Legislative Assembly, 7 November 1969. Tonga Government Gazette no. 13, 23 December 1969.]
With the ratification of the 1958 Treaty of Friendship, Britain's diminishing role in Tongan affairs was confirmed. Throughout the 1950s, under the leadership of the Crown Prince and Premier, Tupouto'a Tungi (henceforth referred to as Tungi), the Tongan Government had kept the British Consul on the periphery of Tongan politics. After 1959 this trend continued. For the most part the British Government was content to take a back seat; its interests in Tonga were served adequately by a nominal presence. From the mid-1960s, however, the Tongan Government, prompted by Tungi who became King Taufa'ahau Tupou IV after the death of Queen Salote in December 1965, began to question the value of the framework of British protection. In practical terms it now placed few restraints on government activities and had no visible effect on Tongan politics. From the mid-1960s the British Government had become a cooperative benefactor rather than an unwelcome intruder, but it was the colonial implications of Tonga's status that irked the new King and the few others who concerned themselves with Tonga's international status. Just as Tupou II had resisted protectorate status in 1900, so Tupou IV wanted the Kingdom to stand alone. On his initiative the Treaty was again revised in 1968 and, in 1970, the last vestiges of British responsibility for Tongan affairs were removed.

THROUGHOUT the 1960s, Tungi continued to wield unrivalled power in government; Tonga was his country and he felt no hesitation in making decisions as to the policies he wished to pursue, or in
experimenting with new ideas for Tonga's development. His boundless enthusiasm and self-assurance, coupled with the socio-political situation, made it difficult for other Ministers to oppose him, especially after the last European Minister of Finance, J.A. Goodacre, retired from the Government in 1960. Sione Latukefu has commented that during Tungi's Premiership, democratic institutions -- the Legislative Assembly and Cabinet in particular -- became mere rubber stamps for Tungi's own policies.[1] To this might be added the Tonga Copra Board which became, under Tungi's chairmanship, a vehicle for his development policies. With the help of Copra Board funds Tungi continued to travel widely, searching for new ideas and expertise. He had become, as one British official commented, a true 'internationalist' and he was fully alive to the advantages of contact with the United States and Japan as well as Tonga's more traditional allies.[2]

Since the 1958 revision of the Treaty, most of Tungi's economic policies were beyond the control of the British Consul. In December 1958 when the Colonial Office noted that the Tongan Government, despite its financial autonomy, could be expected to call on the advice of the British Consul from time to time, the Consul pointed out that this was a 'remarkable mis-reading of the situation'.[3] Even some matters which required British consent under the 1958 Treaty were not brought before the Consul -- the Foreign Exchange Act of 1963, for example, was passed without reference to the British Government. On this matter, as on others of its kind, the British Government was reluctant to press its treaty rights. Late in 1964 when the Tongan

3. Reid to Maddocks, 5 February 1959, SCT 3/POL I - III.
Government indicated a desire, in direct contravention of an undertaking to abide by sterling area practices, to produce a gold coin issue to mark Queen Salote's 65th birthday, the British Government was uncertain how to proceed. If officials took a tough line it was feared that the Premier might press for an end to the treaty relationship. And yet, as A.N. Galsworthy, the Deputy Under-Secretary of State, commented:

It is not much use our having a special relationship with Tonga if we can only preserve it by not seeking to use the influence which it is supposed to give.[4]

Faced with the clear disapproval of the Colonial Office however, Tungi was content to abide by his earlier undertaking.[5]

Under the 1958 Treaty the British Commissioner and Consul underwent a substantial diminution of status and responsibilities. Although the Consul's influence had in practice been circumscribed for some time, the new Treaty formalised the position. Q.V.L. Weston, who replaced A.C. Reid as Commissioner and Consul for a few months in 1959, pointed out that the Consul's former role as adviser had largely disappeared; while Queen Salote continued to receive the Consul on a regular basis, the real executive authority lay with Tungi and his disli; for British involvement did not diminish. Weston acknowledged a continuing role for the Consul as a focal point for British prestige and as a medium of communication for certain aspects of external affairs, but he regarded his duties as primarily social — maintaining good relations with the Tongan Government and providing a connecting link between the Government and the Chief Commissioner in Suva.[6] Sir

6. Weston to Maddocks, 7 August 1959, BCT 6/S, 3/2/1 (c) - II.
Kenneth Maddocks, the Chief Commissioner from 1958–63, agreed with Weston's views, pointing out to the Colonial Office that the post required 'persistent underemployment'.[7] In 1962 E.J. Coode, Weston's replacement, noted that his office was increasingly looked upon as a mere consulate, with official visitors dealing direct with the Tongan authorities on government or commercial matters. Because of the number of official visitors he entertained, he described himself as 'manager of a kind of hotel annexe'.[8]

Despite these limitations on the Consul's official role, there were still opportunities for exercising informal influence. Provided he exercised that 'necessary delicacy of touch' which remained a primary qualification for the post, he could, through direct personal contact with the Queen and Ministers, influence opinion within the Government. The extent to which the Government was prepared to listen depended on a number of factors, mostly personal, and was not necessarily tied to the legal status of the post or the official actions of its incumbent. Age, island experience and personal commitment were all relevant to this informal influence. Reid, in particular, felt that a great deal could be achieved informally by 'a kind of surreptitious planting of ideas' and there is every indication that he had considerable success.[9]


9. Reid's comment cited in Weston to Maddocks, 7 August 1959, BCT 6/S, 3/2/1 (c) - II.
Ironically, perhaps, since Britain had relinquished control over Tongan financial policy in 1958, it was in this area that the British Government exercised its greatest influence from the mid-1960s. British officials had only limited, and often unofficial, access to the Government's economic activities, but they were convinced that Tonga, like its island neighbours, needed planned economic development in order to stabilise its economic outlook. Since 1953 the Tongan Government had allocated surplus revenue to a development fund and by 1961 this had been used to finance among other things a bulk fuel depot, a lands survey, the purchase of government vessels and a broadcasting station.[10] Although the programme was within the financial capacity of the economy, British officials believed the rate of achievement was too low. The problems of rapid population growth accompanied by a shortage of land, and a lack of technical and professional skills, exacerbated the perennial problems associated with scarce natural resources, and demanded increased expenditure on development.

Although the Government had no direct access to the Copra Board reserves, which were in the main built up from a tax on growers intended for stabilisation of prices, the Board, under the chairmanship of Tungi, performed the functions of a development corporation. Through its subsidiary, the Tonga Construction Company, it carried out a number of projects such as the construction of a shopping and office complex, Tungi Arcade, and the construction of the Dateline Hotel in 1965-6. Not all of its ventures were successful however -- the Pacific Coconut Processing Corporation at Pago Pago, which absorbed a considerable amount of Copra Board funds, never began operations. This project, together with the Kingdom's propensity to

attract businessmen of doubtful reputation, increased the British Government's concern for Tonga's economic stability.

To counter these trends, British officials advocated a programme of planned capital development with an emphasis on revenue-producing projects and on agriculture. In the South Pacific Office, which absorbed the Pitcairn and Tonga Office from 1962, there was a strong conviction that Tonga ought to be marshalling its 'not insubstantial resources' for planned development, instead of 'jumping from one disjointed project to another.'[11] Early in 1962, the South Pacific Office hoped to persuade Tonga into accepting the help of V.D. Stace, economic adviser with the South Pacific Commission, in preparing a development plan, but the suggestion was not received with enthusiasm.[12]

Second only to the need for planning, was the emphasis British officials placed on the potentially important role that aid might play in the Tongan economy and also in Tongan-British relations. Unlike the other Pacific territories that had fallen under Britain's shadow, Tonga had not received any substantial aid under Colonial Development and Welfare Acts. Up to March 1962 the total grant to Tonga amounted to £5,560, representing a gift of broadcasting equipment and an offer of three scholarships to study in the United Kingdom, made at the time of the signing of the revised Treaty in 1958. In May 1961 the British Government gave £7,500 towards hurricane relief, but the only other expenditure on Tonga covered the salaries and expenses of the British Consul. Between 1920-1962 this totalled £149,313, compared, for example, with grants-in-aid of the administration in the Solomon

Islands totalling £2,720,126 over the same period.[13]

The reasons for this lack of financial assistance were to be found in Tonga, not Britain. As R.C.G. Strick, Secretary to the Tongan Government from 1961-63, put it, the Government was determined to paddle its own canoe.[14] It adopted a deliberate policy against loan finance or any investment of non-Tongan funds, and held to the principle that all economic development must be financed and conducted as a government or quasi-government enterprise. This policy reflected Tungi's desire to avoid all international obligations and, in particular, to ensure that Tonga did not become too closely tied to Britain. No doubt he was also sensitive to the implication that by accepting British aid Tonga would be joining the ranks of the colonial dependencies. In the euphoria of the copra boom of the mid-1950s, Tungi believed that Tonga's resources were sufficient to allow it to develop without external assistance.

A further obstacle to the granting of Colonial Development and Welfare Funds to Tonga was the Government's refusal to pass the trade union legislation required where any aid project involved the employment of local labour. The Tongan Government was strongly opposed to enacting the legislation and believed that trade unions were unnecessary and irrelevant to the Tongan situation. In 1943 when A.L. Armstrong, then British Consul, first discussed the matter with the Government, he was informed that the adoption of a trade union system would be 'too high a price to pay' for aid -- the Government preferred to forego the possibility of assistance rather than open the


way for 'legally protected agitators' to stir up disputes:

the introduction of Trade Unions legislation would be against the wishes of the individual and ruinous to the country as a whole.[15]

Through the 1950s and early 1960s this attitude showed no signs of change. In looking for opportunities to give aid in conjunction with the 1958 Treaty, the British Government was forced to settle for a gift of broadcasting equipment in order to get around the need for trade union legislation.[16]

Despite Tonga's lack of interest in British aid, the British Government continued to encourage the idea. Its enthusiasm was not only borne of an altruistic desire to contribute to economic stability in Tonga. British officials were fully conscious of the role of aid in fostering goodwill and in strengthening Britain's weakening links with the South Pacific. In 1956 when a revision of the Treaty was under discussion, the possibility of providing aid to Tonga as 'a constant though unobtrusive reminder' of Britain's goodwill, was explored at length.[17] In subsequent years, particularly when the influence of American entrepreneurs as unofficial advisers was causing concern to British officials, they advocated aid as 'the only way of maintaining British influence in Tonga for any length of time'. It was clear that direct intervention in Tonga's internal affairs in order to avert the influence of certain individuals of doubtful standing would be calculated to provoke resentment and cause the Government to become even more reserved in its dealings with British officials. But a 'grand gesture' on Britain's part, with no strings

17. S.P.O. minute, 10 September 1956, ibid.
attached, 'would place Tonga under some sense of obligation.'[18]

Although the Tongan Government held out against the prospect of external aid for many years, economic necessity eventually led to a reappraisal of its attitude. By 1962 Tonga was feeling the effects of a downward trend in the economy caused by a drop in world copra prices, restrictions on its export quota of bananas to New Zealand, a drought in 1958, and a severe hurricane in Vava'u in 1961. Copra still accounted for 80% of Tonga's export earnings but in 1962 the Kingdom was earning less than half the revenue from copra that it had earned in 1959.[19] With no new sources of revenue in sight and a growing balance of payments problem, the financial outlook was poor. From 1962 the Kingdom began deficit budgeting and appropriations for development projects ceased. There was no immediate prospect of financing a sizeable development programme without raiding reserves or borrowing. In talks with Mahe Tupouniuas, Tonga's Minister of Finance, the Colonial Office and the South Pacific Office advocated using at least a portion of Tonga's substantial reserves for development or encouraging private enterprise to build a much needed hotel. But the Government was strongly opposed to both of these courses -- it was determined to maintain control of the tourist industry and refused to touch its reserves, which were regarded as a guarantee of Tonga's continuing autonomy in a time of disaster.[20] Perhaps the lessons of 1917, when the need for a loan had led to the British Consul's oversight of the finances, were not forgotten.

20. Marnham to Maddocks, 11 April 1963, BCT 6/C, 6/2(c) - II.
In 1963 the Tongan Government decided to try to raise an external loan to finance the reconstruction of the wharf at Nuku'alofa and, after visiting the United States, Mahe approached the Colonial Office to explore the possibility of assistance from Colonial Development and Welfare Funds. The decision to borrow for development was a significant turn-around and was taken in the light of economic circumstances and with the encouragement of the Queen. Once this decision had been made, Britain was the logical country to turn to. Mahe had no success in raising a loan in the United States, and Britain had already intimated that it was willing to look into the question. Tongan sensitivities towards external influence had to be sacrificed to economic need.

In June 1964 the Colonial Office made a formal offer of aid in response to Mahe's approach. Although there was an awareness that any conditions attached to the offer would cause irritation in Tonga, the Colonial Office was not prepared to waive its requirements. Aid would be provided only after a detailed assessment of Tonga's needs had been carried out -- for this purpose J. Inman, an economist with the Colonial Office, was sent to Tonga in December 1964 and, on the basis of his assessment, the British Government agreed to provide extensive aid. An initial allocation of £50,000 for a coconut rehabilitation programme was approved provided it did not require the use of paid labour. Any further allocation for projects involving the use of labour would be dependent on Tonga passing trade union legislation. Finally, the British Government required an undertaking from the Tongan Government that it would conform to sterling area practices in regard to the issue of gold coin. This would mean restricting the issue of gold coinage to rare commemorative occasions, and not using it for revenue-raising purposes as advocated by certain of the
Premier's American friends.[21]

Britain's offer and the conditions attached to it were accepted and approved at a special meeting of the Tongan Cabinet on 3 June 1964. In October the Legislative Assembly, after a lively debate, passed legislation providing for the establishment of trade unions in Tonga. No trade unions have ever been registered under the Act, and the level of its relevance was perhaps reflected by those members who reputedly asked whether the legislation would apply to the Union Steamship Company or to the Tonga Rugby Union.[22] With Inman's assistance Tonga's first Development Plan, for 1965-70, was prepared and British aid began flowing to Tonga. Over the first three years of the Development Plan Britain pledged over £680,000, of which £200,000 was a loan for the redevelopment of the Nuku'alofa wharf. For the most part Britain provided direct grants for development projects; for example it met 90% of the cost of the new Vaiola Hospital, of a five-year road improvement programme and of a new police training school.[23] Under an agreement signed in August 1964, Britain also provided aid under the Overseas Service Assistance Scheme, or OSAS, which supplemented the salaries of certain expatriate officers. In this way the British Government was able to encourage the appointment to Tonga of competent and experienced expatriate officers.

The introduction of substantial amounts of British aid to Tonga opened up a new chapter in British-Tongan relations. Although it has since been complemented by aid from other sources, including the United Nations Development Plan and the Australian and New Zealand Governments, British aid provided a significant input and encouraged detailed development planning. At a time when links between the two Governments were becoming increasingly slender, British aid forged new ties which allowed Britain some oversight of Tonga's development without compromising Tonga's autonomy. A British financial adviser, W.J.R. Pincott, in effect took over the Consul's former role in finance. Like the Consuls, however, he found that he was not always privy to the Tongan Government's economic plans. Tonga had compromised on its opposition to foreign aid but not on its aversion to outside interference.

DURING the meeting in June 1964 at which Tungi accepted Britain's offer of development aid, he also raised the question of Tonga's future political status. His main concern was the conduct of Tonga's external relations and he intimated that Tonga might soon seek full independence from Britain and an end to the Treaty of Friendship. In the wake of Britain's offer of aid, Tungi emphasised that he did not wish for any diminution of Tonga's friendly relations with Britain, but he argued that Britain was inevitably too remote from Tonga to be able adequately to protect and promote Tongan interests. He wanted to be free to make arrangements for direct representation in the
countries with which Tonga was most closely associated: a Tongan
legation in Washington, for example, would be able to tap American aid
and look after the welfare of Tongan students in the United
States.[24]

Tungi's unexpected and radical démarche surprised Sir Deryck
Jakeway, the Chief Commissioner, and also the Colonial Office.
Jakeway's satisfaction at receiving a prompt answer to the offer of
British aid was tempered by the realisation that Britain was merely
one of the aid sources that Tungi hoped to tap. The scale of dollar
aid evident in American Samoa had obviously impressed Tungi, but
greater access to aid was not his primary concern in opening the
question of Tongan independence; he was as much concerned with
Tonga's status and prestige as with the practical implications of
independence. Tungi resented the colonial implications in the
existing Treaty relationship and preferred to regard Tonga as an
independent state in voluntary association with Great Britain. Far
from accepting the Colonial Office view that control over external
affairs and defence were rights which Britain had not yet relinquished
to Tonga, he perpetrated the fiction that under the Treaty an
independent Tonga had granted certain rights to the British
Government.

Tungi's decision to seek a return to independence was in no small
way influenced by the independence of Western Samoa from New Zealand
on 1 January 1962. Tungi had for some time taken a great interest in
Samoa affairs, and his proposals for a Tongan-Western Samoan customs
union and other schemes suggested that he hoped to reassert Tonga's

former imperialist role in the Pacific.\[25\] In 1959 Tungi urged upon Western Samoan officials the British-Tongan Treaty as a model for Western Samoa's future relationship with New Zealand, arguing that small countries could not afford to maintain diplomatic posts abroad, and commending Britain's handling of Tonga's interests. For a time opinion in Samoa favoured the British-Tongan model but, against the background of mounting pressure from the United Nations and strong Samoan nationalism, it was decided that Western Samoa should proceed to full independence. According to Reid, this decision led to a marked change of attitude in Tonga. Hitherto Tonga had taken great pride in being the only Polynesian kingdom to survive into the twentieth century. Now, however, Western Samoa was claiming to be the only independent Polynesian state. An announcement by the Crown Agents in connection with a Western Samoan stamp issue in 1966 added fuel to the fire by describing Western Samoa as 'the world's first fully independent Polynesian state.'\[26\]

Matters of prestige aside, Tungi found little to justify the continuation of the existing relationship with Britain. In discussions with a visiting Australian official, R.N. Hamilton, in November 1964, he made it clear that in his view Tonga gained no substantial advantages from the Treaty. In fact, he believed the Treaty to be outdated and restrictive and no longer serving the interests of Tonga. In particular Tungi resented the limits the Treaty placed on his freedom of action in the fields of shipping, civil aviation and foreign relations. He argued that the British Government had a limited knowledge of Tonga and could not be expected to handle Tonga's foreign relations in a manner to place Tonga's best


26. Personal communication from Reid; Reid to Hninitt, 10 August 1966, BCT 3/HOD 12.
interests foremost. He wanted Tonga to speak for itself in London and Washington, to seek technical and financial assistance where it believed best and even, much to the Colonial Office's consternation, to join the United Nations. In the matter of defence, the other major area where Britain retained responsibility, Tungi argued that the shield of British protection was worthless. The Second World War had provided ample evidence that practical responsibility for Tonga's defence must inevitably fall to countries with whom Tonga had greater geographic ties — the United States, New Zealand and Australia. It was only logical, Tungi argued, for Tonga to seek direct agreements with these countries. He had in mind some form of association with the ANZUS pact or a direct United States-Tonga defence agreement.[27]

In his discussions with Hamilton, Tungi intimated that he intended to insist on independence in 1965, and that he would make a unilateral declaration if necessary. He considered any arguments that Tonga was too small or too poor for independence to be nonsense, and cited the cases of Western Samoa and Zanzibar. Surprisingly perhaps, his desire for change was not opposed by Queen Salote. Jakeway reported that when he sought Salote's reaction to Tungi's announcement, she replied, 'rather sadly', that Tungi's views represented her own: 'You see, we only have Tungi. There is no one else'.[28] It is also true, however, that Tungi's enthusiasm was tempered by Salote's reluctance to dissolve the ties which had been such an important feature of the first 30 years of her reign.

27. Hamilton to Department of External Affairs, Canberra, 19 November 1964, DCT 3/POL 23 - I; Jakeway to J. ... 27 June 1964, ibid.

28. Ibid.
Tungi's proposals for a change in the relationship were discussed in more detail at the Colonial Office during his visit to London in September 1964. Here his strong feelings about independence were kept in reserve -- he did not seek an end to the Treaty of Friendship and denied any interest in membership of the United Nations. His main concern was a desire for direct representation in London and Washington. Although he envisaged that these posts would deal primarily with trade he wanted the London post to function as an alternative channel of communication with the British Government and the Washington one to deal with American aid. This the Colonial Office would not accept. Its officials pointed out firmly that as long as Britain was responsible for Tonga's external relations, Tungi would have to accept limitations on the actions of his Government's representatives overseas. Moreover, the Colonial Office was not convinced that Tonga could spare either the money or the men for such posts.[29]

In the course of these discussions, Tungi referred to the relationship of voluntary association between the independent Western Samoa and New Zealand, whereby New Zealand handled Samoa's external affairs, and asked for an examination of its application to Tonga and Britain. The Colonial Office opposed the idea -- it would involve a radical policy departure and, if Britain was to act as Tonga's agent in international matters without any sort of control over Tonga's policies, it might prove embarrassing and lead to considerable friction, especially in view of Tungi's propensity to dabble in international affairs. British officials were even further taken aback by Tungi's suggestion that he might seek a direct defence agreement with the United States, and did their best to pour cold

29. Trafford Smith to Jakeway, 6 October 1964, ibid.
water on the idea. They also intimated that the British Treasury might be less willing to provide aid for Tonga if Britain was no longer responsible for Tonga in the eyes of the world. In view of Britain's record of aid to Tonga prior to 1964, Tungi was unmoved by this argument.[30]

At this stage, Colonial Office policy was directed towards the continuation of a formal relationship with Tonga; Tongan independence was not considered. Officials were handicapped, moreover, by the absence of any policy on the future of the smaller territories generally. Their inclination was to let 'sleeping dogs lie' and to try to slow down the tempo of change. In particular they were concerned that any rapid moves towards Tongan independence might create difficulties or at least embarrassment during the delicate constitutional advances under discussion in Nauru, the Cook Islands and Fiji.

As a result of the discussions in London, officials believed they had succeeded in establishing with Tungi a possible basis for amendment of the Treaty. Britain would retain responsibility for foreign affairs and defence but the Treaty would be streamlined to eliminate Britain's extra-territorial jurisdiction and any responsibility for Tonga's internal affairs. In addition, they examined the possibility of an exchange of letters under which Tonga would be authorised to send representatives to London and Washington, the latter being given diplomatic status and attached to the British Embassy. In January 1965, Trafford Smith, Assistant Under-Secretary of State in the Colonial Office, visited Tonga to present a Colonial Office Memorandum on the proposals, to which Tonga was asked to

30. Ibid.
respond. [31]

The British proposals were considered in the Tongan Privy Council and in the Legislative Assembly but no response was made to the British Government. Although Tungi remained keen on the idea of representation overseas (even to the extent of designing uniforms for the representatives), the financial costs apparently weakened his enthusiasm for the idea of representation at the ambassadorial level and he accepted that his plans could be accommodated under the existing Treaty. [32] Perhaps more importantly, Tungi was restricted in his activities by the declining health of the Queen, which kept her in New Zealand for much of the time. When Tungi visited London in September 1965 he made no suggestions for amending the Treaty, although in discussions with the Secretary of State he did refer to independence and a seat in the United Nations as his ultimate objective. [33] The Queen's death in December 1965 signalled a period of 12 months mourning for the royal family, during which the new King took no new initiatives on the Treaty.

While the question of further revision lay dormant, the British Government took steps towards easing the unwelcome colonial implications of its relationship with Tonga. For some time British officials had been aware that the Tongans disliked the arrangement whereby the Governor of Fiji was also Chief Commissioner for Tonga. The change of name which had taken place in 1958 had done little to alleviate Tongan apprehension at falling under the shadow of Fiji, for although it created a separate office, it was inevitably identified

33. C.O. to Reid, 2 November 1965, ibid.
with the Fiji Government. As a concession to this sensitivity and to upgrade the status of the local Consul, the British Government decided to abolish the office of Chief Commissioner. According to the Colonial Office, the existing arrangements had become 'increasingly inappropriate'; they had been made at a time when communications with London were slow and the Consul needed the guidance and support of a senior British official nearby. With better communications it was considered 'more appropriate and more consistent with the status of the Kingdom of Tonga as a Protected State in Treaty relationship with Britain', for the Commissioner and Consul to be directly responsible to London.[34] The changes were implemented under the Tonga (Amendment) Order in Council and the Tonga Royal Instructions of 1965, and from 24 June 1965 A.C. Reid was reappointed as Commissioner and Consul with direct responsibility to London. As Reid noted, the South Pacific Office was not mourned in Tonga:

At the very least it was viewed as one extra time-consuming stage to get over, at the most it was considered an actual hindrance and a source of irritation.[35]

In February 1967 the state of quiescence that had followed the Queen's death was broken during a private visit to London by the new King. At his suggestion, a meeting was held at the Colonial Office to discuss the future of the treaty relationship. Tupou IV informed British officials that he wished Tonga to progress towards 'independence within the Commonwealth' and he asked the British Government to set a timetable for the achievement of this goal.[36]

36. Fairclough to Reid, 2 March 1967, BCT 3/POL 23 - II; Note of meeting with the King of Tonga, 21 February 1967, ibid.
The Colonial Office reaction to Tupou IV's proposal was essentially as it had been in 1964, except that British policy towards the independence of small Pacific territories had taken a more definite shape in the intervening period. The British Government was not strongly opposed to Tongan independence, but it did not favour the idea. Officials were sensitive towards the King's desire for greater freedom in the conduct of Tonga's external relations but they were anxious to avoid the transformation of the Pacific into 'an anarchy of mini-states'.[37] Tongan independence was not considered to be in the best interests of the Tongan people themselves, nor welcome to Britain's allies in the Pacific.[38] In answer to a question in the House of Commons in December 1966 the British Prime Minister, Harold Wilson, outlined his Government's general policy in the dependent territories for which it was responsible:

> We are ready to work out suitable arrangements to grant independence to those dependent territories which want it and can sustain it. For the others we are willing to work out with the representatives of their peoples arrangements that would enable them, if they so wish, to continue in some form of association with us.[39]

In regard to Tonga, the British Government believed that 'some relationship broadly analogous to free association' would be more suited to the Kingdom's needs than complete independence.[40] The precarious state of Tonga's economy led British officials to doubt the wisdom of Tonga going it alone. More importantly, Tongan independence was not desirable from a strategic point of view. Britain was anxious

37. Reid to Fairclough, 10 October 1966, BCT 3/POL 30.
38. Cited in ibid.
40. Ibid.
to maintain stability in the Pacific area and it was therefore keen to see Tonga develop financially and politically 'in an orderly and peaceful way' and, if possible, to stop short of complete independence.[41] At tripartite talks in Sydney in November 1966 and again at four-power talks in Washington in April 1967, the Australian, New Zealand and United States Governments made it clear that they shared Britain's interests in this regard.[42]

But the British Government's reluctance to see an independent Tonga was tempered by the knowledge that a refusal to at least go some way to meet the King's wishes might lead him to a unilateral termination of the Treaty. In line with the proposals put forward in 1964, officials decided to leave independence aside and to concentrate on a series of treaty revisions in the hope that generous concessions would satisfy Tupou IV's demands for greater autonomy. For the meantime at least, Tupou IV was content to fall in with the idea of a treaty revision and asked the British Government to put forward proposals. Although he regarded it only as an intermediate step he was not inclined to press the British Government for an early decision on Tonga's future status.[43]

Proposals for a revised treaty were presented to the Tongan Government by Sir Arthur Galsworthy, the Deputy Under-Secretary of State in the Commonwealth Office (successor to the Colonial Office), in December 1967. Under the proposals, Tonga regained full responsibility for its internal affairs (except for defence),


42. Record of talks, BCT 3/POL 30.

43. Note of Meeting with the King of Tonga, 21 February 1967, BCT 3/POL 23 - II; Reid to Fairclough, 29 March 1967, ibid.
including banking, currency and exchange which had been reserved under the 1958 Treaty. All British extra-territorial jurisdiction in Tonga was withdrawn and Article VII of the 1958 Treaty, which required that laws be printed in both Tongan and English, was also removed. These changes involved few concessions by the British Government, and in external affairs it gave away even less. Although Britain delegated increased authority to the Tongan Government to conduct its own external relations 'with all countries over as wide a field as possible', and even gave Tonga responsibility for less sensitive areas, it nevertheless retained Britain's responsibility for many aspects of Tonga's external relations.[44] Perhaps the major concession was in Article IV which authorised the Tongan Government to appoint its own representative in London who would have equal status with the British Commissioner and Consul as a channel of communication between the two Governments. As one official commented,

If the United Kingdom is to remain responsible for Tonga's external affairs (and defence) which we think would be in Tonga's own interest and would also accord with the views of the other metropolitan governments with responsibilities in the area, there is little or no room to manoeuvre.[45]

Amongst the more sensitive areas over which Britain sought to maintain control were civil aviation and international shipping. It was well known that Tupou IV had a keen interest in these matters and wished to be free to pursue negotiations on Tonga's behalf. Because of the Chicago Convention, however, Britain was bound to accept international responsibility for Tonga's civil aviation as long as it remained under British protection. Moreover, there was an element of

44. Aide-Memoire on Revision of Treaty of Friendship, 1968, Appendix I:IV.

45. Minnitt to Reid, 31 October 1967.
self-interest in Britain's reluctance to allow Tonga to exercise full control over its traffic rights -- British officials admitted the possibility that Tonga might act contrary to the interests of the British Government or other British territories in the area. Conversely, this was the very point that worried Tongan officials -- they felt that in representing Tonga in traffic rights negotiations, Britain would inevitably put its own interests first and Tongan interests second. Similar arguments applied to the question of control over international shipping.[46]

In one area of internal concern, the Tongan Government was happy to agree to British intervention. The 1958 Treaty had provided for Britain to come to Tonga's aid in the event of a threat to the internal security of Tonga, and this provision was still favoured by both Governments. Since the 1950s British officials had spent considerable energy in trying to convince the Tongan Government that a potentially explosive situation had developed in Tonga. Amongst other things, the continuing power of the nobles, the shortage of land, low wages, high urban unemployment, and the management of the Copra Board funds were felt to add up to a security threat. Just as the British Government had continued to support the monarchy and the existing social system in more subtle ways, it again accepted a responsibility to support it in the event of disorder. In the 1968 Treaty, however, the British Government preferred the agreement to be removed from the body of the Treaty to a confidential exchange of notes.

After lengthy discussion within the Privy Council and with Galsworthy, Tupou IV announced on 5 December 1967 that the Tongan Government was happy to proceed on the basis of the British

46. Galsworthy to Fairclough, 6 December 1967, ibid.
proposals. In January 1968 a special meeting of the Legislative Assembly was called at the Palace to discuss the revision and although there was some reason to believe that the Tongan Government might not stand by its previous decision, the new Treaty was signed on 30 May 1968 and ratified on 5 December. The Hon. Vaea was appointed the first Tongan Commissioner and Consul to Britain in July 1969.

Further plans for representation abroad were restricted by a lack of funds. To date, no representation in the United States or at the United Nations has been established.

Even before the 1968 Treaty was signed, the Tongan Government made its future intentions clear. In February 1968 Tu'ipelehake, the King's brother and his successor as Premier, advised the British Consul of the Privy Council's decision that a date should be fixed for the independence of Tonga within the Commonwealth. To this end the King planned to open negotiations with the British Government towards the end of 1968. The 1968 Treaty was little more than an exercise to fill in time whilst waiting for the British Government to accept the inevitability of Tongan independence. Considerations of prestige and sentiment demanded that Tonga should throw off the mantle of British protection — under British protection Tonga could not take what was considered its rightful place on international bodies alongside other developing nations. The 1968 Treaty had contained a termination clause, introduced in one of the later drafts, which provided that the whole Treaty, with the exception of Article I agreeing to 'perpetual peace and friendship', would lapse when Britain

47. Ibid.
49. Tu'ipelehake to Reid, 6 February 1968, RCT 5 File 11 - II.
ceased to have responsibility for Tonga's external affairs. [50] At a special session of the Legislative Assembly on 30 April 1969, a unanimous resolution was passed calling for an end to Britain's responsibility, and on 4 June 1970 an exchange of notes between the two Governments brought an end to British protection. [51]

50. Article VII(3) of the 1968 Treaty; see Appendix I(ix).

51. See Appendix I(x).
CONCLUSION

The termination of the British Government's responsibility for Tonga's external relations was marked in Tonga by a week of celebrations on a grand scale. The day on which British protection ceased -- 4 June -- was chosen deliberately by Tupou IV to coincide with the day on which Tupou I had granted his people 'emancipation' from the power of their chiefs in 1862. In Tupou IV's view, the importance of Tonga regaining its full rights of nationhood was matched by only two other occasions in Tonga's history -- the 'emancipation' in 1862 and the granting of the Constitution in 1875.

The full significance of 4 June 1970 probably escaped many Tongans, into whose lives the British Government had never intruded. Perhaps for this reason, and also in keeping with his long-held attitude towards British protection, Tupou IV did not refer to Tonga's new status as 'independence'. In his view, and that of most Tongans, the term 'independence' was not applicable to Tonga because it had 'never been completely and thoroughly dominated by another'. Tupou IV explained his own interpretation of the Tongan-British relationship in a speech delivered during the celebrations:

Owing to the series of Treaties with Great Britain in 1900, beginning due to a previous demarcation of spheres of influence between Britain and Germany, Tonga voluntarily agreed not to exercise some of the powers relating to its external affairs, for fear that the exercise of those powers might endanger her international freedom.

Tupou IV explained that Tonga had retained its head of state, flag, constitution, national anthem, symbols of sovereignty and Department
of External Affairs and was now 'simply returning to its former position.' In the past Tonga had been a fully recognised member of the international community, and was now celebrating its 're-entry into the Comity of Nations'.[1]

The final severing of Tonga's colonial relationship with Britain had few practical effects. As an article in Pacific Islands Monthly commented shortly before independence: 'To all effects and purposes it appears that Tonga is already independent.'[2] Britain had placed few restraints on the Tongan Government's freedom of action in recent years and there was some feeling, especially amongst Europeans, that the Kingdom was simply cutting itself off from its 'fairy godmother'.[3] The end of British protection did not spell an end to British aid to Tonga. Moreover, it also had the effect of attracting increased aid from other sources, such as Australia and New Zealand, whose interests in the security of the Pacific had to take account of Britain's withdrawal from the area.

The ease with which the Tongan Government slipped out of its colonial relationship with Britain reflects the nature of the relationship as it had developed since 1900. At the outset, British protection was a mere form -- the Protectorate had been declared for the purpose of keeping other powers out of Tonga, and there had been no intention of interfering in the Kingdom's internal affairs. This limited objective accorded closely with Tupou IV's view of what had

3. Ibid.
occurred in 1900 — by mutual agreement Tonga had allowed Britain to administer its external relations because of the dangers of aggressive action on the part of other, less considerate, powers. But the Protectorate established over Tonga by Basil Thomson had not been limited to mere form, nor to matters of external relations. Its existence led local British officials to feel a sense of responsibility for Tongan affairs which belied their inability to influence the recalcitrant Tupou II. The original objective behind the Protectorate was lost sight of as the frustrations of the British Consul and his superior in Fiji, the High Commissioner for the Western Pacific, became more intense. From the time of im Thurn's visit in January 1905, the British Government forced its 'advice' onto the Tongan administration and British officials challenged the King as the highest authority in Tonga.

For a short period after 1905 British protection meant British dominance, but as early as September 1911 Britain had retreated from the forefront of Tongan decision-making. The process of decolonisation, which in most other areas of the world was a post-Second World War phenomenon, had already started in Tonga. Tupou II won an important victory for Tonga's right to determine its own policies in connection with the Tonga Ma'a Tonga Kautaha, and the British Government reaffirmed its limited interest in Tonga — so long as the Government was stable and acceptable to the majority of Tongans, its internal affairs did not greatly concern Britain.

Over the next four decades the British Consul continued to play a vital role in the Government, particularly as a result of his oversight of Tongan financial policy, but his intervention was by agreement, and subject always to the Tongan Government's willingness...
to accept his advice. The Tongan Government was not deprived of its authority and, after 1911, the initiative for change remained in Tonga. This allowed the Government, under the rule of Queen Salote, to call on the advice of the Consul in internal matters as it wished, but to discard it when it no longer saw a need. Thus, with the rise to prominence of Salote's son and heir, Tupouto'a Tungi, who did not feel a similar need for the Consul's guidance, Britain became less involved in the administration. The treaty revision of 1958, which brought the legal situation up to date with reality, reflected the extent to which the Tongan Government had gained autonomy merely by exercising it.

Apart from the early years of the Protectorate, when British officials were seeking and taking by threat of force a leading role in the administration, the relationship between the Treaty partners worked for the most part to the satisfaction of both, and may with hindsight be pointed to as an ideal arrangement to cope with the realities of colonial expansion in the twentieth century world. Certainly it served to minimise the impact of colonialism on the lives of most Tongans. Much of the reason for the success of the relationship lay within Tonga itself and in the structure of the Government before Britain intervened. The endeavours of Tupou I and Shirley Baker to maintain Tongan independence and to stabilise the Government of the Kingdom resulted in the establishment of a stable framework through which Britain could operate its indirect system of influence. Although there was a danger in the post-1900 period that Britain would turn its control into a direct one, this was prevented by Tupou II's strong protests and the Colonial Office's disinclination to increase its commitment to Tonga. The Tongan Government was able and, perhaps more importantly, determined to manage its own affairs,
and this helped to persuade the Colonial Office to be content with a back seat.

Throughout the early years of the Protectorate, Britain's role in Tonga was a divisive one, exacerbating the tensions and factions within the barely united Kingdom. The Consul's alliance with those nobles and chiefs who opposed Tupou II's rule increased their power in the Government and almost led to the deportation of Tupou II, a step which would have destroyed the basis of the existing socio-political system and would no doubt have led to much greater British participation over the next few decades. But Tupou II's victory over the British Consul in 1911 was also a victory over his chiefly rivals. His pre-eminence was assured and British officials realised there was nothing to be gained by adopting a hostile attitude towards the King. By the end of Tupou II's rule, the Colonial Office had accepted that the King's policies were Tonga's policies and supported the existing system; there was not sufficient reason to seek a change. Throughout the reign of Queen Salote British officials supported the monarch against all opposition and thus contributed to the reinforcement of the social and political system which had been crystallised under Tupou I. The British Government was content for 'The Tongan Way' to operate in Tonga -- it did not interfere in such matters as land tenure or in the operation of the noble system, despite the recommendations of certain British Consuls. British protection over the first 70 years of the twentieth century thus helped to stabilise the Kingdom's social and political structure and to reinforce the power of the existing hierarchy.
Throughout this analysis of Britain's role in Tonga over the period of British protection, it has been clear that British influence operated for the most part at a level of government which had little meaning for the majority of Tongans. Although the Government's policies were very often determined on the advice of the Consul, his authority was not directly asserted over the population. When the early Consuls, Campbell in particular, attempted to intervene more visibly in matters affecting the people directly, they met with a level of opposition which was eventually successful in overcoming their intervention and preventing any serious future consideration of direct control. Having learned from this experience, the British Government found it achieved more by maintaining a diplomatic rather than a colonial relationship with Tonga.
NOTE

During the research upon which this thesis is based I was granted privileged access to official records subject to certain conditions. It should not be assumed, therefore, that all the material cited is generally available. In the last two chapters, official correspondence has been identified only by date and file; classifications have been omitted.

This bibliography is confined to documents, series and works directly relevant to the present study and makes no claim to be a comprehensive listing of material relating to the history of Tonga in the twentieth century.
OFFICIAL SOURCES

I. MANUSCRIPT

(i) Great Britain
(ii) Western Pacific High Commission
(iii) British Consul, Tonga
(iv) Tonga
(v) New Zealand National Archives
(vi) United States

II. PRINTED

(i) Great Britain
(ii) Tonga

B

UNOFFICIAL SOURCES

III. MANUSCRIPT

IV. NEWSPAPERS AND PERIODICALS

V. BOOKS, ARTICLES AND THESES
I. OFFICIAL - MANUSCRIPT

(i) Great Britain

All series consulted on microfilm at the National Library of Australia.

Colonial Office

CO 225 Original Correspondence, Western Pacific.

CO 537 Western Pacific Supplementary Correspondence, 1876-1897.

Foreign Office

FO 58 Consular and Associated Correspondence, Pacific Islands.

(ii) Western Pacific High Commission (WPdc)

Unless otherwise stated, all Western Pacific High Commission records were consulted at the Western Pacific Archives, Suva. In 1978 many of these records were removed to the Public Records Office, London.

The following series, in particular, were used:

WPdc 4 Records of the WPdc Secretariat, 1875-1941, Inwards Correspondence General. (Consulted on microfilm for the years 1875-1923.)

WPdc 15 Secretariat, Establishment Records and Registers of Service 1910-1956.


WPdc 21 Papers Relating to Tongan Affairs, 1876-1911.

WPdc 22/I Outward Despatches and Letters, 1879-1943.

WPdc 22/II Inward Despatches and Letters, 1880-1941.


WPdc 23 Western Pacific High Commission and Pitcairn and Tonga Office. (This series includes minute papers and general correspondence files transferred from the WPdc to Pitcairn and Tonga Office in 1952.)
WPHC 23/I  General Correspondence from WPHC Minute Paper Series, 1934-1941.

WPHC 23/II  General Correspondence Files from WPHC 1-100 Series, 1942-1952.

WPHC 25/I  Confidential Correspondence Files Relating to Pitcairn and Tonga, 1-100 series, 1937-1951.

WPHC 25/II  Secret Correspondence Files Relating to Pitcairn and Tonga, 1-100 series, 1929-1952.

WPHC 27  WPHC Secretariat. Volumes of Despatches, Letters, Circular Telegrams and Schedules of Correspondence and Telegrams, 1876-1944.

WPHC 32/I  WPHC Secretariat, Confidential Personal Files, 1932-1974.

(iii) British Consul, Tonga

These records were consulted at the Western Pacific Archives, Suva. In 1978 they were removed to the Public Records Office, London. The following series were used:

BCT 1  This series, divided into 43 items, contains the bulk of the Consulate records, 1862-1959. The series is fully listed in the Western Pacific Archives publication, "Preliminary Inventory of the Records of the British Commissioner and Consul, Tonga, 1862-1959, BCT 1", revised May 1972.

BCT 2/I  General Correspondence Files, subject prefix series, 1949-1970.

BCT 3  Secret and Confidential Correspondence Files, subject prefix series, 1916-1968.

        4/II  Special and Advance Warrants, 1930-1954.

BCT 5/I  General Correspondence Files, Minute Paper Series, 1914-1965.


BCT 6  Secret and Confidential Correspondence Files, alphabetical prefix series, 1939-1968.

BCT 7/I  Secret and Confidential Correspondence Files, Minute Paper yearly number series, 1922-1956.

BCT 8  Unnumbered Secret and Confidential Correspondence Files, 1904-1940.
(iv) Tonga

The records of the Tongan Government are housed in a number of locations. For ease of reference the records consulted are listed here according to location.

(a) PO - Palace Office, Tonga
Uncatalogued and unsorted correspondence and miscellaneous records.

PO/KNF - (Koe Ngahi Fefaitohi'aki)
A preliminary sorting of correspondence according to years.

(b) Premier's Office, Nuku'alofa.
Uncatalogued miscellaneous correspondence.

(c) AT/TA - Alexander Turnbull Library/Tongan Archives.
This collection of Tongan Government papers was transferred to the Alexander Turnbull Library, Wellington, New Zealand, in the 1960s. It is divided into the following main series:

Series A Minute Papers, 1926-1954
Series B Files of the Premier's Department, 1950-
Series C Letter books, Premier to Consul, Consul to Premier
and Premier to Miscellaneous, 1928-1965
Series D Tongan Defence Force - Personal Files
Series E Miscellaneous material.

(d) Tongan Manuscripts, La Trobe Library, Melbourne.

(e) PMB - Pacific Manuscripts Bureau.
Tongan Government records in the possession of Mrs Eseta Pulival Fusitu'a, Canberra. This material relating to the reigns of Tupou II and Queen Salote has been microfilmed and is available as PMB 505-511.

(v) New Zealand National Archives, Wellington (NZNA)

(a) Seddon Papers

(b) Great Britain, Royal Navy -- Australian Station, Records of the Commander-in-Chief. (These records were consulted on microfilm at the National Library of Australia.)

(vi) United States

'History of Tongatapu', Tongatapu Advanced Naval Base: Records of the Director of Naval History. Microfilm in the possession of Professor Glen Barclay, University of Queensland.
II. OFFICIAL PRINTED

(i) Great Britain

(a) FOCP - Foreign Office Confidential Prints:

7045 British and German Proposals re Samoa and Tonga, September 1898.
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7358 Pacific Islands, Further Correspondence, 1899, part 35
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7504 Pacific Islands, Further Correspondence, 1900, part 37
8089 Pacific Islands, Further Correspondence, 1901, part 38
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8270 Pacific Islands, Further Correspondence, 1903, part 40
8507 Pacific Islands, Further Correspondence, 1904, part 41
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8933 Affairs in Tonga, 1905, Pacific 14

(b) COCP - Colonial Office Confidential Prints:

CO 881/11 Australian no. 182. Correspondence (27 June 1902 to 26 May 1906) relating to Affairs in Tonga.
Western Pacific no. 3. Correspondence (1914 to 1930) relating to Affairs in the Tongan Islands Protectorate.

(c) Report on Tonga Protectorate (various titles and years), Colonial Office.


(ii) Tonga

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Free Wesleyan Church of Tonga Archives, Nuku'alofa. For a full listing see H.C. Cummins, 'The Archives of the Free Wesleyan Church of Tonga', *JPH*, vol. 13:2 (1978), pp.102-106.

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IV. NEWSPAPERS AND PERIODICALS

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Auckland Weekly News
Fiji Times
The Globe
The Times, London
New Zealand Herald
Pacific Islands Monthly
Sydney Morning Herald
Taumu'a Lelei
The Tonga Chronicle
Tonga Press News
Western Pacific Herald


V. BOOKS, ARTICLES AND THESSES


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TREATY OF FRIENDSHIP BETWEEN GREAT BRITAIN AND TONGA

1879

Made by Her Majesty the Queen of Great Britain and Ireland and His Majesty the King of Tonga on the twenty-ninth day of November, 1879.

ARTICLE I

There shall be perpetual peace and friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, and His Majesty the King of Tonga, his heirs and successors, and between their respective dominions and subjects.

ARTICLE II

His Majesty the King of Tonga engages to grant to no other Sovereign or State any rights, powers, authority, or privileges in Tonga in excess of those accorded to Her Britannic Majesty.

The subjects of Her Britannic Majesty shall always enjoy in Tonga, and Tongan subjects shall always enjoy in the territories of Her Britannic Majesty, whatever rights, privileges, and immunities they now possess, or which are now accorded to the subjects of the most favoured nation; and no rights, privileges, or immunities shall be granted hereafter in Tonga to the subjects of any Foreign State which shall not equally and unconditionally be granted to the subjects of Her Britannic Majesty.

ARTICLE III

(a) If any subject of Her Britannic Majesty in Tonga is charged with a criminal offence cognizable by British Law, such charge may be tried by the Court of Her Britannic Majesty's High Commissioner for the Western Pacific Islands.
(b) If any subject of Her Britannic Majesty in Tonga is charged with an offence against the Municipal Law of Tonga not cognizable as such under British Law, he shall be amenable to the jurisdiction of the Tongan Courts, the proceedings for which shall be conducted in public, and the records of which shall be public and accessible.

(c) If any subject of Her Britannic Majesty in Tonga is charged with a criminal offence cognizable as such both by British Law and the Laws of Tonga, the party charged may elect whether he will be tried by a Tongan Court or by the Court of Her Britannic Majesty's High Commissioner.

(d) Every civil suit which may be brought in Tonga against any subject of Her Britannic Majesty in Tonga shall be brought before and tried by the Court of Her Britannic Majesty's High Commissioner.

(e) Every summons or warrant to appear as a witness before the Court of Her Britannic Majesty's High Commissioner, issued in accordance with British Law, and directed to a Tongan subject, shall, if possible, be endorsed by a Judge of the Supreme Court of Tonga, and when so endorsed, shall have the same authority, and may be enforced in like manner, as if issued by the Supreme Court of Tonga, but where it shall be made to appear to the Court of Her Majesty's High Commissioner that the delay required to procure such endorsement might lead to the escape or removal of a material witness, such summons or warrant may be issued by the Court without such endorsement, and shall have the same authority, and may be enforced in like manner, as if such summons or warrant had been directed to a subject of Her Britannic Majesty.

(f) The expression "British Law" in this Article includes any Regulations duly made and issued by Her Britannic Majesty's High Commissioner for the Western Pacific Islands for the government of British subjects within his jurisdiction; and the Court of Her Majesty's High Commissioner shall include any British Court or officer for the time being authorized to exercise jurisdiction in the Western Pacific.

ARTICLE IV

Her Britannic Majesty agrees to surrender to His Majesty the King of Tonga any Tongan subject who, being accused or convicted of any of the undermentioned crimes, committed in the territory of the King of Tonga, shall be found within the territory of Her Britannic Majesty.

The crimes for which such surrender may be granted are the following:-

Murder, or attempt to murder
Embezzlement or larceny
Fraudulent bankruptcy
 Forgery.
Her Britannic Majesty may, however, at any time put an end to this Article by giving notice to that effect to His Majesty the King of Tonga. The Article shall, however, remain in force for six months after notice of its termination.

It is agreed that the arrangement contained in this Article shall be subject to the restrictions on the surrender of fugitive criminals contained in the Acts respecting extradition which are in force in the dominions of Her Britannic Majesty and the procedure to be adopted with respect to the surrender of such criminals shall be in conformity with the provisions of the said Acts.

Ratified on the eighth day of September one thousand eight hundred and eighty-one.
AGREEMENT BETWEEN GREAT BRITAIN AND TONGA

1891

The Government of Her Majesty the Queen of Great Britain and Ireland, and the Government of His Majesty the King of Tonga, being desirous of simplifying and rendering more efficacious the provisions of Article III of the Treaty of Friendship concluded between their said Majesties on the twenty-ninth day of November, 1879, the undersigned, duly authorized to that effect, hereby agree and declare that—

ARTICLE I

Sub-section (b) of Article III of the said Treaty is hereby cancelled, and the following substituted in place thereof:

If any subject of Her Britannic Majesty is charged with the violation of any Law or Regulation in Tonga relating to Customs, taxation, public health, or local police, not cognizable as an offence against British Law, he shall be amenable to the jurisdiction of the Tongan Courts, the proceedings of which shall be conducted in public, and the records of which shall be public and accessible.

ARTICLE II

Sub-section (c) of Article III of the said Treaty is hereby cancelled.

ARTICLE III

The present Articles shall come immediately into operation, and shall be construed as forming an integral part of the Treaty of the twenty-ninth day of November, 1879.

In witness whereof the undersigned have signed the present Agreement, and have affixed thereto their seals.
Done in duplicate at Nukualofa, on the second day of June, in the year of Our Lord 1891.

(L.S.) JOHN P. THURSTON

(L.S.) JIAOJI FATAFEHI
APPENDIX I (iii)

DRAFT TREATY

1900

ARTICLE I

His Majesty the King of Tonga agrees to place freely and unreservedly himself, his subjects, and his dominions under the protection of Her Britannic Majesty from the date of the signature of the present Treaty.

ARTICLE II

His Majesty the King of Tonga further understands and agrees that all his relations of any sort whatever with foreign Powers, shall be conducted under the sole advice and through the channel of Her Majesty's Government.

ARTICLE III

Her Majesty will at all times, to the utmost of her power, take whatever steps may be necessary to protect the Government and territory of Tonga from any external hostile attacks; and for this, or from similar purposes, Her Majesty's officers shall at all times have free access to the waters and the harbours of Tonga, and the King of Tonga hereby agrees to lease to Her Majesty a suitable site or sites in any harbour or harbours in Tonga for the purpose of establishing a station or stations for the coaling and repair of Her Majesty's ships, and for the erection of any military works or fortifications, and will at all times, to the utmost of his power, co-operate with and aid Her Majesty's naval or military forces in the defence of such station or stations if requested to do so by Her Majesty's officers.
ARTICLE IV

Her Majesty will appoint a suitable person to act as British Agent and Consul in Tonga, who will be the authorized medium of all communications between Her Majesty's Government and the Government of Tonga. The Agent will not interfere in any way in the internal affairs and administration in matters where the interests of British subjects or foreigners are not concerned, but will at all times be ready to advise the King and his Government in any matter as to which they wish to seek his advice.

ARTICLE V

And whereas His Majesty the German Emperor has, by Article II of the Convention between Great Britain and Germany, signed at London on the 14th November last, renounced, in favour of Great Britain, all the rights of Germany over the Tonga Islands, including the right of extra-territoriality in the said islands, and it is desirable, in order the better to enable Her Majesty to fulfill her obligation under this Treaty, that Her Majesty should have and exercise civil and criminal jurisdiction over all subjects of foreign Powers in Tonga: His Majesty the King of Tonga agrees that Her Majesty shall have and exercise jurisdiction as defined in Article VI of this Treaty in the case of the subjects or citizens of all foreign Powers in Tonga.

ARTICLE VI

The jurisdiction to be exercised by Her Majesty in Tonga shall extend to the hearing and settlement of all claims of a civil nature against British subjects or foreigners, and against British or foreign vessels, by whomsoever preferred, and to the trial and punishment of all offences and crimes of which British subjects or foreigners may be accused in Tonga except as hereinafter provided. All such cases, whether civil or criminal, shall be dealt with in accordance with the provisions of "The Pacific Order in Council, 1893," and of any Order amending the same so far as applicable. The authorities of Tonga shall at all times, to the utmost of their power, when called upon by the British Agent, render aid in making arrests or in enforcing judgments in pursuance of this jurisdiction.

Provided that British subjects and foreigners charged with violations of the laws and regulations of Tonga, relating to customs, taxation, public health, and local police not cognizable as such under the provisions of "The Pacific Order in Council, 1893," shall continue to be amenable to the jurisdiction of the Tongan Courts. The proceedings at all such trials shall be public, and the records thereof accessible.
ARTICLE VII

It is agreed that the Treaty of the 29th November, 1879, between Her Majesty and His Majesty the King of Tonga shall be considered to be abrogated in so far as it may be inconsistent with the provisions of this Treaty.

ARTICLE VIII

The present Treaty shall come into force and effect from the date of the signature thereof.
APPENDIX I (iv)

TREATY OF FRIENDSHIP BETWEEN GREAT BRITAIN AND TONGA

1900

Her Majesty the Queen of Great Britain and Ireland, Empress of India, and His Majesty the King of Tonga, being desirous of strengthening the relations of amity between their respective States, have resolved to conclude a Treaty for that purpose, and have named as their Plenipotentiaries: Her Majesty the Queen of Great Britain and Ireland, Basil Home Thomson, Esquire. And His Majesty the King of Tonga, Jiaoji Fatafahi Tu'ipelehake. Who after having communicated to each other their respective Full Powers have agreed upon and concluded the following Articles:

ARTICLE I

His Majesty the King of Tonga agrees that he will have no relations of any sort with foreign powers concerning the alienation of any land or any part of his Sovereignty or any demands for monetary compensation.

ARTICLE II

Her Majesty will at all times to the utmost of her power take whatever steps may be necessary to protect the Government and territory of Tonga from any external hostile attacks; and for this or similar purposes Her Majesty's officers shall at all times have free access to the waters and harbours of Tonga; and the King of Tonga hereby agrees to lease to Her Majesty a suitable site or sites in any harbour or harbours in Tonga for the purposes of establishing a station or stations for the coaling and repair of Her Majesty's ships, and for the erection of any military works or fortifications which may be necessary or desirable for the protection of such stations, and will at all times to the utmost of His power co-operate with and aid Her Majesty's naval or military forces in the defence of such station or stations if requested so to do by Her Majesty's officers.
ARTICLE III

Her Majesty will appoint a suitable person to act as British Agent and Consul in Tonga, who will be the authorized medium of all communications between Her Majesty's Government and the Government of Tonga. And His Majesty the King of Tonga may appoint his Representative to conduct such negotiations. The Agent will not interfere in any way in the internal affairs and administration in matters where the interests of British subjects or foreigners are not concerned, but will at all times be ready to advise the King and his Government in any matter as to which they wish to seek his advice, and exercise the jurisdiction vested in Her Majesty by Article V of this Treaty until such time as other arrangements may be made by Her Majesty in that behalf.

ARTICLE IV

And whereas His Majesty the German Emperor has by Article II of the Convention between Great Britain and Germany, signed at London on the fourteenth day of November last, renounced in favour of Great Britain all the rights of Germany over the Tongan Islands, including the right of extra territoriality in the said Islands, and it is desirable, in order the better to enable Her Majesty to fulfil her obligations under this Treaty, that Her Majesty should have and exercise civil and criminal jurisdiction over all subjects of foreign Powers in Tonga. His Majesty the King of Tonga agrees that Her Majesty shall have and exercise jurisdiction as defined in Article five of this Treaty in the case of the subjects or citizens of all foreign Powers in Tonga.

ARTICLE V

The jurisdiction to be exercised by Her Majesty in Tonga shall extend to the hearing and settlement of all claims of a civil nature against British subjects or foreigners, and against British or foreign vessels by whomsoever preferred, and to the trial and punishment of all offences and crimes of which British subjects or foreigners may be accused in Tonga, except as hereinafter provided. All such cases, whether civil or criminal, shall be dealt with in accordance with the provisions of "The Pacific Order in Council, 1893" and of any Order amending the same so far as applicable. The authorities of Tonga shall at all times to the utmost of their power, when called upon by the British Agent, render aid in making arrests or in enforcing judgments in pursuance of this jurisdiction.

Provided that British subjects and foreigners charged with violations of the Laws and Regulations of Tonga relating to Customs, taxation, public health, and local police not cognizable as such under the provisions of "The Pacific Order in Council, 1893" shall continue to be amenable to the jurisdiction of the Tongan Courts. The proceedings at all such trials shall be public and the records thereof accessible.
ARTICLE VI

It is agreed that the Treaty of the twenty-ninth day of November 1879 between Her Majesty and His Majesty the King of Tonga shall be considered to be abrogated in so far as it may be inconsistent with the provisions of this Treaty.

ARTICLE VII

The present Treaty shall come into force and effect from the date of signature thereof but shall again become null and void if not ratified within the prescribed period.

ARTICLE VIII

The present Treaty shall be ratified, and the ratifications exchanged at Nukualofa within twelve months from the date thereof.

Done at Nukualofa this eighteenth day of May, 1900.

This Treaty was ratified at Nukualofa on 16 February 1901.
NOTE OF POINTS ACCEPTED BY THE KING

1905

1. The King to rule with and through the Chiefs.

2. The British Agent and Consul to be consulted and his advice taken.

3. Services of an English officer to be utilised for the re-organisation of the Police.

4. Laws to be published in English as well as in Tongan.

5. Distribution of Lands as contemplated and promised by the late King to be carried out.

6. Rents of Government lands to be paid into Public Account, and no longer to be regarded as part of the King's emoluments.

7. Renewal of Leases to Foreigners on terms to be arranged.

8. Laws regarding spirituous liquors to be enforced.

9. New appointments to the Public Service to be made in consultation with His Britannic Majesty's Agent and Consul.

10. Changes among leading officials to be made only in consultation with His Britannic Majesty's Agent and Consul.

11. Revised Estimates for 1905 to be adopted.

12. Rights of succession and inheritance not to be interfered with.

I agree without reservation.

(Signed) Tapa II
Nukualofa. 18th January, 1905.

Henry Douglas Wilkin,
Commander R.N. H.M.S. "Clio"

Witness, Jiaoji Fatafchi.

Witness, J.F. Mateialona.
AGREEMENT BETWEEN GREAT BRITAIN AND TONGA

1928

Whereas a Treaty of Friendship between Her Majesty the Queen of Great Britain and Ireland Empress of India and His Majesty the King of Tonga was made on the eighteenth day of May, 1900.

And whereas it is desirable to remove doubts as to the jurisdiction of Her Majesty the Queen of Tonga in respect of offences against certain of the Laws and Regulations of Tonga committed by British subjects and Foreigners.

Therefore the undersigned, being duly authorized to that effect, have agreed that Article V of the aforesaid Treaty shall be amended as follows, that is to say that the proviso occurring therein beginning with the words "Provided that British subjects and Foreigners charged" down to the end of the Article shall be deleted and the following substituted therefor:-

Provided that British subjects and Foreigners charged with any offence against any of the Laws and Regulations of Tonga for the enforcing of which the Minister of Police is responsible not including crimes punishable by death or by imprisonment exceeding two years shall be amenable to the jurisdiction of the Tongan Courts. The proceedings at all such trials shall be public and the records thereof accessible.

In testimony whereof I, EYRE HUTSON, Knight Commander of the Most Distinguished Order of Saint Michael and Saint George, Governor of Fiji and High Commissioner and Consul-General for the Western Pacific, in virtue of my Full Power under the Royal Sign Manual and Great Seal of the United Kingdom of Great Britain and Ireland dated the 12th day of August, 1926, have hereunto signed my name, and I, SALOTE TUBOU, Queen of Tonga, in virtue of the powers vested in me by section 42 of the Act of Constitution of Tonga of the year 1888 and section 5 of Chapter I of the Law of Tonga of 1903 have hereunto signed my name.

Done in duplicate at Suva in the Colony of Fiji this seventh day of November, 1928.

Done in duplicate at Nukualofa this twelfth day of August, 1927.

For His Britannic Majesty,

EYRE HUTSON,
High Commissioner for the Western Pacific,

SALOTE TUBOU.
APPENDIX I(vii)

EXCHANGE OF NOTES
amending the Treaty of Friendship of 18th May 1900,
between the United Kingdom and Tonga.
Suva/Nuku'alofa, 2nd/20th May, 1952

(No. 1.)—The United Kingdom Officer Administering the Government of Fiji to Her Majesty the Queen of Tonga

Government House, Suva, 2nd May, 1952

Your Majesty,

I HAVE the honour to refer to the discussions which took place in December, 1951 and subsequently between the British Agent and Consul in Tonga and the Government of Tonga for the purpose of agreeing upon an amendment to the Treaty of Friendship between Tonga and the United Kingdom signed at Nuku'alofa on 18th May, 1900 insofar as it provides for the manner in which Her Britannic Majesty's jurisdiction over certain civil and criminal cases involving British subjects - foreigners is to be exercised.

2. I have now the honour upon instructions from Her Majesty's Government in the United Kingdom of Great Britain and Northern Ireland to propose that Article V of the said Treaty of Friendship shall have effect as if the words "in accordance with provisions of the Tonga Order in Council, 1952, and of any Order in Council amending (or replacing) the same, and in accordance with any Regulations made thereunder" were substituted for the words "in accordance with the provisions of the Pacific Order in Council, 1893, and of any order amending the same as far as applicable".

3. If the proposal set out in the preceding paragraph is acceptable to the Government of Tonga, I suggest that the present Note and Your Majesty's reply thereto in that sense be regarded as constituting an Agreement between the two Governments modifying Article V of the said Treaty of Friendship with effect from the date on which the Tonga Order in Council, 1952 came into operation.

I have the honour to be Your Majesty's true friend,

A.F.R. STODDART,
Officer Administering the Government of Fiji.
Sir,

I have the honour to acknowledge receipt of your Note of the 2nd May, 1952, the terms of which are as follows:--

[As in No. 1.]

2. In reply I have the honour to inform you that my Government accepts the proposals concerning the modification of Article V of the Treaty of Friendship of 18th May, 1900, as set forth in your Note and that your Note and this reply will be regarded as constituting an Agreement between the two Governments modifying Article V of the said Treaty of Friendship with effect from the date on which the Tonga Order in Council, 1952 came into operation.

I have the honour to be your true friend,

SALOTE TUPOU.
TREATY OF FRIENDSHIP

between Her Majesty the Queen in respect of the United Kingdom of Great Britain and Northern Ireland and Her Majesty the Queen of Tonga

Nuku'alofa, August 26, 1958

[Ratifications were exchanged on May 25, 1959]

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth (hereinafter referred to as Her Britannic Majesty), and Her Majesty The Queen of Tonga:

Desiring to confirm and strengthen the friendly relations which exist between them, and with this aim to conclude a new Treaty to replace the Treaty of Friendship of 29th November, 1879, in so far as that Treaty is still in force, the Treaty of Friendship of 18th May, 1900, and the Agreements of 18th January, 1905, the 7th November, 1928, and the 20th May, 1952;

Have appointed for that purpose as their plenipotentiaries:-

Her Britannic Majesty:

For the United Kingdom of Great Britain and Northern Ireland

His Excellency Sir Ronald Herbert Garvey Knight Commander of the Most Distinguished Order of St. Michael and St. George, Knight Commander of the Royal Victorian Order, Member of the Most Excellent Order of the British Empire.

Her Majesty The Queen of Tonga:

His Royal Highness the Crown Prince Tupouto'a Tungi Honorary Knight Commander of the Most Excellent Order of the British Empire.

Who, having exhibited their respective Full Powers found in good and due form,

Have agreed as follows:-
ARTICLE I

For the purposes of the present Treaty:-

(1) The term "territory" in relation to Her Britannic Majesty means the United Kingdom of Great Britain and Northern Ireland and any territory (other than the Kingdom of Tonga) for whose international relations Her Government in the United Kingdom (hereinafter referred to as the Government of the United Kingdom) are responsible.

(2) The term "subject" in relation to Her Britannic Majesty means any citizen of the United Kingdom and Colonies and any citizen of the Federation of Rhodesia and Nyasaland, and shall be deemed to include any person who is a British protected person by reason of connection with any territory (other than the Kingdom of Tonga) for whose international relations the Government of the United Kingdom are responsible.

(3) The term "Tongan subject" means any person who is a Tongan subject as defined by the nationality law of Tonga.

ARTICLE II

There shall be perpetual peace and friendship between Her Britannic Majesty, Her Heirs and Successors, and Her Majesty The Queen of Tonga, Her Heirs and Successors, and between Their respective Territories and Subjects.

ARTICLE III

(1) The external relations of the Kingdom of Tonga shall be conducted by and be the responsibility of the Government of the United Kingdom, except in so far as the conduct of such relations may be entrusted by the Government of the United Kingdom to the Government of Her Majesty the Queen of Tonga (hereinafter referred to as the Government of Tonga.)

(2) The Government of the United Kingdom shall consult with the Government of Tonga regarding the conduct of the external relations of the Kingdom of Tonga and in particular shall consult with the Government of Tonga before entering into any international agreement for or in relation to the Kingdom of Tonga.

(3) Her Majesty The Queen of Tonga shall take such steps as may appear to the Government of the United Kingdom to be necessary to secure compliance with any international agreement entered into by the Government of the United Kingdom for or in relation to the Kingdom of Tonga and any other obligation imposed by international law in relation to the Kingdom of Tonga.
ARTICLE IV

(1) Her Britannic Majesty shall at all times to the utmost of Her power take whatever steps may appear to the Government of the United Kingdom to be necessary for the defence and security of the Kingdom of Tonga; and to that end may, with the agreement of Her Majesty The Queen of Tonga, seek the assistance of the Government of any other State.

(2) Her Majesty The Queen of Tonga shall-

(a) allow Her Britannic Majesty's United Kingdom armed forces and the armed forces of any other State whose assistance is secured in accordance with paragraph (1) of this Article to be stationed in Her Kingdom for the purpose of its defence and security;

(b) allow such forces free access to the waters and harbours of Her Kingdom;

(c) lease to Her Britannic Majesty such land and harbours in Her Kingdom as may appear to the Government of the United Kingdom to be necessary for naval, military or air force purposes in connection with the defence and security of Her Kingdom;

(d) to the utmost of Her power co-operate with and aid such forces as may be stationed in Her Kingdom in pursuance of this Article;

(e) take such other steps as may appear to the Government of the United Kingdom to be necessary for the purposes of the defence and security of Her Kingdom.

(3) The law of the United Kingdom for the time being in force, whether enacted before or after the entry into force of this Treaty, relating to the administration and discipline of Her Britannic Majesty's United Kingdom armed forces, to the exemption of such forces from payment of duties or tolls, to deserters and absentees without leave, and to offences relating to naval, military and air force matters and the trial thereof, shall, in so far as its terms may so require, have the force of law in the Kingdom of Tonga.

ARTICLE V

The Government of Tonga shall consult with and obtain the consent of the Government of the United Kingdom before any legislation is enacted in the Kingdom of Tonga-

(a) relating to defence, banking, currency and exchange; or

(b) whereby persons who are not Tongan subjects may be subjected to or made liable to any disabilities or restrictions to which Tongan subjects are not also subjected or made liable.
ARTICLE VI

(1) Her Britannic Majesty shall appoint a suitable person to the British Commissioner and Consul in Tonga, who shall be the medium of communication between the Government of the United Kingdom and the Government of Tonga.

(2) The British Commissioner and Consul may make representations to Her Majesty The Queen of Tonga or the Government of Tonga on any matter affecting the interests of persons who are not Tongan subjects or of any individual person who is not such a subject.

(3) The British Commissioner and Consul shall give advice to Her Majesty The Queen of Tonga or the Government of Tonga on any matter in respect of which Her Majesty The Queen or the Government of Tonga seeks such advice.

(4) Her Majesty The Queen of Tonga may appoint a Commissioner for the Government of Tonga in the United Kingdom who may be a complementary medium of communication between the Government of Tonga and the Government of the United Kingdom in commercial matters.

ARTICLE VII

(1) Her Britannic Majesty's Courts shall have jurisdiction to the exclusion of the Tongan courts in all criminal proceedings against persons who are not Tongan subjects except proceedings in respect of any act or omission which is an offence against the laws of Tonga and which is not punishable under those laws by death or by imprisonment for a term exceeding two years.

(2) Her Britannic Majesty's jurisdiction in Tonga shall extend to the making of laws providing for the exercise of the jurisdiction conferred upon Her Britannic Majesty's Courts by paragraphs (1) of this Article; and without prejudice to the generality of the foregoing provisions of this paragraph, Her Britannic Majesty may, in connection with the exercise of the jurisdiction so conferred, make laws-

(a) establishing courts in Tonga;

(b) conferring jurisdiction either original or appellate, on those courts or courts in any of Her territories;

(c) prescribing the law to be applied by any such court and regulating the practice and procedure of any such court;

(d) providing for the removal from Tonga of any person who is not a Tongan subject for trial in any of Her territories or for the carrying out in any such territory of any order or sentence.

(3) Her Britannic Majesty shall have jurisdiction to make laws providing for the registration in Tonga by the British Commissioner and Consul of births and deaths of subjects of Her Britannic Majesty.

(4) Every summons or warrant to appear as a witness before a court of
Her Britannic Majesty directed to a Tongan subject shall, if possible, be endorsed by a judge of the Supreme Court of Tonga, and when so endorsed shall have the same authority, and may be enforced in like manner as if issued by the Supreme Court of Tonga; but where it shall be made to appear to Her Britannic Majesty's court that the delay required to procure such endorsement may lead to the escape or removal of a material witness, such summons or warrant may be issued by the court without such endorsement, and shall have the same authority and may be enforced in like manner as if such summons or warrant had been directed to a person who is not a Tongan subject.

(5) The authorities of Tonga shall at all times to the utmost of their power, when called upon by the British Commissioner and Consul, render aid in making arrests and in carrying out any order or sentence in pursuance of the jurisdiction conferred on Her Britannic Majesty's courts by this Article.

(6) Without prejudice to the jurisdiction conferred on Her Britannic Majesty by paragraph (2) and (3) of this Article, Her Britannic Majesty may, with the prior agreement of the Government of Tonga, apply to Tonga as part of the law thereof any statute of the United Kingdom with such modifications, if any, as may be agreed upon.

ARTICLE VIII

The surrender of persons who are found in the territory of one High Contracting Party and accused or convicted of an offence committed in the territory of the other shall be governed by the principles governing such surrender between Her Britannic Majesty's territories; the detailed application of these principles shall form the subject of consultations between the High Contracting Parties.

ARTICLE IX

All Acts of the Tongan Legislature and all subsidiary legislation made thereunder shall be published in the English language as well as in the Tongan language.

ARTICLE X

(1) The present Treaty shall be subject to ratification and the instruments of ratification shall be exchanged at Nuku'alofa within twelve months of the date of signature.

(2) The present Treaty shall enter into force upon the exchange of instruments of ratification.

(3) The Treaties and Agreements referred to in the Preamble to the present Treaty are hereby abrogated except in so far as any provision thereof is regarded as in force between the Kingdom of Tonga and any
of Her Britannic Majesty's territories other than the territories referred to in Article I (1) of this Treaty.

In witness whereof the undersigned Plenipotentiaries have signed the present Treaty and have affixed their Seals.

Done in duplicate at Nuku'alofa this twenty-sixth day of August, nineteen hundred and fifty-eight, in the English and Tongan languages, the English text to prevail in case of doubt.

For Her Britannic Majesty

[L.S.] RONALD H. GARVEY

For Her Majesty the Queen of Tonga

[L.S.] TUFOUTO'A TUNGI
DESPATCH ON EXTERNAL RELATIONS TO ACCOMPANY THE REVISED TREATY

Government House,
Suva, Fiji,

Your Majesty,

I have the honour to refer to Article III (1) of the revised Treaty of Friendship signed at Nuku'alofa on 26th August, 1958 in which it is stated that the external relations of the Kingdom of Tonga shall be conducted by and be the responsibility of the Government of the United Kingdom, except in so far as the conduct of such relations may be entrusted by Her Britannic Majesty's Government in the United Kingdom to the Government of Her Majesty The Queen of Tonga. This despatch sets out the intentions of the Government of the United Kingdom regarding the extent to which the external relations of the Kingdom of Tonga should be conducted by the Government of Tonga.

2. Her Majesty's Government in the United Kingdom authorises the Government of Tonga:-

(a) to negotiate and conclude agreements of purely local concern (other than agreements relating to matters of defence and security and civil aviation) with the administrations of neighbouring Pacific Islands and the Governments of Australia and New Zealand, including arrangements with them for the exchange of representatives;

(b) to negotiate and conclude trade agreements, whether bilateral or multilateral, relating solely to the treatment of goods;

(c) to become a member of any international technical organisation for membership of which the Kingdom of Tonga is eligible under the terms of the instrument constituting the organisation; and to conduct any external relations (not being relations excluded from the competence of that Government by international law) arising out of any such agreement concluded by the Government of Tonga or out of membership of any international organisations.

3. Agreements of purely local concern with Administrations of neighbouring Pacific Islands and the Governments of Australia and New Zealand would include arrangements made with these Administrations and Governments for the recruitment and secondment of staff, obtaining of expert assistance and advice, and agreements to enact reciprocal legislation on such matters as double taxation relief and the enforcement of Court judgments. In general, any agreement affecting only the Kingdom of Tonga and the other Administrations or Governments above mentioned shall be deemed to be of purely local concern.
4. Trade agreements relating solely to the treatment of goods would include tariff agreements and customs unions, but would exclude agreements relating to shipping questions (other than those relating solely to transport within the Kingdom) and establishment matters (i.e. those affecting the rights of persons and companies of contracting parties).

5. In addition, the Government of Tonga is authorised to enter into direct correspondence on matters of purely mutual interest with countries of the British Commonwealth not covered in paragraph 2 (a) above. This shall be on the understanding that agreements with those countries, or arrangements to exchange representatives with them, shall not be concluded without the consent of the Government of the United Kingdom.

6. The Government of Tonga will, in view of the general responsibility of the Government of the United Kingdom for the external relations of the Kingdom of Tonga, be expected to keep Her Majesty's Government in the United Kingdom informed, through the British Commissioner and Consul, of the position and progress of any negotiations for the type of agreements mentioned in paragraph 2 of this despatch, so that the Government of the United Kingdom may:

(a) keep other Commonwealth Governments informed on matters which may be of interest or concern to them (in so far as this has not already been done by the Government of Tonga in the ordinary course of the negotiations); and

(b) advise, where necessary, on the international aspects of an agreement.

7. It will be open to the Government of Tonga to suggest, at any time, ways in which the conduct of external relations by the Kingdom of Tonga might be extended or otherwise modified.

I have the honour to be,

Your Majesty's true friend,

RONALD H. GARVEY,
Governor and Consul General for Western Pacific.
APPENDIX I(ix)

TREATY OF FRIENDSHIP
BETWEEN THE UNITED KINGDOM OF GREAT BRITAIN
AND NORTHERN IRELAND AND THE KINGDOM OF TONGA

Nuku'alofa, 30 May 1968

Her Majesty The Queen of the United Kingdom of Great Britain and Northern Ireland and of Her other Realms and Territories, Head of the Commonwealth (hereinafter referred to as "Her Britannic Majesty") and His Majesty The King of Tonga;

Desiring to confirm and strengthen the friendly relations that exist between them, and with this aim to conclude a new Treaty of Friendship to replace the Treaty of Friendship of 26th August 1958;

Have appointed for this purpose as their Plenipotentiaries:

Her Britannic Majesty:
For the United Kingdom of Great Britain and Northern Ireland (hereinafter referred to as "the United Kingdom")

Archibald Cameron Reid Esquire Companion of the Most Distinguished Order of St. Michael and St. George, Her Majesty's Commissioner and Consul in the Kingdom of Tonga.

His Majesty The King of Tonga:

His Royal Highness Prince Tu'ipelehake Honorary Commander of the Most Excellent Order of the British Empire.

Who, having exhibited their respective Full Powers found in good and due form,

Have agreed as follows:

ARTICLE I

There shall be perpetual peace and friendship between Her Britannic Majesty and His Majesty The King of Tonga, and between the peoples of the United Kingdom and its dependencies and the subjects of His Majesty The King of Tonga.
ARTICLE II

(1) The Government of the United Kingdom shall have full and sole responsibility for, and for the conduct of, the external relations of the Kingdom of Tonga—

(a) with the United Nations;

(b) with all international organisations of which neither the United Kingdom nor the Kingdom of Tonga is for the time being a member;

(c) with respect to the accession or adherence by the Kingdom of Tonga to any alliance or political grouping of States;

(d) with respect to defence;

(e) with respect to establishment matters, merchant shipping and civil aviation,

except in so far as the Government of the United Kingdom may declare that responsibility for, or responsibility for the conduct of, such relations shall be vested in the Government of His Majesty The King of Tonga (hereinafter referred to as "the Government of Tonga").

(2) The Government of Tonga shall take such steps as appear to the Government of the United Kingdom to be necessary to secure compliance with any obligations for the time being resting on the United Kingdom in respect of the Kingdom of Tonga by virtue of any international agreement or otherwise under international law. To the extent, if any, that such obligations relate to matters which do not fall within the scope of sub-paragraphs (a) to (e) of paragraph (1) of this Article, the Government of the United Kingdom shall, unless it is otherwise agreed between the Government of the United Kingdom and the Government of Tonga, have responsibility for the conduct of the external relations of the Kingdom of Tonga in respect of matters relating to those obligations.

(3) Where, in accordance with the foregoing provisions of this Article, the Government of the United Kingdom has full and sole responsibility for, or for the conduct of, the external relations of the Kingdom of Tonga, they shall consult with the Government of Tonga regarding the conduct of such external relations and in particular shall consult with the Government of Tonga before entering into any international agreement in respect of the Kingdom of Tonga.

(4) Subject to the foregoing provisions of this Article and to the provisions of paragraphs (2) and (3) of Article IV the external relations of the Kingdom of Tonga shall be the responsibility of, and shall be conducted by, the Government of Tonga, except in so far as the Government of the United Kingdom may, at the request of the Government of Tonga, undertake responsibility for, or responsibility for the conduct of, such relations.

(5) The Government of Tonga shall inform the Government of the United Kingdom of their intention to take any particular action in the field of external affairs and keep the Government of the United Kingdom fully informed of the progress of any negotiations between the Government of Tonga and any third party with respect to external affairs.
ARTICLE III

(1) Her Britannic Majesty shall at all times to the utmost of her power take whatever steps may appear to the Government of the United Kingdom to be necessary for protecting and defending the Kingdom of Tonga against external aggression; and to that end may obtain the assistance of the Government of any other State: provided that the Government of the United Kingdom shall not, without the agreement of the Government of Tonga make arrangements under which the armed forces of any such other State would be authorised to enter the Kingdom of Tonga for the purpose of protecting and defending the Kingdom against external aggression.

(2) For the purposes of paragraph (1) of this Article, His Majesty The King of Tonga shall—

(a) allow Her Britannic Majesty's armed forces, and the armed forces of any other State in respect of which any such arrangements as are referred to in the proviso to paragraph (1) of this Article are made, to be stationed in His Kingdom;
(b) allow such forces free access to the waters, harbours and airports of His Kingdom;
(c) allow such forces, free of charge, to use land and harbours in His Kingdom as may appear to the Government of the United Kingdom to be necessary for naval, military and air force purposes;
(d) to the utmost of his power co-operate with and aid such forces,

and shall take, or permit the taking of, such other measures as may appear to the Government of the United Kingdom to be necessary, including the enactment of legislation: provided that, without prejudice to the generality of such other measures, His Majesty The King of Tonga shall cause effect to be given to the provisions of the Annex to the present Treaty in relation to Her Britannic Majesty's armed forces in the Kingdom of Tonga in pursuance of this Article.

(3) The Government of Tonga shall consult with and obtain the consent of the Government of the United Kingdom before any legislation is enacted in the Kingdom of Tonga with respect to defence.

ARTICLE IV

(1) Her Britannic Majesty and His Majesty The King of Tonga shall each appoint a representative in the other's country, to be styled Commissioner and Consul. Communications between the Government of the United Kingdom and the Government of Tonga shall be effected through such representatives, who shall have equal status as channels of communication between the two Governments.

(2) His Majesty The King of Tonga may, with the agreement of the Government of the United Kingdom—

(a) appoint representatives in other States whose Governments are willing to receive them;
(b) receive representatives in Tonga appointed by other States.
(3) The status and functions of any representative appointed or received in pursuance of paragraph (2) of this Article shall be such as may be agreed between the Government of the United Kingdom and the Government of Tonga prior to his appointment or reception.

ARTICLE V

The surrender of fugitive offenders between the United Kingdom (including its dependencies) and the Kingdom of Tonga shall be governed by the principles governing the surrender of fugitive criminals within the Commonwealth; the detailed application of these principles shall form the subject of consultations between the Government of the United Kingdom and the Government of Tonga as occasion may require.

ARTICLE VI

In the present Treaty—
(a) references to Her Britannic Majesty and to His Majesty The King of Tonga include references to their respective Heirs and Successors;
(b) references to Her Britannic Majesty's armed forces are references to the armed forces of the United Kingdom and to any other armed forces under the command of the United Kingdom and include references to civilians (not being citizens of, nor ordinarily resident in, the Kingdom of Tonga) authorised by the service authorities of the United Kingdom to accompany Her Britannic Majesty's armed forces in Tonga;
(c) references to defence include (without prejudice to their generality) references to all naval, military and air force matters;
(d) references to merchant shipping do not include references to ships when engaged on a voyage between ports within the Kingdom of Tonga which does not include a call at any other country and which is not part of a voyage beginning or ending outside the Kingdom of Tonga.

ARTICLE VII

(1) The present Treaty shall be subject to ratification and the instruments of ratification shall be exchanged at Nuku’alofa within twelve months of the date of its ratification.

(2) The present Treaty shall enter into force upon the exchange of instruments of ratification.
(3) If at any time the Government of the United Kingdom shall cease to have any responsibility for the external relations of the Kingdom of Tonga, the provisions of Articles II, III, IV and V of the present Treaty shall cease to have effect.

(4) The Treaty of Friendship of 26th August 1958 is hereby abrogated except in so far as any provision thereof is regarded as in force between the Kingdom of Tonga and any country for whose international relations the Government of the United Kingdom is no longer responsible.

(5) Any cases pending in Her Britannic Majesty's Courts in pursuance of Article VII of the Treaty of Friendship of 26th August 1958 immediately before this Treaty comes into force may thereafter be continued and concluded as if that Article were still in force.

IN WITNESS WHEREOF the above-named Plenipotentiaries have signed the present Treaty and have affixed thereto their seals.

DONE in duplicate at Nuku'alofa this thirtieth day of May, nineteen hundred and sixty-eight, in the English and Tongan language; the English text to prevail in case of doubt.

For Her Britannic Majesty:  For His Majesty The King of Tonga:  
(L.S.) A.C. REID  (L.S.) TU'IPELEHAKE.
ANNEX

(1) The law of the United Kingdom for the time being in force, whether enacted before or after the entry into force of this Treaty, relating to the administration and discipline of Her Britannic Majesty’s United Kingdom armed forces, to the exemption of such forces from the payment of duties or tolls, to deserters and absentees without leave, and to offences relating to naval, military and air force matters and the trial thereof, shall, in so far as its terms may so require, have the force of law in the Kingdom of Tonga.

(2) At times when Her Britannic Majesty’s armed forces are stationed in the Kingdom of Tonga by reason of hostilities or for other operations of a warlike nature, the courts of the Kingdom of Tonga shall not have any criminal jurisdiction over members of those forces, and at other times those courts shall have such jurisdiction only in the case of offences other than--

(a) an offence against the property or security of the United Kingdom or against the property or person of a member of Her Britannic Majesty’s armed forces;

(b) an offence arising out of an act or omission done or made in the course of official duty, provided that the courts of Tonga may exercise jurisdiction over a member of Her Britannic Majesty’s armed forces in any particular case or class of cases with the prior consent of the officer commanding these forces.

(3) If the courts of the Kingdom of Tonga are to exercise jurisdiction over a member of Her Britannic Majesty’s armed forces, the service authorities of the armed forces of the United Kingdom in the Kingdom of Tonga shall have the right to take custody of such member until he is brought to trial by the courts of the Kingdom of Tonga and in any such case the service authorities of the armed forces of the United Kingdom shall present such member to those courts for investigatory process and trial when required.

(4) The Government of the United Kingdom shall pay just and equitable compensation where, in accordance with the law of the Kingdom of Tonga, there is liability for damage caused by an act or omission in the Kingdom of Tonga of a member of Her Britannic Majesty’s armed forces arising out of or in the course of his duties as a member of those forces and a member of those forces shall not be subject to the civil jurisdiction of the courts of the Kingdom of Tonga in respect of any such act of omission.
APPENDIX I(x)

EXCHANGE OF LETTERS
TERMINATION OF UNITED KINGDOM RESPONSIBILITY FOR
THE EXTERNAL RELATIONS OF TONGA

Nuku'alofa, 19 May 1970

No. 1

The Premier of the Kingdom of Tonga to Her Majesty’s Commissioner
and Consul, Tonga

Premier’s Office,
Nuku'alofa,
Tonga,
19 May, 1970.

Sir,

I have the honour to refer to the Treaty of Friendship between
Her Britannic Majesty and His Majesty which was signed at Nuku'alofa
on the 30th of May, 1968, and to paragraph (3) of Article VII of the
Treaty which provides that if at any time the Government of the United
Kingdom shall cease to have any responsibility for the external
relations of the Kingdom of Tonga, the provisions of Articles II, III,
IV and V of the Treaty shall cease to have effect.

In order that Tonga may become a fully sovereign and independent
State on the 4th of June 1970 it is necessary that those Articles of
the Treaty should cease to have effect.

Accordingly I have the honour to propose that as from the 4th of
June 1970 the Government of the United Kingdom should cease to have
any responsibility for the external relations of the Kingdom of Tonga.

I have the honour to be,

Sir,

Your obedient Servant,

TU'IPELEHAKE,

Premier of the Kingdom of Tonga.
No. 2

Her Majesty's Commissioner and Consul, Tonga, to the Premier of the Kingdom of Tonga

Nuku'alofa
19th May, 1970.

Your Royal Highness,

I have the honour to refer to Your Royal Highness's letter of the 19th May, 1970 concerning the Treaty of Friendship which was signed at Nuku'alofa on the 30th of May, 1968.

I am instructed by the Government of the United Kingdom to signify their agreement that as from the 4th of June 1970 they shall cease to have any responsibility for the external relations of the Kingdom of Tonga.

I have the honour to be,

Your Royal Highness's obedient Servant,

A.C. Reid

Her Britannic Majesty's Commissioner and Consul.
APPENDIX II

PREMIERS OF TONGA
1900-1970

Siosateki Tonga Veikune
(A) Siaosi Fatafehi Tu'ipelehake
Sione T. Mateialona
Tu'ivakano (Polutele)
Tungi Mailefihi
Solomone Ata
Prince Tupouto'a Tungi
Prince Fatafehi Tu'ipelehake

November 1893-December 1904
December 1904-January 1905
January 1905-September 1912
October 1912-June 1923
June 1923-July 1941
July 1941-November 1949
December 1949-December 1965
December 1965–
APPENDIX III

BRITISH AGENT AND CONSULS TO TONGA AND
COMMISSIONER AND CONSULS,
1900-1970

Vice-Consul
R. Beckwith Leefe

Agent and Consul
Hamilton Hunter
W. Telfer Campbell
(A)Islay McOwan
H.E.W. Grant
(A)G.B. Smith-Rewse
Islay McOwan
(A)J.M. Masterton
J.S. Neill
(A)W.E. Russell
(A)A.E.S. Howard
A.L. Armstrong
(A)H.E. Maude
C.W.T. Johnson
J.E. Windrum
C.R.H. Nott
A.C. Reid

Commissioner and Consul
Q.V.L. Weston
E.J. Coode
(A)J.B. Claydon

February 1887-February 1901
February 1901-September 1909
September 1909-April 1912
April 1912-March 1913
March 1913-July 1916
September 1916-August 1917
August 1917-June 1926
December 1923-May 1924
January 1927-August 1937
April 1928-July 1929
December 1933-October 1934
December 1937-July 1943
June 1941-October 1941
June 1943-March 1949
March 1949-July 1954
August 1954-March 1957
March 1957-April 1959
April 1959-October 1959
October 1959-June 1965
August 1962-December 1962
A.C. Reid

June 1965-June 1970

(A) Acting -- Only the more lengthy or significant periods of acting are listed.
APPENDIX IV

HIGH COMMISSIONERS FOR THE WESTERN PACIFIC,
GOVERNORS OF FIJI WITH RESPONSIBILITY FOR TONGA
AND CHIEF COMMISSIONERS FOR TONGA
1900-1970

High Commissioner for the Western Pacific

Sir George O'Brien
(A)W.L. Allardyce
Sir Henry M. Jackson
(A)Charles Major
Sir Everard im Thurn
(A)Sir Charles Major
Sir Francis H. May
Sir Bickham Sweet-Escott
(A)E. Hutson
Sir Cecil Rodwell
(A)T.E. Fell
(A)T.E. Fell
(A)T.E. Fell
Sir Eyre Hutson
(A)A.W. Seymour
(A)A.W. Seymour
Sir Murchison Fletcher
(A)A.W. Seymour
(A)A.W. Seymour
(A)C.J.J.T. Barton
Sir Arthur Richards
(A)C.J.J.T. Barton

March 1897-July 1901
March 1904-October 1904
August 1910-February 1911
February 1911-June 1912
July 1912-June 1918
August 1915-May 1916
October 1918-January 1924
May 1920-June 1920
May 1921-March 1922
January 1924-April 1925
April 1925-April 1929
November 1927-April 1928
April 1929-November 1929
November 1929-May 1936
November 1932-August 1933
January 1934-March 1935
May 1936-November 1936
November 1936-July 1938
July 1938-September 1938

July 1901-September 1902
September 1902-March 1904
March 1904-October 1904
October 1904-August 1910
February 1911-June 1912
<table>
<thead>
<tr>
<th>Name</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sir Harry Luke</td>
<td>September 1938-July 1942</td>
</tr>
<tr>
<td>Sir Philip Mitchell</td>
<td>July 1942-October 1944</td>
</tr>
<tr>
<td>(A)J.F. Nicoll</td>
<td>October 1944-January 1945</td>
</tr>
<tr>
<td>A.W.G.H. Grantham</td>
<td>January 1945-March 1947</td>
</tr>
<tr>
<td>Sir Brian Freeston</td>
<td>January 1948-September 1951</td>
</tr>
<tr>
<td>(A)C.D. Chamberlain</td>
<td>September 1951-July 1952</td>
</tr>
</tbody>
</table>

**Governor of Fiji and Consul-General for the Western Pacific**

<table>
<thead>
<tr>
<th>Name</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sir Ronald Garvey</td>
<td>July 1952-August 1958</td>
</tr>
</tbody>
</table>

**United Kingdom Chief Commissioner in Tonga**

<table>
<thead>
<tr>
<th>Name</th>
<th>Dates</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sir Kenneth Maddocks</td>
<td>August 1958-July 1963</td>
</tr>
<tr>
<td>Sir Deryck Jakeway</td>
<td>January 1964-June 1965</td>
</tr>
</tbody>
</table>

(The post was discontinued from June 1965)

(A)Acting -- only the more lengthy or significant periods of acting are listed.